April 5, 2017

RE: We Need to Move Forward on Immigration Reform

Dear Representative:

I am writing to ask that you work with your colleagues in Congress to move forward on immigration legislation in support of **America’s businesses.** Comprehensive immigration reform legislation is long overdue, and is necessary to provide sufficient visa numbers to meet America’s business needs and maintain its competitive advantage.

Most of our employees are U.S. workers. However, we continue to face an ongoing shortage of qualified U.S. professionals in certain specialized occupations, and at times, we find that the best-qualified candidate is a foreign professional. The H-1B visa program ensures that U.S. employers have access to specialized workers essential to America’s economic development and global competitiveness. However, there is a numeric cap on H-1B visas, set over 20 years ago, that has failed to grow with our country’s rising population, lowering unemployment rates, and the technology sector critical to our economy. Because of the annual cap on H-1B visas, we have lost the ability to hire some talented foreign nationals, and we are losing their skills to other countries.

In late March, our company expended time, effort, and expense to file H-1B visa petitions with the USCIS, which will be selected via lottery. We will be waiting for months to find out which petitions are selected, with the knowledge that prior years’ lotteries have resulted in rejection of the majority of cases filed. This makes the process of hiring and retaining highly educated professionals unpredictable. Due to how the system works, we are forced to file petitions for some employees early and repeatedly, to have potentially multiple years to attempt selection in the lottery. We are also having to make hiring decisions months in advance to ensure we have talented professionals on our staff. Our quota system fails to take into account supply and demand and forces us to risk losing candidates to foreign employers while we wait for them to become eligible to start work, or worse lose existing talented employees who were educated at U.S. universities. The H-1B visa category should be market driven and not a lottery.

Retention and permanent integration of talented foreign workers is also vital to our company. The 20-year old employment-based immigrant visa annual quota of 140,000 does not reflect the current needs of U.S. businesses. The immigrant visa shortage has resulted in lengthy backlogs for some foreign professionals: current projections are that individuals from China and India will wait 10-20 years before they can immigrate. Compounding these backlogs, government processing delays have resulted in thousands of immigrant visas going unissued and being lost every year. Bills were introduced in past years which would have allowed recapture of unused immigrant visa numbers, and adjustment of limits on visas issued to foreign nationals from backlogged countries. These steps alone would have relieved the lengthy backlogs in employment-based immigration, but Congress has failed to move forward in a bipartisan matter.

We urge you to work towards an immigration reform bill which addresses these deficiencies in our immigration system. In both the nonimmigrant and immigrant contexts, visa unavailability and delays risk our losing important talent to other countries. It is time to align our immigration laws with our economic needs. I urge you to support legislation, such as the High-Skilled Integrity and Fairness Act of 2017 (H.R. 670), that will provide for market driven H-1B visas, and reallocated immigrant visa numbers for backlogged countries, to meet the needs of American businesses.

Sincerely,