

December 11, 2023

The Honorable Alejandro Mayorkas
Secretary of Homeland Security
Washington, DC 20528

The Honorable Ur M. Jaddou
Director
U.S. Citizenship and Immigration Services
5900 Capital Gateway Drive
Camp Springs, MD 20746

RE: Immigration Provisions in the Artificial Intelligence Executive Order

Dear Secretary Mayorkas and Director Jaddou:

On behalf of the CEO members of Business Roundtable, I urge you to act expeditiously to modernize immigration programs that can be utilized by experts in Artificial Intelligence (AI) and other critical and emerging technologies as directed in the Executive Order on the Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence.

We encourage you to explore all actions within your authority that would make it easier for experts in critical technologies to utilize the EB-1 and EB-2 green card categories, O-1A and H-1B nonimmigrant programs, and the International Entrepreneur Rule, while not compromising national security. We also urge you to use the forthcoming adjustment of status rulemaking to enhance the process by which H-1B holders working in these fields as well as their spouses, dependents and children become lawful permanent residents.

We also urge U.S. Citizenship and Immigration Services to issue updated guidance as soon as possible to clarify that a broad range of occupations in AI and other critical and emerging technology fields will qualify a foreign national worker for a national interest waiver. We further ask that you explore ways to minimize the paperwork burdens involved in establishing eligibility. The Executive Order confirmed that granting permanent resident status to experts in AI and other critical technologies is in the national interest, and the Secretary of Homeland Security would be well within the authority granted by Congress to waive the job offer requirement and the corresponding labor market test.

High skilled immigrants have always been a beneficial addition to the U.S. workforce, and the urgent demand for talent that can develop and harness these new technologies makes them even more critical. Our member companies will continue to commit significant resources to ensuring American workers have the skills required for these in-demand fields, but these efforts alone will not be able to meet the U.S. workforce needs.

We thank you in advance for your quick action on the Executive Order's policy directives. We have also spoken with the Department of Labor (DOL) to address domestic talent shortages by including AI and related fields among Schedule A occupations for expedited visa processing.

Please let us know how we and our member companies can be of assistance. We stand ready to support your efforts on this issue of critical importance to our economy, our workforce and our nation. I can be reached at dlinn@brt.org if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Dane Linn". The signature is fluid and cursive, with the first name "Dane" and last name "Linn" clearly distinguishable.

Dane Linn
Senior Vice President
Business Roundtable