



Republican Hindu Coalition

Collective Voice of Conservative Hindu Americans

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Feb 18th, 2018

To: President of the United States of America, Senate Majority Leader McConnell, Minority Leader Schumer, Speaker Paul Ryan, and Democratic Leader Pelosi.

Subject: Phase1 Immigration Reform beyond partisan politics

Honorable President and Congressional Leaders,

Mr. President, you have shown great compassion for the DACA kids in establishing the four pillars for the DACA fix legislation. To reaffirm, these pillars are:

1. DACA Fix for 1.8 Million undocumented childhood arrivals to cancel their deportation and put them on path to become US Citizens in 10-12 years.
2. Congress to authorize expenditure of \$25 Billion to improve Border Security and build the Wall.
3. End Visa Lottery, and issue Green cards on Merit Based.
4. End Chain Migration and Protect Nuclear Families.

There were multiple proposals in the Senate claiming to be in compliance with the intent of the four pillars, and there are a number of proposals in the House that claim such compliance. But the devil is in the details. Let's take a look at the details:

In the last decade, we issued an average of 1,066,827 LPRs or Green Cards per year.
351,909 or 33% went to Family/Chain migration applicants.
356,027 or 33.4% went to Nuclear Family applicants.
125,103 or 11.7% went to Employer based Skilled applicants including their dependents.
10,000 or 1% went to Employer based unskilled applicants.
196,740 or 18.4% went to Diversity and Refugees.
20,151 or 1.9% went to Others not specified.
5762 or 0.5% went to Investors in the US Economy.

548,649 GCs or 51.4% are issued to applicants from Extended Families, Diversity, Lottery, and Refugee programs. These need re-allocation.

And due to Country Limit Cap of 7% from any single country, like India, only 8400 or 0.787% went to high-skilled applicants including their dependents.

There is a current GC backlog of 3.4 Million Family/Chain applicants, and 1 Million backlog of highly skilled applicants. Wait period for Family/Chain is 3-4 years, and the wait period for highly skilled is about 60 to 70 years.

We can all agree that only 0.787% GCs granted to highly skilled immigrants, when over one million wait in line for 60+ years, **is not Merit Based Immigration.**

And to make the matter worse, the side effect of 60+ year wait for high skilled applicants, is to create a class of 200,000+ DALCA kids (#LegalDreamers) who just like DACA kids, have not known any other country except the US, but who are not included in the DACA list because they choose to obey the law and not break the law! *Due to 60 year wait for their parents, they lose their legal status once they turn 21.

Unfortunately, none of the Bills that have the support of the Leadership of Congress deal with the DALCA or in any meaningful way the Merit based high-skilled immigration. *There is no re-allocation of 548,649 or 51.4% of Green cards in these Bills.

Including DALCA kids in the DACA List and reducing the 60+ year backlog for highly skilled applicants has extensive bi-partisan support as is evident by the passage in the past of HR392 in the House by more than 300 members and the current Dear Colleague letters by Senator Rand Paul, Congressman Kevin Yoder and Congresswoman Tulsi Gabbard. Both state the following:

“This Bill/amendment is strongly supported because it stands for a straightforward and self-evident principle-when a foreign national applies for an employment based green card, wait times should be based upon the date that individual applied and not upon their country of birth. In today's global economy it makes no sense that individuals from certain countries should have to wait decades while others have no line at all. Without this bill, some of the **best and brightest minds** in our country will never be able to get funding in the form of an NIH grant to find a cure for a deadly disease. They will also remain tethered to their current position for decades, without opportunity for advancement or promotion while they wait keeping them from starting their own businesses and creating high paying jobs for American workers. They are also unable to travel back to their home country for weddings, birthdays, holidays, or perhaps most disheartening - funerals of loved ones, without the fear of not being able to return because of a broken system.”

Senior Senator Orrin Hatch in his I-Squared Act of 2018, among other things calls out for the same corrections as in the HR 392 and SA 1965 by Senator Rand Paul. As he says: “Now more than ever, we need highly qualified workers with the skills employers need to succeed in the information economy,” **Hatch said.** “As I’ve long said, high-skilled immigration is merit-based immigration, and we need a high-skilled immigration system that works. The *Immigration Innovation Act* will help ensure that our companies have access to the **world’s best and brightest** and are able to fill jobs in highly technical, specialized fields for which there is a shortage of American labor.”

We strongly support a Phase 1 (Not comprehensive Immigration Reform) that has the following elements:

1. Include DALCA kids in the 1.8 M DACA program.
2. Support President’s call for Merit Based Immigration System by doubling the Eb1, Eb2 and Eb3 categories, excluding the dependents from the count and ending the per country cap. *This will increase the current number of 120,000 to 480,000, and the current % of highly skilled immigrants from approximately 1% to 48% if the overall immigration numbers are kept at 1 Million per year.

We generally agree with ending Family/Chain migration, ending Lottery, reducing Refugee GCs and re-allocation of approximately 500,000 GCs per year to Merit Based, but leave it to Congress to negotiate the numbers. We can also temporarily increase the total number to 1.2 Million per year.

Out of 500,000 GCs saved and 200,000 newly added, 360,000 can go to highly skilled and 340,000 can go to clear both the backlogs. This would be a great equalizer.

Finally, we introduce a new concept that has been championed by our esteemed Founder Mr. Shalabh "Shalli" Kumar as published in Washington Times on October 9th, 2017, and now renamed by RHC as "WALLED":

"Every one of the 800,000 DACA "Dreamers" is a precious life with a unique story. And yes, they did not break the law knowingly. Yet there are hundreds of thousands of children of highly skilled immigrants whose green cards have been approved but who have to wait in line for as long as 25 years to get permanent residency. During that wait, these children age out. But they follow the law and self-deport if necessary, even though just like Dreamers, America is the only country they have ever known. Why should any new law discriminate against them as compared to those who came here illegally?"

DACA's long-term solution will be found in the same calculus that has provided every solution to America's most difficult dilemmas since its Founding: the application of commitment, work and sacrifice. DACA recipients — and perhaps any other alien needing to bring permanent closure to his tenuous immigration status — can pay a penalty to satisfy justice. Congress can decide what, who and how. Perhaps it could be monetary, violation-dependent, and means-tested. All DACAs and others in similar situations want is to remove the sword from their neck, and they are willing to pay for it. They do not need amnesty. They do not need citizenship."

While, we believe that the DACA fix should include some means-tested "adjustment fee" by the recipient, we introduce #WALLED, Wall Aided by Law abiding Legal Exceptional Dreamers. DALCA kids are willing to pay \$25000 for each application, that is \$2500 per year for ten years, raising \$5 Billion for our Treasury. In addition, the same fee could be applied by varying amount depending on the left over wait period for the Eb1 through Eb3, Employment based applicants. These two combined will raise the \$25 Billion we need to enhance Border Security and build the WALL.

Thank you so much for your active consideration,

Vikram Aditya Kumar
Manasvi Kumar
Krishna Bansal
Siva Moopnar
Sudheer Chakka