

CHAMBER OF COMMERCE  
OF THE  
UNITED STATES OF AMERICA

NEIL L. BRADLEY  
EXECUTIVE VICE PRESIDENT &  
CHIEF POLICY OFFICER

1615 H STREET, NW  
WASHINGTON, DC 20062  
(202) 463-5310

May 26, 2020

The Honorable Larry Kudlow  
Director  
National Economic Council  
Washington, DC 20500

The Honorable Jared Kushner  
Senior Advisor to the President  
The White House  
Washington, DC 20500

Dear Director Kudlow and Mr. Kushner:

The U.S. Chamber of Commerce commends the administration for your efforts to ensure that businesses have all the tools necessary for a strong recovery that will return millions of Americans back to work. Just as supportive tax and regulatory policy and access to credit are essential for a return to growth, so is access to talent. That is why the Chamber is concerned about the possible expansion of the President's April 22<sup>nd</sup> proclamation on immigration.

Legal immigrant workers are a key contributor to U.S. economic growth. While the negative economic impact of the pandemic has certainly been severe, it has varying effects on different sectors of the economy. For example, a recent [report](#) issued by the National Foundation of American Policy shows that the unemployment rate for workers employed in Computer Occupations — a sector that has historically relied upon the contributions of legal immigrant and temporary nonimmigrant workers — was actually lower last month than it was in January.

There are many other sectors of our economy that rely upon the contribution of foreign nationals working in the United States. Businesses across industries are very concerned about the potential disruptions that will be caused if they can no longer employ valued employees that work here under the following visa classifications: H-1B, L-1, H-4, F-1 Optional Practical Training (OPT), and H-2B. Similarly, companies that rely upon investment dollars from the EB-5 Immigrant Investor Program are concerned about restrictions being imposed upon those individuals that have invested in their businesses. Shutting these individuals out of the chance to contribute to an economic recovery is misguided for a host of reasons:

- H-1B specialty occupation workers are critical for companies in the innovation sectors. An [article](#) by the CATO Institute highlights the benefits that these workers provide on patent production, and the prospects for reduced American innovation and productivity growth if these workers are shut out of employment. Another CATO [study](#) shows that virtually all H-1B employers pay their H-1B workers at least the prevailing market wage, with the vast majority of H-1B employers paying these workers about 20% higher than the average market wage.
- Multinational companies often utilize the L-1 program to move senior executives, key managers, and specialized knowledge employees into the U.S. to jumpstart new

product lines, research initiatives, and business divisions. Bans imposed upon these workers would make the U.S. a less compelling location for foreign investment.

- The Optional Practical Training program provides a critical link for international students that have graduated from American colleges and universities to remain in the U.S. and to receive training at an American employer post-graduation. A 2018 [National Foundation for American Policy](#) brief indicates that 22% of America's billion-dollar start-ups had at least one immigrant founder that came to the U.S. as a student. Eliminating this critical talent pipeline for American businesses would negatively impact future innovation and economic growth.
- The H-4 spousal work authorization program is a very small but critical tool that helps various businesses retain their top talent as they wait for their H-1B workers to obtain their green cards. A recent [analysis](#) estimating the impact of eliminating this program detailed a potential \$7.5 billion hit to annual GDP and a likely reduction in overall employment and wages for American workers.
- While we appreciate the Administration's recently enacted temporary measures to aid H-2B employers in industries that are essential to the food supply chain, many other sectors rely on H-2B workers, including forestry and landscaping firms. Many of those firms, for example, perform essential tasks along utility corridors. Preventing companies in these seasonal industries from meeting their critical workforce needs will inhibit their ability to carry out their essential functions during this crucial period.
- The EB-5 Immigrant Investor Visa Program is a powerful tool to create jobs in the U.S. This program allows eligible foreign nationals to go through a multi-step process to obtain a green card if they make sizable investment in a U.S. business that creates at least 10 jobs for American workers. This program should be reformed and modernized, but eliminating this potential source of business investment during the pandemic recovery would be counterproductive to broader economic recovery efforts.

In short, expanding the April 22 proclamation to categorically ban companies from utilizing these immigrant and temporary nonimmigrant visa programs would substantially limit the ability of many companies to help get the American economy moving again. In turn, that would negatively impact the millions of Americans who are counting on a swift economic recovery to return to work themselves.

Thank you again for your many efforts to support a strong economic recovery. Please do not hesitate to contact me if we can be of assistance in this or any other matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Neil L. Bradley". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Neil L. Bradley