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Green Card Gridlock Must End

When Congress has the opportunity to pass legislation that has wide bipartisan support, offers tangible benefits to the U.S. economy, and comes at no cost to taxpayers, one might think it would be a done deal. Think again. Instead, Congress has taken gridlock to a whole new level, leaving the professional and personal lives of 1 million law-abiding, hardworking U.S. residents in limbo, for no justifiable reason.

The people we are referring to are foreign nationals, well educated and working here legally. They are engineers, health care providers, researchers, teachers and entrepreneurs, all sharing the same goal — to be permanent U.S. residents.

Tens of thousands of these professionals often wait for more than five years to obtain a permanent resident visa, or "green card." They already should be permanent residents but for government processing delays. Instead, they are unnecessarily stuck in a backlog that limits their ability to advance professionally or start a business. That's just not good for our economy.

Studies have shown that in the last 15 years, one in four new public companies in the United States had a foreign national as a founder. Iconic companies such as Google, Yahoo and Intel were all founded, at least in part, by foreign nationals. Employer-sponsored (EB) green cards allow U.S. employers to retain these highly educated professionals and enable our economy to benefit from their entrepreneurial spirit.

This is not breaking news to all members of Congress. U.S. Rep. Zoe Lofgren, D-San Jose, has long been a champion of skilled immigration reforms, along with fellow Silicon Valley representatives Anna Eshoo, D-Palo Alto, and Mike Honda, D-Campbell. However, there are too many in Congress unwilling to fix the problem.

Even though green cards and U.S. competitiveness are inextricably linked, Congress has let the EB green card system go unchanged for 18 years. This has resulted in backlogs that have forced some of the world's most talented individuals to wait six to 10 years to earn permanent residency.

Meanwhile, countries from Australia to Canada and the European Union have increased efforts to attract top talent, offering resident status with shorter or no wait times. It's an embarrassing contrast to the outdated U.S. system that puts personal and professional lives in limbo. It's easy to understand why highly educated professionals — even after graduating from a U.S. university — leave for brighter fortunes. It's also easy to see the threat to America's innovation future.

One easy remedy is for Congress to approve legislation to help those waiting the longest by authorizing a simple "recapture" of unused EB green cards. This recapture wouldn't fix a broken system, but it would make amends for those who have waited years because of government processing delays. Without creating a single new green card, Congress could put previously authorized visas to use for those who meet the requirements.

This legislation has the broad-based support of more than 70 employer, family and community organizations and should, by all rights, sail through the Congress. In fact, just a few years ago, 85 U.S. senators voted in support of this recapture idea.

Other steps Congress should take this year include exempting highly educated, foreign-born students earning an advanced degree in science, technology, engineering or mathematics from a U.S. university from the annual EB green card limit, and eliminating unduly restrictive, out-of-date per country limits on EB green cards.

Practically every political pundit has said that Congress is incapable of doing even the easy fixes when it comes to immigration. With this simple, long-overdue menu of green card fixes, Congress can prove the "punditocracy" wrong — and do right for the U.S. innovation economy.

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