

June 3, 2020

The Honorable Larry Kudlow
Director
National Economic Council
Washington, D.C., 20500

The Honorable Jared Kushner
Senior Advisor to the President
The White House
Washington, D.C., 20500

Dear Director Kudlow and Mr. Kushner:

The San Diego Regional Chamber of Commerce, speaking for a variety of industries and small, medium, and large employers, 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. It is out of great concern that that we urge you to avoid outcomes, even for temporary periods, that restrict employment-authorization terms, conditions, or processing of L-1, H-1B, F-1, or H-4 nonimmigrants. Constrains on our human capital are likely to result in unintended consequences and may cause substantial economic uncertainty if we have to recalibrate our personnel based on country of birth.

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. Similarly, companies that rely upon investment dollars from the EB5 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.
- 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. These efforts contribute to attracting FDI.
- 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.

- 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 showed a potential \$7.5 billion hit to annual GDP and a reduction in employment and wages for American workers.
- While we appreciate the Administration's recently enacted temporary measures to aid H-2B employers in industries essential to the food supply chain, many other sectors rely on H-2B workers, including forestry and landscaping firms. Preventing companies in these industries from meeting their critical workforce needs will keep them from fulfilling their essential functions.
- The EB-5 Immigrant Investor Visa Program is a powerful tool to create jobs in the U.S. allowing eligible foreign nationals to apply for 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 source of business investment during the pandemic recovery would be counterproductive to economic recovery efforts.
- At University of California San Diego, H-1B visas sponsor incoming faculty, researchers, and other highly-skilled staff positions. J visas are the primary method for sponsoring international postdoctoral fellows, visiting faculty, and visiting research scholars. OPT, meanwhile, allows international students to gather valuable training experience while contributing to the U.S. economy, both during college and after graduation. In 2019, California hosted over 161,693 international students who contributed \$6.8 billion to the state economy. Furthermore, [one study](#) shows that international students contributed \$41 billion to the U.S. economy and supported 458,290 jobs in the 2018/19 academic year.
- According to the [Business Roundtable](#), immigrants are more likely to start a business than native-born Americans and account for 25% of entrepreneurship in the United States. We need the exchange of people for new ideas, innovation, and entrepreneurship.

Our economy depends on visa programs which support skilled workers, research, and investment. In fact, multiple studies have shown that employing highly skilled foreign workers whose abilities and talents complement those of native-born workers actually creates new employment opportunities for American workers.

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 the many efforts to support a strong economic recovery. Please do not hesitate to contact the Chamber if we can be of assistance in this or any other matter.

Respectfully,



Jerry Sanders
President & CEO

CC: Congressman Juan Vargas
Congressman Scott Peters
Congressman Mike Levin
Congresswoman Susan Davis