

Questions for the Record from Representative Jeff Van Drew for Director Jaddou
Hearing on Oversight of U.S. Citizenship and Immigration Services

December 4, 2024

“Specialty Occupation” Visas

1. “Director Jaddou – I have a question that I think is emblematic of USCIS’ problems. USCIS has granted visas for thousands of foreign nationals to operate as airline pilots through specialty occupation visas, including H1B and E3 visa categories, despite this being at odds with the visa programs’ statutory authorities and attendant regulatory guidance. Misuse of visas is now increasing and has spread to larger air carriers. Over the years, the U.S. Citizenship and Immigration Services Administrative Appeals Office (“AAO”) has *repeatedly* confirmed that typical airline pilot jobs **do not** satisfy the “specialty occupation” standard set forth in law (8 C.F.R. § 214.2(h)(4). And yet nonetheless visa issuance has grown. What is USCIS doing to ensure its prior AAO decisions that pilot positions are not “specialty occupations” are reflected in visa denials rather than flouted by the agency?