Immigrants have made invaluable contributions to American society and our economy, contributing hard work and new ideas to our companies and our communities. Attracting immigrants is especially important today because of the critical shortage of workers. In July 2022, the U.S. Bureau of Labor Statistics (BLS) reported 11.3 million job openings, which are accelerating inflation and aggravating supply chain challenges. Commonsense, bipartisan immigration reform should strengthen our economy, protect the rule of law and make our borders more secure.

Unfortunately, U.S. immigration policy today does not serve either the economy or border security. Legal channels for immigration have not kept pace with the U.S. economy; according to the U.S. Department of Homeland Security (DHS), an estimated 11.4 million immigrants live in the United States without documentation; and far too many individuals live here under temporary relief from removal.

America’s business leaders believe we can, and must, do better. U.S. immigration policy should enable our economy to grow and compete, make our borders secure and keep our country and citizens safe, and remain true to the American values of welcoming immigrants and protecting refugees and other vulnerable populations.
CEO Principles for Making Immigration Work for America

1. The United States should increase the number of immigrants who have the skills needed to grow the U.S. economy. The United States cannot compete effectively with foreign competitors unless we grow the number of workers in high-demand fields including science, technology, engineering and mathematics (STEM).

2. The government should administer U.S. immigration laws in a timely, transparent and consistent manner. Businesses are more likely to invest and grow in the United States if they know how the government will administer the immigration rules and can plan for predictable adjudication timelines. Talented foreign workers are more likely to pursue opportunities in the United States if they know the rules will not change while they go through the process and that government delays will not disrupt their employment.

3. The United States should expand opportunities for temporary workers to contribute the skills needed in the marketplace. A modern U.S. immigration system will allow talented, foreign-born workers to fill critical skills gaps that will fuel economic growth.

4. Congress should embrace practical, bipartisan solutions to address undocumented immigrants and those living under temporary relief from removal. Whether it be individuals who entered the United States without authorization, minor children they brought with them or individuals who have been granted temporary relief from removal, Congress needs to address these populations with fair, just and practical solutions.

5. The United States should use cutting-edge technology to improve the immigration system, including border security. Just as companies employ leading innovations to improve processes and keep America competitive, the government should use cutting-edge technology to enhance national security and improve the administration of immigration laws.
**Principle 1: The United States should increase the number of immigrants who have the skills needed to grow the U.S. economy.**

Immigrants to the United States are net job creators who drive innovations that deliver dividends across the economy. These innovators are a beneficial, needed complement to the U.S. workforce, not a replacement. According to a 2020 report by New American Economy, 44 percent of Fortune 500 companies were founded by immigrants or their children, and those companies employ 13.7 million people. BLS projects that STEM occupations will grow over two times faster than the total for all occupations by 2029, and as of September 2021, the National Foundation for American Policy reported 1.2 million job vacancies in computer occupations in the United States. An October 2021 Center for Strategic and International Studies report noted that other countries are increasingly adapting their immigration systems to compete with the United States in attracting STEM talent.

U.S. immigration policy should reflect that our economy and communities have benefited from immigrants’ knowledge, skills and hard work — particularly in STEM and other high-demand fields.

**Proposed solutions include:**

- **Reducing the green card backlog for foreign-born professionals. The current green card wait time for legal immigrants is untenable.** Several reforms can be made to alleviate these backlogs and reduce the time these highly sought-after professionals must currently wait to receive permanent status including: increasing annual limits and eliminating per-country limits on green cards; allowing temporary workers to remain in the United States if caught in the backlog; exempting family members from the annual cap; and exempting those who advance U.S. interests.

- **Removing barriers to retaining foreign-born graduates of U.S. colleges and universities, especially those with advanced STEM degrees.** A high percentage of STEM graduate students at U.S. universities are foreign-born, and it is important for U.S. economic and innovation leadership to be able to retain and employ them. Programs that allow foreign students to work after graduating, like Optional Practical Training, should be preserved, and individuals with advanced STEM degrees from accredited U.S. universities should be exempted from the employment-based green card limit. A new, streamlined path to a green card should be available to students with special skills who want to work and stay in the United States.
• **Ensuring that any new method for allocating green cards, such as a points-based system, takes account of employment and family-based needs and has bipartisan support.** Any new system should complement — not replace — the existing system. Policymakers should consider the successes and failures of other countries’ immigration systems; take into account the viewpoints of all stakeholders; and recognize that U.S. employers are best positioned to identify skills gaps and select their workforces.

• **Maximizing green card utilization.** Under current law, the government may issue only 140,000 employment-based green cards each year, and this number includes dependent family members of high-skilled workers. Given the overwhelming demand for this limited supply of green cards, it is critical that the government issue all green cards allocated by Congress each fiscal year. The immigration agencies should explore all options to ensure they do not go to waste.
Principle 2: The government should administer U.S. immigration laws in a timely, transparent and consistent manner.

The inconsistent application of our immigration laws deters investment in the United States and makes it more difficult for companies to plan their workforce needs. Case processing delays and shifting government standards are particularly difficult for foreign workers and their families going through the process. The United States will lose talent to other countries that offer a more predictable, transparent process and become less competitive as a result.

Businesses are more likely to invest and grow in the United States if they know how the government will administer the immigration rules and can plan around predictable adjudication timelines. Talented foreign workers are more likely to pursue opportunities here if they know the rules will not change while they go through the process and that government delays will not disrupt their employment.

Proposed solutions include:

- Reducing case processing times to reduce unnecessary costs for U.S. companies. Unpredictable and lengthy case processing timelines force companies to incur additional costs and create inefficiencies in the immigration system. They harm foreign nationals and their families, particularly those who are waiting in the green card backlog. The government should adjudicate applications in a reasonable timeframe and expand opportunities for companies to request expedited processing.

- Considering public input on policy changes and providing notice. The government should continue to follow required procedures and provide adequate notice to the public of proposed immigration policy changes. Regulators should solicit and consider opinions and feedback from the public before making and implementing policy changes. The government should also apply new policies on a going-forward basis and should not negatively impact foreign workers by changing the rules while they are in the process.

- Requiring the government to apply immigration policy in a consistent manner. The arbitrary application of the law — on similar applications and in the context of requests to extend work visas — creates an unpredictable environment for companies and discourages talented workers from pursuing opportunities in America.
Principle 3: The United States should expand opportunities for temporary workers to contribute the skills needed in the marketplace.

An immigration system that meets our economic needs will not only allow needed workers to come here today, but will also adjust to our changing economy each year based on objective data. According to the American Immigration Council, research indicates that increasing H-1B specialty occupation visas could create an estimated 1.3 million new jobs and add approximately $158 billion to gross domestic product in the United States by 2045. Static and arbitrary immigration quotas — last established in 1990 — prevent our economy from welcoming hardworking, talented individuals who will make great contributions.

A modern U.S. immigration system will allow talented, foreign-born workers to fill critical skills gaps that will fuel economic growth.

Proposed policy solutions include:

- **Increasing work visa numbers for foreign workers to reflect current skills gaps and allow for adjustments based on the needs of the economy.** Congress must create a workable visa system where the number of foreign workers fluctuates based on economic growth and employment data, not political dynamics.

- **Allowing spouses of high-skilled visa holders to work.** Today, only a limited number of spouses of foreign workers may apply for U.S. work authorization. Other countries, such as Australia and Canada, allow spouses of highly skilled workers to accept employment. This should be an option in the United States.

- **Increasing flexibility for and job portability of foreign workers.** It is often extremely difficult for temporary visa holders, particularly those who are pursuing green cards, to change positions within their companies or change employers altogether without jeopardizing their immigration status or their green card applications.

- **Reforming the current system for year-round jobs and creating a new visa category to help fill occupation shortages when U.S. unemployment is low.** Current law provides no visa category for foreign-born workers to work legally in the United States on a year-round basis in high-demand industries, such as hospitality, agriculture and construction. Establishing a legal workable system to hire in these kinds of year-round industries when U.S. unemployment is low, reforming the current system and creating a new visa category for these kinds of jobs, would help fill critical staffing needs.
Principle 4: Congress should embrace practical, bipartisan solutions to address undocumented immigrants and those living under temporary relief from removal.

The U.S. immigration system has been broken for so long that tough decisions on how to solve the issues of the undocumented and temporary status populations will have to be made. According to DHS data, an estimated 11.4 million unauthorized immigrants were in the United States in 2018. Hundreds of thousands of individuals were brought here as minors, and many live here under temporary relief from removal.

Whether it be individuals who entered the United States without authorization, minor children they brought with them or individuals who have been granted temporary relief from removal, Congress needs to address these populations with fair, just and practical solutions.

Guiding principles for finding a solution include:

- **Policies must address childhood arrivals and create a path to citizenship for them.** American values of justice and fairness dictate that someone who was brought to the United States as a child and knows no other country, often referred to as a Dreamer, should have those circumstances taken into account by Congress. America’s business leaders are confident that Congress can work in a bipartisan manner to design a way forward that serves American interests while staying true to our values.

- **Policy choices must encourage future lawful immigration, but must also be practical, fair and consistent with American values.** Our nation’s leaders must remember that we are a nation of immigrants and a nation governed by the rule of law. Policymakers must find a way to balance these fundamental American values in creating an immigration system that will serve our nation into its future.

- **Legislation should be bipartisan.** Single-party solutions have failed. Congress must be practical and provide lasting, consensus-based policy solutions that will allow the United States to move forward on this issue.
Principle 5: The United States should use cutting-edge technology to improve the immigration system, including border security.

According to DHS data, the estimated 11.4 million unauthorized immigrants in the United States in 2018 accounted for approximately 3 percent of the nation’s population. The Pew Research Center found that in 2017, nearly 5 percent of the American workforce was not authorized to work. Such numbers are clear indicators that the current immigration system is broken and must be fixed. The government should use cutting-edge technology to enhance national security, ensure an orderly border and improve the administration of immigration laws.

Proposed policy solutions include:

- Phasing in mandatory use of an updated E-Verify system that eliminates redundancies in the verification process. A paper-based verification system is susceptible to fraud and has failed to serve as an effective deterrent. Congress should update E-Verify to address identity theft, preempt conflicting state laws and protect employers that use the system in good faith from legal action that may result from their efforts to comply. The government should also account for flexible employment arrangements and the rise of remote work by leveraging technology to modernize the Form I-9 Employment Eligibility Verification process and allow employers to examine documents remotely.

- Allowing e-filing for immigration benefits. Currently, most immigration benefit applications must be printed and mailed in, which forces the government and companies to incur steep administrative costs and burdens. As it builds out its e-filing systems, the government should allow employers and individuals to utilize secure digital signatures.

- Expanding the Known Employer and Trusted Traveler Programs. The Known Employer program streamlines the visa application process for reliable employers who have consistently received visa approvals for their employees. Trusted Traveler Programs should do the same for qualified travelers to the United States. Expanding these programs will create greater efficiency and save the government, companies and individuals from expending unnecessary time and resources. Congress should also encourage inter-governmental data-sharing arrangements, like those in the Visa Waiver Program, that facilitate secure travel and legal border crossings.