United States Department of State

Washington, D.C. 20520

June 27, 2023

David Spicer
Senior Policy Advisor, Migration and Refugee Services
U.S. Conference of Catholic Bishops
3211 4th Street NE
Washington, DC 20017

Dear Mr. Spicer:

Thank you for your letter of May 25, 2023, to Secretary of State Antony Blinken and Secretary of Homeland Security Alejandro Mayorkas. On behalf of Secretary Blinken, I am writing to address the important concerns you raised regarding changes to employment-based fourth preference (EB-4) immigrant visa availability and the impact on foreign-born religious workers.

The April 2023 change was necessary to bring EB-4 visa number allocation into compliance with U.S. immigration law. This was a legal rather than a policy decision, and we therefore, unfortunately, do not have the discretion to reverse or delay implementation of this change. It is clear under the Immigration and Nationality Act that, under the current circumstances, the Department has no legal basis for imposing separate final action and application filing dates for El Salvador, Guatemala, and Honduras. Consequently, EB-4 visa demand from those three countries must be combined with EB-4 visa demand from the rest of the world. For more information, please refer to the Federal Register Notice at https://www.federalregister.gov/documents/2023/03/28/2023-06252/employment-based-preference-immigrant-visa-final-action-dates-and-dates-for-filing-for-el-salvador.

We recognize the impact the retrogression of the final action date for EB-4 visas is having on prospective immigrant religious workers, along with other groups, including long-serving employees of the United States Government.

Thank you again for engaging with us on this important issue.

Sincerely,

Rena Bitter
Assistant Secretary