

THE WALL STREET JOURNAL.

BIPARTISAN SENATE BILLS WOULD INCREASE VISAS AND GREEN CARDS FOR HIGH-TECH WORKERS

By Laura Meckler
January 13, 2015

Two bipartisan bills in the Senate would increase the number of visas and green cards available to high-tech workers, as lawmakers in both houses of Congress begin to sort out what is politically doable on the contentious issue of immigration.

The Senate bills are an effort to alleviate a pent-up demand for visas, particularly among technology companies that say they are losing good workers who are educated in the U.S. and then forced to leave.

The first bill, introduced Tuesday by Sens. Orrin Hatch (R., Utah), Amy Klobuchar (D., Minn.) and four others, would increase the number of high-skilled visas available each year to as many as 195,000 from the current cap of 65,000 and otherwise allow for more legal immigration to the U.S. They call the measure the Immigration Innovation Act, or I-Squared Act.

A second measure, backed by Sens. Jerry Moran (R., Kan.), Mark Warner (D., Va.) and four others would create an "entrepreneur's visa" to allow people who want to start companies to stay in the country. Both measures would create new visa or green-card opportunities for foreign students who graduate from U.S. schools with advanced degrees in science, technology, engineering or math – something President Barack Obama supports as well.

"There's broad based support for the concepts that are included," Sen. Moran said in an interview. "I think there's a strong opportunity for us to have success in the new Congress."

The maneuvering in the Senate stood in contrast to the House, where majority Republicans were set to pass legislation on Wednesday rolling back virtually every one of Mr. Obama's immigration policies, including some aimed at high-tech companies and their workers. Most prominently, the House was set to kill Obama programs granting temporary reprieve from deportation to both young people who were brought to the U.S. illegally and to millions of parents of U.S. citizens and permanent residents.

The House plans to attach these provisions to legislation funding the Department of Homeland Security. The plan doesn't appear to have the 60 votes needed to clear the Senate, though, and it is unclear what will happen after the House vote. Funding for Homeland Security expires at the end of February.

Some members of Congress appear interested in moving bills addressing discrete aspects of the immigration system. A Hatch aide said it wasn't clear whether the senator's bill would be considered by the full Senate but said it was more likely with Republicans running the chamber. "It's much easier now that we have a majority leadership that allows things like this to come to the floor," he said.

"Just because we can't do everything doesn't mean we can't do some things," Sen. Moran said. "In my view, Congress makes a mistake when it tries to do everything in one piece of legislation."

It wasn't clear whether the Democratic co-sponsors of the bill would vote for it as a stand-alone measure. Democrats long have opposed piecemeal legislation for fear that Congress would leave behind people in the U.S. illegally while addressing more popular ideas, such as high-tech visas.

One Democratic Senate aide said that in the past, some Republicans have only been willing to support broader immigration measures because they want to see policies like those in this high-tech measure approved. "We don't want to give away the leverage that we had before," the aide said. "There is certainly concern amongst many Democrats that giving away high-skilled reform early will make it harder to get broader reform later."

High-tech bills also spark opposition from some concerned that new workers will provide unhealthy competition for American workers who are already struggling.

"Not only is there no shortage of qualified Americans ready, able and eager to fill these jobs, there is a huge surplus of Americans trained in these fields who are unable to find employment," Sen. Jeff Sessions (R., Ala.) said in a guidebook released Tuesday aimed at persuading members of Congress to oppose a range of immigration proposals.

A Sessions aide added that through other provisions of law, the U.S. already grants many more visas than the official cap indicates.

The Hatch-Klobuchar bill would also allow spouses of H1B visa holders to legally work in the U.S., and would eliminate annual per-country limits for employment-based visas, which hurt people from countries such as India, where there is large demand.

The legislation would increase the supply of green cards in several ways. It would allow the government to issue extra green cards, drawing from past years when the full allotment wasn't used and would give certain people green cards without regard to the cap, including people who earn advanced degrees in science, math and engineering.

The measure is similar to the high-tech provisions in a sweeping 2013 Senate immigration bill, which died in the House. It is being cosponsored by Sens. Marco Rubio (R., Fla.), Chris Coons (D., Del.), Jeff Flake (R., Ariz.) and Richard Blumenthal (D., Conn.).

The Moran-Warner bill also would provide new tax breaks to aid start-up companies created by Americans as well as foreigners. It is to be co-sponsored by Sens. Coons, Klobuchar, Roy Blunt (R., Mo.) and Tim Kaine (D., Va.).