

The Honorable Chad Wolf
Acting U.S. Secretary of Homeland Security
U.S. Department of Homeland Security
Nebraska Avenue Complex
3801 Nebraska Ave NW
WASHINGTON, D.C. 20016
UNITED STATES OF AMERICA

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By ESEC at 12:58 pm, May 18, 2020

Berlin, May 14, 2020

Dear Mr. Secretary Wolf,

With compassion and concern, we observe the severity of the Covid-19 pandemic in the United States. Our commiseration is with the families who are caring for a sick family member or have lost a loved one. We understand the immediate crisis measures taken by the U.S. Federal Government and States to contain the crisis. At the same time, as business leaders our responsibility also lies with ensuring the functioning of the economy and enabling a restart of business activity to ensure the livelihood of millions of workers. We are deeply worried that some government measures threaten to deepen and prolong the economic crisis, foremost medium-term restrictions in the area of temporary work visas.

The *Presidential Proclamation Suspending Entry of Immigrants Who Present Risk to the U.S. Labor Market During the Economic Recovery Following the COVID-19 Outbreak* of April 22nd primarily imposes restrictions on the issuing of new green cards. We respect that immigration policy falls under the primacy of politics. Nonetheless, we regret this decision as the outstanding economic dynamism of the United States is also based on attracting the best and most ambitious talents internationally.

We are particularly worried about the review of all “non-immigrant programs” within 30 days, ordered by section 6 of said proclamation. Our concern is that this might result in a further restriction of U.S. temporary work visas, which are essential for the transatlantic economy (as well as for scientific and cultural exchange fueling our transatlantic partnership). The number of companies reporting problems with workflows and service provision due to restrictions in the issuing of U.S. visas has already increased in recent years. According to the German American Business Outlook 2020, one-fourth of German companies in the US see the availability of work-force visas as a key challenge for their business.

Non-immigrant visa applicants from Germany are helping create jobs in the US. These are roles that are strongly linked to generating new investment in the US. If companies cannot bring key staff to the US to build their new production sites and expand their existing investments, such new investments will go elsewhere. As

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companies look to bring new production close to the US market, places like Mexico or Canada stand to profit if the U.S. adds restrictions to non-immigrant visas.

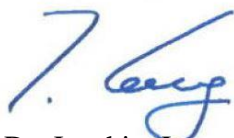
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A practical example of this would be the maintenance or installation of industrial machinery, both in U.S. production facilities of German companies and for U.S. customers of German machine manufacturers. Generally, maintenance or installation in a production site is carried out by joint teams consisting of local staff, experts from headquarters, and experts from the machine manufacturer. If this cannot be executed or is delayed due to the restricted issuing of temporary work visas, entire production processes in the United States are threatened to repeatedly come to a standstill. For example, restricted issuance of B1 visas for service technicians already cause production shutdowns in the United States. Experiencing the economic damage of non-operative production sites as never before, we should prevent such unnecessary damage.

With direct investments in approximately 5,400 companies, German businesses provide more than 900,000 jobs in the United States. German businesses take pride in being strongly engaged with their local U.S. business partners and communities. It is in our vital interest to contribute to the U.S. manufacturing base and to participate in the outstanding U.S. economy. Through their skills and dual education programs, German companies also play an important role in the education, training, and life-long learning of the U.S. workforce. Together, U.S. and German companies in the US have created apprenticeship clusters like the Industry Consortium for Advanced Technical Training in Illinois (ICATT) or the Georgia Consortium for Advanced Technical Training (GA CATT).

Representing German industry and commerce, the Federation of German Industries (BDI) and the Association of German Chambers of Industry and Commerce (DIHK) therefore ask you to take into account the adverse effects that restrictions of temporary work visas have on the U.S. manufacturing sector and economy as a whole. We are optimistic that a careful evaluation of these effects will result in the conclusion that easing the issuance of temporary work visas, rather than restricting them, will result in more and better jobs for U.S. citizens.

We thank you for your commitment to the transatlantic relationship and remain with best regards



Dr. Joachim Lang
Director General
BDI



Dr. Martin Wansleben
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U.S. Citizenship
and Immigration
Services

May 29, 2020

Dr. Joachim Lang
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BDI – The Voice of German Industry
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Dear Dr. Joachim Lang:

Thank you for your May 14, 2020 letter. The Acting Secretary has asked that I respond on his behalf.

In your letter, you mentioned the *Presidential Proclamation Suspending Entry of Immigrants Who Present Risk to the U.S. Labor Market During the Economic Recovery Following the COVID-19 Outbreak*. You also inquired about the review of nonimmigrant programs as stated in the proclamation. The Department of Homeland Security (DHS) has no greater responsibility than ensuring the safety and security of our country. Responding to the pandemic requires everyone to work within rapidly changing, complex circumstances that create a variety of situations and conditions unique to individuals and communities.

We recognize that there are immigration-related challenges that individuals, employers, and others face as a direct result of the national emergency. 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 this pandemic.

It is important for us to emphasize that U.S. Citizenship and Immigration Services (USCIS) continues to accept and process petitions and applications for immigration benefits. Our primary goal is to ensure the safety of the public and our employees as the situation evolves. Therefore, we have temporarily suspended routine in-person services at our offices. Importantly, however, our workforce continues to perform mission-essential duties that do not involve face-to-face contact with the public, and we provide emergency services for certain situations.

Our website and outreach efforts provide guidance, resources, and information to the public on the actions and policies we are implementing through these uncertain times. For policy updates, operational changes, and COVID-19 information, please visit uscis.gov/coronavirus.

Dr. Joachim Lang
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Thank you again for your letter and interest in this important matter. We will consider the recommendations you have put forward.

Sincerely,



Joseph Edlow
Deputy Director for Policy