



# Homeland Security

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## DHS Reforms To Attract And Retain Highly Skilled Immigrants

**Release Date:** January 31, 2012

The President is deeply committed to fixing our broken immigration system so that it meets our 21st century national security and economic needs. As a part of comprehensive immigration reform, the President supports legislative measures that would attract and retain immigrants who create jobs and boost competitiveness here in the U.S., including creating a "Startup Visa," strengthening the H-1B program, and "stapling" green cards to the diplomas of certain foreign-born graduates in science, technology, engineering, and math (STEM) fields. Together these actions would help attract new businesses and new investment to the U.S. and ensure that the U.S. has the most skilled workforce in the world. In the meantime, the Obama Administration is working to make improvements in the areas where we can make a difference.

As part of these ongoing efforts and in recognition of the one-year anniversary of the [White House Startup America Initiative](#), the Department of Homeland Security today announced a series of administrative reforms which will be completed in the future. These reforms reflect the Administration's continuing commitment to attracting and retaining highly-skilled immigrants. These efforts are critical to continuing our economic recovery and encouraging job creation.

In last week's State of the Union, President Obama noted that "Innovation is what America has always been about. Most new jobs are created in start-ups and small businesses." He also stated in his remarks in El Paso last May, "In recent years, a full 25 percent of high-tech startups in the United States were founded by immigrants, leading to more than 200,000 jobs in America." Echoing this, the President's Council on Jobs and Competitiveness stated in its recent report, "Highly skilled immigrants create jobs, they don't take jobs." The initiatives described below will serve to make the United States more attractive to highly-skilled foreign students and workers, thereby improving the competitiveness of U.S. companies in the world market and stimulating U.S. job creation.

- Expand eligibility for 17-month extension of optional practical training (OPT) for F-1 international students to include students with a prior degree in Science, Technology, Engineering and Mathematics (STEM).

Presently, an F-1 student may only engage in optional practical training (OPT) for 12 months. F-1 students who graduate in programs of study classified as STEM can obtain a 17-month extension of OPT as part of their F-1 status if the degree they were conferred is included on the DHS list of eligible STEM degree programs. This proposed change would expand eligibility for extension of OPT by including students with a STEM degree that is not the most recent degree the student has received. Furthermore, because of the dynamic nature of STEM related education and training, DHS will continue to review emerging fields for possible inclusion in the list of eligible STEM degree programs.

- Allow for additional part-time study for spouses of F-1 students and expand the number of Designated School Officials (DSOs) at schools certified by DHS to enroll international students.

This regulatory reform would allow spouses of F-1 students to enroll in additional academic classes on a part-time basis while their spouse is pursuing full-time studies. Presently, under the current regulation, spouses may only take part-time vocational or recreational classes. Schools would also be given increased flexibility to determine the number of DSOs needed at their institution to meet both the administrative and guidance needs of students.

- Provide work authorization for spouses of certain H-1B holders.

This proposed change to the current DHS regulation would allow certain spouses of H-1B visa holders to legally work while their visa holder spouse waits for his or her adjustment of status application to be adjudicated. Specifically, employment will be authorized for H-4 dependent spouses of principal H-1B visa holders who have begun the process of seeking lawful permanent resident status through employment after meeting a minimum period of H-1B status in the U.S. This effort will help retain talented professionals who are valued by U.S. employers and who seek to contribute to our economy.

- Allow outstanding professors and researchers to present a broader scope of evidence of academic achievement.

This proposed change to the current DHS regulation would increase the types of evidence that employers can submit to demonstrate that a professor or researcher is among the very best in their field. Presently, applicants for the employment-based immigrant visa category of "outstanding professors and researchers" are limited to specific types of evidence listed by regulation. This would allow "comparable evidence" beyond the specifically articulated regulatory list. This change will harmonize the evidentiary standard for this category with the other exceptional ability immigrant visa categories.

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- Harmonize rules to allow E-3 visa holders from Australia and H-1B1 visa holders from Singapore and Chile to continue working with their current employer for up to 240 days while their petitions for extension of status are pending.

This proposed regulation would treat E-3 and H-1B1 visa holders the same as other employment-based H-1B and L-1 visa holders by allowing them to continue employment with their current employer for up to 240 days from the expiration of their authorized period of stay, if a petition to extend their status has been timely filed.

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- Launch Entrepreneurs in Residence initiative

On February 22, 2012, USCIS will launch its [Entrepreneurs in Residence](#) initiative with an Information Summit in Silicon Valley, CA, that will bring together high-level representatives from the entrepreneurial community, academia, and federal government agencies to discuss how to maximize current immigration laws' potential to attract foreign entrepreneurial talent. The Entrepreneurs in Residence initiative builds upon DHS's [August announcement](#) of efforts to promote startup enterprises and spur job creation. The Information Summit will focus on ensuring that immigration pathways for foreign entrepreneurs are clear and consistent, and better reflect today's business realities. The Summit will include a special recognition of outstanding contributions made by immigrant entrepreneurs to our nation's economic growth and prosperity. The input gathered at the summit will inform the work of the Entrepreneurs in Residence tactical team, which will bring business experts in-house to work alongside USCIS staff for a period of approximately 90 days. Following the summit, the tactical team will convene in Washington, DC to begin its work. To learn more about the summit, please visit [Entrepreneurs in Residence Information Summit](#).

The White House  
Office of the Press Secretary

For Immediate Release

April 07, 2014

## FACT SHEET: Strengthening Entrepreneurship At Home and Abroad

*"Let's do more to help the entrepreneurs and small business owners who create most new jobs in America."*

*— President Barack Obama, State of the Union, January 28, 2014*

Entrepreneurs play a critical role in expanding the economy and creating jobs. President Obama is committed to increasing the prevalence and success of entrepreneurs across the country, including through the White House Startup America initiative, an "all-hands-on-deck" effort to expand access to capital, accelerate innovation, and promote private sector efforts to strengthen the Nation's startup communities. The United States also runs and funds hundreds of programs to support entrepreneurs globally and maintains a broad coalition of governments, business people, civil society, investors, and academics to educate and support entrepreneurs around the world.

Building on these efforts, today the Administration is announcing a series of new steps to accelerate the success of entrepreneurs in the United States and across the globe:

**Presidential Ambassadors for Global Entrepreneurship:** Today, President Obama hosted the inaugural meeting of the Presidential Ambassadors for Global Entrepreneurship (PAGE), a group of successful American businesspeople who have committed to sharing their time, energy, ideas, and experience to help develop the next generation of entrepreneurs at home and abroad. The group is chaired by Secretary of Commerce Penny Pritzker, and the U.S. Department of State and the U.S. Agency for International Development (USAID) are also partners in this effort.

**Attracting the World's Best and Brightest:** The Department of Homeland Security (DHS) will soon publish several proposed rules that will make the United States more attractive to talented foreign entrepreneurs and other high-skill immigrants who will contribute substantially to the U.S. economy, create jobs, and enhance American innovative competitiveness. These proposed regulations include rules authorizing employment for spouses of certain high-skill workers on H-1B visas, as well as enhancing opportunities for outstanding professors and researchers. These measures build on continuing DHS efforts to streamline, eliminate inefficiency, and increase the transparency of the existing immigration system, such as by the launch of *Entrepreneur Pathways*, an online resource center that gives immigrant entrepreneurs an intuitive way to navigate opportunities to start and grow a business in the United States.

**Accelerating Biomedical Entrepreneurs from Lab to Market:** The National Institutes of Health (NIH) and the National Science Foundation (NSF) are launching a new collaboration to empower entrepreneurial scientists and address the critical gap between fundamental research and the development of a commercial entity. Academic researchers and entrepreneurs who receive Small Business Innovation Research (SBIR) funding from NIH will be eligible to pilot a new version of the NSF *Innovation Corps (I-Corps)* program that is specially tailored for biomedical technologies. This intensive, mentor-driven experience is changing the way that NSF-funded researchers think about the commercialization process. NIH will also help scale up I-Corps by augmenting existing NIH-funded programs, such as the NIH *Centers for Accelerated Innovation (NCI)*, that focus on promising technologies developed by academic researchers. Faculty and students who participate in these new I-Corps programs will receive mentorship opportunities, entrepreneurial training, and modest funding to enable them to move their ideas from the lab to the market.

**Energizing Entrepreneurs to Help End Extreme Poverty:** Fostering entrepreneurs and strengthening entrepreneurial ecosystems are vital elements of USAID's newly launched U.S. Global Development Lab (The Lab). The Lab will empower a global network of individuals to help create, solve and scale innovative solutions to global challenges by applying rigorous scientific, business, research, and technological expertise. In the next five years, scientists and technology experts at The Lab will create a new global marketplace of innovations and take them to scale to reach over 200 million people worldwide. The Lab is pioneering open-source development models like *Development Innovation Ventures* and *Grand Challenges* that nurture new solvers and players in emerging markets and spurring innovation. The Lab is expanding a Global Development Alliance furthering LGBT equality through entrepreneurship and small and medium enterprise growth in Latin America. A new USAID Research and Innovation Fellowships Program will send more than 60 young U.S. leaders in science and technology to universities, NGOs, and companies in 12 developing countries this year.

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April 16, 2014 1:01 PM EDT

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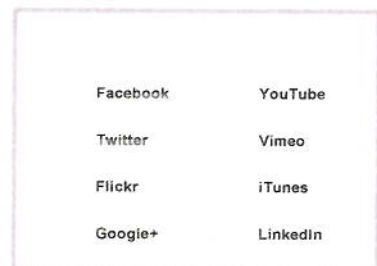
April 15, 2014 11:37 AM EDT

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April 14, 2014 5:08 PM EDT

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**Bolstering Exchanges and Training for Entrepreneurs in the Western Hemisphere:** This fall, the State Department will host TechCamps for women in El Salvador, Colombia, and Argentina. These camps will bring together hundreds of women across the region over the course of the year and provide them training to address key challenges in business formation, from financing to marketing. Additionally, the State Department will be launching two new exchange programs for entrepreneurs in the Western hemisphere. The Small Business Network of the Americas (SBNA) Fellowship Program will connect incubators across the hemisphere to share best practices in entrepreneurial development and unlock market access for small businesses across the region. The Professional Fellows Program will bring Salvadorian, Guatemalan, and American officials together for a six-week internship and training program focuses on professional development, problem-solving, and networking.

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## UPDATE

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We're updating the White House privacy policy, which will go into effect on April 18.

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OFFICIAL WHITE HOUSE RESPONSE TO  
Allow H-4 visa member to work legally

## Allowing Employment Authorization for H-4 Dependent Spouses

By Felicia Escobar

Thank you for signing the petition suggesting that the Obama Administration extend the availability of employment authorization to H-4 dependent spouses of principal H-1B nonimmigrants.

The H-1B nonimmigrant classification allows a qualified alien to seek admission to the United States on a temporary basis to work in his or her field of expertise. We appreciate the important economic contributions H-1B nonimmigrant workers make to the United States and support using the H-1B visa program as a way to fill the need for skilled workers when American employees are unable to meet the needs of employers. The Obama Administration has also recognized that focusing solely on the H-1B program would not be an effective long-term strategy to address worker shortages in critical growth industries. That's why we are developing robust strategies for improving our Science Technology Engineering and Mathematics (STEM) education pipeline and fostering innovation.

On January 31, 2012, the Department of Homeland Security (DHS) [announced](#) a series of future administrative reforms -- in recognition of the [one year anniversary of the White House Startup Initiative](#) -- including reform aimed at addressing the particular issue you raised in your petition. Specifically, DHS is preparing a [proposed rule](#) that would allow employment authorization for H-4 dependent spouses of the subset of H-1B visa holders who are being sponsored by their employers for permanent residence and who have been authorized by Congress to remain in the United States until their petitions to adjust status have been adjudicated. This proposed change is an important step toward realizing the 21st Century immigration system envisioned by the President, and it reflects the Administration's continuing commitment to attracting and retaining talented and hardworking immigrants.

This Administration has consistently stood for the principle that we are both a nation of laws and a nation of immigrants. Throughout our history, the United States has been enriched by a steady stream of hardworking and talented people from around the world who have helped make our country the engine of the global economy. In his [State of the Union Address](#), President Obama reiterated his deep commitment to fix our broken immigration system so that it meets our economic and national security needs. He made clear that our current immigration system requires fundamental legislative reform to strengthen our economic competitiveness and create a legal immigration system that is fair and meets our diverse needs. As a part of his vision for [building a 21st century immigration system](#) (PDF), the President supports legislative measures that would attract and retain immigrants who create jobs and boost competitiveness here in the United States, including reforms to the existing employment-based immigration system and in particular strengthening our H-1B program. In the meantime, the Administration will continue to undertake available administrative reforms, such as the upcoming proposed changes to allow work authorization for some H-1B spouses.

You can help the Administration make lasting change to our broken immigration system. President Obama is calling for a [national conversation on immigration reform](#) that builds a bipartisan consensus to fix the broken immigration system so that it works for America's 21st century economy. But he can't do it alone. He is asking you and all Americans, including business leaders, faith leaders, law enforcement

### Helpful Hints

Creating a duplicate or similar petition will make it harder for you to get an official response. Instead, sign and help promote the one that has already been created.

### Recent Petitions

### Recent Responses

leaders and others, to continue the conversation in your community, including [by hosting roundtables](#) that elevate this important conversation.

Again, thank you for making your voice heard. We greatly appreciate your interest and input on these important issues and hope that you continue to share your views with us

*Felicia Escobar is Senior Policy Director for Immigration*

[Tell us what you think about this petition and We the People.](#)

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The above response applies to the following 1 petition

[Allow H-4 visa member to work legally](#)

6,006 Signatures

## UPDATE

We're updating the White House privacy policy, which will go into effect on April 18.

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# Immigration and Innovation

By A. MUSHFIQ MOBARAK

February 12, 2013, 12:28 pm

*A. Mushfiq Mobarak is an associate professor of economics at the Yale School of Management.*

The United States economy has a comparative advantage in science and innovation. The country of Apple, Google, Facebook, Ford, General Motors, Boeing, Microsoft and FedEx thrives by creating new products and introducing entirely new markets. The American economy is innovation-driven, and such innovation requires, first and foremost, people with good ideas and skilled workers who can transform those ideas into marketable products. Where does all this talent that our economy is built on originate? Are we the innovation leaders because we have a monopoly on talent in the world?

The basic data suggest otherwise. American secondary school students consistently rank toward the bottom among their counterparts in other countries of the Organization for Economic Cooperation and Development in tests measuring science and mathematics aptitude. The United States has sustained its primary position as developer of new scientific knowledge and product innovations, despite the deficiencies in math and science training, with the immigration of skilled workers.

Talented people across the world are attracted to the institutions that the United States has carefully cultivated to support innovation. By any reasonable assessment, a clear majority of the world's top universities are in the United States. These universities attract talent from all over the globe. Most engineering Ph.D.'s granted at American universities now go to people born abroad. In a recently published paper, my colleagues and I show that these foreign-born

doctoral students create new scientific knowledge and fuel innovation at science and engineering labs at American universities. In that paper, increases in the supply of foreign students subsequently result in significantly greater publications and citations from science and engineering departments in the United States. Many of those students remain in the country after graduation and contribute to the innovations produced by American companies.

Such data on the contributions of foreign students to American innovation strongly support the spirit and the central provisions of immigration reform proposals offered by the White House and by Senators Orrin Hatch, Marco Rubio, Amy Klobuchar and Chris Coons. (Three of the senators are members of the Senate Judiciary Committee, which will take up the issue of comprehensive immigration reform at a hearing on Wednesday.) If talented foreigners want to study and work in the United States, economic logic and the data suggest that we should welcome them. American companies working in the very sectors where our comparative advantage lies benefit from their presence. Such a policy also creates other rare but significant benefits for the future of the nation. A typical profile of a recent Nobel laureate is a United States citizen or someone trained or teaching at an American university, but who was born in a foreign country.

One might be tempted to conclude from this narrative that our immigration system is working well, but this conclusion is premature and dangerous for two reasons. First, the United States is not the only country in the market for that talent. Three of the five most recent Nobel laureates from Britain were not born there. Australian and British educators were overjoyed with the quality of their international student applicant pool when the United States instituted restrictions on student visas after 9/11. Other countries deliberately pursue immigration policies to spur innovation.

Second, it's impossible to know the counterfactual: how much better off we would have been had our immigration policies been more welcoming to skilled people? American citizens like Bill Gates, Sergey Brin and Mark Zuckerberg made brave decisions to drop out of school and start some of the most successful companies in the history of the planet. As a former foreign doctoral student, I can attest that under current immigration policies, such decisions are not easy to make



for foreign students. For noncitizens trying to create a foothold in this country, it is virtually impossible to take the risks that these remarkable people took. With no clear path to citizenship, talented entrepreneurs who are foreign-born find it very risky to start businesses. Their options are limited to taking a salaried position with an employer who could sponsor their visa, or to marry an American. Our policies could be revised to promote entrepreneurial risk-taking by the top talent regardless of their country of origin, because just one Microsoft, or a Google or a Facebook, can change the world.

The blueprint offered by Senator Hatch and colleagues is full of sensible provisions, including work permits for spouses of H-1B workers. Talented people often meet and marry other educated, talented people, and having those productive spouses sit at home is a dead-weight loss to the United States economy. Residents at any major university town in the country will recognize ads from over-qualified babysitters “informally” willing to look after your children.

This bill will receive predictable pushback with simplistic arguments from special interest groups worried about skilled migrants undercutting American wages. But as other research has shown, immigrants make a net positive contribution to the United States economy, as they create more jobs than they take away, and their presence increases income per worker in the United States. Arguments that skilled immigrants will displace American workers, and thereby prevent young Americans from pursuing degrees in science, fail to recognize that entrepreneurs and innovators start new companies and invent new products that employ more skilled workers. Do we really believe that people like Sergey Brin or Albert Einstein took away more jobs than they created? Or that Facebook, Instagram or exciting new product lines from Google or Microsoft do not attract more young Americans to science

If skilled foreigners getting stuck to their visa sponsors in indentured low-wage work is a concern, then visa policies should be reformed to allow foreign-born entrepreneurs the flexibility to start their own businesses, not to pursue policies that keep them from our shores. Indeed, the White House’s proposal for immigration reform includes such a provision for a “start-up visa” for foreign-born entrepreneurs.

Another counterargument to high-skilled immigration involves the concept of “brain drain” – worries that by attracting talent here, we are taking away the best and the brightest from other countries that have greater need for that talent. The fact is, these immigrants typically contribute more to their countries of origin than people who are prevented from leaving at all. This is because of the tremendously higher productivity of workers educated in the United States. Labor is the second largest export from Bangladesh, the country where I was born, and remittances account for over 10 percent of our gross domestic product. I, like many other first-generation immigrants, have continued contributing to the development of my country of birth, by combining the skills I acquired in the United States with my context-specific knowledge to pursue research and policies that address some of the key public health and development challenges in Bangladesh. One project demonstrates, for example, that promoting internal (rural to urban) seasonal migration is a very cost-effective way to counter a recurring pre-harvest famine.

The internal migration strategy works because it creates a better match between where people are and where the complementary inputs (capital, jobs) are during certain seasons, and this leads to enhanced efficiency and productivity. Attracting talented people to the United States and allowing them to interact with the innovative universities and companies creates similar efficiency gains that can be a win-win for the source countries and for the United States.

### Most women are Indian

In my study of current and former H-4 visa holders, most women are Indian by birth or descent. Most are college educated, upper-middle class, English speakers with ambitions of having a career. Most women had arranged or semi-arranged marriages. Their husbands earned between \$50,000 to \$110,000. None of the women I interviewed had their own assets or income source. One woman had Rs. 30,000 saved from earlier work in India — a pittance in dollars.

Come December every year, and there's an exodus of H-1B men back to India. They telephone their immigration lawyers to tell them that they are travelling back to India for a month to get married and need the requisite papers to bring their brides back with them. When told: "Congratulations! What's her name? I'll put it on your documents," the reply is usually: "I don't know, I have not met her as yet."

Back in India, there are numerous families who are keen to find their daughters a match among these men during their whirlwind marriage tours. A boy in the U.S. and his H-1B status makes him more eligible a bachelor than a green card holder because his bride can join him in the U.S. right away with a H-4 visa instead of waiting in India for two to three years for her own green card. It also means that he has at least a bachelor's degree, a good job with prospects of green card sponsorship, and can offer their daughter a life in the U.S. Decisions are made rapidly. Often the bride's family doesn't have time to explore the groom's background or personality during these quick trips.

### Immigration laws an obstacle

Once married, the immigration laws work against these women. Coercion can begin right after the wedding. The husband can keep her in India until certain dowry or other demands are met. Societal pressure to join the husband encourages women into compliance.

A H-4 visa holder is dependent for renewal and maintenance of her status. Even if the husband maintains his status, the wife can find herself undocumented. If she wants to convert to another status, she must prove that his H-1B is valid and that he is still employed. For this, she must also go through him. An example is Maya, 24, a computer engineer from Bangalore — on a H-4 visa and now in California and who has a job offer, but cannot convert to a H-1B visa without proof of her husband's H-1B visa and his most recent pay stubs.

Once the green card process begins, the husband may tell his immigration lawyer that documents should not be submitted for his wife or that she wants to withdraw her application and his lawyer has no reason to act otherwise.

Access to documents is a huge barrier for H-4 wives. The immigration lawyer represents the H-1B employee and the employer. The lawyer has no obligation towards the H-4 wife. Tanvi Tripathi, advocate for Sakhi, NY, recalls an incident where a client was forced to trade custody of her children to get her immigration documents back from her husband. "Even then, when he gave the passport back, the page with the H-4 stamp was ripped out," Tanvi said.

In interviews, several immigration attorneys reported fielding irate calls from H-1B clients forbidding them from further contact with their wives. One attorney tells me that she has received files at her firm with covers stating: "DO NOT TALK TO WIFE".

Under the post-9/11 Patriot Act, H-4 visa holders can't get a social security number. This means that she cannot get a separate bank account or credit card without it. Soniya Munshi, Director of Manavi, NJ, discusses the difficulty battered H-4 women face when trying to rent an apartment: "You need a social security number to run a credit check. Because a H-4 doesn't have a financial presence in the U.S., she won't have a credit history."

Some states require the H-1B husband's consent to get a driver's license. Another example is of Alpa whose husband would not let her get her own driver's license for years saying that it would increase his insurance rate. She depended on him to take her around.

Most women interviewed were surprised that they ended up this way because they thought they have married men who seemed to be "good boys from good families". Take the case of Maya whose family was shocked when there were demands for dowry. "We thought because he is from U.S., he won't demand a dowry."

Often H-4 women and their families are under the mistaken notion that coercion and violence are endemic only to the lower classes. The belief is that since their daughter has a bachelor's degree and the groom a good job in the U.S., the marriage will be peaceful. Here is another example. Jaspreet told me how that before marriage there was an incident that should have alerted her to Jasvinder's temper, but she ignored the signs: "Because we thought he was from a good family and had good job in U.S., plus he had his Master's degree," Jaspreet explains apologetically. "Even that thought is probably wrong that people being educated would make a difference in their thinking. Nothing changes with education — the wife is someone who cooks, cleans, and gets things ready."

### Options for victims

For H-4 women who do not want to or cannot return to India, immigration options are limited. A battered immigrant woman married to a U.S. citizen or green card holder can self-petition for a green card under the Violence Against Women Act (VAWA). As the spouse of a temporary visa holder, the H-4 wife has no such recourse. If she has the requisite education and training, she may try to get H-1B sponsorship. H-1B visas have been harder to obtain after the technology bubble burst. Getting a student visa is often difficult because universities are expensive and only citizens and permanent residents are eligible for government grants and loans. If she files a case of domestic violence with the police, she may explore the U visa meant for crime victims. This is sometimes not an attractive option since an immigrant woman will be reluctant to make her husband vulnerable to deportation.

Political asylum is, in theory, another possibility, but is only applicable in limited situations and the standard of proof is often too difficult to meet.

Through research, writing, and lobbying, I hope to get some relief for H-4 spouses. Work authorisation and social security numbers for H-4s is a must. Spouses in abusive relationships should be able to self-petition for a green card under VAWA. VAWA is up for reauthorisation in 2005. There needs to be a

push from the community and businesses which employ H-1B visa holders to allow H-4 visa holders to work and self-petition.

### Little awareness in the U.S.

Unfortunately, outside of South Asian domestic violence organisations, there is little awareness and no advocacy. Mainstream domestic violence organisations are unaware of the intricacies of the immigration issues and can sometimes jeopardise a H-4 woman's status by pressuring her to get a job. Business immigration lobbyists don't have H-4 issues on their radar. Immigrant advocacy groups focus their efforts on those that are overtly undocumented and poor. They often don't have the knowledge of employment-based visas to give even basic advice. Because H-4 visa holders appear to be middle class and have legal status, their plight is not seen as pressing. The sad reality is that they enjoy these two privileges only so long as their husbands will allow them to.

\* \* \*

AYESHA, 22, a Gujarati Ismaili, just completed her undergraduate degree in English and aspires to be a writer and teacher. When she came to the U.S. on her H-4 visa, she found that her husband, a hardware engineer, has been seeing another woman for the past two years, and continues to sleep over in the girlfriend's apartment. "I am just his housemaid," she says with a quiver in her voice, "but what can I do? I cannot go back to India now that I am married and I cannot leave him because I will become without status." In addition to feeling as if she is his maid she feels like a prostitute: the sexual relationship with him is painful and violent, she said; in return, he lets her live in his house.

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WHEN I met Yamini, 26, she had just learned from a mutual friend that her husband, Yogesh, a H-1B visa holder, had purchased a one-way ticket for her and their son back to India. She was a year away from completing her LLB in Delhi when she got married and went to the U.S. to join her husband, a systems analyst. Yogesh had an extreme temper and beat her without reason, Yamini said. She hoped that the birth of their son would improve his behaviour, but it got worse and he even abused the son. He sees to it that she gets a strict weekly cash allowance, where each week, she must submit receipts and return the change. Sometimes when Yogesh is out on business trips, he does not even leave her money for food. She depends on the goodwill of her neighbours. Last year, Yogesh did not pay the utilities and there was no central heating in the house for three weeks in the middle of a New England winter. She does not understand why he behaves this way or why he wants to get rid of her. She said she will return to India because her only other choice is to leave his house with a child to look after and no money in hand.

*Shivali Shah is a NY based lawyer and Co-Founder of Kiran: Domestic Violence and Crisis Services for South Asians in North Carolina (www.kiraninc.org). To learn more about or participate in the H visa survey, visit [www.hvisasurvey.org](http://www.hvisasurvey.org)*

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