

Congress urged to limit H-1B visa program

Two workers who testified say it hurts home-grown IT workers

News Story by Grant Gross

MARCH 30, 2006 (IDG NEWS SERVICE) - Two U.S. technology workers today urged Congress not to increase the cap on skilled foreign workers allowed to come into the country each year, saying that more immigrants would hurt home-grown IT experts.

The H-1B visa program, used by companies to import foreign labor, is "far different" than the program described by supporters as a way to fill high-skill jobs, said David Huber, a network administrator with 15 years of experience.

"The real H-1B program has more to do with providing companies with cheap labor, and little to do with making America more competitive," he told a House of Representatives subcommittee.

Huber, who has worked as a network administrator for the U.S. space program, said his "life has been devastated" by the H-1B visa program. In early 2002, a Chicago bank told Huber a networking job he was interested in paid \$30,000 less than he was originally told after the bank applied for 33 H-1B visas, he said.

Then in May 2003, Huber was laid off from a utility company that hired foreign workers to replace him, he said. Between mid-2002 and January 2006, Huber has worked less than seven months and has filed for bankruptcy, he told the House Judiciary Committee's Subcommittee on Immigration, Border Security, and Claims.

But others, including Rep. Bob Goodlatte (R-Va.), said the H-1B program allows U.S. technology vendors to compete for the smartest workers. Technology companies such as Microsoft Corp. have called on Congress to increase the yearly H-1B cap of 65,000 visas, saying they often can't find qualified U.S. workers to fill high-level tech jobs.

"U.S. businesses should have access to the best and brightest workers in the world," Goodlatte said. "Our nation's businesses should be able to choose from the very best."

The House hearing came three days after the Senate Judiciary Committee voted to increase the H-1B cap to 115,000 per year beginning in 2007. In the past two government fiscal years, the 65,000-visa cap has been reached before the first month of the fiscal year passed.

A higher cap is needed because at many U.S. universities, more than half of the graduate students in computer science and electrical engineering programs are not U.S. citizens, said Stuart Anderson, executive director of the **National Foundation for American Policy**, a think tank focusing on trade and immigration issues.

"Do we want to educate those students and send them out of the country to compete against U.S. firms?" he asked. "Wouldn't it be better to assimilate this talent and allow them to create jobs and innovations here in America?"

The H-1B visa program has rules in place to safeguard U.S. workers, including a rule that companies using the program pay a prevailing wage, Anderson said.

But John Miano, a computer programmer for 18 years, told the subcommittee that the prevailing-wage rule isn't working. Miano's independent research found that companies using H-1B programmers filed reports showing they paid the foreign workers \$13,000 less than the median wage in the area in which the company was located, he said.

The result of H-1B hiring is that fewer U.S. students will be attracted to technology fields, Miano said.

Anderson disputed Miano's research, saying the wages of new H-1B hires can't be accurately compared to experienced IT workers. But some subcommittee members questioned the need for more H-1Bs. The program has legitimate uses, but it raises several questions, said Rep. Steve King (R-Iowa).

"We should not have a visa program that allows an employer to lay off U.S. workers in favor of cheaper foreign labor," King said.