

U.S. immigration policy critical for tech firms

By Abby Sewell

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The technology sector, a little-publicized but key player in the coalition that is pushing for an overhaul of immigration laws, is giving mixed reviews to the proposal that Senate Democrats [recently unveiled](#).

Although public dialogue on immigration has focused on a path to legalization for the millions of illegal immigrants living in the United States, technology companies have lobbied for years on a different but related issue: streamlining and easing the employment of skilled legal immigrant workers.

The number of H-1B visas issued each year is capped at 65,000, with another 20,000 reserved for foreign-born students who graduate from U.S. schools with advanced degrees in science, technology, engineering and math.

Peter Muller is the director of government relations for Intel, one of the largest sponsors of H-1B temporary visas for skilled workers. The company was approved for 723 new H-1B visas in 2009. Muller said Intel had been hindered in hiring and keeping the most qualified people by the annual caps on H-1B visas and the sometimes decade-long delay in processing applications for green card.

"To not be able to hire the people who really drive innovation in our company is a frustration," he said.

In past years, the allotment of H-1B visas often was gone within days after the application period opened in April. Last year, it took until December to hit the cap.

Even with a slower economy reducing demand for workers, however, tech companies say they want the system overhauled.

"Companies are still hiring, so fixing the problems and fixing the system is important," said Jessica Herrera-Flanigan, the co-executive director of Compete America, a coalition of companies that is lobbying for more high-skilled immigration. "It's an issue today for some companies, and it's going to continue to be an issue that needs to be addressed."

For H-1B workers who want to stay in the country permanently, the wait for a green card can take years. Ashish Sharma, an Indian citizen who is working for a technology company in California, has waited for a green card for seven years. At one point, Sharma said, he considered leaving the United States because of the uncertainty of his status.

"The long wait does bother people," he said. "I did look at what Canada was offering, where they give you a green card within three months."

Sharma decided to stay for the sake of his two children, who were raised in the United States, but some employers as well as workers have chosen to go abroad. Microsoft, a top sponsor of H-1B visas with

1,318 petitions approved in 2009, opened a development center in Vancouver in 2007, in part to take advantage of Canada's immigration laws.

Compete America praised some aspects of the Democratic immigration framework that [Sens. Harry M. Reid](#) (D-Nev.), [Charles E. Schumer](#) (D-N.Y.) and [Robert Menendez](#) (D-N.J.) put forward. The coalition favors a provision that would offer green cards to foreign students who graduate from U.S. universities with advanced degrees in specialized fields, but it is pushing back against provisions that would limit the hiring of H-1B workers and increase government scrutiny of companies that sponsor the temporary visas.