

# Congress of the United States

Washington, DC 20515

April 17, 2024

The Honorable Ur Jaddou  
Director  
United States Citizenship and Immigration Services  
5900 Capital Gateway Drive  
Camp Springs, MD 20746

Dear Director Jaddou,

We write to you today to urgently address the severe backlog in the processing of I-360 immigration petitions for religious workers and the accompanying delays in the availability of Form I-485 applications governed by the Visa Bulletin published by the Department of State. This ongoing challenge has reached a critical point, causing significant distress not only to religious workers across religious organizations of all major faith groups, but also to countless congregants who rely on their spiritual guidance and support, but who are now being deprived of their religious leadership.

This backlog includes all religious workers with approved I-360 immigrant petitions, who are now facing an unprecedented predicament. The global backlog in the EB-4 category since April has put these workers in a position where, despite having fulfilled their obligations and following the legal pathways laid out by our immigration system, they may be forced to leave the United States due to the inability to adjust their status to permanent residency within the five-year limit of their R-1 visas.

Predictably, the impact of this backlog extends far beyond the individual religious workers. The visa backlog for religious workers has far-reaching implications beyond the individuals directly affected. Congregants at faith-based organizations across the nation are experiencing the adverse effects of this issue directly. The absence of their spiritual mentors, counselors, and educators due to immigration petition processing delays and disrupts their pastoral care, scriptural training, religious services, and community support. This interruption in mentorship can lead to a decline in spiritual engagement and a weakening of the communal bonds that are vital to the health and well-being of these congregations. The impact is felt across all faiths, as religious workers play a crucial role in providing guidance, comfort, and a sense of belonging to their communities.

We strongly urge USCIS and the Department of Homeland Security to take immediate and decisive action to address the challenges these religious workers and their employer-faith organizations are facing. **Specifically, we recommend deferred action for those religious workers affected by the EB-4 backlog, allowing them to remain in the United States and continue their invaluable service to their communities while they await resolution of permanent residency applications.** This is consistent with recent precedent when the Biden

Administration announced a similar policy update to grant deferred action for up to 4 years to Special Immigrant Juveniles who were impacted by the EB-4 backlogs in March 2022. Extending deferred action in this instance would provide temporary relief to these workers and their congregations, ensuring the fullest exercise of religious freedom and the stable functioning of our faith-based organizations.

Congress established the Religious Worker Visa Program to ensure that religious organizations have access to the necessary immigrant workers to fulfill their spiritual and philanthropic missions. It is essential to explore policy and practice options that alleviate the burden on these entities, consistent with relevant laws. Foreign-born religious workers offer a broad spectrum of services that not only enrich their communities but also the wider public, irrespective of religious beliefs. We are enriched by all of them.

The signatories of this letter come from different areas of the country and hold different political beliefs. But we are unified in recognizing the importance of the Religious Worker Visa Program.

The current situation is untenable. Inaction affects the lives of countless individuals of all faiths, along with the well-being of our communities. As such, we look forward to your prompt response and commitment to resolving this issue meaningfully. We welcome the opportunity to engage with you further on this issue.

Sincerely,



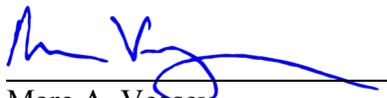
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Pete Sessions  
Member of Congress



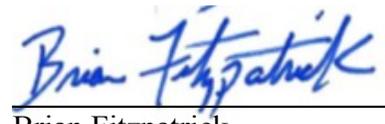
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Jamie Raskin  
Member of Congress



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Marc A. Veasey  
Member of Congress



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Brian Fitzpatrick  
Member of Congress



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Raja Krishnamoorthi  
Member of Congress



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Dan Meuser  
Member of Congress



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Shri Thanedar  
Member of Congress



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Michelle Steel  
Member of Congress



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John Rose  
Member of Congress



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Young Kim  
Member of Congress



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Keith Self  
Member of Congress



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Barry Moore  
Member of Congress



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Lori Trahan  
Member of Congress



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Glenn Ivey  
Member of Congress



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Mark E. Green, M.D.  
Chairman  
House Committee on  
Homeland Security



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Frederica S. Wilson  
Member of Congress



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Andrew R. Garbarino  
Member of Congress



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Jefferson Van Drew  
Member of Congress



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Glenn Grothman  
Member of Congress



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Nick LaLota  
Member of Congress



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Charles J. "Chuck"  
Fleischmann  
Member of Congress



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Darin LaHood  
Member of Congress



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Earl L. "Buddy" Carter  
Member of Congress



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Brett Guthrie  
Member of Congress



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Andy Kim  
Member of Congress



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Kevin Mullin  
Member of Congress



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Laurel M. Lee  
Member of Congress



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Thomas R. Suozzi  
Member of Congress



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Beth Van Duyne  
Member of Congress



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Ralph Norman  
Member of Congress



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Donald Norcross  
Member of Congress



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Maxwell Alejandro Frost  
Member of Congress



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Henry C. "Hank" Johnson, Jr.  
Member of Congress



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Darren Soto  
Member of Congress



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Nikema Williams  
Member of Congress



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Robert J. Menendez  
Member of Congress



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Morgan Luttrell  
Member of Congress



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

May 9, 2024

The Honorable Pete Sessions  
U.S. House of Representatives  
Washington, DC 20515

Dear Representative Sessions:

Thank you for your April 17, 2024 letter to U.S. Citizenship and Immigration Services (USCIS).

USCIS recognizes the challenges faced by religious organizations and the important role of noncitizen religious workers. The immigration of noncitizens of various faiths over the years, including religious workers to enable us to practice our respective faiths, is a rich part of our nation's history and present diversity.

USCIS is keenly aware that demand greatly exceeds the limited supply of statutorily available immigrant visas in most family-sponsored and employment-based preference categories, including for religious workers in the EB-4 category, and that such demand has steadily increased over the years. However, the delays you note in your letter are not due to any processing backlogs at USCIS, but rather due to visa availability under the Immigration and Nationality Act. Many noncitizens seeking visas in the family-sponsored and employment-based categories have faced significant and increasingly long waits due to limited immigrant visa availability established by statute.

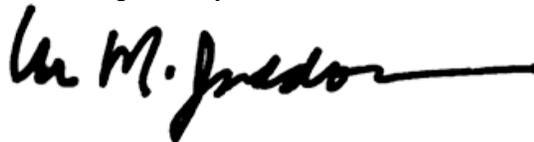
Within the EB-4 category in particular, demand for visas has steadily increased over time, with that demand coming from an increasingly diverse array of countries. Demand has exceeded the supply of visas in this category for over seven years, and as of April 11, 2024, there are approximately 130,000 prospective EB-4 visa applicants unable to apply, while the Fiscal Year (FY) 2024 EB-4 annual limit is 11,431, based on the numerical limitations as set by Congress several decades ago. Had it not been for the much higher annual limits of employment-based visas in FY 2021–2023 (due to the carryover of unused family-sponsored visas during each of the preceding FY 2020–2022, largely due to the COVID pandemic; *See* INA 201(d), 8 USC 1151(d)), all potential applicants in the EB-4 category would have seen significant delays in visa availability several years ago. Even prior to the change in the April 2023 Visa Bulletin, applicants in the EB-4 categories from all countries faced a multi-year wait

for visas that was projected to continue increasing, causing the same or similar impacts on noncitizens seeking visas in these categories.

Thank you for your suggestion of the agency exercising prosecutorial discretion to defer the removal of beneficiaries of Form I-360 religious worker petitions awaiting visa availability. USCIS will take your recommendation under advisement while we continue to consider a variety of policy and regulatory options that may help ease some of the challenges faced by noncitizens with lengthy wait times for available EB-4 visas, including religious workers present in the United States in nonimmigrant R-1 status. However, only legislation can fully address the imbalance between the limited supply of immigrant visas and the increasing demand for those visas.

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", with a long horizontal flourish extending to the right.

Ur M. Jaddou  
Director