

# Congress of the United States

Washington, DC 20515

August 2, 2024

The Honorable Alejandro Mayorkas  
Secretary of Homeland Security  
U.S. Department of Homeland Security  
2707 Martin Luther King Jr Ave SE  
Washington, DC 20528

The Honorable Ur Jaddou  
Director  
U.S. Citizenship and Immigration Services  
5900 Capital Gateway Dr.  
Camp Springs, MD 20588-0009

Dear Secretary Mayorkas and Director Jaddou:

We write to urge you to swiftly move forward with the proposed rule entitled “Improving the Regulations Governing the Adjustment of Status to Lawful Permanent Residence and Related Immigration Benefits” (1615-AC22), which has been slated for publication since the fall of 2022.<sup>1</sup> The Department of Homeland Security (“the Department”) has the ability to make significant and meaningful reforms to the broken immigration system through the regulatory process and we strongly urge you to do so without further delay.

The changes in the proposed rule include: (1) revising the age calculation under the Child Status Protection Act; (2) authorizing employment authorization under compelling circumstances for certain derivative beneficiaries waiting for immigrant visa availability; (3) permitting the concurrent filing of an adjustment of status application and immigrant visa petition for the employment-based 4th preference category and making other improvements for workers in that category, including religious workers; (4) amending the regulations governing travel authorization and how it impacts adjustment of status eligibility for recipients of Temporary Protected Status; and (5) permitting the transfer of the underlying basis for a pending adjustment of status application.<sup>2</sup>

These are welcome changes that would make the legal immigration system work more efficiently. Specifically, the rule would alleviate some of the problems of the outdated immigration system by reducing processing times, preventing more immigrant visa retrogression, and promoting the efficient use of immediately available immigrant visas. The changes in the proposed rule would also help protect children who have grown up in the United States as dependents of long-term visa holders but who are now at risk of aging out of status or deportation because of archaic immigration laws.

The current immigration system is broken and in need of dire reform. Unfortunately, for decades, Congress has failed to rise to the challenge and enact serious solutions. Despite the lack of congressional action, the Department has the ability under existing law to improve the immigration system so that it better serves American families and the economy. Over the past several years, the Department has taken important steps to improve the immigration system, but

---

<sup>1</sup> Electronic Code of Federal Regulations, eAgenda (last visited July 11, 2024), available at <https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202210&RIN=1615-AC22>.

<sup>2</sup> *Id.*

more can and should be done. We urge you to move forward with the proposed rule as soon as possible.

Thank you for your prompt attention to this important matter.

Sincerely,



Ranking Member  
Immigration Integrity,  
Security, and Enforcement  
Subcommittee  
House Judiciary Committee



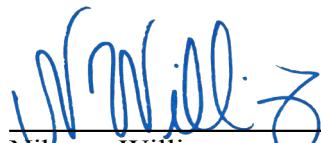
Raja Krishnamoorthi  
Member of Congress



Deborah K. Ross  
Member of Congress



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



Nikema Williams  
Member of Congress



Juan Vargas  
Member of Congress



Maria Elvira Salazar  
Member of Congress



James P. McGovern  
Member of Congress



Judy Chu  
Member of Congress



Greg Casar  
Member of Congress



Eric Swalwell  
Member of Congress



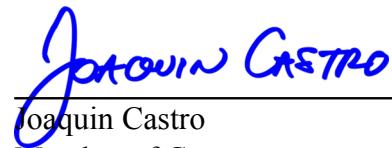
Dan Goldman  
Member of Congress



Yvette D. Clarke  
Member of Congress



Jerrold Nadler  
Member of Congress



Joaquin Castro  
Member of Congress



Cori Bush  
Member of Congress



Zoe Lofgren  
Member of Congress