



**Homeland  
Security**

# Engagement Readout

## **The CIS Ombudsman’s Webinar Series: Employment-Based Immigrant Visas - A Conversation with USCIS on the Statutory Framework and Pandemic Challenges**

On May 26, 2022, the Department of Homeland Security’s (DHS) [Office of the Citizenship and Immigration Services Ombudsman \(CIS Ombudsman\)](#) hosted a webinar about U.S. Citizenship and Immigration Services’ (USCIS) efforts to use all available immigrant visa numbers, giving eligible employment-based adjustment applicants the opportunity to obtain a Green Card this fiscal year.

During this session, [CIS Ombudsman Phyllis A. Coven](#) and [USCIS Chief of Staff Felicia Escobar Carrillo](#) provided opening remarks. Then, staff from both offices engaged in a dialogue about topics such as immigrant visa priority dates, progress in processing employment-based Green Cards in different categories, as well as policy and operational initiatives aimed at maximizing visa usage and mitigating processing delays and their impact on USCIS’ customers. A total of 1,080 stakeholders participated in this engagement [attorneys/legal representatives – 31%, advocacy groups – 2%, and others (applicants/petitioners and employers) – 67%]. Participants submitted more than 800 written questions. Below is a sample of the questions received:

- Will the [India] [EB-3](#) category move forward this fiscal year?
- We are almost one quarter away from the end of this fiscal year. Are you still confident that we can utilize all of the employment-based visas available this year?
- Can we know, so far, how many employment-based visas have been adjudicated for fiscal year 2022?
- How can I confirm that my request for an underlying transfer of basis from EB-3 to [EB-2](#) was received properly and that my case is being adjudicated in the EB-2 category?
- At what point during the fiscal year are the visa numbers spilled down from [EB-1](#) to EB-2? Does it happen every month? Every quarter? Or just in the fourth quarter?

- How can I know if a visa is assigned to my form or me? When I have contacted Emma/USCIS, we are not provided with that information.
- Is it possible to ask USCIS to process applications in order, meaning making sure 2014 priority dates do not get Green Cards before 2011 priority dates?
- Is COVID-19 vaccination proof required for Forms I-693, *Report of Medical Examination and Vaccination Record*, submitted a year ago when the old forms did not have a section for COVID-19 vaccination?
- Do you foresee any spillover visas from family-based to employment-based categories starting in fiscal year 2023?
- What does Form I-485 Supplement J, *Confirmation of Bona Fide Job Offer or Request for Job Portability Under INA Section 204(j)*, approval mean in the context of interfiling? Does it mean that the interfiling from EB-3 to EB-2 is completed?
- Why are the applications filed in October 2020 not being prioritized?
- Can you confirm whether employment-based adjustment of status interviews are being universally waived?
- Can USCIS provide specific dates that applications will be transferred from the Nebraska Service Center (NSC) to the National Benefits Center (NBC)?
- Can USCIS explain why transfers from the NSC to the NBC are not happening?

### **Speakers**

Phyllis A. Coven, CIS Ombudsman, DHS

Bertha Anderson, Chief of Public Engagement at the CIS Ombudsman, DHS

Frederick Troncone, Senior Advisor at the CIS Ombudsman, DHS

Felicia Escobar Carrillo, Chief of Staff, USCIS

Douglas Rand, Senior Advisor, Office of the Director, USCIS

Andrew Parker, Chief of the Residence and Admission Branch, Residence and Naturalization Division, Office of Policy and Strategy, USCIS