United States Senate
WASHINGTON, DC 20510

VIA ELECTRONIC TRANSMISSION

October 21, 2021

Ur Jaddou
Director
U.S. Citizenship and Immigration Services
Camp Springs, Maryland 20588

Director Jaddou,

We write to you today about the loss of tens of thousands of employment-based visas in FY21. As you know, in FY20 over 122,000 family-based visas went unused due to COVID restrictions at U.S. embassies and consulates abroad, which led to a corresponding increase of 122,000 employment-based visas in FY21. In total, 262,288 employment-based visas were ultimately available for USCIS to process in FY21. Despite efforts by USCIS to limit the loss of employment-based visas, it is our understanding that up to 80,000 employment-based visas were not processed in time, and may ultimately be wasted.

For those waiting in the backlog for employment-based visas, the increase for FY21 provided hope that the backlog could be reduced significantly. Many of those in the backlog are already working in the United States, already contributing to our economy, and already paying taxes. They are making active contributions to our states and helping to build industries that are creating jobs and opportunities for Americans.

In recent court filings, USCIS stated it is likely that there will be a significant number of family-based visas which will again roll over into the employment-based category in FY22. Specifically, USCIS estimates that 290,000 employment-based visas will be made available in FY22 – nearly 30,000 more employment-based visas than those available in FY21. In light of this likelihood, it is imperative for USCIS to begin now to process as many employment-based visas as possible during FY22.

To help us better understand the efforts made by USCIS in FY21, and what efforts you will undertake in FY22, we ask you that you respond to the following questions no later than November 19, 2021:

(1) What was the total number of employment-based visas which were available in FY21?

(2) How many employment-based visas did USCIS process in FY21? How many employment-based visas went unused in FY21?

(3) What specific measures did you take to improve processing times for employment-based visas in FY21?

(4) What is the total number of employment-based visas which will be available in FY22?

(5) What specific measures will you use in FY22 to improve processing times for employment-base visas?

(6) What is your best estimate of the number of individuals currently waiting in the employment-based visa backlog?

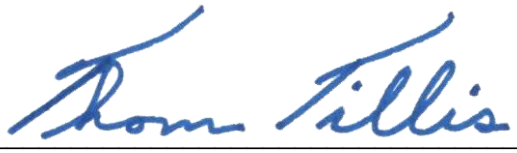
(7) Of those waiting in the employment-based visa backlog, what percentage have been approved for a visa who currently reside in the United States?

(8) Is there additional funding which you need from Congress in order to effectively process all eligible employment-based visas in FY22?

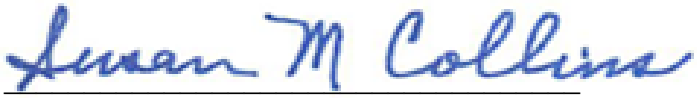
(9) What additional authorities could Congress provide to USCIS which would allow for you to process all employment-based visas in FY22?

The unprecedented increases in employment-based visas for FY21 and FY22 are a unique opportunity to improve the American economy and reduce the employment-based visa backlog. We look forward to your responses to our questions, and to finding ways to work with your office to fuel the American future through merit-based, legal immigration.

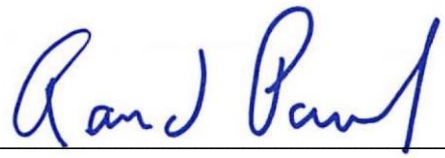
Sincerely,



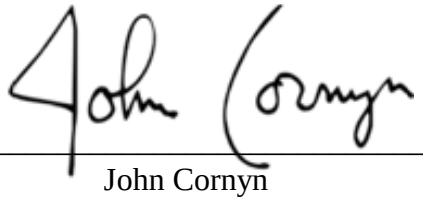
Thom Tillis
United States Senator



Susan M. Collins
United States Senator



Rand Paul, M.D.
United States Senator



John Cornyn
United States Senator