

Principles for High-Skilled Immigration Reform

Compete America strongly supports comprehensive immigration reform, and believes that reform must fulfill the following principles relating to the development, recruitment and retention of highly skilled professionals.

The U.S. needs a full supply of highly educated professionals, both American and foreign, in order to drive innovation, fuel economic growth, and create business and job opportunities for all Americans. Innovation grows companies, creates jobs, and forms the building blocks for the American dream. America has led the world in innovation, and it can continue to lead. Continued leadership demands a skilled workforce that can transform imagination into reality.

This means encouraging more young Americans to study science, technology, engineering, mathematics, and other fields that are critical to economic strength. It means ensuring that our universities are turning out the next generation of innovators to fuel America's economic growth.

It also means breaking down artificial barriers to hiring the best minds from around the world. For America to continue leading the world in innovation, our immigration policies must let our employers hire and retain the talent they need – whether those workers were born in America or another part of the globe. Today's outdated limits have blocked that goal. In recent years, the need for H-1B professionals has far outstripped the supply of visas and green card limits have resulted in waits of up to a decade. Lotteries have literally determined which foreign professionals could come and contribute to the U.S. workforce.

Recent studies show that 39% of all Masters Degrees in computer science from U.S. universities and a startling 61% of PhDs – were earned by temporary residents. The figures are even higher in electrical engineering: 50% at the Masters Degree level, 70% at the PhD level. According to the National Science Foundation, in 2005, foreign students on temporary visas earned half or more of doctoral degrees awarded in engineering, mathematics, computer sciences, physics, and economics. The consequences are obvious, and unacceptable: our outdated visa limits are turning away those we have educated in American universities.

Today's green card limits serve the nation poorly. The wait for an employment-based green card very commonly lasts up to a decade, driving away countless bright minds as permanent contributors to the American economy. Meanwhile, competitor countries are setting out the welcome mat. They recognize the huge value to their own economies of brainpower, no matter the nationality, and they are shaping their immigration policies specifically to draw away the experts who are stuck in our green card line.

For immigration reform to be truly comprehensive – reform that will serve the nation's critical interest in innovation, growth, and the resulting opportunities for American workers – it must provide American employers with improved access to the world's best professional talent.

The benefits of brainpower are even more essential when the economy is down. Closing our doors to future innovators would harm, not help, the interests of the American worker. This is especially true in a struggling economy. In a global economy, economic recovery – and job growth for Americans – will come from America finding new markets, new technologies, and crossing into new frontiers.

Immigration policies that let us welcome and retain highly educated workers are essential for our country to emerge from the current crisis and to grow in the years ahead. Immigration reform must provide smart policies for times of economic weakness, as well as for times of economic strength.

Market needs must determine immigration levels for highly educated professionals. History is all too clear: artificial and inflexible caps cannot respond to the needs of the marketplace. In years of economic strength, when employers needed greater numbers of highly educated professionals, those needs went unmet because of artificially created and ill-fitting limits. America lost economic opportunities as a result. Conversely, in this economic downturn and previous ones, demand for foreign professionals dropped correspondingly, even as unemployment among professional workers has remained dramatically below the devastating overall averages our nation has faced. This is powerful evidence that the marketplace is self-regulating. Immigration reform must ensure that access to foreign professionals responds quickly to market demand.

Strong but smart enforcement is needed, to protect American workers and foreign workers alike. Most employers who hire foreign professionals follow the rules scrupulously. A small percentage, though, do not. These bad actors hurt the system and hurt legitimate employers. Employers have paid huge sums into government enforcement programs through specifically targeted anti-fraud fees. In turn, the government has invested significant resources into learning where fraud occurs in the immigration programs for the highly skilled. Now, reform must follow rather than ignore those lessons.

Government agencies must have appropriate resources and targeted enforcement goals. Reform should strengthen the government's capacity to identify and punish lawbreakers, and should streamline processes for employers with a strong compliance profile.

Immigration reform must safeguard the interests of American workers. Excessive and protectionist measures that shut off access to foreign talent, however, will only inhibit innovation, job growth, and the accompanying opportunities for American workers.