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UNITED STATES  
HOUSE OF REPRESENTATIVES

April 1, 2020

Kenneth T. Cuccinelli  
Acting Director  
U.S. Citizenship and Immigration Services  
20 Massachusetts Avenue, N.W.  
Washington, D.C. 20529

**RECEIVED**

**By ESEC at 8:14 am, Apr 02, 2020**

Dear Acting Director Cuccinelli:

I write to urge you to act immediately to suspend all U.S. Citizenship and Immigration Services (USCIS) filing deadlines impacting immigrants currently in the United States until the COVID-19 outbreak has been resolved. With USCIS offices across the country closed, I hope you will work quickly to ensure that immigrants do not have to fear losing lawful status during this global emergency.

Your agency has the ability to extend deadlines for immigration filings, which would give foreign nationals and their employers certainty that they will not lose legal status while USCIS offices are closed. As this virus spreads across our country, communities are placed under shelter-in-place orders for public safety. By not extending filing deadlines, USCIS is forcing families to take unnecessary risks to their health and the health of our communities. I urge you to take immediate action to extend filing deadlines that impact foreign nationals in the United States.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark Pocan".

Mark Pocan  
Member of Congress



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

May 13, 2020

The Honorable Mark Pocan  
U.S. House of Representatives  
Washington, DC 20515

Dear Representative Pocan:

Thank you for your April 1, 2020 letter requesting the Department of Homeland Security (DHS) extend filing deadlines until the COVID-19 outbreak has been resolved.

DHS has no greater responsibility than ensuring the safety and security of our country. Responding to the pandemic requires everyone to work within rapidly changing, complex circumstances that create a variety of situations and conditions unique to individuals and communities.

We recognize that there are immigration-related challenges that individuals, employers, and others face as a direct result of the national emergency. We carefully analyze these issues and leverage our resources to effectively address these challenges within our existing authorities. DHS continues to act to protect the American people and our communities and is considering a number of policies and procedures to improve the employment opportunities of U.S. workers during this pandemic.

It is important for us to emphasize that USCIS continues to accept and process petitions and applications for immigration benefits. Our primary goal is to ensure the safety of the public and our employees as the situation evolves. Therefore, we have temporarily suspended routine in-person services at our offices. Importantly, however, our workforce continues to perform mission-essential duties that do not involve face-to-face contact with the public, and we provide emergency services for certain situations.

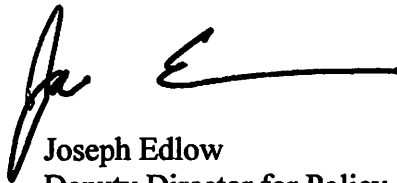
Our website and outreach efforts provide guidance, resources, and information to the public on the actions and policies we are implementing through these uncertain times. As we announced in our public-facing website, we have provided increased flexibility for responding to certain filing deadlines. For policy updates, operational changes, and COVID-19 information, please visit [uscis.gov/coronavirus](https://uscis.gov/coronavirus).

While Congress has granted DHS extensive statutory authority, it has also prescribed specific statutory limitations regarding many nonimmigrant visa programs, including in relation to extensions of status. I should note that when similar concerns arose in the aftermath of the 9/11 terrorist attacks, Congress passed legislation providing relief to impacted legal aliens. Section 422 of the "Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001," Pub. L. No.

107-56, provided automatic extensions of status, but only to those nonimmigrants lawfully present in the United States on September 1, 2001 who had been disabled as a result of the terrorist attacks (and family members). Such aliens could "remain lawfully in the United States in the same nonimmigrant status until the later of . . . the date such . . . status otherwise would have terminated . . . or 1 year after . . . the onset of disability . . . ." For those lawfully present nonimmigrants who had not been disabled, Congress provided only that "if the alien was prevented from filing a timely application for an extension or change of nonimmigrant status as a direct result of a specified terrorist activity, the alien's application shall be considered timely filed if it is filed not later than 60 days after it otherwise would have been due." The House of Representatives passed similar legislation on a bipartisan basis by voice vote in the aftermath of Hurricane Katrina. *See* H.R. 3827, the "Immigration Relief for Hurricane Katrina Victims Act of 2005."

Thank you again for your letter and interest in this important matter. We will consider the recommendations you have put forward. Should you require any additional assistance, please have your staff contact the USCIS Office of Legislative and Intergovernmental Affairs at (202) 272-1940.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ja' followed by a long horizontal stroke.

Joseph Edlow  
Deputy Director for Policy