



November 15, 2023

The Honorable Joseph R. Biden, Jr.
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

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By ESEC at 9:03 am, Jun 18, 2024

Dear President Biden:

As Members of the Congressional Asian Pacific American Caucus (CAPAC), we write to urge your administration to take immediate action to reduce the visa backlog. This backlog keeps millions of immigrants, including many immigrants from Asia, separated from their loved ones. Sensible policies like the administrative recapture of unused visas and expanding the use of family parole would reduce this backlog and reunite long-separated families.

Our communities have long benefited from our family reunification and employment-based immigration system. With over 12 million Asian and Pacific Islander immigrants in the U.S., representing nearly one-third of the total immigration population, immigration is a key factor in the rapid growth of the AANHPI population today.¹

However, our immigration system is badly in need of reform, and despite valiant efforts by your administration, family-based immigration remains at historic lows. The most recent DHS report on legal immigration shows that only 165,642 of the 226,000 available family-preference visas were issued in FY2022.² This follows a year where only 65,690 family-sponsored green cards were issued.³ With nearly 4 million people currently waiting in the family-based immigration backlogs, including over 1.5 million people from Asia,⁴ these low numbers reflect the structural issues that have plagued our immigration system for decades.

This backlog shows the inability of our immigration system to meet the needs of Americans as well as prospective immigrants. Members of our communities have been separated from their family members for years, waiting with approved applications for an extremely limited pool of visas to become available. As just one example, United States citizens sponsoring siblings from

¹ Asian Americans Advancing Justice – Southern California and Asian Americans Advancing Justice – AAJC, *Inside the Numbers: How Immigration Shapes Asian American and Pacific Islander Communities* 3 (2019), <https://www.advancingjustice-ajac.org/publication/inside-numbers-how-immigration-shapes-asian-american-and-pacific-islander-communities>.

² DHS, Legal Immigration and Adjustment of Status Report Tables FY 2022 Q4 Final D'ed Version, tbl.1B (Mar. 8, 2023), <https://www.dhs.gov/immigration-statistics/special-reports/legal-immigration>.

³ DHS, Legal Immigration and Adjustment of Status Report Tables FY 2021 Q4 Final D'ed Version, tbl.1B (Mar. 25, 2022), <https://www.dhs.gov/immigration-statistics/special-reports/legal-immigration>

⁴ Dep't. of State, Annual Report of Immigrant Visa Applicants in the Family-sponsored and Employment-based preferences Registered at the National Visa Center as of November 1, 2022, https://travel.state.gov/content/dam/visas/Statistics/Immigrant-Statistics/WaitingList/WaitingListItem_2022.pdf.

the Philippines currently must wait nearly 20 years for a visa to even become available.⁵ Individuals from Asia, including people from the Philippines, India, Vietnam, Bangladesh, mainland China, and Pakistan, make up a significant part of the family-based backlogs. While we continue to work toward an immigration system that truly centers the needs of families, we ask your administration to act and help alleviate the pressures of a system that has long needed reform.

Specifically, we urge your administration to implement policies that do the following:

- Recapture the hundreds of thousands of unused visas from fiscal years 1992 to 2022 and add them to the family- and employment-based visa caps. This will help bring our immigration system back in line with Congressional intent to issue visas “to the full extent of the annual quota limits...”⁶
- Expand the use of family-reunification parole to more individuals waiting in the backlog. This is a necessary step to addressing the detrimental effects of the long backlogs. Separation from immediate family members has negative and persistent effects on the health and well-being of immigrant adults and their children.⁷ By contrast, research points to multiple benefits of family unity for the economic, social, and psychological well-being of U.S. citizens, as well as immigrants to the United States.⁸

These common-sense reforms will reunite families that have been separated for far too long and will also help alleviate the pressures of continuing labor shortages and increased push factors causing individuals to seek a better life here in the United States.

As Members of CAPAC, we are committed to working with you to help reform our broken immigration system. However, as Congress is unlikely to act as quickly as the moment demands, we ask that you act to help reunite families and contribute to the economic and societal well-being of our country.

We welcome all opportunities to discuss this matter further. If you have any questions, please feel free to contact Nisha Ramachandran at Nisha.Ramachandran@mail.house.gov.

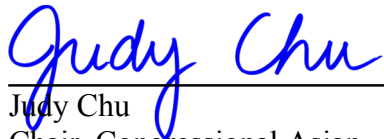
Sincerely,

⁵ U.S. Dep’t of State Visa Bulletin, Vol. X, No. 81, 2 (Sept. 2023), <https://travel.state.gov/content/travel/en/legal/visa-law0/visa-bulletin/2023/visa-bulletin-for-september-2023.html>.

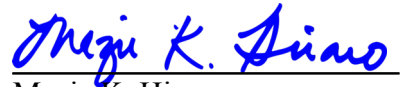
⁶ *Galvez v. Howerton*, 503 F.Supp. 35, 28 (C.D.Cal.1980) (“[t]he INS has a statutory obligation to issue visas to qualified applicants to the full extent of the annual quota limits established by Congress.”).

⁷ *U.S. Immigration Policy and the Case for Family Unity* (2017), <https://journals.sagepub.com/doi/pdf/10.1177/233150241700500210>

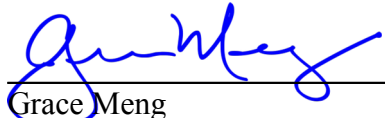
⁸ *Id.*



Judy Chu
Chair, Congressional Asian
Pacific American Caucus
(CAPAC)



Mazie K. Hirono
United States Senator



Grace Meng
Member of Congress



MARK TAKANO
Member of Congress



Ted W. Lieu
Member of Congress



Jim Tokuda
Member of Congress



Tammy Duckworth
United States Senator



Dan Goldman
Member of Congress



Al Green
Member of Congress



Pramila Jayapal
Member of Congress



Ro Khanna
Member of Congress



Barbara Lee
Member of Congress



Robert C. "Bobby" Scott
Member of Congress



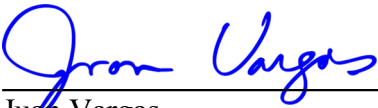
Shri Thanedar
Member of Congress



Cory A. Booker
United States Senator



David J. Trone
Member of Congress



Juan Vargas
Member of Congress

cc: The Honorable Neera Tanden, Domestic Policy Advisor to the President
Betsy Lawrence, Deputy Assistant to the President for Immigration



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

July 19, 2024

The Honorable Judy Chu
U.S. House of Representatives
Washington, DC 20515

Dear Representative Chu:

Thank you for your June 15, 2024 letter to President Biden urging the administration to reduce the visa backlog. Your letter was referred to Department of Homeland Security (DHS), and I am responding on behalf of the Department.

In your letter, you suggest recapturing unused visas and adding them to the family and employment-based visa caps. Congress has, in the past, passed legislation that “recaptures” unused visas and makes them available for use in future fiscal years. Congressional action authorizing the recapture of previously unused visas, accompanied by changes to the statute to avoid the loss of visas in the future, would address the unintended loss of visas due to processing challenges and help prevent such losses in the future.

You also urge the Administration to expand the use of the family reunification parole processes to more noncitizens waiting in the backlog. As you are aware, in the interest of family unity, DHS has exercised its discretionary parole authority to implement parole processes for noncitizens who are outside of the United States based on the relationship of the noncitizen to a U.S. citizen or lawful permanent resident with its April 2023 announcement of a new family reunification parole (FRP) process for certain nationals from Colombia, El Salvador, Guatemala, and Honduras and modernization of the processes for Cuba and Haiti, and the October 2023 announcement that the FRP processes would be expanded to include Ecuador.

The Biden-Harris administration is committed to promoting family unity in the immigration system, and, to that end, on June 18, 2024, President Biden announced that DHS will establish a process for certain noncitizen spouses and stepchildren of U.S. citizens to request parole in place so that they may apply for lawful permanent residence without leaving the country. I appreciate the information and concerns you shared and will take them under consideration as we continue to evaluate our humanitarian processes, including parole, and will take your suggestion to expand the use of the FRP processes to a broader population including Asians and Pacific Islanders particularly given the backlog in countries such as the Philippines under advisement.

The Honorable Judy Chu

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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