

April 19, 2021

Samantha Deshommes
Regulatory Coordination Division Chief, Office of Policy and Strategy
U.S. Citizenship and Immigration Services, DHS
5900 Capital Gateway Drive
Camp Springs, MD 20746

Re: CIS No. 2684–21; DHS Docket No. USCIS–2021–0004
RIN 1615–ZB87; Identifying Barriers Across U.S. Citizenship and Immigration Services
(USCIS) Benefits and Services; Request for Public Input

Coordination Division Chief Deshommes:

On behalf of the National Foundation for American Policy (NFAP), a nonpartisan policy research organization, I submit this comment in response to “Identifying Barriers Across U.S. Citizenship and Immigration Services (USCIS) Benefits and Services; Request for Public Input.”

NFAP’s comments will focus on a few areas. First, DHS/USCIS should no longer use a flawed Department of Homeland Security report on “visa overstays” to restrict access to visas, including work and student visas. A National Foundation for American Policy report concluded the overstay rates in the reports for F-1 international students, for example, “is not an actual overstay rate but only an upper-bound estimate of individuals who DHS could not positively identify as leaving the United States.”

Second, DHS/USCIS should rescind policies that have caused the spouses of H-1B visa holders to lose their work authorization (H-4EAD) as a direct result of USCIS policies. A *Forbes* article describing the problem with USCIS policies in this area is attached.

Third, USCIS should change policies that drain resources and staff time and cause long delays for applicants with little public benefit. As the attached *Forbes* article published on January 31, 2019, explains, a prime example of this was USCIS requiring in-person interviews for employment-based green cards. The significant increase in Requests for Evidence, including for H-1B petitions, is another example.

The examples in this comment letter are illustrative rather than comprehensive. USCIS should reconsider all policies that cause delays in processing without countervailing evidence that there is a significant public benefit in maintaining such policies.

Sincerely

[Signature Redacted]

Stuart Anderson
Executive Director
National Foundation for American Policy