

Congress of the United States
Washington, DC 20515

January 5, 2018

President Donald Trump
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear President Trump:

We are writing to you today regarding alarming reports about proposed changes to the H-1B visa program that could result in the deportation of H-1B visa holders residing in the U.S. who are awaiting application determinations for permanent residency. We strongly believe this action would be harmful to the American economy, credibility, and relations with India and the Indian-American community. As members of the bipartisan *Congressional Caucus on India and Indian Americans*, we urge you not to deport H-1B holders awaiting permanent residency processing.

The H-1B visa program is not designed to replace American workers with foreign workers, it is designed to augment the American workforce in specific areas where demand is high and gaps in skill sets exist. These visa holders are frequently from the medical, education, architecture, or science, technology, engineering and math (STEM) occupations, fields critical to American economic prosperity and security, where too often we have a shortage of qualified American applicants. H-1B visa holders are permitted to apply for permanent residency, but due to chronic application backlogs, their permanent residency status is frequently not determined until after their H-1B visas are set to expire. They must therefore rely on the granting of these extensions until their applications can be adjudicated. Removing this benefit will result in a tremendous loss of skilled labor that greatly benefits our economy.

Indian citizens have remained the top H-1B visa program recipients each year since the program began, and these visa holders and their host companies pay hundreds, and frequently thousands of dollars to the U.S. government to process visas. For the duration of their stay, they pay federal, state, Social Security, and Medicare taxes. Their desire for permanent residency only improves the skilled, tax-paying American workforce and attracts business to the U.S. **These participants are working with the American immigration system, not against it. They, their families, and the companies they work for should not be punished.**

The unemployment rate is at a new low, 4.1%, on a steady and healthy decline since 2010. This commendable low includes significant employment gains in the industries that are augmented by the H-1B visa program participants. If it is correct that you plan on removing the ability to grant extensions to current H-1B visa holders with pending permanent residency application processing, it is unclear the intent as the U.S. currently maintains a healthy unemployment level, and many H-1B visa holders have gone on to start their own small businesses, contributing to our economy as job creators. Furthermore, the changes we need to bridge the skill gaps we currently have will take many years, during which time we will likely still need to rely on a robust H-1B system.

India is the world's largest democracy, and Indian workers in the U.S. bring with them the spirit of hard work and democracy that is vital to our country. The Indian-American population has a long and decorated history of contributions to the fabric of our country. India is also an increasingly important trade and security partner, on the front lines in the fight against global terrorism.

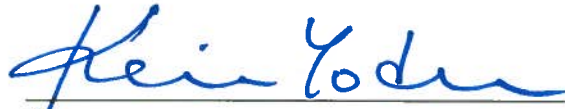
We urge clarification on the reports that you are contemplating the removal of extensions for H-1B visa holders living in the U.S., who are awaiting permanent residency visa processing. We strongly oppose this action. It is not realistic to expect H-1B visa holders, who are well invested in the American economy, including real estate markets, to return to their home country to await an answer regarding their permanent residency status only to restart their livelihoods from scratch once more. The potential of losing these skilled workers poses a serious risk to the American economy. We look forward to hearing from you on this important matter.

Sincerely,



Tulsi Gabbard

Member of Congress



Kevin Yoder

Member of Congress

CC:

Kirstjen Nielsen
Secretary of Homeland Security
Department of Homeland Security

Alexander Acosta
Secretary of Labor
Department of Labor

Rex Tillerson
Secretary of State
Department of State