Dulling a Nation's Competitive Edge

Former senior policy official says death of H-4 program would erode global advantage of U.S. jobs

By Aziz Hamilta

WASHINGTON, D.C. – He former head of policy at the U.S. Citizenship and Immigration Services blasted the Trump administration’s intended elimination of the H-4 EAD as an action that will discourage talented workers from establishing careers in the U.S. and erode the nation’s competitiveness.

Stuart Anderson, formerly of the Immigration and Naturalization Service, said that although the administration has talked about “merit-based immigration,” the strategy translates into admitting fewer immigrants and eliminating categories for parents, adults, and siblings of U.S. citizens.

“Taking away the ability of the spouses of H-1B visa holders to work in America is an example of a policy decision that will carry no benefit to the nation,” Anderson told India Abroad. “In fact, it will discourage highly skilled people from making their careers in America. In addition, removing the ability of H-4 spouses to work punishes these women, and it primarily affects women, and for no reason that anyone can articulate.”

Anderson, executive director of the National Foundation for American Policy, an Arlington, Virginia-based policy research group that follows trade and immigration issues, slammed the Trump administration’s policies which, he said, have been “disappointing to anyone who cares about U.S. competitiveness and America’s tradition as a nation of immigrants.”

“It is not a good time for those born in India and elsewhere and the enormous number of successful companies founded by immigrants from India, China and other countries,” he said.

“It is not a good time for those who believe in America’s tradition as a nation of immigrants but eventually these types of restrictive policies will end,” he said.

“We should hope in the meantime it is possible to limit the damage before the harm to people and the country becomes so great that the harm cannot be undone.”

Out of Time and Out of Work

The USCIS notes that between May 2015 and Dec. 25, 2017, it had approved 126,853 applications for employment authorization for H-4 visa holders. The agency said this number includes 90,946 initial approvals, 35,319 renewals, and 688 replacements for lost cards.

Meanwhile, the Congressional Research Service, often dubbed Congress’ own think tank in the Library of Congress, said in a recent report that 93 percent of the total H-4 visa holders are from India and that more than one-fifth of the H-4 recipients with EADs live in California. Texas and New Jersey together account for another 20 percent. It also said 93 percent of the total EADs issued were granted to women with 7 percent to men.

Another report by the Pew Research Center revealed that Indian students constituted the largest group among the 1.5 million foreign students authorized to work in the U.S. after graduation under the Optional Practical Training program visa between 2004 and 2016.

The second largest group during this period was from China, followed by South Korea. Pew said it obtained the information under a Freedom of Information Act request of an analysis of U.S. Immigration and Customs Enforcement.

The OPT program is a work authorization provided by the USCIS under the F-1 student visa program that allows foreign students immediately after graduation to be temporarily employed for as many as 12 to 36 months in a field directly related to their area of study. The Pew report said more than half of foreign graduates approved for employment through OPT specialized in STEM fields.

“The OPT program has grown to become the primary way the U.S. has retained foreign students graduating with STEM degrees from its colleges and universities,” said Pew associate director Neil Ruiz, an author of the report. “Foreign students obtaining authorization to remain and work in the U.S. after graduation come from all corners of the globe, and major metro areas in the U.S. tend to attract them in large numbers.”

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