

The SKIL BILL:
SECURING KNOWLEDGE INNOVATION AND LEADERSHIP

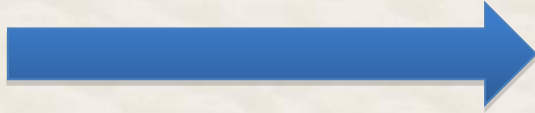


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Outline



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Today's Dialogue Map...

- Legislative Overview
- How A Bill Becomes Law
- Access to Foreign Workers
- Visa Backlog Reduction
- Foreign Students
- Helping Employers
- Pros and Cons



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STATE OF IMMIGRATION

Land of Opportunity



Comprehensive Immigration Reform Bills

Include border security, interior enforcement, workplace verification, new temporary work visa programs, legal admissions reforms and earned legalization provisions

HR 1645 (STRIVE Act) – Gutierrez/Flake

S 1348 (Bipartisan Compromise) – Kennedy/Cornyn

High Skills Admissions Expansion Bills

Include EB, H-1B and F visa provisions

HR 1930 (**SKIL ACT**) – introduced by Rep. John Shadegg in 2006.

S 1083 (**SKIL ACT**) Senator Cornyn in 2007 during CIR talks; No Senate Vote

HR 5658 (SKIL ACT); re-introduced in the House Shadegg in 2010

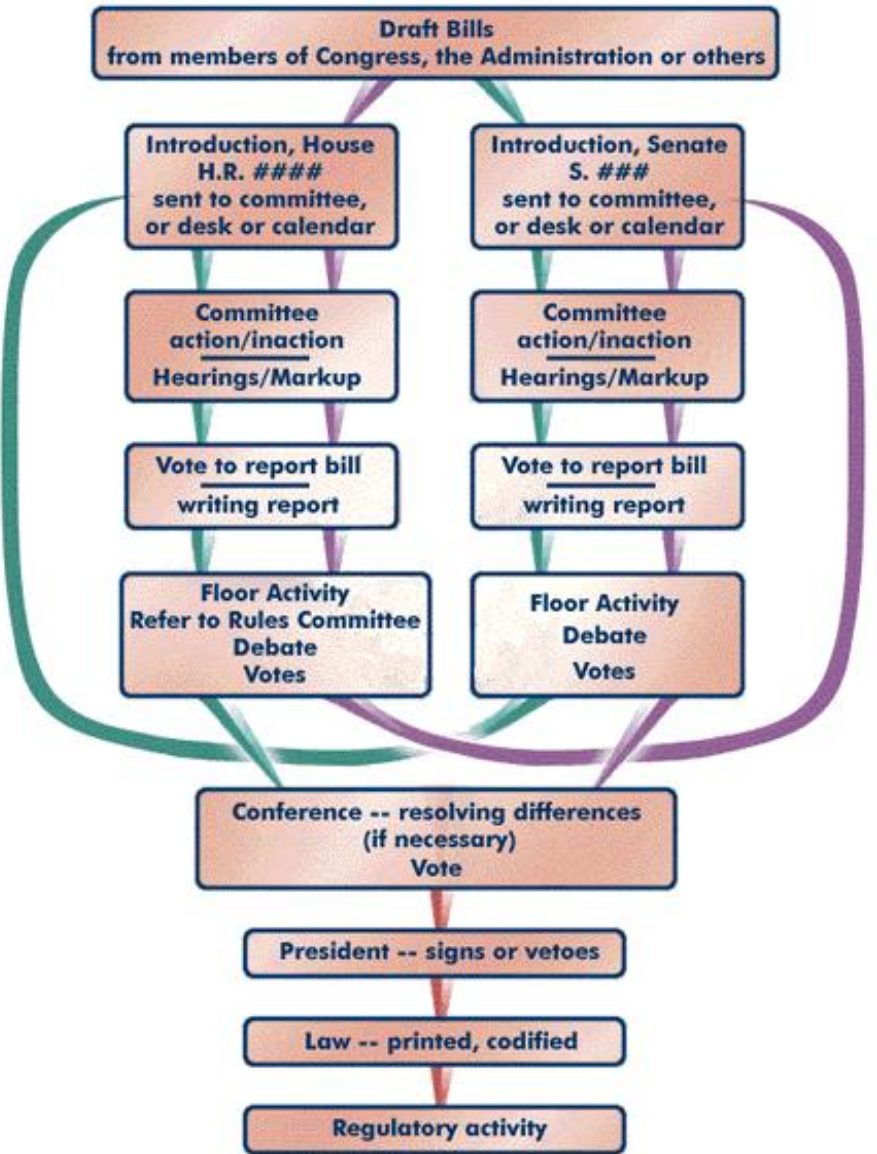
Temporary H-1B and L-1 Visa Reform Bills

S 1035 - Durbin/Grassley

HR 2538 (Defend the American Dream Act) – Pascrell

•If it's not a LAW yet, why are we discussing it?

Bill Becoming Law



Potential of SKIL Act



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- Increases access to high skilled foreign workers
- Allows foreign students educated here to stay here
- Facilitates the 'green card' process for companies and employees
- Pros and Cons



The SKIL Act: Increases access to high skilled foreign workers – H-1B Visa

- Exempts professionals who earn advanced degree (Master's or higher)
- Exempts people, with medical specialty certification based on post-doctoral training
- Increases H-1B cap from 65,000 to 115,000



The SKIL Act: Retaining Foreign Workers Educated in the U.S.

- Exempts U.S.-educated professionals with advanced degrees from 'green card' cap
- Exempts extraordinary ability, outstanding researchers/professionals from cap
- Exempts STEM advanced degrees w/3 years of experience in U.S. from immigrant visa cap
- Exempts spouses and minor children from immigrant visa cap

Visa Backlog Reduction



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- Raises immigrant visa cap from 140K to 290K
- Unused visas roll forward to next year
- Most of visa still reserved for highly educated/skilled workers



It helps students, L-1 workers and more...

- Allows employers to start green card process while student is on OPT
- OPT for 2 years
- Allows L-1 to go beyond 5/7 years if residency application in process
- Visa number not available? No problem. Pay \$500 fee to file AOS



The SKIL Act: How does it help employers?

- Creates pre-certification program that streamlines process
- Premium processing for cases and appeals
- Employees can renew visas in the U.S. again?
- Does not address enforcement, other than mention background/security checks

SKIL ACT: Pros

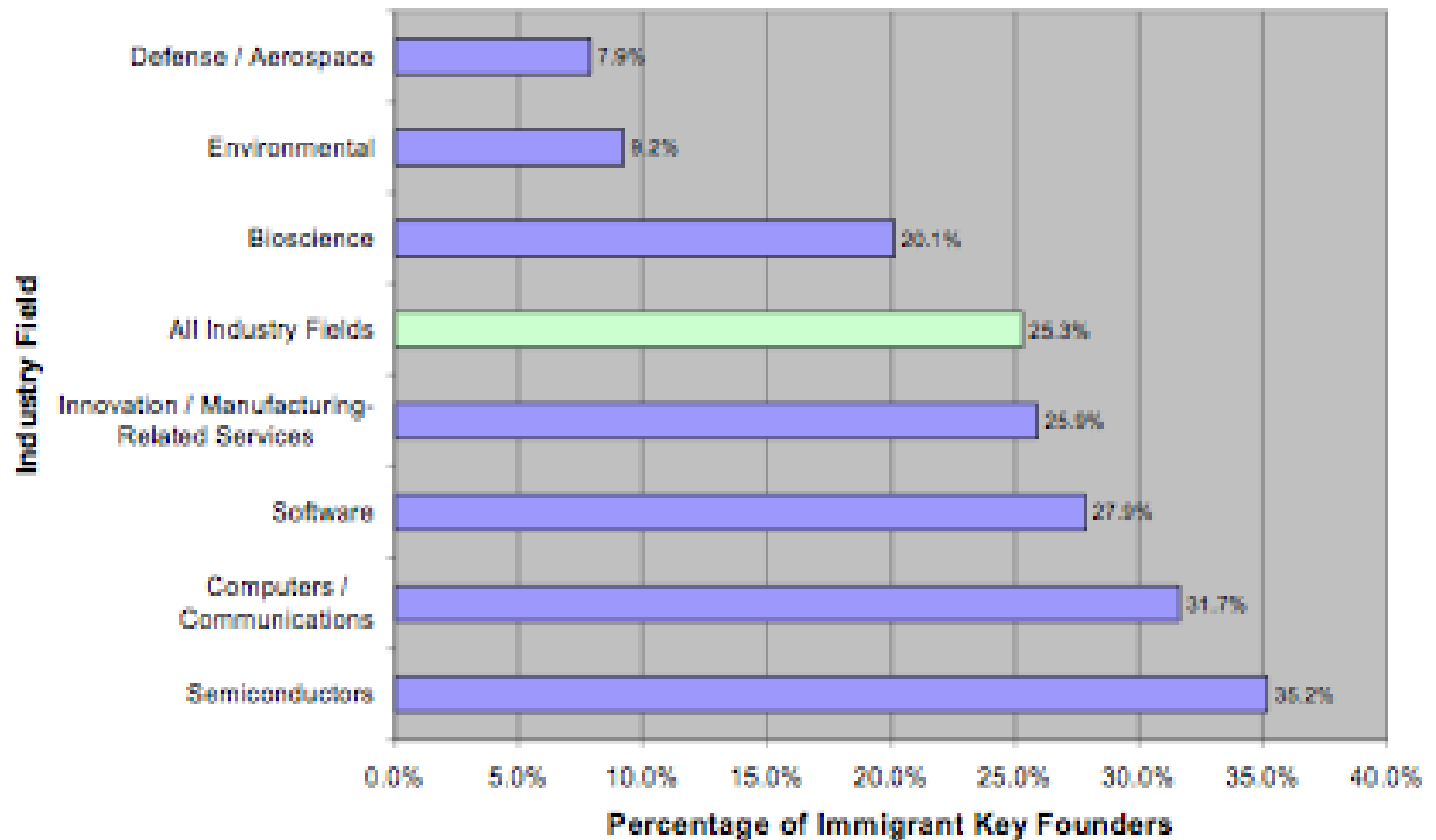
- Retain brightest students in the world
- Access to larger skilled workforce
- Faster green cards = more mobile workforce
- Facilitates U.S. leadership in technical fields
- Over 40% of Silicon Valley entrepreneurs are foreign born
- Helps our economy



- 25% of new tech companies founded between 1995 and 2005
- 26% of international patent applications in 2006
- 50% of international patents filed in 2006 by multi-nationals, including:
 - Qualcomm (72 percent)
 - Merck & Co. (65 percent)
 - General Electric (64 percent)
 - Siemens (63 percent)
 - Cisco (60 percent)
- 41% of patents filed by the U.S. government
- **Source:** Kauffman Foundation



Chart 7: Industry Breakdown of Immigrant Founded Companies



SKIL ACT: Cons

- Is there really a shortage of skilled workers?
- Flooding of the labor market; depressing wages
- Displacement of American workers
- Does not address illegal immigration



It's a good bill!



Change Could Be GOOD for Immigration...



Resources

America's New Immigrant Entrepreneurs

- http://papers.ssrn.com/sol3/papers.cfm?abstract_id=990152

Compete America Fact Sheets

- <http://www.competeamerica.org/advocacy/fact-sheets>



More Resources



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- Congressional Budget Office
www.cbo.gov
- Congressional Research Service
www.loc.gov/crsinfo
- Government Accountability Office
www.gao.gov
- Compete America
www.competeamerica.org
- Kauffman Institute
www.kauffman.org
- Economic Policy Institute
www.epinet.org



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