

Taking America's jobs or supporting economic growth?



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U.S. companies routinely make use of H-1B visas, which permit foreign workers to temporarily perform services in a specialty occupation. This visa is generally limited to six years and applies

to occupations requiring a minimum of a bachelor's degree. A major hurdle faced by employers interested in using this visa is the annual cap. There are only 65,000 H-1B visas available each year, plus an additional 20,000 annually for those holding U.S. Master's degree or higher. Institutions of higher education, nonprofit research organizations and governmental research organizations are not subject to this numerical cap.

According to the Department of Homeland Security, 65 percent of H-1B petitions approved in fiscal year 2014 were filed for workers in computer-related occupations. With the rapid growth of the IT sector in the recent years, demand for H-1B visas has significantly outpaced the supply. In 2013, employers filed 124,000 cap subject petitions within the first week of filing period. This number rose to 236,000 in 2016. The high demand has forced Citizenship and Immigration Services to select applicants through a lottery system.

Those who oppose the program believe that employing foreign skilled workers tips



the scale against U.S. workers. Many U.S. employers and IT firms disagree and have been lobbying to increase the number of visas. These efforts had shown success in the past. In response to the IT boom of the late 1990s, Congress increased the number of H-1B visas to 115,000 for 1999 and 2000 and to 195,000 for 2001, 2002 and 2003. Efforts to increase the number of visas have since failed.

To participate in the program, the salary offered to the H-1B employee must be at or above the prevailing wage for the position. This is designed to ensure that cheap foreign labor is not imported by employers at the cost of U.S. workers. Congress has also added a \$1500 fee per H-1B visa, which is aimed to fund training and education

programs administered by the Department of Labor and the National Science Foundation. This fee is lower or exempted for certain employers.

With the IT sector's heavy reliance on the H-1B visa, it is tough to argue that the visa has not supported economic growth the sector has experienced in recent years. One thing is certain, if a company is unable to find skilled U.S. workers, it can likely recruit foreign nationals through the H-1B program.

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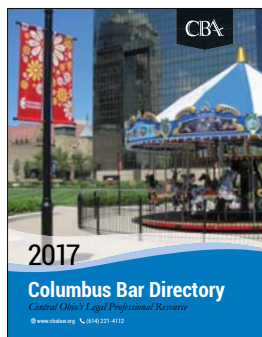
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