

Don't drive away top talent that fuels U.S. economy

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The Trump administration last month confirmed its intent to rescind a policy that allows spouses of highly skilled guest workers to seek employment in the U.S. This would force roughly 105,000 mostly-female spouses into unemployment as they wait years in line for their green cards.

And it would be a big mistake.

The rescission of the H-4 Employment Authorization Document is a part of the president's "buy American, hire American" executive order, which aims to protect U.S. wages from foreign competition. But a closer look reveals that H-4 EAD's termination would actually damage the nation's ability to attract the very talent that bolsters America's prosperity and economic competitiveness.

The Department of Homeland Security first enacted H-4 EAD in 2015 after realizing that skilled foreign employees sponsored through the H-1B visa were leaving the country because their spouses were unable to work. Two congresswomen, Democrat Pramila Jayapal of Washington and Republican Mia Love of Utah, mentioned this concern in a May letter urging DHS Secretary Kirstjen Nielsen to maintain the program. "Providing work authorization for accompanying spouses helps U.S. employers recruit and retain highly qualified employees," they wrote in the letter, which was signed by 130 lawmakers.

Shortly before the rule was enacted, wait times for Indians, who comprise the vast majority of those classified as H-4 EAD workers, were more than 10 years due to enormous backlogs. Conditions have not improved. In May of 2018, U.S. Citizenship and Immigration Services was still processing employment-based green cards from 2008. Rescinding H-4 EAD would effectively force thousands of people to endure a full decade of unemployment as they wait in line for permanent residency.

These backlogs are projected to get even worse for future applicants. According to rough estimates by the Cato Institute's David Bier, Indians applying today would have to wait 17 years to earn an EB-3 visa, the designated green card for four-year degree holders. But there are tens of thousands more applying for the high priority EB-2 green card for advanced degree holders. New applicants need not apply, as their projected wait times amount to 151 years.

Now with the program's likely demise, families who depend on it are anxiously weighing their options.

"Other countries are modernizing their immigration systems to better recruit and capitalize on high-value international talent," says Matthew La Corte, immigration policy analyst at the Niskanen Center. "Blocking a spouse from working puts U.S. employers at a disadvantage to more generous offers coming from overseas firms."

A 2015 assessment by the Business Roundtable, an association of CEOs from America's top companies, reveals that America is already falling behind, ranking ninth of the world's 10 most advanced economies for "establishing reliable ways to hire high-skilled foreign nationals."

The U.S. can't afford to lose the very talent that drives much of its economy. In their research, economists Giovanni Peri, Kevin Shih and Chad Sparber found that from 1990 to 2010, every one percent increase in a city's share of highly skilled guest workers was met with a seven to eight percent increase in wages for college-educated Americans and a three to four percent wage increase for non-college educated Americans. In another study from 2011, economist Jennifer Hunt found that immigrants who entered the U.S. on a temporary visa were substantially more likely to license or commercialize patents than native-born citizens.

In his plan to protect American workers, President Donald Trump is driving away the very innovators and entrepreneurs that enrich the entire nation. We can only be known as a country that welcomes the world's "best and brightest" if America remains a place where immigrants see a future for themselves — and their families.