

United States Senate

WASHINGTON, DC 20510-0609

March 17, 2021

President Joseph R. Biden, Jr.
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear President Biden:

We thank you for your leadership and bold actions to reform the immigration system in your first weeks in office. We write to urge you to rescind the previous Administration's visa ban under Proclamation 10052 and direct your consulates to resume timely processing of nonimmigrant visas. This Proclamation barred the entry of thousands of people seeking to enter as temporary workers and continues to harm a wide cross-section of families, businesses, and communities across the country.

Although your Administration rescinded the discriminatory travel bans from Muslim-majority and African nations and permanent immigrants, the ban on seasonal, employer-sponsored and cultural exchange visas continues to harm U.S. businesses that rely on these workers to operate. Although Proclamation 10052 is set to expire on March 31, 2021, businesses have indicated that inaction will further harm their businesses and economic recovery. Despite the increased unemployment due to the coronavirus pandemic (COVID-19), businesses that rely on foreign workers struggled to fill jobs as the nonimmigrant categories affected by PP10052 either target low-unemployment professions (e.g., H-1B and L-1 visas) or require that the nonimmigrant will not displace an American worker (e.g., H-2B, J-1). Several of these categories (H-2B and J-1 Summer Work Travel and Camp Counselor) by regulation are seasonal and heavily used during the summer months, when seasonal communities across the country welcome an influx of visitors. Failing to revoke the Proclamation immediately places these programs at risk because both workers and employers cannot adequately prepare for the surge season.

Looking ahead to long-term economic recovery, the deficit of foreign workers to fill available American tech jobs will worsen through any further lack of access to foreign talent. Reports also suggest that many jobs in fields such as information technology that would have been filled by H-1B nonimmigrants have remained open or were moved permanently overseas. Moreover, these same businesses have also noted that Proclamation 10052, coupled with defunct executive orders, has kept U.S. citizens and permanent residents separated from their parents, adult children, and siblings. We believe that it's possible to continue processing these visas while also preventing the spread of the COVID-19 pandemic. This specific Proclamation is not premised on the safety and welfare of American citizens.

The continuation of this ban creates delays and uncertainties for U.S. employers, their foreign-born professional workers, and their families. It's also inconsistent with the previous messages and positions on this Administration. Rather than attracting talented individuals to the United States, allowing these bans to remain in effect makes the immigration system harder to navigate and drives foreign talent to other countries. We welcome your commitment to addressing the flaws in our immigration system and protecting our economy during the COVID-19 pandemic.

Every day these visa bans remain in place undermines our collective vision for a new, more prosperous and welcoming nation. We urge you to follow through on your promise to rescind Proclamation 10052 without delay, resume timely processing of nonimmigrant visas, and direct U.S. Embassies and Consulates to open up visa appointments for nonimmigrant visas as soon as possible.

Sincerely,

/s/ Michael F. Bennet

United States Senator

/s/ Jeanne Shaheen

United States Senator

/s/ Angus S. King, Jr.

United States Senator

/s/ Cory A. Booker

United States Senator

/s/ Robert Menendez

United States Senator