

United States Senate

WASHINGTON, DC 20510

July 9, 2026

The Honorable Markwayne Mullin
Secretary
U.S. Department of Homeland Security
2707 Martin Luther Jr. Avenue SE
Washington, DC 20528

The Honorable Joseph B. Edlow
Director
U.S. Citizenship and Immigration Services
U.S. Department of Homeland Security
Camp Springs, MD 20746

Dear Secretary Mullin and Director Edlow:

I write today to express my concerns about the severe visa processing delays and growing backlog at U.S. Citizenship and Immigration Services (USCIS). These delays are impacting the timely processing of Employment Authorization Document (EAD) applications and renewals, with a backlog of nearly 12 million visa applications at USCIS.¹ Given that many visa categories require proof of a pending application or confirmation from USCIS to qualify for an EAD, any delay in visa processing or the issuance of a receipt directly impacts an immigrant's ability to apply for an EAD and earn a living. Due to the growing backlog, it is possible that USCIS can receive a visa application on time, but not issue a receipt in a timely manner, leaving the applicant without the necessary proof to obtain a work authorization, at no fault of their own. That is why I urge you to take immediate action to rescind harmful rules that undercut access to EADs, reverse counterproductive budget cuts, and hire the staff necessary to allow USCIS to process visa applications expeditiously.

Since President Trump's second term began, funding cuts and personnel reductions, in addition to harmful agency rules, have severely reduced USCIS's operational capacity. As a result, the visa backlog at USCIS has increased by roughly 2 million cases since 2025.² This has been compounded by the USCIS interim final rule announced on October 30, 2025 that ended automatic extensions of EADs for 18 different visa categories. Prior to this rule, if an immigrant filed their work permit renewal request on time, they would automatically receive a work permit extension to ensure they did not lose their authorization while USCIS processed their renewal. In response to this dramatic policy reversal, I led a Congressional Review Act (CRA) resolution, S.J.Res.99, to overturn the rule, because I believe that we must support the thousands of individuals who are here legally and are simply trying to maintain their ability to legally work.

¹ <https://www.npr.org/2026/04/17/nx-s1-5777632/us-trump-immigration-delay-applications-citizenship-deportation>

² <https://www.americanimmigrationcouncil.org/blog/uscis-backlogs-processing-trends-dashboard/>

While this CRA did not pass, it did receive bipartisan support, proof that EADs are a priority for Americans across the political spectrum, who support granting work authorization to immigrants who are here with legal status and want to work.

EAD processing times also continue to go up. Over the last few months, my casework team has experienced a significant increase in processing times for my constituents' EAD renewals. The USCIS website currently indicates that, depending on the category, about 80 percent of EAD applications are completed within five to six months. However, my staff has seen a significant increase in cases with requests exceeding that. These are applicants who have complied fully with renewal guidance by submitting their applications in advance of their expiration dates. Despite this, the ever-increasing processing times are resulting in loss of status and ability to work. These delays are concerning given that many of these individuals are working in critical industries, including healthcare, education, and construction, where a gap in employment can have significant impact not only for working families, but also for the communities and local economies that rely on their contributions.

While USCIS has long faced extensive visa processing delays, the Trump Administration's reductions in staffing at USCIS has caused this backlog to skyrocket. When EADs are not issued in a timely manner due to staffing shortages and lack of resources, recipients lose employment authorization, employers experience workforce disruptions, and families struggle to support themselves as jobs in the community go unfilled. That is why I am calling on you to rescind the harmful USCIS interim final rule ending automatic extensions of work permits, streamline the work permit process, and reverse the harmful staffing reductions and budget cuts that have only worsened USCIS's processing delays.

I request a written response by July 17, 2026, detailing how you plan to rectify the severe visa processing backlog that is impacting EADs and the workers and families who depend on them. Thank you for your attention to this urgent matter.

Sincerely,



Jacky Rosen
United States Senator