

Out of Visas, Again

The Wall Street Journal

August 2, 2006; Page A10

The fate of Mexican farm workers, chambermaids and bus boys continues to dominate the nation's immigration debate. But Congress might keep in mind that unskilled laborers aren't the only foreigners with a stake in the outcome.

Currently, the U.S. dispenses 65,000 H-1b visas annually to foreign professionals who may work only in certain occupations -- such as engineering, biotechnology and computer science -- where enough qualified Americans are unavailable. In nine of the past 11 years, that cap has been reached before the end of the fiscal year. This year, as in the previous two, it was reached before the fiscal year had even begun.

Once the regular cap is exhausted, the U.S. makes an additional 20,000 visas available only to foreigners who have graduated from an American university with a master's degree or above. (Regular H-1b recipients need only a bachelor's degree or its equivalent.) But last week the federal Citizenship and Immigration Services announced that the last of these work visas had also been gobbled up for the year.

Congress has long played politics with these caps, giving in to Big Labor and other protectionists who claim U.S. businesses hire foreign workers only because they can be paid less. In fact, these professionals must be paid prevailing wages and are also more expensive to hire, thanks to cumbersome immigration and Labor Department rules. Such companies as Microsoft and Google hire these foreigners because too few Americans graduate with advanced degrees in math and science.

The immigration bill passed by the Senate earlier this year would raise the limit on H-1b visas and, more importantly, allow it to fluctuate with market demand. Republican John Shadegg of Arizona recently introduced a companion bill in the House. The U.S. has long been a magnet for the world's top talent. But in an increasingly global economy, U.S. employers unable to attract the necessary human capital will lose to their competitors abroad.