February 9, 2018

The Honorable Mitch McConnell  
Majority Leader  
S-230, US Capitol  
Washington, D.C. 20510

The Honorable Charles E. Schumer  
Minority Leader  
S-221, US Capitol  
Washington, D.C. 20510

The Honorable Paul Ryan  
Speaker of the House  
H-232, US Capitol  
Washington, D.C. 20515

The Honorable Nancy Pelosi  
Minority Leader  
H-204, US Capitol  
Washington, D.C. 20515

Dear Majority Leader McConnell, Minority Leader Schumer, Speaker Ryan, and Democratic Leader Pelosi:

We write in support of passing H.R. 392, the Fairness for High Skilled Immigrants Act of 2017, as part of any deal that attempts to resolve the status of those affected by the rescission of the Deferred Action for Childhood Arrivals (DACA) program. With over 300 cosponsors and a strong majority of members in both the Republican Conference and the Democratic Caucus, H.R. 392 is one of the most bipartisan bills in the entire Congress. This bill is strongly supported because it stands for a straightforward and self-evident principle—when a foreign national applies for an employment based green card, wait times should be based upon the date that individual applied and not upon their country of birth. In today’s global economy it makes no sense that individuals from certain countries should have to wait decades while others have no line at all. In addition to ending the arbitrary country caps that currently handcuff our legal immigration system, passing H.R. 392 will accomplish three important objectives:

First, this bill will end a discriminatory practice against hundreds of thousands of law abiding immigrants who came to this country with the hope of one day fulfilling the American dream. These are vibrant members of all of our communities who pay taxes, own homes, and contribute to our economic growth and recovery through innovation. Unfortunately, because they are stuck in a seemingly endless green card backlog, sometimes upwards of 70 years, they will likely never be able to accomplish the hopes and dreams they set out to when they first came to America. Without this bill, some of the best and brightest minds in our country will never be able to get funding in the form of an NIH grant to find a cure for a deadly disease. They will also remain tethered to their current position for decades, without opportunity for advancement or
promotion while they wait keeping them from starting their own businesses and creating high paying jobs for American workers. They are also unable to travel back to their home country for weddings, birthdays, holidays, or perhaps most disheartening - funerals of loved ones, without the fear of not being able to return because of a broken system.

Second, as we endeavor in good faith to come up with a compromise that would remedy the effects caused by the repeal of the DACA program, we must not lose sight of the fact that, under the current system, when H-1B visa holders from certain countries are forced to wait decades to receive a green card, the children of those H-1B holders can fall out of legal status and would not be covered by either DACA or the DREAM Act. Those children who came in legally through no fault of anyone will suddenly be faced with the choice of remaining illegally in the United States or leaving the only country they have even known as home. Passing H.R. 392 is the only way to help these legal residents, a group that includes some of the most talented young students in America’s schools today, realize their dreams as well.

Third, H.R. 392 can be passed along with amended language containing a fee that can be assessed upon the beneficiaries of the legislation that will raise billions of dollars. These critical funds can be used to enhance the likelihood of passage of a DACA deal, by either enabling Congress to pay for border security or other items in a manner that does not increase deficits, burden U.S. taxpayers, or cause any opposition to the nature of the funding source. The highly skilled beneficiaries of the bill would gladly pay a fee in order to be able to start their own companies, employ American workers, change jobs, and obtain certainty over their immigration status.

While we firmly believe that there are many issues to fix in the immigration system, passing H.R. 392 as part of a DACA fix is the right thing to do for many reasons. It would end the incentive to hire foreign workers over Americans and help to grow our economy by allowing some of these highly skilled people to start their own companies and hire American workers. And, finally, it would provide a critical and non-controversial funding source for the kind of DACA compromise that many members in both parties have said is necessary.

Although we may have differing views on how we address the larger immigration issues facing our country, this is one injustice that we can all agree needs to be resolved.

Sincerely,

Kevin Yoder  
Member of Congress

Tulsi Gabbard  
Member of Congress
Pete Sessions
Member of Congress

Henry C. "Hank" Johnson, Jr.
Member of Congress

Jim Costa
Member of Congress

Rick Larsen
Member of Congress

Terri Sewell
Member of Congress

Chellie Pingree
Member of Congress

Gwen Moore
Member of Congress

Randy Hultgren
Member of Congress

Peter J. Visclosky
Member of Congress

Joe Barton
Member of Congress

David E. Price
Member of Congress

Leonard Lance
Member of Congress

Ron Estes
Member of Congress

Austin Scott
Member of Congress

Tim Walz
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Mike Quigley  
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Bobby L. Rush  
Member of Congress

Patrick Meehan  
Member of Congress

Peter Roskam  
Member of Congress

Ralph Norman  
Member of Congress

Emanuel Cleaver, II  
Member of Congress

Bennie Thompson  
Member of Congress

Henry Cuellar  
Member of Congress

Sanford D. Bishop, Jr.  
Member of Congress

Christopher H. Smith  
Member of Congress

Frank A. LoBiondo  
Member of Congress

Mike Coffman  
Member of Congress

Brad Wenstrup  
Member of Congress

Rick Nolan  
Member of Congress

John Garamendi  
Member of Congress

Steve Knight  
Member of Congress
Carol Shea-Porter  
Member of Congress

Ami Bera  
Member of Congress

Mike Kelly  
Member of Congress

Roger Marshall, M.D.  
Member of Congress

Raja Krishnamoorthi  
Member of Congress

Mark DeSaulnier  
Member of Congress

Ryan A. Costello  
Member of Congress

Thomas R. Suozzi  
Member of Congress

Ken Buck  
Member of Congress

French Hill  
Member of Congress

Mark Pocan  
Member of Congress

Ann Wagner  
Member of Congress

Jamie Raskin  
Member of Congress

Thomas A. Garrett, Jr.  
Member of Congress

Mike Doyle  
Member of Congress

Donald M. Payne, Jr.  
Member of Congress
Rob Woodall
Member of Congress

Donald S. Beyer Jr.
Member of Congress

Jim Himes
Member of Congress

Brad S. Schneider
Member of Congress

Lynn Jenkins, CPA
Member of Congress

John B. Larson
Member of Congress

Dave Trott
Member of Congress

Kevin Cramer
Member of Congress

Bonnie Watson Coleman
Member of Congress

Susan W. Brooks
Member of Congress

Rodney Davis
Member of Congress

Don Bacon
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Earl Blumenauer
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Seth Moulton
Member of Congress
Vicente Gonzalez
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Ann McLane Kuster
Member of Congress

Chris Stewart
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James P. McGovern
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Suzanne Bonamici
Member of Congress

John Yarmuth
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Peter King
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Mia Love
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Eric Swalwell
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Alma S. Adams
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Scott Tipton
Member of Congress

Cedric L. Richmond
Member of Congress

Brian Fitzpatrick
Member of Congress