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House rejects visas for foreign nationals with advanced degrees

By Danielle Ryan

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WASHINGTON -- The House on Thursday rejected a bill that would have granted up to 55,000 visas to foreign nationals who have earned advanced degrees in the fields of science, technology, engineering and math.

The bill, sponsored by House Judiciary Committee Chairman Lamar Smith (R-Texas), would also have eliminated the lottery diversity program which currently awards 55,000 permanent residency visas annually to random lottery winners.

The bill failed to garner the required two-thirds vote for passage because it was brought up under a procedure that limits debate and died on a vote of 257 to 158. Thirty Democrats voted for the Republican-authored bill. It is unclear whether the bill will come up for another vote during the lame-duck Congressional session after the November election.

Both Democrats and Republicans support the idea of visas for skilled immigrants in the technical fields, but Democrats would rather keep the annual lottery diversity program in place, adding the 55,000 proposed visas.

To be eligible for the technical education visa under the Republican bill, an individual must have earned a master's or a doctorate degree from a U.S. university. The prospective employer would have to sponsor the individual by going through a labor certification process to prove that there are no qualified American citizens currently available to perform the necessary skills.

"We could boost economic growth and spur job creation by allowing American employers to more easily hire some of the most qualified foreign graduates of U.S. universities. These students have the ability to start a company that creates jobs or come up with an invention that could jump-start a whole new industry," Smith said.

During debate on the House floor Thursday afternoon, Republicans argued that it was unfair to award visas at random through a lottery system while others wait in line for years and claimed that the lottery program is an invitation for fraud.

"The diversity visa invites fraud, and absolutely means that we would have a security risk if we were to continue it," Smith said.

Democrats shot back that the GOP bill was simply a way to limit legal immigration numbers and accused Republicans of wasting an opportunity to pass a bipartisan bill.

Rep. Steny Hoyer (D-Md.) said “This could be a broadly bipartisan bill. It could pass easily, but once again, unfortunately we have chosen a good bill and inserted a partisan poison pill.”

In a passionate plea to colleagues, Rep. Luis Gutierrez (D-Ill.) also spoke in opposition to the bill.

“Imagine if those millions who passed through Ellis Island were given a test when they arrived. If they were gifted in science and math, they were in. If they were simply a hardworking man or woman, in search of a better life, prepared to sweat or toil in the fields or in our factories, they wouldn’t have been good enough under this bill,” Gutierrez said.

Sen. Charles E. Schumer (D-N.Y.) introduced his own competing bill in the Senate on Tuesday that would create 55,000 technical education visas while keeping the lottery diversity program in place.

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