

Green cards offered as solution for high-tech firms

By Fawn Johnson, [National Journal](#) 03/31/11

High-tech companies got a rare opportunity on Thursday to make their case to Congress on the H-1B visa program for temporary skilled foreign workers, but got some interference when other groups argued for an easier green card program instead.

The House Judiciary Committee's Immigration Policy and Enforcement Subcommittee also got an earful about foreign workers taking U.S. jobs and the potential misuse of the specialized visas.

Judiciary Chairman Lamar Smith, R-Texas, has long been a supporter of bringing skilled foreign workers and students into the United States, and he says the current 65,000-visa quota may have to give.

But it will be a tough sell, made more difficult by a recommendation from the engineering community that Congress focus on employment-based green cards for permanent foreign workers rather than the temporary H-1B program.

Increasing green card numbers is a more difficult political exercise than tinkering with the H-1B program, as evidenced by this statement from Rep. Steve King, R-Iowa: "There is such a thing as too much legal immigration. Too much legal immigration drives down wages."

The Institute of Electrical and Electronics Engineers, a professional association, and the Semiconductor Industry Association, a business group, wrote the House Judiciary Committee to emphasize the value of green cards.

"These two groups don't agree on everything.... They see the IT benefit of permanent residents as key," said former Rep. Bruce Morrison, D-Conn., who testified on behalf of IEEE. "When people have permanent residence, they are free to move around the workforce. H-1B workers don't really have that."

Democrats on the committee seized on the green card argument, which is more in line with the unions' perspective on foreign workers. (Organized labor is generally opposed to guestworker programs like H-1B.) Rep. Sheila Jackson Lee, D-Texas, asked Morrison to give his "most forceful argument for the value of green cards." Morrison said permanent residency is "our competitive advantage" in terms of attracting foreign workers.

Rep. Zoe Lofgren, D-Calif., described "H-1B visa holders who get frozen in place because they can't move, really. How can we capture the permanent visas for the people we want to keep?"

Smith recently told *National Journal* that he can't support increasing the cap on H-1B visas with unemployment bouncing above 9 percent.

On Thursday, Smith said the H-1B program "plays a vital role in our economy," but he also said foreign workers with doctorates offer the most "invention" within the United States. Smith worried that the temporary work visas are being used for fashion models and pastry chefs instead, suggesting that lawmakers should tighten the eligibility for H-1B visas rather than increase the annual cap of 65,000.

Compete America and the American Council on International Personnel -- groups that have advocated for increases in H-1B and employment-based green cards -- issued statements in advance of the hearing emphasizing the importance of highly educated foreign workers to the economy.

"American employers need an immigration system that includes both temporary and permanent visas as well as a timely, consistent and predictable process," ACIP's statement said.

Lawmakers wary of constituent backlash for their positions on immigration are perhaps most sympathetic to high-tech and engineering firms wanting to tap foreign labor.

Almost everyone agrees that these companies drive economic growth but routinely suffer from shortages of skilled workers. It's easier for politicians to embrace a work visa for an educated computer analyst from India than for an uneducated fruit picker from Mexico.

But the difficulty of advocating for any increase in foreign worker visas is best illustrated by complaints routinely offered from both Republicans and Democrats who fear that Americans are being overlooked or replaced for certain jobs in favor of foreign workers.

Ron Hira of the Rochester Institute of Technology described the "knowledge transfer" phenomenon, in which U.S. workers are asked to train their foreign replacements, brought in on temporary work visas, for their own jobs. "That worker may stay right there on site or take [the skills] back to their home country. It's common enough to have its own term," Hira said.

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