

## VISA REFORM

### Overview

The greatest challenge facing the technology industry is the lack of available skilled talent. This situation is at crisis levels for many firms and forces them to choose between losing their competitive edge or taking work offshore.

We ask Members of Congress to take action to address the need by moving legislation to provide a permanent fix to the broken visa system for highly educated foreign professionals – including a market-based H-1B visa cap, a streamlined EB green card process, and the end of arbitrary obstacles to employment and permanent residency for foreign-born master's and Ph.D. graduates from U.S. universities.

### Background

**Highly educated, legal immigration is vital to U.S. competitiveness, economic strength and job creation here at home. The United States economy benefits when foreign-born talent lives, studies and works here.**

- *Foreign-born scientists, doctors, teachers, engineers and entrepreneurs have made tremendous contributions to America's scientific and economic preeminence, whether by teaching at U.S. universities, doing research at U.S. labs or devising next generation products at U.S. companies.*
- *The United States has a long history of welcoming foreign talent to our country to study and work. Foreign nationals receive approximately two-thirds of the doctorate degrees in science, technology, engineering and math awarded by U.S. universities. This is a vital talent pool for the U.S. innovation economy.*

**H-1B visa shortages are well documented, and there are years-long backlogs in the employment-based green card system.**

- *Scholars graduating from U.S. universities are too often stuck for years in an overburdened bureaucratic system before getting a green card.*
- *Many of these valued professionals are forced to leave the United States to work for U.S. competitors who are continually stepping up their efforts to attract these workers.*
- *Last fall the European Union announced a plan to inaugurate a "Blue Card" program, designed to attract non-European professional talent by cutting red tape and long waiting periods for work within the EU.*

**Permanently fixing the H-1B visa and EB green card programs is critical to our continued economic strength, national security and ability to compete in the world marketplace.**

- *While we must continue to increase the pipeline of domestic talent, U.S. employers –business, universities, medical institutions and research centers – must continue to be able to attract and retain highly educated and skilled talent to compliment the domestic workforce.*
- *U.S. companies invest billions each year in education and training programs, and part of the visa fees they pay go to educate our own citizens – but critical shortages still exist.*
- *According to the National Foundation for American Policy, as of today, major U.S. technology companies average more than 470 job openings for skilled positions while defense companies have more than 1,265 each, indicating American businesses continue to experience difficulty in filling skilled positions in the United States.*

**The 2009 cap on H-1B visas for highly educated foreign professionals will likely be hit on or near April 1, the very first day that U.S. employers can even file for them.**

- *This is the tenth time since 1997 that the H-1B cap has been reached before the end of the fiscal year, and the fifth year in a row that it has been reached on or before the start of the fiscal year. (FY 2009 begins October 1, 2008.)*
- *The trend is clear – each year there is increasing demand for H-1B visas, signaling a growing and unmet need for highly educated professionals in many sectors of the economy.*