

September 9, 2008

Dear Senator:

Congress has an opportunity before it adjourns to help advance U.S. innovation leadership by enacting a modest reform in our nation's permanent resident ("green card") program that would simply "recapture" green cards that Congress previously authorized in prior fiscal years, but went unused due to government processing delays. Senators Robert Menendez, Patty Murray and others have included a "recapture" proposal as part of S. 3414, and we urge you to support enactment of this proposal without delay this year.

EB green cards allow U.S. employers to retain highly educated professionals – including scientists, researchers, teachers and medical professionals – who are already legally living and working in America. Yet, despite the clear link between green cards and U.S. competitiveness, the EB green card system has effectively gone unchanged for 18 years, which has resulted in well-documented backlogs spanning anywhere from two to upwards of 10 years. These waits create a disincentive for the world's best and brightest to pursue careers at U.S. companies and universities, therefore threatening the foundations of American innovation.

Recapturing Congressionally authorized EB green cards from prior fiscal years that went unused due to bureaucratic delays would help reduce visa backlogs. EB green card recapture has been endorsed by over 70 employer, family and community-based organizations. In 2005, 85 U.S. Senators voted in support of green card recapture.

Failure to enact a recapture provision will further hamper U.S. employers in the global competition for the world's best talent, as more and more extremely valuable professionals from around the world take their education and abilities to other nations that strategically pursue policies to attract these individuals. The U.S. system sends the opposite message: Permanent resident status is extremely difficult to obtain, and even visas already authorized by law are not available.

America's future is at stake. Congress should quickly pass this modest measure that keeps highly talented individuals working to benefit the American economy. We urge your support for a recapture provision this year.

Sincerely,

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