



HELLIE PINGREE
CONGRESS OF THE UNITED STATES
1ST DISTRICT MAINE

November 17, 2021

The Honorable Alejandro Mayorkas
Secretary
Department of Homeland Security
301 7th Street SW
Washington, D.C. 20528-0150

Ur M. Jaddou
Director
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue NW
Washington, D.C. 20001

Dear Secretary Mayorkas and Director Jaddou,

I am writing to express my serious concern for H-4 visa holders in my district and across the country who are at risk of losing or have already lost their jobs as a result of unacceptable USCIS processing delays for the required H-4 (I-539) renewals that provide eligibility for an employment authorization document (EAD).

Due to the Trump administration's changes to visa processing and the extraordinary stress on USCIS service centers resulting from the COVID-19 pandemic, H-4 renewals are taking significantly longer than usual to process and applicants are now waiting about 21 months for their I-539 petitions to be adjudicated. USCIS states that EAD renewal applications should not be submitted more than six months prior to their current card's expiration date, making it impossible for H-4 holders to maintain employment while the I-539 renewal awaits processing.

While I am aware of the recent decision to allow a 180-day automatic extension of employment authorization for H-4 holders who timely file their I-765 EAD renewal application and continue to hold H-4 status beyond the expiration date of their EAD, this unfortunately will not provide enough validity for H-4 workers to remain in their jobs legally as the H-4 renewals are simply taking too long.

The result of these delays is that all those with H-4 status have lost or will lose their ability to work. Despite doing everything right and in a timely manner, my constituents are losing their employment and source of income through no fault of their own. These delays not only hurt these individuals and their families, but also threaten the \$7.5 billion that H-4 workers contribute to the U.S. economy.

I strongly urge you to pursue an immediate policy change to address this issue. Specifically, I urge USCIS to automatically extend employment authorization to H-4 petitioners whose I-539 renewal is pending and has been determined to be bona fide and meriting a favorable exercise of

discretion until such time as the I-539 is adjudicated and the underlying eligibility for a new EAD is determined, and should be contingent upon verification of the H-1B principle's renewal.

If we bring individuals to the U.S. to do highly skilled work with the promise that their spouses will have the opportunity to start or continue their careers here as well, we owe them and their employers the security that their employment and sources of income will not be interrupted due to delays within the USCIS system. The current delays are causing undue hardship, and I ask that you address this problem with the utmost urgency to ensure more people's lives and livelihoods are not disrupted by USCIS backlogs.

Sincerely,



Chellie Pingree
Member of Congress