

The Honorable Alejandro Mayorkas  
Secretary of Homeland Security  
Washington, DC 20528

Dear Secretary Mayorkas,

We write to you today extremely concerned about the uncertainty that plagues the family members of many employment-based nonimmigrant visa holders in the U.S. The children of many long-term nonimmigrant workers face tremendous obstacles staying united with their families in the U.S. due to the ever-growing immigrant visa backlogs and archaic rules that punish them for merely growing up. We urge you to address this issue to help these families stay together in the U.S. and allow our economy to flourish to its fullest extent.

The American economy and society are enriched by the talent of immigrant and nonimmigrant visa holders. Nearly half of Fortune 500 companies were founded by first- or second-generation immigrants, and more than one million international students study at American colleges and universities. Meanwhile, hundreds of thousands of foreign nationals work in the U.S. on various nonimmigrant visas, providing much-needed skills to complement the U.S. workforce.

Earlier this spring, American companies had [more than 11 million open jobs](#) – 5 million more openings than workers. Many of these job vacancies are for highly-skilled positions, and U.S. companies recruit foreign-born workers to fill in the worker shortages. These openings are especially critical given the pandemic as the U.S. seeks to maintain its world leader status in innovation and ingenuity.

H-1B visa holders and other foreign national workers on nonimmigrant visas are critical drivers of economic growth in the U.S. economy. These individuals help maintain our competitive edge on the world stage, but the U.S. immigration system fails to adequately provide for them and their families. Their spouses are often prohibited from working because they're caught up in bureaucratic red tape and obtaining a green card can take decades. After spending years in the U.S., their children risk losing the ability to stay in the U.S. once they turn 21. This uncertainty harms families and prevents our companies from attracting and retaining critical talent in the U.S.

More than 200,000 children have grown up in America protected by their parents' visa status. They go to school, join clubs and sports teams, make friends, and become part of the fabric of local communities across the country. They begin to build their own American dream. However, once they turn 21, they "age-out" of their legal status in the U.S. These young people face the difficult choice between leaving the country that has become their home, or attempting to re-enter the labyrinthine, high-stakes immigration system for a different visa where options are extremely limited. Their parents must either become separated from their children or abandon their careers and any plans to seek permanent residence in the U.S.

Those who are forced to leave are a loss to America's communities and workforce. Their skills and talent will go to our global competitors. Policymakers have recognized the plight of the Dreamers – children brought to the U.S. by their parents, who know no other country and were left without legal status – and have provided interim relief through the DACA program. We continue to ask Congress to enact a sustainable solution for these individuals. Now, we urge policymakers to also address the needs of the more than 200,000 children of high-skilled immigrants who risk falling through the cracks of the immigration system.

We urge the administration to establish more robust aging out policies so that the children of long-term visa holders can continue as beneficiaries of their parents' pending green card applications even after they turn 21. Policymakers should take steps to preserve the ability of children to remain in the U.S. and work while waiting in the green card backlog. We also encourage Congress to pass [bipartisan legislation](#) that provides a long-term resolution to this problem. We welcome the opportunity to discuss potential solutions with the Biden Administration and members of Congress in both parties.

We believe in the power of innovation to advance society and create a better tomorrow. Equally, we believe in the values of family and decency. Policies that will stop the injustice wrought by these "age-out" policies will not only promote all these beliefs we share, but also set the stage for more meaningful reform efforts moving forward.

Sincerely,

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