

Interview

Business and Immigration

An Interview with The Honorable Alejandro Mayorkas,
Director, U.S. Citizenship and Immigration Services



The Hon. Alejandro Mayorkas

EDITORS' NOTE In August 2009, Cuban immigrant Alejandro Mayorkas became the third Director of the world's largest immigration service. Nominated by President Obama on April 24 and unanimously confirmed on August 7 by the U.S. Senate, Mayorkas oversees a workforce of nearly 18,000 people. He has served as the United States Attorney for the Central District of California, and most recently as a partner in the law firm of O'Melveny & Myers LLP. In 2008, he was named one of the 50 Most Influential Minority Lawyers in America by the National Law Journal. Mayorkas previously served as an Assistant U.S. Attorney for the Central District of California from 1989 to 1998. He holds a J.D. from Loyola Law School and a B.A. from the University of California at Berkeley.

ORGANIZATION BRIEF U.S. Citizenship and Immigration Services (USCIS; www.uscis.gov) is the government agency that oversees lawful immigration to the United States. Their mission is to secure America's promise as a nation of immigrants by providing accurate and useful information to their customers, granting immigration and citizenship benefits, promoting an awareness and understanding of citizenship, and ensuring the integrity of the immigration system. The organization is composed of 18,000 government employees and contractors working at 250 offices across the world.

What should our readers know about your department, and what should they be able to do to help to make things flow better for their own companies?

Our agency is responsible for the administration of immigration benefits to individuals and entities that qualify for them. Since the beginning of my tenure as the Director of the agency, we have promoted public engagement in order to better understand the issues of importance to our constituencies and to make sure we administer, efficiently and with fairness, the benefits that the law entitles petitioners to receive.

So for example, we've gone out into the business community to get an understanding of its needs with respect to our work. We welcome feedback from businesses regarding prospective issues and concerns or successes and challenges they're having with our agency so that we can react appropriately and consistent with that.

What could businesses do to improve the way they work with you, and are they all honest in their attempts to do things the right way?

Those are two very important issues. Let me speak first of the honest audience, the responsible corporate citizen. For example, businesses that recruit skilled foreign workers and seek to build up their workforce with talent not currently available in the American workforce petition for visas for skilled workers from foreign countries. Those businesses have told us that, in the application process, our agency sometimes requests evidence in support of their applications that isn't necessarily well-tailored to the needs of that particular applicant or particular business. We sometimes send out generic forms because we're a high-volume business. But we've been engaging with the business community to reform that process so we don't unnecessarily burden businesses with questions that don't pertain to their particular applications. That type of feedback from businesses is very important and has helped us understand what they perceive as problems so we can address them. Constructive criticism is helpful, because we do want to do our job as well as possible.

With respect to the second question, are they all honest? No, they are not. So we have a very vigorous and expansive anti-fraud office working to discern and detect those who do not seek to abide by the law, and who do not qualify for benefits that they are trying to access, and we deal with them in a different way.

If you had to identify the five most important points that a business should do or be careful of, what would they be?

Follow the rules; provide the information that is required in support of an application; do not apply for a benefit to which one is not entitled; provide the information in as concise and clear a fashion as possible; and be responsive.

We try to help by providing tools to employers to assist them in complying with the law. For example, one of the challenges that a company faces is to ensure the lawfulness of its workforce, and we have E-Verify as a tool that an employer can voluntarily use to assist it in ensuring this.

You came from a very successful private life and decided to go into public life. What appealed to you about the opportunity, and why should young people consider making that sacrifice?

The opportunity to lead, the privilege of being in a position from which one can impact an organization, comes with criticism – sometimes pointed, sometimes broad-brushed. That is one of the costs that comes with public service. But that is an easy cost to pay for the privilege of serving the public and for being able to lead an organization.

The benefit that far outweighs any cost is the privilege of working with the people with whom I work, the privilege of supporting them in the pursuit of their mission, and the fulfillment that one achieves from doing both and also serving the public. It's an extraordinarily fulfilling endeavor and I wouldn't trade it for the world.

What is the best part of your job, and what have you found to be the most surprising thing about it?

Both have the same answer: The best part of my job is the people with whom I work, all 18,000 of them, and it is the most surprising thing. I say surprising because, coming from outside of government, one truly understands how dedicated people are to the mission of this agency. Here we are in the midst of budget challenges, we have to make certain cuts, and the dedication and tenacity of the people to accomplish the mission is truly something to behold. I'm very privileged to be a part of it.

Are you a lightning person?

I'd like to be more lightning than thunder. ●