



CATHOLIC LEGAL  
IMMIGRATION  
NETWORK, INC.

## **POLICY BRIEF**

# THE HUMAN CONSEQUENCES OF USCIS POLICIES AND BACKLOGS ON RELIGIOUS WORKERS AND THE COMMUNITIES THEY SERVE



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***"Our mission is to stand with Christ at the side of the needy. We live in a rural area and serve the rural poor. Without our religious workers we could not provide food to the poor through our community garden, work in our local pantry and food kitchen and carry out our mission effectively."***

— Sr. Christine Martin, OSF, Provincial Superior, Sisters of St. Francis of Savannah, MO

***"As a religious congregation and a 501(c)(3) non-profit, we have served as educators in the U.S. for over 150 years and our alumni have been a vital part of American Society — including numerous alumni who served as members of Congress. With an aging population of U.S. members, it is crucial to our mission and our educational endeavors to have foreign born members of the congregation serve alongside our dedicated lay teachers and administrators."***

— Brother Lawrence Harvey, Xaverian Brothers

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# EXECUTIVE SUMMARY

Every day, foreign-born religious workers are providing crucial services and spiritual support to communities throughout the United States. These workers are brought by religious organizations to the United States to serve in underserved communities and provide essential services to faith-based organizations and communities at large. Some of the services provided by religious workers include providing services to the most needy, including shelter and nutrition; caring for and ministering to the sick, aged, and dying in hospitals and special facilities; working with adolescents and young adults; assisting religious leaders as they lead their congregations and communities in worship; counseling those who have suffered trauma and/or hardship; supporting families in crisis; offering religious instruction, especially to new members of the religious denomination; and helping refugees and immigrants in the United States adjust to a new way of life.<sup>1</sup>

Despite the essential services performed by religious workers, many foreign-born religious workers are forced to stop work or depart the United States due to U.S. Citizenship and Immigration Services processing delays and other problematic policies. Local communities suffer the consequences, such as loss of services for those who need it most and reduced religious activities due to understaffed parishes. This brief contains policy recommendations on actions USCIS should take immediately to minimize harm to religious workers and the American communities they serve.

## CLINIC'S RELIGIOUS IMMIGRATION SERVICES PROGRAM

The Catholic Legal Immigration Network, or CLINIC, through its Religious Immigration Services, or RIS, section is one of United States' largest stakeholders and leading experts in religious immigration law, representing more than 800 foreign-born religious workers serving in more than 120 nonprofit religious organizations annually. RIS attorneys have more than 30 years of combined experience in serving U.S.-based petitioners sponsoring foreign-born religious workers, including both temporary religious workers and those seeking permanent residency in the United States. Today, due to growing processing delays and counterproductive policies at USCIS, RIS clients and religious workers are facing insurmountable hurdles, preventing them from meeting the needs of American communities, which have increased dramatically in the face of the COVID-19 pandemic.

***A CLINIC client who serves as a Chaplain at a children's hospital had the 180-day auto extension of his work permit expire in the summer of 2021. As a result, he had to stop working. While another priest tried to help with coverage, the parish was forced to spend less time providing pastoral care to sick children and their families.***

# RELIGIOUS WORKERS ARE ESSENTIAL WORKERS

The religious worker (R-1) category is an employment-based category under U.S. immigration law, which permits people from all over the world to come to the United States to serve local communities as ministers or in religious vocations or occupations. Religious workers come to the United States at the request of U.S. nonprofit religious organizations to help meet community needs, including needs that *only* immigrants may be able to meet. For example, foreign-born religious workers are often brought to serve in communities that share the same cultural background as they do. This cultural connection, which typically includes both language and cultural competency, strengthens communities in a multitude of ways. It builds community trust, ensures the most vulnerable and hard to reach communities are served, and contributes to the overall well-being and emotional and spiritual health of American communities.

The majority of the clients that RIS represents come to the United States to offer their religious services in the many Catholic religious organizations across the country. Some of the services foreign-born religious workers provide are:

- Offering prayers to the sick and shut in, in local hospitals (including children's hospitals) and nursing homes;
- Visiting prisons to preside over Mass and provide spiritual support to those who are incarcerated;
- Providing Mass and administering the sacraments;
- Officiating funerals and weddings;
- Teaching in religious institutions;
- Providing counseling services to women and children, including those who have suffered from trauma;
- Providing afterschool programs, recreational programs, and emotional support for youth, people with addiction, and trauma survivors; and
- Serving as a reminder of God's love and continual presence in the lives of those who need support the most.

Religious workers are essential workers in all 50 states.<sup>2</sup> During this time of dire need due to the COVID-19 pandemic, the impact of loss of services is heightened and American communities are bearing the costs. During the dark and deadly days of the COVID-19 pandemic, religious workers are needed to coordinate healthcare services in local communities, provide spiritual care and comfort, and preside over last rites for the dying.<sup>3</sup>

***Some of the religious organizations negatively impacted by USCIS processing delays and counterproductive policies have been forced to reconsider the scope of their ministry. The Sisters of St. Francis of Savannah, Mo., was founded in 1922 by immigrant Sisters from Austria and Germany. The Sisters were invited to serve the rural people of Northwest Missouri who were in need of teachers and healthcare workers. While the organization will celebrate its 100th anniversary in 2022, they have made the difficult decision to not accept any new foreign-born religious workers to their community. The congregation has limited resources and simply cannot keep up with the ever-increasing immigration requirements, fees and processing delays. According to Sr. Christine Martin, OSF, Provincial Superior: "Rural people in our area love the new Sisters and have made donations to help us, but we feel that the difficulties of the immigration process have restricted our capacity to complete our mission effectively."***

# USCIS ISSUES AFFECTING RELIGIOUS WORKERS AND POLICY RECOMMENDATIONS

## Issue 1:

**Extreme processing delays at USCIS make it impossible for nonprofit organizations to meet the needs of local communities with both temporary religious workers and religious workers pursuing permanent residency.**

CLINIC's RIS program has seen processing times for temporary religious workers steadily increase since 2019. The current processing time in December 2021 for the Petition for a Nonimmigrant Worker (Form I-129) for religious workers is 7.5 to 9.5 months.<sup>4</sup> This Form must be approved before a foreign-born religious worker can work in the United States *and the petition cannot be filed more than six months before a worker's start date at work.*<sup>5</sup> Therefore, even if an organization files on the earliest date possible six months prior to the start date, USCIS may not adjudicate the case in time for the foreign-born religious worker to begin work. Some positions have start dates tied to specific events, such as the first day of school for religious teachers, and others have start dates based upon the departure of the person currently holding the position. In these situations, despite the best efforts of the nonprofit religious organization to meet the requirements set in place by USCIS, they may be unable to meet local community needs due to USCIS processing delays.

***The Glenmary Home Missioners, a Roman Catholic Religious Organization, has depended on religious workers to meet the spiritual and material needs of people living in rural, impoverished areas in the United States. One of the Brothers in the organization worked as a nurse at the Southwest Georgia Regional Medical Center in Cuthbert, Ga., on the frontlines of the pandemic. The organization is currently dealing with extensive USCIS delays, affecting their ability to meet the needs of their community.***

Religious workers are eligible to apply for permanent residency in the United States after two years of full-time, continuous and compensated work experience. This can be an incredible value add for nonprofit religious organizations, allowing them to have permanent staff to meet community needs.

The religious worker begins the permanent residency process via Form I-360, Petition for Special Immigrant. In early 2019, CLINIC's RIS team reported that USCIS processing times for this Form was approximately six months. By the end of 2019, U.S. petitioners and religious workers found themselves waiting 12 or more months for these petitions to be adjudicated. As of December 2021, the wait time was 21.5 to 28 months.<sup>6</sup>

Many U.S. religious organizations want the foreign-born religious worker to have two years of experience in the United States to determine if they will be a good permanent fit. With Form I-360 taking more than two years to adjudicate, **many religious workers are now being forced to leave the United States** because their temporary status expires before the application for permanent residency is adjudicated. This is incredibly harmful to religious organizations that have spent time in discernment, determining the foreign national's place within their organization and then have invested time, money and resources for the foreign-born religious worker to continue to serve in the United States.

Additionally, for both temporary and permanent religious workers applying to come to the United States from overseas, once the nonprofit organization's petition is adjudicated at USCIS, the foreign-born religious worker still must apply for a visa at the consulate abroad through the Department of State. USCIS processing delays often compound with delays at consulates, creating an even more untenable situation for nonprofit religious organizations in need of religious workers.

### **Policy Recommendation 1:**

While addressing backlogs at the agency overall, USCIS should use its Congressional authorization<sup>7</sup> to **make more Forms eligible for premium processing**, including the I-360 for special immigrant religious workers and the I-765 for employment authorization. Premium processing allows the petitioner to pay an additional government filing fee to have the case adjudicated quicker. Given that religious workers are essential workers, USCIS should also explore other options to ensure these workers are not prevented from responding to the needs of American communities during the pandemic due to USCIS processing delays.

### **Issue 2:**

**USCIS fees for faster processing (known as premium processing) are too high for many nonprofits, and USCIS' application of premium processing for religious workers is inconsistently applied and unclear.**

In some situations, religious organizations can apply for faster processing for religious workers through "premium processing." The option costs \$1500 and requires that specific conditions be met.

One of the requirements for premium processing is that the nonprofit religious organization applying for the religious worker must have had a successful "site visit" by USCIS. A site visit is conducted by USCIS to review and compare the evidence that the organization and the religious worker submitted with the application. There is no formal process for a nonprofit organization to request a site visit. They must wait for USCIS to decide it is time for an unannounced site visit. Additionally, following a site visit, there is no way for a nonprofit organization to verify that the visit was successful, giving them no information about whether they can move forward with premium processing. In fact, it is a common practice for legal service providers to send in a premium processing application blindly and just hope it is accepted.

A systemic issue that CLINIC's RIS program sees is premium processing requests incorrectly rejected by USCIS based on no site visit being completed. When this error occurs, the nonprofit organization petitioning for a religious worker must resubmit the application, along with proof that the organization qualifies for premium processing. To assist USCIS in finding the information in its system, the organization typically provides copies of approval notices



for other premium processing requests from the same organization. The rejection and resubmission of a case that qualifies for premium processing causes unnecessary delays in the processing of these applications. The frequency of these rejections demonstrates a lack of a consistent and efficient process at USCIS in verifying that an organization qualifies for premium processing.

Finally, given the tremendous needs in American religious communities today, paying a \$1500 fee because of crisis-level delays at USCIS is simply impossible for many nonprofit organizations. This fee comes on top of other fees associated with the case, such as the required \$460 filing fee for Form I-129 for temporary religious workers.<sup>8</sup>

### **Policy Recommendation 2:**

In addition to expanding the availability of premium processing, USCIS should **make premium processing more accessible for religious workers** by implementing a sliding fee scale for nonprofit religious organizations that cannot afford the \$1500 fee. USCIS should also **create an organized, transparent system for site visits** due to the obstacles site visits cause in applying for premium processing. The site visit system should include 1) the opportunity for organizations to request a site visit, 2) notice from USCIS to organizations when a site visit is scheduled, 3) a computerized system for nonprofits to view the history of site visits and outcomes, and 4) through this system, the ability for nonprofits to provide clear proof to USCIS that the site visit occurred to prevent erroneous rejections.



### Issue 3:

## Religious Workers seeking permanent residency in the United States are disparately treated by USCIS as compared to other employment categories.

USCIS policies for religious workers are not consistent with other employment categories. All other employment categories use Form I-140 for the first step in applying for a green card. Under current USCIS policy, religious workers use Form I-360, which does not have the same streamlining as the I-140 process. The below chart shows the disparate treatment of religious workers in the U.S. immigration system and the consequences:

Issue	Religious Workers	Other Employment Categories
Length of stay in the United States under temporary employment status, prior to applying for permanent status.	Religious workers are limited to five years in nonimmigrant (temporary) status. At the conclusion of the five years, the foreign-born religious worker must depart the United States and remain outside the United States for one complete calendar year in order to return for another five-year period.	For other nonimmigrant employment-based categories, such as the H-1B, workers may remain in the United States for six years in their temporary status and there are exceptions that allow an individual to remain in the United States even longer if they have completed certain steps in the permanent residency process.
Availability of concurrent filing of Forms needed to apply for permanent residency.	Religious workers seeking permanent residency are not permitted under current USCIS policy to file the Forms (I-360 and I-485) to apply for permanent residency at the same time. Religious workers must wait for the first form (I-360) to be approved, even with the associated backlogs, before they can file the next form (I-485), which has another set of backlogs. The lack of availability of concurrent filing results in religious workers having to leave the United States during the permanent residency process.	Other employment-based permanent residency categories have a more streamlined process. They can file both the forms (I-140 and I-485) they need to apply for permanent residency at the same time. Additionally, backlogs for Form I-140 are shorter than for Form I-360, which is the form that religious workers must use. <sup>9</sup>
Availability of premium processing for permanent residency process.	There is no premium processing option for religious workers seeking permanent residency in the United States.	Other employment-based permanent residency categories use Form I-140, which has the option of premium processing service. These applicants may pay a fee for faster processing. This, along with the option for concurrent filing in the row above, creates a huge advantage for other employment categories as opposed to religious workers.

### Policy Recommendation 3:

USCIS should **treat religious workers the same as other employment categories** and eliminate the disparate and disadvantaged treatment that religious workers currently face. This should include 1) immediately implementing a concurrent filing option for Forms I-360 and I-485 and 2) premium processing for Form I-360.

### Issue 4:

**USCIS' delays and policies related to Employment Authorization are causing religious workers to have to stop working and costing them their driver's licenses, which creates a ripple effect of harm.**

Once religious workers seeking permanent residency have made it through the I-360 backlogs, they face a new set of issues. The next step in the process is for religious workers to file the application for their green card, Form I-485, and application for work authorization, Form I-765.

For years, USCIS policy required that Employment Authorization Documents be processed within 90 days. In January 2017, DHS removed the 90-day requirement, allowing backlog times to climb. When this change was made, USCIS also allowed individuals to file for renewal of their Employment Authorization — which is now valid for two years — up to 180 days before it expired. In addition, filing a renewal application granted many individuals, including religious workers, an automatic extension of their work authorization for 180 days after the expiration of their current employment card, during which time, theoretically, new Employment Authorization Documents would be processed.<sup>10</sup>

Unfortunately, USCIS is not processing cases within the 180-day automatic extension period. Consequently, religious workers are forced to stop working despite huge needs in their communities. Valid work authorization is also often needed for driver's licenses, leaving religious workers unable to carry out necessary daily tasks, such as go to medical appointments, run errands, get groceries and more. Additionally, the loss of work authorization adds other burdens in the future, such as having to prove to USCIS that they did not work without work authorization.

These are the current processing times for Form I-765 (Employment Authorization) based upon a pending Form I-485 in December 2021.<sup>11</sup>

- 20 to 21.5 months at the California Service
- 10 to 12 months at the Nebraska Service Center
- 10.5 to 12 months at the Texas Service Center

### Policy Recommendation 4:

In order to ensure that religious workers are not forced to stop working due to USCIS delays related to work permits, USCIS should immediately **increase the Employment Authorization Document (EAD) automatic extension from 180 days to 240 days**. USCIS can utilize the same authority used in 2017 when the agency implemented the 180-day automatic extension to help prevent gaps in employment authorization and documentation due to adjudication delays.<sup>12</sup> USCIS should also add language to receipt notices for Employment Authorization Document renewal applications that the receipt is proof of automatic extension. The additional language could be similar to what USCIS has incorporated for receipt notices issued for green card renewals.<sup>13</sup> This will provide clear proof of an individual's continued work authorization under an automatic extension period and make it easier for the foreign-born religious worker to obtain and maintain a driver's license.

**Recently, the Employment Authorization Documents expired for three priests who are in the process of securing permanent residency to work for the Diocese of Jackson in Mississippi. The Diocese assisted them with filing the timely renewal of their Employment Authorization but processing delays meant that approvals were not received prior to the end of their period of authorized employment. This meant that the foreign-born religious workers had to stop working while the Diocese struggled to meet the needs of the parishioners.**

**The Diocese of Jackson is the largest diocese by geographic area east of the Mississippi River. There is often only one priest for an entire county, serving hundreds and hundreds of families. The next closest priest may be 50 to 75 miles away and have their own large population of faithful to serve. The loss of critical essential workers during the COVID-19 pandemic due to USCIS processing delays was a crisis for the Diocese. It took Congressional intervention to overcome the processing issues, which thankfully allowed the Diocese to again meet the service and spiritual needs of Mississippians.**

## Issue 5:

### USCIS' reinstated expedite policy for nonprofits has failed in implementation.

In June 2021, USCIS reinstated a policy that permits expedite requests for “nonprofit organizations whose request is in furtherance of the cultural and social interests of the United States.” These organizations “may request that a benefit be considered for expedited processing, even if premium processing is available for that benefit.”<sup>14</sup> While CLINIC initially applauded this update, expecting it would be key in assisting religious workers and their nonprofit employers impacted by processing delays, the policy has proved to be a further burden on time and resources with no results.

Between June 2021 and September 2021, RIS submitted 22 expedite requests. To date, not one expedite request has been approved. USCIS also indicated that under the policy, practitioners or applicants should receive a response within five days. However, RIS is waiting well beyond the five-day window and typically not receiving a response until 10 days out, if at all.

Following inquiries to USCIS as to why nonprofits providing vital community services and spiritual care using foreign-born religious workers were not being granted expedite requests, USCIS informed CLINIC that not only must the nonprofit organization's request be in furtherance of the cultural and social interest of the United States *but the request should be based on the contributions of the individual (religious worker) in their role with the nonprofit.*<sup>15</sup> This information is not available in the USCIS Policy Manual<sup>16</sup> or other materials. CLINIC theorizes this has been a contributor to no expedite requests being approved, as well as lack of training and systems within the agency, as evidenced by inconsistent responses on the requests.

#### Policy Recommendation 5:

USCIS should immediately **clarify its policy and requirements regarding nonprofit expedite requests** and conduct public outreach and education to ensure nonprofits have correct information to make requests. USCIS should also address inconsistencies and lack of clear guidelines, both internally and externally, as related to responses and adjudication of nonprofit expedite requests.

# THE HUMAN IMPACT OF USCIS' PROCESSING DELAYS AND POLICIES ON RELIGIOUS WORKERS AND AMERICAN COMMUNITIES

USCIS delays and policies have had significant consequences on religious workers, their nonprofit employers, and those in need of services in the United States. Immediate action is needed from USCIS to prevent the situation from further devolving.

COVID-19 has had a two-fold impact on religious workers and their nonprofits — simultaneously contributing to process delays at USCIS while increasing needs for services. Tragically, the need for ministers and religious workers in hospitals to pray over the sick and dying has skyrocketed. So has the demand for funeral services. Religious workers are crucial in meeting the needs of the pandemic in rural, underserved areas and large cities alike.

In addition to the impact on the local communities, religious workers themselves are suffering. For religious workers, their work in U.S. communities is not just a job, it's their calling and practice of their faith as an individual. For a religious worker, immigration delays can have an impact on their spiritual health and lives.

***The only Catholic Priest-Chaplain for the Hartsfield-Jackson International Airport (ATL) had to cease work in the summer of 2021, due to USCIS processing delays and expiration of his work permit. As the only Catholic Chaplain at the airport, his duties include providing pastoral care to travelers and honoring deceased U.S. military service members whose remains arrive at the airport.***

***In addition, as the only bilingual priest in the southern metro Atlanta area, he provides crucial pastoral care to the Spanish-speaking community. He is responsible for bilingual pastoral ministry at a major hospital and a children's hospital. His established relationships, including with sick children and their families, were put on hold when his work authorization expired.***



***The Sisters of St. Francis of Tiffin, Ohio, have had to face the harsh realities of the USCIS policies and delays for religious workers. One young woman was unable to come to the United States to complete her formation period, which meant she was unable to become a permanent member of their congregation.***

***Sister Sara Aldridge, a Community Minister for the Sisters of St. Francis of Tiffin, Ohio, explained that this young woman helped the community to begin to understand another culture. Most notably, "She taught us perseverance and resilience in the face of challenge," said Sister Aldridge. "These workers are coming to support the people and the church in the United States. They are contributors to the welfare of our society."***

# CLINIC POLICY RECOMMENDATIONS FOR USCIS ON RELIGIOUS WORKERS

The Catholic Legal Immigration Network, Inc., or CLINIC, recommends U.S. Citizenship and Immigration Services immediately take the following actions to address harm to religious workers, their nonprofit employers, and American communities caused by USCIS delays and policy:

1. **Create a Religious Immigration Stakeholder Group** to provide opportunities for feedback and collaboration between USCIS, immigration practitioners and religious worker employers to improve the religious worker program.
2. While addressing backlogs at the agency overall, USCIS should use its Congressional authorization<sup>17</sup> to **make more Forms eligible for premium processing**, including the I-360 for special immigrant religious workers and the I-765 for employment authorization. Premium processing allows the petitioner to pay an additional government filing fee to have the case adjudicated quicker. Given that religious workers are essential workers, USCIS should also explore other options to ensure these workers are not prevented from responding to the needs of American communities during the pandemic due to USCIS processing delays.
3. In addition to expanding the availability of premium processing, USCIS should **make premium processing more accessible for religious workers** by implementing a sliding fee scale for nonprofit religious organizations that cannot afford the \$1500 fee. USCIS should also **create an organized, transparent system for site visits** due to the obstacles site visits cause in applying for premium processing. The site visit system should include 1) the opportunity for organizations to request a site visit, 2) notice from USCIS to organizations when a site visit is scheduled, 3) a computerized system for nonprofits to view the history of site visits and outcomes, and 4) through this system, the ability for nonprofits to provide clear proof to USCIS that the site visit occurred to prevent erroneous rejections.
4. USCIS should **treat religious workers the same as other employment categories** and eliminate the disparate and disadvantaged treatment that religious workers currently face. This should include 1) immediately implementing a concurrent filing option for Forms I-360 and I-485 and 2) premium processing for Form I-360.
5. In order to ensure that religious workers are not forced to stop working due to USCIS delays related to work permits, USCIS should immediately **increase the Employment Authorization Document, or EAD, automatic extension from 180 days to 240 days**. USCIS can utilize the same authority used in 2017 when the agency implemented the 180-day automatic extension to help prevent gaps in employment authorization and documentation due to adjudication delays.<sup>18</sup> USCIS should also add language to receipt notices for EAD renewal applications that the receipt is proof of automatic extension. The additional language could be similar to what USCIS has incorporated for receipt notices issued for green card renewals.<sup>19</sup> This will provide clear proof of an individual's continued work authorization under an automatic extension period and make it easier for the foreign-born religious worker to obtain and maintain a driver's license.
6. USCIS should immediately **clarify its policy and requirements regarding nonprofit expedite requests** and conduct public outreach and education to ensure nonprofits have correct information to make requests. USCIS should also address inconsistencies and lack of clear guidelines, both internally and externally, as related to responses and adjudication of nonprofit expedite requests.

# CONCLUSION

As a result of the issues detailed above, foreign-born religious workers are being forced to stop working, depart the United States, and face other serious consequences, such as extensive delays to begin their work and the inability to obtain a driver's license. These issues have a domino effect of harm, from individual religious workers, to nonprofit religious organizations, to the American communities they serve. While addressing overarching backlogs, there are actions USCIS can and should take now to prevent further harm and support these truly essential workers. Importantly, religious workers should, at an absolute minimum, be treated equally to other employment-based categories. As always, CLINIC stands ready to engage with USCIS and partner in the work ahead.

# ENDNOTES

- <sup>1</sup>The Catholic Church and Immigrant Religious Workers, USCCB, [usccb.org/issues-and-action/human-life-and-dignity/immigration/specialimmigrantreligiousworkervisas](https://usccb.org/issues-and-action/human-life-and-dignity/immigration/specialimmigrantreligiousworkervisas).
- <sup>2</sup>Religious organizations are listed by the U.S. Centers for Disease Control as recommended essential workers for vaccine purposes. However, many religious workers serve in health care settings, schools, serving disabled populations, and providing religious services for incarcerated individuals. These roles would qualify religious workers in other and earlier vaccination groupings. See [cdc.gov/vaccines/covid-19/categories-essential-workers.html](https://cdc.gov/vaccines/covid-19/categories-essential-workers.html).
- <sup>3</sup>Elizabeth Dias, The Last Anointing, New York Times (June 6, 2020), [nytimes.com/interactive/2020/06/06/us/coronavirus-priests-last-rites.html](https://nytimes.com/interactive/2020/06/06/us/coronavirus-priests-last-rites.html).
- <sup>4</sup>Form I-129 processing at California Service Center for R-1 Religious Worker, [egov.uscis.gov/processing-times/](https://egov.uscis.gov/processing-times/).
- <sup>5</sup>See "When to File" on page 27 of Instructions for Form I-129. "Generally, a Form I-129 petition may not be filed more than 6 months prior to the date employment is scheduled to begin." [uscis.gov/i-129](https://uscis.gov/i-129). See Also 8 CFR § 103.2(a)(1) "*Preparation and submission*. Every form, benefit request, or other document must be submitted to DHS and executed in accordance with the form instructions regardless of a provision of 8 CFR chapter I to the contrary. The form's instructions are hereby incorporated into the regulations requiring its submission."
- <sup>6</sup>Form I-360 Processing at California Service Center, [egov.uscis.gov/processing-times/](https://egov.uscis.gov/processing-times/).
- <sup>7</sup>Continuing Appropriations Act, 2021 and Other Extensions Act, H.R. 8337, 116th Cong. §§ 4101–02 (2020).
- <sup>8</sup>Form I-129, Petition for a Nonimmigrant Worker, USCIS, [uscis.gov/i-129](https://uscis.gov/i-129).
- <sup>9</sup>Form I-140 Processing at [egov.uscis.gov/processing-times/](https://egov.uscis.gov/processing-times/).
- <sup>10</sup>Automatic Employment Authorization Document, or EAD, Extension, USCIS, [uscis.gov/working-in-the-united-states/information-for-employers-and-employees/automatic-employment-authorization-document-ead-extension](https://uscis.gov/working-in-the-united-states/information-for-employers-and-employees/automatic-employment-authorization-document-ead-extension).
- <sup>11</sup>Form I-765 Processing, [egov.uscis.gov/processing-times/](https://egov.uscis.gov/processing-times/). The processing time is the same for both initial and renewal I-765 applications based upon a pending Form I-485.
- <sup>12</sup>Automatic Employment Authorization Document (EAD) Extension, USCIS, [uscis.gov/working-in-the-united-states/information-for-employers-and-employees/automatic-employment-authorization-document-ead-extension](https://uscis.gov/working-in-the-united-states/information-for-employers-and-employees/automatic-employment-authorization-document-ead-extension).
- <sup>13</sup>USCIS to Replace Sticker That Extends Validity of Green Cards, USCIS (Jan. 12, 2021), [uscis.gov/news/alerts/uscis-to-replace-sticker-that-extends-validity-of-green-cards](https://uscis.gov/news/alerts/uscis-to-replace-sticker-that-extends-validity-of-green-cards).
- <sup>14</sup>USCIS Policy Manual, Chapter 5, Requests to Expedite Applications or Petitions, [uscis.gov/policy-manual/volume-1-part-a-chapter-5#footnote-2](https://uscis.gov/policy-manual/volume-1-part-a-chapter-5#footnote-2).
- <sup>15</sup>Email between CLINIC and USCIS, (Nov. 4, 2021), on file with authors.
- <sup>16</sup>How to Make an Expedite Request, USCIS, [uscis.gov/forms/filing-guidance/how-to-make-an-expedite-request](https://uscis.gov/forms/filing-guidance/how-to-make-an-expedite-request).
- <sup>17</sup>Continuing Appropriations Act, 2021 and Other Extensions Act, H.R. 8337, 116th Cong. §§ 4101–02 (2020).
- <sup>18</sup>Automatic Employment Authorization Document, or EAD, Extension, USCIS, [uscis.gov/working-in-the-united-states/information-for-employers-and-employees/automatic-employment-authorization-document-ead-extension](https://uscis.gov/working-in-the-united-states/information-for-employers-and-employees/automatic-employment-authorization-document-ead-extension).
- <sup>19</sup>USCIS to Replace Sticker That Extends Validity of Green Cards, USCIS (Jan. 12, 2021), [uscis.gov/news/alerts/uscis-to-replace-sticker-that-extends-validity-of-green-cards](https://uscis.gov/news/alerts/uscis-to-replace-sticker-that-extends-validity-of-green-cards).

## **ABOUT THE CATHOLIC LEGAL IMMIGRATION NETWORK, INC.**

CLINIC provides vital legal resources, guidance and support to a network of more than 400 legal, community-based and Catholic immigration programs across the country. CLINIC affiliates are in 49 states, with about 2,300 attorneys and accredited representatives, who in turn assist hundreds of thousands of vulnerable and low-income immigrants each year. In addition to legal and program capacity building assistance, CLINIC conducts federal-level administrative advocacy and provides state and local support to affiliates on the ground combating anti-immigrant legislation.