

March 22, 2012

President of the United States of America
The White House
Washington, DC 20500

Dear President Obama:

The undersigned organizations, representing a variety of industries and small, medium and large businesses, are writing to express our concern that American job growth and the U.S. economy are being harmed by unprecedented delays and uncertainty surrounding L-1 visas for valued employees.

For over forty years, a cornerstone of business operations for those that do business both in the United States and abroad has been the ability to transfer managers, executives and specialized knowledge personnel across national boundaries in order to harmonize operations, expand markets, service clients, and share knowledge. In the United States, intracompany transfers are generally facilitated through the L-1 visa category. However, it has become increasingly difficult for companies to procure visas to transfer their existing employees to the United States to continue work on products, services, and projects. We are writing to urge the Administration to take action to correct this situation.

A significant concern is that an inconsistent and improperly narrowed definition of “specialized knowledge” is being used by the agencies to determine which employees qualify for L-1B status. Specialized knowledge may be best summarized as an advanced expertise about something a company values in its ability to do business. L-1B visas for specialized knowledge staff are an important tool in allowing companies to manage their workforce and intracompany talent pool without regard to borders. Appropriate use of the L-1B classification by careful and responsible employers plays a direct role in supporting job creation and job retention in the United States, as well as expanding advanced manufacturing, increasing exports, and encouraging foreign direct investment.

No intracompany transfer visa should be approved without eligibility under the controlling statute and regulations. Likewise, when visas for key staff already employed within an organization are inexplicably delayed or denied, it appears that agency resources are being spent inappropriately. Such delays or denials do not enhance compliance or enforcement and do nothing except disrupt carefully-laid business plans and create significant costs to the company and the American economy.

We urge you to take action to welcome these employees who are integral to our businesses. A strong economy that can continue to grow, innovate and create jobs is in our nation’s interest; in the 21st century economy, intracompany transfers are an inherent part of promoting job growth and innovation here in the United States.

Cc: The Honorable John Bryson, Secretary of Commerce
The Honorable Hillary Clinton, Secretary of State
The Honorable Janet Napolitano, Secretary of Homeland Security

Respectfully submitted,

ABB Holdings Inc.

Accenture

Air Products

American Council on International Personnel

American Immigration Lawyers Association

Bobrick Washroom Equipment, Inc.

BP America

BSI Group America Inc

Cargill, Incorporated

Case New Holland

Caterpillar Inc.

Chevron U.S.A

Cobham Management Services Inc.

Cognizant Technology Solutions

CSC

Deloitte LLP

Dresser-Rand

DuPont

eBay, Inc.

EMC²

Environmental Systems Research Institute, Inc.

Four Seasons Hotels and Resorts

Freeport-McMoRan Copper & Gold, Inc.

General Electric Company

Halliburton

Hewlett-Packard Company

Hyatt Hotels Corporation

Information Technology Industry Council

Ingersoll Rand Company

Intel Corporation

Intuit Inc.

J.R. GoodTimes, Inc.

Magna International Inc.

Manhattan Associates, Inc.

Marriott International, Inc.

Microsoft Corporation

Mitsubishi International Corporation

Moog Inc

MWV Corporation

National Association of Manufacturers

National Foreign Trade Council

Normet Americas, Inc.

Oliver Wyman

Oracle

Organization for International Investment

Praxair, Inc

Principal Financial Group, Inc

Roquette America, Inc.

Schneider Electric

Securities Industry and Financial Markets Association

Select Milk Producers, Inc.

Society for Human Resource Management

Starwood Hotels & Resorts Worldwide, Inc.

Tata America International Corporation

TechNet

Texas Instruments Incorporated

The Boeing Company

The Dow Chemical Company

The Procter & Gamble Company

ThoughtWorks, Inc.

Towers Watson

U.S. Chamber of Commerce

Wipro Technologies

Yum! Brands