

**Congress of the United States**  
**Washington, DC 20515**

**RECEIVED**

**By ESEC at 9:23 am, Dec 09, 2024**

December 6, 2024

The Honorable Alejandro Mayorkas  
Secretary  
U.S. Department of Homeland Security  
3801 Nebraska Avenue NW  
Washington, DC 20016

The Honorable Ur Jaddou  
Director  
U.S. Citizenship and Immigration Services  
20 Massachusetts Avenue NW  
Washington, DC 20001

Dear Secretary Mayorkas and Director Jaddou,

We write to underscore the importance of addressing the backlog in work permit processing by permanently extending the duration of work authorizations for immigrants and asylum seekers. We appreciate the Biden administration's longstanding commitment to improving processing times, and believe that this step will provide needed relief for workers, employers, and communities.

Employment Authorization Documents (EADs) are a lifeline. They allow immigrants and asylum seekers to provide for themselves and their loved ones and integrate into their new communities while navigating the adjudication process. They also provide critical relief to employers. Our state of Maine, for example, has nearly two jobs open for every job seeker – every willing and able worker makes a difference in our communities, especially in essential but understaffed sectors like health care.

As of this fall, 900,000 people are waiting for their initial EAD application to be processed, while an additional 500,000 are seeking renewals.<sup>1</sup> Based on these figures, and considering USCIS estimates their processing workload in Fiscal Year 2025 will be double what it was in Fiscal Year 2022,<sup>2</sup> asylum seekers and their families will continue to be subject to significant delays, leaving them unable to work and support their families. While we appreciate the efforts USCIS has made to resolve this issue, such as using supplemental funding appropriated by Congress to alleviate staffing shortages and investing in improved technology, more relief is needed.

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<sup>1</sup> U.S. Citizenship and Immigration Services, I-765, Application for Employment Authorization, Counts of Pending Petitions by Days Pending For All Eligibility Categories and (c)(8) Pending Asylum Category, June 30, 2024, [https://www.uscis.gov/sites/default/files/document/data/i765\\_p\\_allcat\\_c08\\_fy2024\\_q3.xlsx](https://www.uscis.gov/sites/default/files/document/data/i765_p_allcat_c08_fy2024_q3.xlsx).

<sup>2</sup> Citizenship and Immigration Services, Annual Report 2024, Ombudsman, June 28, 2024, p. 47, [https://www.dhs.gov/sites/default/files/2024-07/24\\_0628\\_cisomb\\_2024-annual-report.pdf](https://www.dhs.gov/sites/default/files/2024-07/24_0628_cisomb_2024-annual-report.pdf).

To that end, we urge you to expeditiously codify the automatic extension of EADs for up to 540 days, currently authorized under Temporary Rule 89 FR 24628. This temporary rule has been critically important to ensure that immigrants and asylum seekers do not have their employment lapse through no fault of their own while USCIS works through the current backlog of EAD applications.

Thank you for your attention to this matter. Please do not hesitate to reach out should you have any questions.

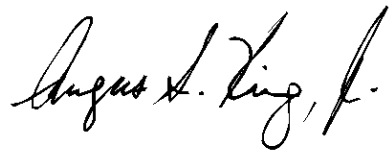
Sincerely,



Chellie Pingree  
Member of Congress



Janet T. Mills  
Governor of Maine



Angus S. King, Jr  
United States Senator

U.S. Department of Homeland Security  
U.S. Citizenship and Immigration Services  
*Office of the Director*  
Camp Springs, MD 20588-0009



**U.S. Citizenship  
and Immigration  
Services**

January 13, 2025

The Honorable Chellie Pingree  
U.S. House of Representatives  
Washington, DC 20515

Dear Representative Pingree:

Thank you for your December 6, 2024 letter to the Department of Homeland Security (DHS). I am responding on behalf of the Department.

Your letter addresses the importance of reducing Employment Authorization Document (EAD) processing backlogs and requests DHS make permanent the April 8, 2024 temporary final rule (89 FR 24628) that temporarily increased the automatic extension period for certain EAD renewal applicants from up to 180 days to up to 540 days. U.S. Citizenship and Immigration Services (USCIS) thanks you for your outreach and recognizes the importance of employment authorization and documentation for eligible noncitizens and their families, as well as for the U.S. businesses and organizations that employ them.

We are pleased to report that on December 13, 2024, DHS published a final rule (89 FR 101208) that permanently increased the automatic extension period of certain EADs to up to 540 days for eligible noncitizens who file a timely request to renew their employment authorization and/or EAD. This final rule reduces the likelihood that eligible noncitizens will experience lapses in their EAD validity. The final rule will become effective on January 13, 2025, and will apply to eligible applicants with timely filed renewal EAD applications pending or filed on or after May 4, 2022.

In addition, USCIS continues to take active steps to reduce processing times for both initial and renewal EAD applications. While we cannot eliminate the Form I-765, Application for Employment Authorization, pending caseload entirely in the coming weeks or months, USCIS has significantly reduced the processing times for Form I-765 applicants and remains committed to exploring further efficiencies for EAD processing. So far, this fiscal year, the typical wait time for adjudication of the Form I-765 is three months. For certain asylum applicants and parolees, the median average processing time is 30 days. Furthermore, we have implemented policy changes to minimize the risk of applicants contending with gaps in their employment authorization and/or documentation, including increasing the employment authorization validity period to five years for certain employment eligibility categories.

The Honorable Chellie Pingree

Page 2

USCIS appreciates the concerns outlined in your letter and is committed to supporting the productivity and security of noncitizen workers and maintaining the positive impact they have on our country and economy. Thank you again for your letter and interest in this important issue. The cosigners of your letter will receive a separate, identical response. Should you require any additional assistance, please have your staff contact the USCIS Office of Legislative Affairs at (240) 721-3801.

Respectfully,

A handwritten signature in black ink, appearing to read "Ur M. Jaddou", followed by a long horizontal flourish.

Ur M. Jaddou  
Director