

Testimony of Congresswoman Anna G. Eshoo

House Committee on the Judiciary

Member Day Hearing

September 20, 2019

Thank you, Chairman Nadler and Ranking Member Collins, for the opportunity to testify at the Judiciary Committee's Member Day hearing. Today, I'd like to discuss two of my bills to address our country's broken immigration system.

H.R. 3033, the *H-4 Employment Protection Act* prevents the Department of Homeland Security from revoking work authorization for H-4 visas issued to spouses of H-1B visa holders.

H-4 visas did not provide work authorization until 2015 when the Obama Administration extended work authorization to the spouses of H-1B visa holders who have been approved for permanent residence but are required to stay in their H-1B status due to lengthy green card backlogs.

I support work authorization for H-4 spouses because it reduces their economic burdens as they transition to lawful permanent residents and it allows them to pursue their own professional goals, contribute to the U.S. economy and pay taxes. Many H-4 visa holders are highly skilled professionals who live in high-cost areas where it is nearly impossible for a family to live on one income.

Since the rule was implemented, over 100,000 workers, mainly women, have received employment authorization, improving U.S. competitiveness and lessening the economic burden on thousands of H-1B workers and their families.

Unfortunately, the Department of Homeland Security is expected to rescind this regulation, claiming it hurts American workers. In fact, the CATO Institute found that allowing H-4 visa holders to work has increased wages and employment for American workers, and revoking their work authorization will shrink our economy by \$7.5 billion.

Eliminating this benefit would also hurt our economy and create a terrible choice for many immigrants to either split up their families or return to their home countries, using their talents to compete against American businesses.

I'm grateful to my legislative partner, Congresswoman Zoe Lofgren, the Chair of this Committee's Immigration Subcommittee. Our legislation makes economic sense and it protects family unity, and I urge the Committee to take it up.

I've also introduced H.R. 4151, the *Undocumented Taxpayers Opportunity Act* to provide a pathway to citizenship for undocumented immigrants who are contributing to our economy and paying taxes.

Although workers must be legally present in the U.S. in order to work and pay income taxes legally, some undocumented immigrants do pay taxes using an Individual Taxpayer

Identification Number (ITIN) because no proof of work authorization or legal presence is required to obtain one. According to the Bipartisan Policy Center, the vast majority of the three million federal tax returns filed annually using ITINs are believed to be filed by undocumented immigrants.

The IRS estimates that undocumented immigrants pay over \$9 billion in income taxes annually. My legislation provides them a pathway to citizenship if they can provide five years of income tax returns, pay a fine, and pass a background check.

Our immigration system is clearly broken, but I hope we can all agree that those who work hard and pay taxes should have the opportunity to become American citizens.

While these bills don't eliminate the need for comprehensive immigration reform, both the *H-4 Employment Protection Act* and the *Undocumented Taxpayers Opportunity Act* are important steps toward a fairer immigration system.

Thank you for allowing me to testify to your Committee, and I look forward to working with you to see that these important bills become law.