

Roll Call

SMITH, GRIFFIN SEEK TO EASE PATH FOR HIGHLY SKILLED FOREIGN WORKERS

By David Harrison
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Signaling a possible détente on a narrow slice of the immigration debate, House Republicans are planning an election year effort to make more visas available to highly skilled foreign graduates.

Judiciary Chairman Lamar Smith, R-Texas, and committee member Tim Griffin, R-Ark., are working on a bill that would shift up to 50,000 green cards from a visa lottery open to countries around the world and funnel them to highly skilled workers. Their proposal is one of several that have surfaced in recent weeks from both parties and in both chambers to grant more visas to foreigners who earn science and technology degrees from U.S. universities.

Employers say that not enough Americans are earning master's or doctoral degrees in science, technology, engineering and math – known as the STEM fields – forcing them to recruit foreign students. But there aren't enough green cards to meet the demand, consigning many of these recruits to work for years on temporary work permits that forbid them from changing jobs.

Technology companies have been pushing Congress to lift some of the visa restrictions, saying current law puts the United States at a competitive disadvantage for recruiting top talent. While lawmakers on both sides of the aisle have been receptive, the question of green cards for highly skilled workers often gets swept up in the debate over a broad immigration overhaul that has bitterly divided the two parties.

Now, though, some consensus is forming on the narrow question of green cards for STEM graduates. The legislative focus on the relatively small pool of foreigners is an acknowledgement that another attempt at a comprehensive overhaul won't happen anytime soon.

"For a good part of the last decade, there was the all-or-nothing campaign – comprehensive or nothing," said Bruce A. Morrison, a Connecticut Democrat and former chairman of the House Judiciary Immigration subcommittee who now works as a lobbyist. "I never thought that was a good idea myself, but it was governing the politics. I think it's all broken down."

Sens. Chris Coons, D-Del., and Lamar Alexander, R-Tenn., introduced a measure (S 3192) this month that would increase the overall number of green cards and award them to STEM graduates. A separate bill (S 3217), sponsored by a bipartisan group of five senators, would produce a similar effect.

In another sign of a thaw, Sen. Charles E. Grassley, R-Iowa, said last week that he is ready to drop his hold on a bipartisan House bill (HR 3012) that would lift the per-country limits

on green cards. That would reduce the backlog of green card applicants from countries where demand for the visas is high, such as India or China.

Grassley said he was able to include language tightening the requirements for temporary work permits known as H-1B visas. But two other Republican senators oppose the legislation and could block it should Senate Majority Leader Harry Reid, D-Nev., attempt to bring it up.

Even though many of the Senate bills have bipartisan support, they are unlikely to progress far because they increase the overall number of green cards available, something that GOP immigration hawks will not accept. Griffin said increasing the net number of green cards awarded "would be more difficult to sell, and I don't think it's necessary."

Rather than add to the visa pool, his measure would swap the lottery visas – also called diversity visas – for green cards for STEM graduates. The diversity visas, which originated in a 1990 immigration law, are granted to 50,000 applicants drawn at random every year who need only a high school diploma or equivalent work experience. Republicans have been skeptical about the visas. Last year, Rep. Robert W. Goodlatte, R-Va., introduced legislation (HR 704) to eliminate the diversity visa program.

As originally envisioned, the House proposal would have applied only to foreign students who earn a doctorate from American universities, but it was expanded to include master's graduates as well, Griffin said.

While the two House members have yet to release any legislative language, "I would hope we would make some decisions within the next month," Smith said.

They have been working with Sen. John Cornyn, R-Texas, who this month introduced a version of their bill (S 3185). Cornyn said he pre-empted his House colleagues because "it wasn't moving as fast as I would like."

Attracting Democrats

Griffin and Smith say they want Democrats in both chambers to sign off. So far, none have made their views clear.

Charles E. Schumer of New York, the Senate's No. 3 Democrat and chairman of the Judiciary Immigration subcommittee, helped write the 1990 law that created the diversity visas when he was in the House. He did not sound optimistic last week about the prospects for a deal.

"We're trying to work out some kind of compromise with the Republicans in the House, but they've been pretty intransigent, as have some of the Republicans on this side," Schumer said.

Morrison, however, said he expects Democrats would eventually sign on after negotiating some sort of agreement.

A House Democratic aide said Democrats would oppose simply trading one form of visas for another.

According to a Senate Democratic aide, Democrats would demand that such legislation be "balanced." They would like to remove limits on the number of green cards available to

spouses and children of current legal permanent residents. Right now, those visas are capped, creating a backlog of applicants and forcing families to live apart for years.

Democrats and Republicans struck a similar deal on last year's bill lifting the per-country caps on green cards. The parties agreed to also increase the caps for family-based visas, which would reduce the amount of time that relatives of green-card holders from certain countries would have to wait before being allowed to move to the United States.

No matter how the negotiations turn out, observers say it's unlikely that any measure will be enacted before the end of this Congress. Floor time is limited, and any immigration bill is likely to attract a slew of amendments, complicating passage. The election also makes it more difficult to strike deals.

But lobbyists say the flurry of activity over the past few weeks could set the stage for action early in the next Congress.

Griffin, for his part, said he doesn't see his legislation as a marker to jump-start a future discussion.

"We're not interested in making a point," he said. "We want to get this passed."