



American Association of  
**Directors of Psychiatric  
Residency Training**

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May 15, 2020

Kenneth Cuccinelli, JD  
Acting Director, U.S. Citizenship and Immigration Services  
U.S. Department of Homeland Security  
20 Massachusetts Avenue, NW Washington, DC 20529

Dear Acting Director Cuccinelli:

On behalf of the American Association of Directors of Psychiatric Residency Training, we are writing to request the U.S. Citizenship and Immigration Services (USCIS) to proactively take the following actions regarding visas for International Medical Graduates (IMGs). IMGs constitute approximately 30% of our physician taskforce and have been an irreplaceable and vital resource during this unprecedented COVID19 pandemic. IMG physicians have played a critical role in providing health care during this pandemic, especially in underserved areas with higher rates of pre-existing chronic disease, which as you are aware, has been correlated with higher morbidity and mortality rates. In order to allow the IMG physicians to seamlessly provide much needed healthcare to the US population in these trying times, and to minimize any changes that may further exacerbate physician workforce shortage in the US, we respectfully submit the following:

- i) We urge the USCIS to automatically renew and extend visas for foreign national physicians lawfully practicing in the US for one year.
- ii) We call upon USCIS to expedite visa processing to ensure that non-U.S. citizen IMGs can enter the United States to begin their physician residency training programs on July 1, 2020.
- iii) We urge USCIS to reconsider its decision to stop accepting petitions for premium processing of petitions for visa extensions as well as for changes of status. In addition, we urge you to facilitate expedited premium processing for physician related H-1B visas.
- iv) We urge the USCIS to protect the spouses and dependent children of physicians with H-1B visas by automatically granting a one-year extension of their H-4 visas so that the families of these physicians stay intact during the pandemic.
- v) For any IMG physician who has been furloughed or laid off as a result of the pandemic, we urge USCIS to extend the maximum grace period to 180-days to allow such a physician to remain in the U.S. and seek new employment.
- vi) We also call upon your leadership to clear the backlog of cases of physicians practicing in the U.S. with H-1B visas seeking to obtain permanent resident status.



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In these unprecedented times when the US healthcare needs an all-hands-on-deck approach, we urge you to promptly act upon the above recommendations to allow one-thirds of our physician workforce to function effectively, and without unreasonable added stress of managing theirs, or their dependents' legal immigration status.

Sincerely,

Melissa Arbuckle, MD, PhD

President, American Association of Directors of Psychiatric Residency Training.



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

July 2, 2020

Melissa Arbuckle, MD, PhD  
President  
American Association of Directors of  
Psychiatric Residency Training  
P.O. Box 30618  
Indianapolis, IN 46230

Dear Dr. Arbuckle:

Thank you for your May 15, 2020 in support for International Medical Graduates (IMGs). Mr. Cuccinelli has asked that I respond on his behalf.

The Department of Homeland Security (DHS) has no greater responsibility than ensuring the safety and security of our country. Responding to the coronavirus pandemic requires everyone to work within rapidly changing, complex circumstances that create a variety of situations and conditions unique to individuals and communities. Our primary goal is to ensure the safety of the public and our employees as the situation evolves.

We recognize that there are immigration-related challenges that IMGs and others face as a direct result of the national emergency. We carefully analyze these issues and leverage our resources to effectively address these challenges within our existing authorities. DHS continues to act to protect the American people and our communities and is considering a number of policies and procedures to improve the employment opportunities of U.S. workers during this pandemic.

We appreciate your suggestions regarding the processing of petitions and applications for physicians and their families. With regard to the visa process for individuals outside of the United States, we defer to our colleagues at the Department of State. For individuals within the United States, it is important for us to emphasize that U.S. Citizenship and Immigration Services (USCIS) continues to accept and process benefit requests including extension and change of status applications for physicians, as well as applications for employment authorization.<sup>1</sup> USCIS considers special circumstances and expedite requests for individual requests on a case-by-case basis. Further, USCIS recently announced the resumption of premium processing service for certain employment-based petitions, including H-1B petitions. In response to the COVID-19 pandemic, USCIS also announced additional flexibilities, including a temporary policy change for certain foreign medical graduates who have received a waiver of the 2-year foreign residence

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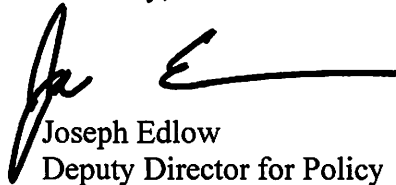
<sup>1</sup> The USCIS website provides additional information regarding special circumstances, expedite requests, and options for nonimmigrants to extend or change their status.

requirement based on their agreement to practice in a medically underserved area or in connection with the U.S. Department of Veterans Affairs.<sup>2</sup>

DHS will continue to communicate publicly regarding any changes we make to ensure that the public is fully informed of the steps we are taking to address the challenges resulting from this national emergency. As we begin moving toward reopening the country, DHS remains steadfast in our commitment to protect the safety of the American people.

Thank you again for your letter and your interest in this matter. We continue to explore available options within our statutory and regulatory authority, and your concerns will be taken into consideration.

Sincerely,

A handwritten signature in black ink, appearing to be 'Ja' followed by a long horizontal stroke.

Joseph Edlow  
Deputy Director for Policy

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<sup>2</sup> USCIS Policy Memorandum, PM-602-0178, *Temporary Policy Changes for Certain Foreign Medical Graduates During the COVID-19 National Emergency* (May 11, 2020).