

Congress of the United States
Washington, DC 20515

RECEIVED

By ESEC External at 11:55 am, Jul 02, 2020

July 1, 2020

The Honorable Michael Pompeo
Secretary
U.S. Department of State
2201 C Street NW
Washington, DC 20520

The Honorable Chad F. Wolf
Acting Secretary
U.S. Department of Homeland Security
3801 Nebraska Avenue, NW
Washington, DC 20528

The Honorable Eugene Scalia
Secretary
Department of Labor
200 Constitution Avenue NW
Washington, DC 20210

Dear Secretary Pompeo, Acting Secretary Wolf, and Secretary Scalia,

We write concerning the President's "Proclamation Suspending Entry of Aliens Who Present a Risk to the U.S. Labor Market Following the Coronavirus Outbreak," Proclamation 10052, and its effects on the Utah Dual Language Immersion (DLI) program.

Across Utah, there are nearly 300 DLI schools utilizing over 50 international teachers teaching Chinese, German, French, Portuguese, Russian, and Spanish. Because of the skills required to teach in a DLI program, many positions do not receive any qualified American applicants, and the programs turn to international teachers as a last resort. Not only do these teachers fill important teaching positions, they also facilitate an exchange of cultures and share their fluency in languages all deemed critical by the U.S. Department of Defense.

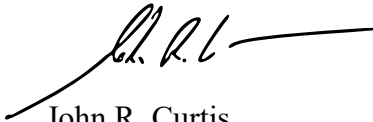
While we understand and support the prioritization of American workers, we are concerned that the recent prohibition of J-1 and H-1B visas will put DLI students at a disadvantage this school year – when schools already face uncertainty due to the COVID-19 pandemic. The Utah DLI program utilizes J-1 and H-1B visas to fill teacher openings if, and only if, those positions cannot be filled by American applicants, thus ensuring that international teachers are not replacing American workers.

Because of the importance of education and DLI programs to the future of our nation, we respectfully ask that you consider an exemption to the J-1 and H-1B visa ban for international teachers filling critical DLI teaching positions in programs that have been unsuccessful in filling

the positions with Americans. We believe that the ability to reopen schools safely in the fall and to provide a first-class education is in the national interest of Utah and American families.

If you have any clarifying questions, please have a member of your staff contact Rebekah Rodriguez (Rebekah.Rodriguez@mail.house.gov) in Representative Curtis's office. Thank you for your consideration of our request.

Sincerely,

A handwritten signature in black ink, appearing to read "J.R.C.", followed by a long horizontal line.

John R. Curtis
Member of Congress

A handwritten signature in black ink, appearing to read "Ben McAdams".

Ben McAdams
Member of Congress

A handwritten signature in black ink, appearing to read "Rob Bishop".

Rob Bishop
Member of Congress

A handwritten signature in black ink, appearing to read "Chris Stewart".

Chris Stewart
Member of Congress



**U.S. Citizenship
and Immigration
Services**

July 14, 2020

The Honorable John R. Curtis
U.S. House of Representatives
Washington, DC 20515

Dear Representative Curtis:

Thank you for your July 1, 2020 letter regarding the Utah Dual Language Immersion (DLI) Program. Acting Secretary Wolf asked that I respond on his behalf.

The Department of Homeland Security (DHS) is committed to preserving and upholding the nation's prosperity and economic security. We recognize that there are immigration-related challenges that individuals, employers, and others face as a direct result of the national emergency and as the first phases of reopening begin. We carefully analyze these issues and leverage our resources to effectively address these challenges within our existing authorities. DHS continues to act to protect the American people and our communities and is considering a number of policies and procedures to improve the employment opportunities of U.S. workers during the coronavirus (COVID-19) pandemic.

President Trump recently issued a "Proclamation Suspending Entry of Aliens Who Present a Risk to the U.S. Labor Market Following the Coronavirus Outbreak."¹ The presidential proclamation temporarily restricts certain categories of visas from being issued to protect jobs for American workers while our economy recovers from the effects of COVID-19. This does not affect those currently working in the United States in valid nonimmigrant classifications. The proclamation also does not prevent individuals in possession of valid H, J, or L visas prior to the effective date of the proclamation from entering or re-entering the country in these categories, if they have been abroad, provided they have not otherwise rendered themselves inadmissible.

You recommended that nonimmigrants who will be filling DLI teaching positions be exempt from the limitations imposed by the Proclamation. We kindly defer to our colleagues at the Department of State on this issue, as visa processing and issuance is under their area of responsibility.

It is important for us to emphasize that U.S. Citizenship and Immigration (USCIS) continues to accept and process requests for immigration benefits, and the Proclamation does not affect our adjudication of petitions and applications related to the H, J and L programs. In

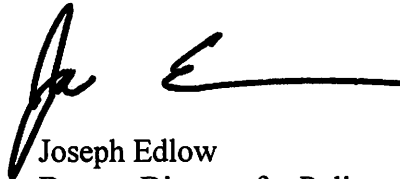
¹ Further clarification was provided in the "Proclamation on Amendment to Proclamation 10052."

The Honorable John R. Curtis
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addition, we have taken decisive actions to help accommodate applicants and petitioners during the pandemic.²

Thank you again for your letter and interest in this matter. Should you require any additional assistance, please have your staff contact the USCIS Office of Legislative Affairs at (202) 272-1940.

Sincerely,



Joseph Edlow
Deputy Director for Policy

cc:

The Honorable Ben McAdams
Member of Congress

The Honorable Rob Bishop
Member of Congress

The Honorable Chris Stewart
Member of Congress

² For policy updates, operational changes, and COVID-19 information, please visit uscis.gov/coronavirus.