



One Hundred Sixteenth Congress
Committee on Homeland Security
U.S. House of Representatives
Washington, DC 20515

May 28, 2020

Mr. Kenneth T. Cuccinelli
Senior Official Performing the Duties of the Director
U.S. Citizenship and Immigration Services
20 Massachusetts Ave., NW
Washington, D.C. 20001

Dear Mr. Cuccinelli:

We are writing on behalf of graduates of St. George's University School of Medicine who have been accepted to medical residency programs in the U.S. These doctors are attempting to adjust status from their current visas to the J-1 visa category in order to continue their medical education. Due to the COVID-19 pandemic and increased processing times at U.S. Citizenship and Immigration Services (USCIS), we are concerned that these talented doctors are facing severe delays in adjustment of status that could prevent them from serving as medical residents in this country.

Ordinarily, doctors in a similar situation would return to their home countries and apply for J-1 visas at their home countries' embassies, but travel restrictions due to the COVID-19 pandemic complicate this process or, in some situations, make this impossible. Because of these issues, doctors who have been admitted to residency or further training programs may lose their places in these programs. This situation is further exacerbated by the increasing backlogs at USCIS pre-dating the public health crisis. The suspension of services at USCIS has added further impediments, increased processing times, and complicated the application process.

We write to ask that, in light of the pandemic and severe processing delays, applications for adjustment of status to J-1 visas for these doctors be adjudicated as quickly as possible, in the interest of both the doctors and the U.S. residency programs they will attend.

We thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "Bennie G. Thompson".

Bennie G. Thompson
Chairman
Committee on Homeland Security

A handwritten signature in black ink that reads "Max Rose".

Max Rose
Member of Congress



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

June 22, 2020

The Honorable Bennie G. Thompson
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Thompson:

Thank you for your May 28, 2020 letter regarding physicians who have been accepted to medical residency programs in the United States. Mr. Cuccinelli asked that I respond on his behalf.

The Department of Homeland Security (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, including medical residents, 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.

You recommend that the processing of applications for medical residents be adjudicated as quickly as possible. With regard to the visa process for individuals outside of the United States, we defer to our colleagues at the Department of State. However, we note that DOS instructs visa applicants with an urgent matter to follow the guidance provided at the embassy's website to request an emergency appointment.

For individuals within the United States, it is important for us to emphasize that U.S. Citizenship and Immigration Services (USCIS) continues to accept and process benefit requests including J-1 extension and change of status applications, as well as applications for employment authorization.¹ USCIS considers special circumstances and expedite requests for individual applications on a case-by case basis. Further, we recently announced that we are resuming premium processing service for certain employment-based petitions, including H-1B petitions. We have also announced additional flexibilities, including a temporary policy change during the

¹ Our website provides additional information regarding special circumstances, expedite requests, and options for nonimmigrants to extend or change their status at www.uscis.gov.

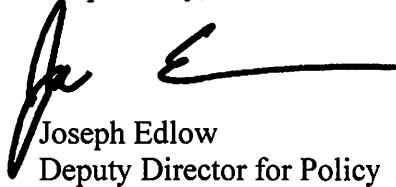
The Honorable Bennie G. Thompson
Page 2

COVID-19 pandemic for certain foreign medical graduates who have received a foreign residency waiver through the practice of medicine.²

USCIS continues to explore available options within our statutory and regulatory authority, and your concerns will be taken into consideration. In addition, our website and outreach efforts provide additional guidance, resources, and information to the public on the actions and policies we are implementing through these uncertain times.

Thank you again for your letter and interest in this important issue. Should you require any additional assistance, please have your staff contact the USCIS Office of Legislative Affairs at (202) 272-1940.

Respectfully,



Joseph Edlow
Deputy Director for Policy

cc:

The Honorable Max Rose
Member of Congress

² USCIS Policy Memorandum, PM-602-0178, *Temporary Policy Changes for Certain Foreign Medical Graduates During the COVID-19 National Emergency*, (May 11, 2020).