

Business Immigration Concerns



State of Play on Business Immigration

To get our message on the benefits of business immigration across in this environment, we need to show members of Congress how foreign workers are helping stimulate our moribund economy. Conversely, where the immigration system is not working, we need to show how delays and denials in the adjudicatory process have hampered businesses and employers from creating potential jobs.

This effort to educate members of Congress with real world examples of the impact of business immigration on our economy is especially important in light of a recent DHS Office of the Inspector Generally report entitled, "Safeguarding the Integrity of the Immigration Adjudication Process." The report tries to make the case that a "culture of yes" exists regarding the adjudication of petitions.

On February 15, 2012 the House Immigration Subcommittee held a hearing on this OIG report and Subcommittee ranking member Zoe Lofgren (D-CA) pointed out her concerns regarding the sparse data the OIG's report used in reaching its conclusions. When asked directly, Mark Whetstone, USCIS's union representative as a witness at the hearing, disagreed with the notion that there was a mindset or culture of "get to yes" within the agency. As AILA President Eleanor Pelta noted in a blog, "quite the opposite is true." The OIG report that was the subject of the hearing was based on anecdotal evidence that had no statistical value, and the experiences of AILA members simply do not bear out the OIG's claim.

On a more positive note, the administration has signaled interest in improving the business immigration environment through: expanding eligibility for 17-month extension OPT for F-1, providing work authorization for spouses of certain H-1B holders and initiating the Entrepreneur in Residence program that aims to address better agency understanding of certain business models.

What to Tell Your Congress Members

- Your own case examples, or situations that you know of, that illustrate the real world impact that bringing in or not being able to bring in someone has had on an employer or company (to the extent possible, "impact" should be calculated in +/- jobs)
- As the U.S. economy continues to recover, all of America is thinking about how best to create jobs and jumpstart the economic engine. Immigrants and immigrant-owned businesses are proven engines that help drive economic growth. See economic benefits of immigration in the *Resource Guide* for more information.
- America has always attracted the "best and the brightest." Smart immigration reform can spur business innovation and economic development in regions or sectors where growth is most needed while still protecting American workers.
- Any reforms should ensure that the immigration system provides adequate visas to meet the future needs of American families, businesses, and communities.
- Rhetorical points:
 - How is it good for business to make it nearly impossible for businesses to secure visas for key employees?
 - How can the loss of several jobs for US workers be good for job growth?

