



Meredith Leighty
Mayor
11701 Community Center Drive
Northglenn, CO 80233

RECEIVED
By ESEC at 1:47 pm, Oct 30, 2023

October 19, 2023

Mr. Alejandro Mayorkas
Secretary
U.S. Department of Homeland Security
3007th St. SW
Washington, DC 20024

Dear Secretary Mayorkas,

On behalf of the City Council of the City of Northglenn, CO, I write today to urge the Department of Homeland Security to consider issuing a rule to shorten the wait time for work authorization for asylum applicants whose asylum claims have not been deemed frivolous, and who are not in detention, to 30 days. Issuing this rule would allow applicants with credible claims, who are already on their way to establishing themselves in the country, to gain faster access to employment, become self-sufficient, and contribute to the local economy.

Northglenn is a home rule municipality, inner ring suburb of Denver, Colorado and is considered part of the Denver Metro area. Northglenn's nearly 39,000 population consists of a diverse cultural population. For several years, Masjid Ikhlas, the Metropolitan North Denver Mosque, located in Northglenn has been instrumental in assisting Afghan Refugees. Unfortunately, we continue to see the barriers that remain for these community members and others.

Recently, the Denver-Metro area has seen a large influx of migrants from the southern border and are faced with the challenge of providing them with supportive services. This challenge is compounded by the migrants being unable to find gainful employment. Reducing the wait time for work authorization for asylum applicants would assist us with this challenge.

As Congress continues to deal with gridlock around this very important issue, communities like Northglenn rely on our federal executive agencies to respond to immigration challenges through issued rules and departmental policy updates. We ask for your help as our community continues to deal with these challenging issues.

Thank you for your consideration and we look forward to working with you to tackle this very difficult issue.

Sincerely,

Meredith Leighty
Mayor

cc: Northglenn City Council



**U.S. Citizenship
and Immigration
Services**

December 8, 2023

Mayor Meredith Leighty
11701 Community Center Drive
Northglenn, CO 80233

Dear Mayor Leighty:

Thank you for your October 19, 2023 letter to the Department of Homeland Security (DHS). I am responding on behalf of the Department.

We appreciate the concerns you shared and your interest in the issuance of Employment Authorization Documents (EADs) for asylum seekers. U.S. Citizenship and Immigration Services (USCIS) recognizes the importance of employment authorization and documentation to asylum seekers and their families, as well as to the U.S. businesses and organizations that employ them.

In response to stakeholder feedback and in furtherance of our goal to decrease processing times for adjudication of the Form I-765, Application for Employment Authorization, USCIS has implemented several significant measures to address employment authorization policies, particularly for those seeking employment authorization in humanitarian categories, including asylum seekers.

On May 4, 2022, USCIS published a temporary final rule (TFR) that temporarily increased the automatic extension period for employment authorization for certain renewal applicants, including those with pending asylum applications, from 180 days to up to 540 days. This temporary increase helped avoid gaps in employment for asylum applicants with pending EAD renewal applications and stabilized the continuity of operations for U.S. employers.

On September 27, 2023, USCIS issued updated guidance in the Policy Manual increasing the maximum validity period to 5 years for EADs issued to those admitted as refugees or granted asylum; recipients of withholding of removal; and applicants for asylum, adjustment of status, or cancellation of removal. This will reduce the frequency with which noncitizens, including those with pending asylum applications, must apply to renew their work authorization and will also reduce processing times. This recent announcement reinforces USCIS' commitment to make the process of applying for employment authorization and obtaining an EAD easier and more efficient.

Section 208(d)(2) of the Immigration and Nationality Act states that employment authorization shall not be granted to an asylum applicant prior to the expiration of the 180-day period after the date of filing the asylum application. Because the requirement is mandated by statute, only Congress can reduce or eliminate the 180-day EAD eligibility waiting period for asylum applicants. Even though an asylum applicant is not eligible for employment authorization until 180 days have passed, asylum applicants can apply for an EAD based on their pending application 150 days after they file their asylum application. According to Form I-765 processing time data that is available to the public on the USCIS website, 80 percent of initial EAD requests filed by noncitizens with pending asylum applications are adjudicated within 1 ½ months. With the recent policy change increasing the EAD validity period to 5 years for asylum applicants, we anticipate that the number of renewal applications for asylum seekers, which presently account for the majority of the backlog in this category, will significantly decrease over time. This will allow USCIS to continue to focus its resources on initial applications and will likely result in an overall reduction in processing times.

I recognize the challenges you highlighted in your letter and will continue to explore solutions to address the timely processing of requests for employment authorization. Although USCIS has allocated additional resources to address the influx of applications from recent arrivals, we remain committed to implementing policy changes and operational solutions to further reduce the EAD backlog, which includes a focus on adjudicating applications that may be outside of normal processing times. USCIS remains steadfast in its commitment to exploring all available avenues to eliminate unnecessary barriers, restore faith in the immigration system, and improve transparency, efficiency, and integrity in the system.

Thank you again for your letter. Should you wish to discuss this matter further, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Ur M. Jaddou", with a long horizontal flourish extending to the right.

Ur M. Jaddou
Director