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## TECH LOBBY PUSHES FOR TWEAKS TO IMMIGRATION BILL

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Lobbyists for the technology industry, having gained much of their wish list in the immigration bill drafted in the Senate, are now pushing to modify language they consider onerous.

The Senate bill, which is scheduled for markup in the Judiciary Committee on Thursday, would allow Silicon Valley companies to bring in many more foreign computer specialists on temporary work visas through a program known as H-1B. The bill also places restrictions on how companies can hire and fire employees, which the industry's representatives in Washington are trying to massage.

For one, the industry is worried about a provision, inserted by some Senate Democrats, that would allow companies to hire a foreigner only if "an equally qualified American" is not available. The draft allows the Department of Labor to scrutinize hiring decisions, which the industry calls undue interference.

The bill also contains language that compels companies to promise not to lay off American workers within three months of hiring foreign guest workers. Additionally, if a company like I.B.M. places a foreign worker at a client company's site — say, a bank — for a short-term project, the bill also requires the bank to prove it did not displace an American worker in the process.

Lobbyists for Silicon Valley say those provisions are unworkable. They hope to persuade lawmakers to tweak the language to their advantage, even as they continue to aggressively lobby for the passage of the overall immigration package.

"These provisions are troubling, they are going to be hard to live with," warned Scott Corley, president of Compete America, a coalition of Silicon Valley firms. "But over all this is a good bill."

Unveiled in April after weeks of bipartisan bargaining on Capitol Hill, the legislation would expand the annual availability of H-1B visas to 110,000, from the current 65,000, and include a provision to make more available during years of high labor demand. The current cap of 65,000 was filled in less than a week this year, signaling demand.

A recent study by the Brookings Institution showed that in 2010, the most recent year for which comparable statistics are available, about one in three of all H1-B visas approved went to those who studied here and were looking to stay on and work.

The bill draws a line in the sand between these technology firms and the mostly Indian companies that bring computer workers on H-1B visas for short-term jobs at United States companies. The bill is written so that it penalizes companies that have a large share of foreign guest workers among its United States work force. Those are mainly outsourcing firms, many based in India, and it eventually makes it impossible for them to bring in any more. It allows large American companies that have many more American workers to continue to import workers.