

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

Director Ur Jaddou  
U.S. Citizenship and Immigration Services  
20 Massachusetts Ave N.W.  
Washington, D.C. 20001

September 3, 2021

Dear Director Jaddou:

We write to express our deep concerns with the slow processing times for Permanent Resident applications (“green cards”) and the pending expiration of 120,000 to 130,000 visa numbers, which will go unused because USCIS has failed to process applications in time to use these visa numbers. We urge you to take all appropriate measures to accelerate the pace of processing for green cards and ensure all unused visa numbers be awarded before they expire on September 30, 2021.

We understand that disruptions due to COVID-19 have hampered USCIS’ work and that the unusually large number of extra visa numbers in the Employment-Based category are the result of fewer visas having been issued in the Family-Based visa category last year. Nevertheless, this is an important opportunity to help much-needed, highly skilled workers, many of whom work in the technology sector where their job skills are in short supply, and to help businesses who need these workers. It also is an opportunity to make some progress toward reducing the backlog of approximately 1.2 million qualified applicants who have been waiting years for visa numbers to become available in their visa categories. These enormous delays are not only harmful to legal immigrants and their families, they also are disruptive to American businesses, especially at a time when we have severe labor shortages and are striving to compete with other countries in an increasingly complex and challenging world.

We urge you to consider all possible measures within your authority to prevent these green card numbers from going to waste. We ask that you give consideration to waiving the in-person interview requirements where appropriate, allocating more resources and staff to processing, and finding a way to extend the expiration of these visa numbers.

We thank you for your consideration. Should you have any questions or updates, please feel free to contact Sarah Curtis of my staff at [sarah.curtis@mail.house.gov](mailto:sarah.curtis@mail.house.gov).

Sincerely,



Kathy Manning  
Member of Congress



Scott Peters  
Member of Congress



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

October 6, 2021

The Honorable Kathy Manning  
U.S. House of Representatives  
Washington, DC 20515

Dear Representative Manning:

Thank you for your September 3, 2021 letter regarding processing times for employment-based (EB) adjustment of status applications and the potential loss of unused visa numbers for fiscal year (FY) 2021.

U.S. Citizenship and Immigration Services (USCIS) has prioritized employment-based adjustment of status applications during every step of processing and adjudication during FY 2021. USCIS capacity has been strained by operational restrictions related to public health, as well as resource limitations. Even with these challenges, USCIS approved over 177,000 EB adjustment of status applications in FY2021, the highest annual approval volume since FY 2005 for USCIS and over an 50% increase over the agency's typical baseline.

During FY 2021, USCIS faced the unprecedented challenge of processing nearly 214,000 EB green card applications—not only the agency's usual 110,000, but an additional 104,000 immigrant visa numbers that the Department of State (DOS) was unable to process during the prior fiscal year due to consular closures in response to the COVID-19 pandemic. Early in the fiscal year, USCIS recognized that it had this unprecedented number of visas and began to take steps to maximize its visa usage.

Among the actions that USCIS has taken during FY2021 to maximize EB visa use are the following:

- Implemented a risk-based interview determination for EB adjustment of status applications in March of 2020, based on a multi-year study of these adjudications.
- Worked collaboratively with DOS to ensure that the dates in the Visa Bulletin were set at a level to allow the filing of sufficient new EB adjustment of status applications early in FY2021.
- Allowed applicants to file using the Dates for Filing chart in the DOS Visa Bulletin during the first quarter of FY2021.

- Expanded Lockbox intake facility processing capacity through prioritized receipt, processing and re-distribution of workloads as well as providing overtime and supplemental USCIS staff. These Lockbox efforts allowed USCIS to confront a “frontlog” of unopened cases that stood at more than 1 million in January 2021 and was fully eliminated in July 2021.
- Prioritized the processing of the EB adjustment of status workload at the USCIS National Benefits Center (NBC) and Service Centers.
- Restored contractor processing capacity at the USCIS NBC.
- Prioritized the adjudication of underlying Form I-140, Immigrant Petition for Alien Worker, at USCIS Service Centers based on visa availability (after accounting for filings with premium processing).
- Reused biometrics previously provided by adjustment of status applicants to the greatest extent possible, freeing up resources at our Application Support Centers (ASCs) for other applicants.
- Prioritized the scheduling of biometrics appointments at ASCs for EB adjustment of status applicants. These biometrics efforts allowed USCIS to reuse biometrics for close to 2 million applicants since March 2020 and to reduce pending appointments from 1.4 million in January 2021 to 164,000 as of mid-September 2021.
- Redistributed EB adjustment of status workload between offices and directorates to match workloads with available resources.
- Provided overtime funds to USCIS employees processing and adjudicating EB adjustment of status applications.

In addition, another issue that impacted USCIS’ ability to fully use available visas is that a significant number of EB adjustment applicants lack a valid Form I-693, Report of Medical Examination and Vaccination Record, at the time the adjustment application is ready to be adjudicated. In order to demonstrate eligibility for adjustment of status, applicants in the EB preference categories are required to provide a valid Form I-693. However, many applicants do not submit Form I-693 at the time of filing their adjustment application and instead provide it when requested through a Request for Evidence (RFE). USCIS cannot approve these adjustment applications without a valid Form I-693. USCIS has taken the following steps to address this issue:

- Aggressively moved to identify applications that lack a valid Form I-693 and issued RFEs.
- Directly contacted applicants using email, text messages, and phone calls to encourage them to submit the Form I-693.
- Issued notices and communication materials to encourage applicants to respond to RFEs requesting Form I-693.
- Issued notices and communication materials to encourage applicants to submit Form I-693 concurrently with their adjustment of status applications.
- Temporarily extended the validity period for Form I-693 from two years to four years through the end of FY2021.

The Honorable Kathy Manning  
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Thank you again for your letter and interest in this important issue. Representative Peters who cosigned 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", with a long horizontal flourish extending to the right.

Ur M. Jaddou  
Director