

Congress of the United States
Washington, DC 20515

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February 13, 2018

The Honorable Kirstjen Nielsen
Secretary of Homeland Security
U.S. Department of Homeland Security
3801 Nebraska Avenue, N.W.
Washington, D.C. 20393

Dear Secretary Nielsen:

We write with concern regarding the Department of Homeland Security's ("DHS's") recent proposal to rescind and/or limit H-4 employment *authorization documents* (EAD's) for spouses of high-skilled professionals working and residing in our country on H-1B visas. Maryland is home to a flourishing knowledge-based economy comprised of cutting edge tech companies, world class research universities and institutes, and industry leading hospitals and medical facilities. *The H-1B visa program and complimentary H-4 EAD allows Maryland institutions to recruit the best candidates, ensuring that our state remains competitive in an ever increasingly global economy.*

We are concerned that DHS's proposal to preclude certain spouses of H-1B visa holders from participating in the workforce will disincentivize high-skilled workers from seeking employment in the United States. It is well recognized that two-career couples are increasingly common around the world, especially in the United States. These spouses who seek work eligibility not only contribute to their household fortunes, but provide significant contributions to the economic wellbeing of their communities. Removing the incentive of allowing H-1B visa holder spouses to work *will negatively affect* our economy, American companies, and the dynamism of America.

Immigrants are a critical component of the 21st century knowledge based economy. They provide a disproportionately large contribution to the community. They are more likely than U.S. natives to own or start their own businesses. More to the point, one-quarter of companies that went public between 1990 and 2005 and one-third of the companies that went public between 2006 and 2012 had at least one immigrant co-founder. H-1B visa holders have made invaluable contributions to the United States and nearly one-third of scientific Nobel Prizes that have been awarded to men and women working in America have gone to individuals who were born abroad.

America draws the best and brightest from around the globe to work hard and contribute to our society and economy. It is through this vibrant tapestry that world changing breakthroughs are made, in American companies on American soil. *Limiting the professional opportunities of H-1B spouses will inevitably lead these couples to look in the world for these opportunities* diminishes America's leadership in a myriad of industries and scientific fields.

We therefore request that DHS reverse any plans to limit or rescind the employment eligibility of the spouses of H-1B visa holders. Thank you for your careful attention to this matter, and we look forward to your response.

Sincerely,



Jamie Raskin
Member of Congress


Chris Van Hollen
United States Senator

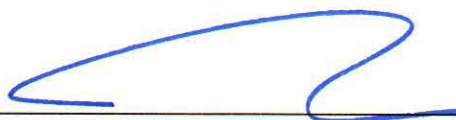
Benjamin L. Cardin
United States Senator



Anthony Brown
Member of Congress



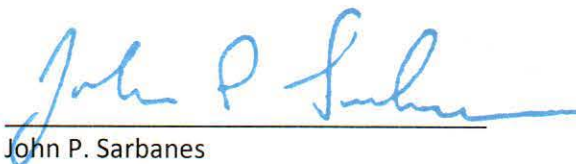
Elijah E. Cummings
Member of Congress



John K. Delaney
Member of Congress



Dutch Ruppersberger
Member of Congress



John P. Sarbanes
Member of Congress



U.S. Citizenship
and Immigration
Services

March 13, 2018

The Honorable Jamie Raskin
U.S. House of Representatives
Washington, DC 20515

Dear Representative Raskin:

Thank you for your February 13, 2018 letter. Secretary Nielsen asked that I respond on her behalf.

The Department of Homeland Security (DHS) is committed to growing the U.S. economy and creating jobs for U.S. workers. In fact, pursuant to Executive Order (E.O.) 13788, DHS is required to "propose new rules and issue new guidance, to supersede or revise previous rules and guidance if appropriate, to protect the interests of U.S. workers in the administration of our immigration system, including through the prevention of fraud or abuse." See E.O. 13788, Buy American and Hire American, 82 Fed. Reg. 18,837 (April 18, 2017). The public will be given an opportunity to provide feedback during a notice and comment period on any revisions to regulations that DHS determines appropriate, including revisions relating to the rule providing employment authorization to certain H-4 nonimmigrants.

Thank you again for your letter and interest in this important issue. Should you require any additional assistance, please have your staff contact the U.S. Citizenship and Immigration Services Office of Legislative Affairs at (202) 272-1940.

Respectfully,

A handwritten signature in blue ink, appearing to read "L. Francis Cissna".

L. Francis Cissna
Director