# A2: Con

# Econ

## A2: General Econ

#### There are three economic benefits an increased quota provides

#### First, adding billions to our GDP. The Hoover Institution in 2013 continues saying H-1B workers would add about. $456 billion to our GDP in 10 years.

#### Second, Nell 2008 explains wages increase more than they fall.

#### Third, more American jobs are produced. The American Immigration Council in 2016 explains an increase of visas could create an estimated 1.3 million new jobs.

#### Morales 17 of the University of Michigan reports that the current level of the H1-B visas has provided over $430 million of unique economic benefits to migrants.

#### The existing skills gap is projected to continue to grow. Dore 17 finds that with the retirement of the baby boomers, a poor perception of skilled trades and the lack of an educational system focused on skilled trades, a perfect storm has begun in the global workforce – a worse case scenario where the combination of the three has impacted millions of lives. Only raising the quota and bringing in more skilled workers will solve the issue and protect these millions of lives.

#### Turn because a lack of an increase reduces business growth. Beach of the Wall Street Journal 16 explains that 73% of CEOs claim the skill gap is a “key concern” impacting the future growth of their business. He furthers that the for the past five years, businesses have struggled to find the right talent for their jobs, in result threatening business growth and jeopardizing productivity.

Gaurav Khanna and Nicolas Morales. 2017. “The IT Boom and Other Unintended Consequences of Chasing the American Dream.” CGD Working Paper 460. Washington, DC: Center for Global Development. https://www.cgdev.org/publication/it-boom-andother-unintended-consequences-chasing-american-dream

In Table 9 we calculate the amount that agents must be compensated when migration is restricted to provide them with the same welfare as in the current state of affairs under H-1B migration. This compensating variation is presented in US dollars. Overall, in 2010, this value is $14.7 billion. **This includes $431 million in gains to the US and $174 million to workers that are in India.** The majority of the gains, however, accrue to the migrants themselves. As a final exercise we look at this gain per migrant: US natives are better off by $1345 per additional migrant. Across the different years, 90-97% of the gains go to the migrants; and of the non-migrants, between 67-97% of the gains go to US natives, whereas the rest go to non-migrants in India

Dore, Bhavya. “Stop blaming the H-1B visa for India’s brain drain—it actually achieved the opposite” Quartz Magazine, 2 June 2017, https://qz.com/997172/you-canthank-the-h-1b-visa-programme-for-the-it-boom-in-india/

“The retirement of Baby Boomers, a poor perception of skilled trades and the lack of an educational system focused on skilled trades created a perfect storm in the global workforce—a worst-case scenario where the combination of the three has impacted millions of lives. In its 2015 Talent Shortage Survey, ManpowerGroup reported that the 41,000 global employers surveyed on the talent shortage attributed the difficulty to (1) a lack of available applicants or no applicants, (2) lack of technical competencies, (3) lack of experience, (4) lack of workplace competencies and (5) the desire for higher wages by those applying. Thirty-eight percent of those employers surveyed had difficulty filling jobs last year, representing a 2 percent increase over 2014—and the highest percentage since 2007. Fifty-four percent felt the talent shortage had a medium to high impact on their client-facing relationships. In addition, more than 40 percent expected the talent shortage to hinder customer service and cause a reduction in competitiveness and productivity. The gap has reverberated across all aspects of business operations.”

Beach, Gary. “The Skills Gap is No Laughing Matter”, The Wall Street Journal, Oct 5 2016, https://blogs.wsj.com/cio/2016/10/05/the-skills-gap-is-no-laughingmatter/

“With 5.9 million “open” jobs in America, the most unfilled positions ever reported by the U.S. Bureau of Labor Statistics, rest assured C-level executives are not laughing about the skills gap. The 2015 PricewaterhouseCoopers LLP’s “Global CEO Survey” reports 73% of CEOs claim the skills gap is a “key concern” impacting the future growth of their business. A perspective recently reflected in the 2016 Hays Global Skills Index which proclaimed, “for the fifth consecutive year businesses across the world continue to struggle to find and attract the right talent, with the lack of skills threatening business growth and jeopardizing productivity.”

**Hoover Institution, 5-7-2013, “Additional H-1B Workers Would Add Billions to GDP and Federal Tax Revenue,” https://www.hoover.org/research/additional-h-1b-workers-would-add-billions-gdp-and-federal-tax-revenue**

Initial estimates put the appropriations cost of the Senate Gang of Eight’s immigration bill (S. 744) at about $17 billion over ten years, leading at least a few politicians to cite cost as a potential reason to oppose its passage. But as Senator Rubio and others have pointed out, that cost does not include the economic benefits and tax revenue that would come from future immigrants. One group in particular, new H-1B visa workers, would add an estimated **$456 billion to GDP** and $113 billion to federal tax revenue over the next ten years. $244 billion of that increase in GDP would accrue to current US citizens and residents, with the rest going to the new H-1B workers. H-1B visa holders are well-educated and command high wages. 58% in 2011 held advanced degrees and the mean wage of H-1B visa workers was $78,000.

**Guinevere Nell, 04-03-2008, "More H-1B Visas, More American Jobs, A Better Economy," Heritage Foundation, https://www.heritage.org/immigration/report/more-h-1b-visas-more-american-jobs-better-economy**

This is not just a theoretical problem. Research shows that technology companies hire five new workers for each H-1B visa for which they apply.[[7]](https://www.heritage.org/immigration/report/more-h-1b-visas-more-american-jobs-better-economy#_ftn7) On average, the skills of each highly skilled H-1B worker support the jobs four Americans. Keeping the H-1B cap at 65,000 comes at the expense of hundreds of thousands of American jobs.Higher Wages and Greater Equality Many American high-tech workers oppose raising the H-1B cap, fearing that increasing the supply of skilled workers could reduce their wages. When companies cannot hire as many highly skilled workers as they need, competition drives wages up, so raising the visa cap may indeed cause the wages of some Americans to fall or stagnate. Why, then, should Americans favor higher numbers of H-1B employees? **Because raising the visa cap would *increase* wages for *many more Americans* than would see their wages fall. Since each H-1B worker creates four new American jobs, the demand for such somewhat less-skilled but necessary workers would raise their wages. The number of workers in the economy whose skills complement the advanced skills of H-1B workers is far greater than the number of those who compete with them for jobs. Raising the H-1B cap would increase the demand for the labor of, and thus raise wages for, hundreds of thousands of Americans who are less readily identifiable but no less real than the software engineers who compete with H-1B workers.**

**American Immigration Council, 4-1-2016, "The H-1B Visa Program: A Primer on the Program and Its Impact on Jobs, Wages, and the Economy," https://www.americanimmigrationcouncil.org/research/h1b-visa-program-fact-sheet**

Arguments that highly-skilled, temporary foreign workers are freezing out native-born workers are rebutted by the best available empirical evidence. Unemployment rates are low for occupations that use large numbers of H-1B visas (Figure 2). For example, many STEM occupations have very low unemployment compared to the overall national unemployment rate. These low unemployment rates signal a demand for labor that exceeds the supply. **Research indicates that an increase in H-1B visas could create an estimated 1.3 million new jobs and add around $158 billion to Gross Domestic Product in the United States by 2045.** Conversely, research shows that the United States has missed out on the opportunity to create new jobs by limiting the number of H-1B visas to 65,000 per year. For example, estimates show that, had the U.S. government not rejected 178,000 H-1B visa petitions in computer related fields in the 2007 and 2008 visa lotteries, U.S. metropolitan areas could have created as many as 231,224 tech jobs for U.S.-born workers in the two years that followed.

## A2: Reduce Tax Revenue

#### Turn their argument. The Hoover Institution in ’13 explains in a matter of ten years H-1B workers could add up to $133 billion to federal tax revenue.

#### Outweigh because H1Bs help prices go down. Amadeo 17 explains that due to labor costs being low by hiring in emerging markets with lower standards of living, prices decrease on goods they ship back to the U.S. Unless they prove that Americans would be willing to accept these low-wages, which is highly unlikely, the lower prices outweigh.

#### Turn because immigrant labor creates upstream jobs for Americans. Oakford from the Center for American Progress 13 quantifies that in some key areas of the economy, lesser skilled immigrants have kept entire industries alive. He cites the manufacturing industry which is reliant on the demand for services that allows for transportation of goods throughout the United States. Without H1B workers, this industry would crash and burn, resulting in a loss of American jobs and a dramatic decrease in tax revenue.

Amadeo, Kimberly. “7 Things You Should Know About Outsourcing.” The Balance, 30 Mar. 2017, www.thebalance.com/how-outsourcing-jobs-affects-the-u-seconomy-3306279.

Job outsourcing helps U.S. companies be more competitive in the global marketplace. It allows them to sell to foreign markets with overseas branches. They keep labor costs low by hiring in emerging markets with lower standards of living. That lowers prices on the goods they ship back to the United States. The main negative effect of outsourcing is it increases U.S. unemployment. The 14 million outsourced jobs are almost double the 7.5 million unemployed Americans. If all those jobs returned, it would be enough to also hire the 5.7 million who are working part-time but would prefer fulltime positions. That assumes the jobs could, in fact, return to the United States. Many foreign employees are hired to help with local marketing, contacts and language. It also assumes the unemployed here have the skills needed for those positions. Would American workers be willing to accept the low wages paid to foreign employees? If not, American consumers would be forced to pay higher prices.

Cowen, Tyler. “How Immigrants Create More Jobs.” The New York Times, The New York Times, 30 Oct. 2010, www.nytimes.com/2010/10/31/business/economy/31view.html.

Over all, it turns out that the continuing arrival of immigrants to American shores is encouraging business activity here, thereby producing more jobs, according to a new study. Its authors argue that the easier it is to find cheap immigrant labor at home, the less likely that production will relocate offshore. The study, “Immigration, Offshoring and American Jobs,” was written by two economics professors — Gianmarco I. P. Ottaviano of Bocconi University in Italy and Giovanni Peri of the University of California, Davis — along with Greg C. Wright, a Ph.D. candidate at Davis. The study notes that when companies move production offshore, they pull away not only low-wage jobs but also many related jobs, which can include high-skilled managers, tech repairmen and others. But hiring immigrants even for low-wage jobs helps keep many kinds of jobs in the United States, the authors say. In fact, when immigration is rising as a share of employment in an economic sector, offshoring tends to be falling, and vice versa, the study found. In other words, immigrants may be competing more with offshored workers than with other laborers in America

Oakford, Adriana Kugler and Patrick. “Immigration Helps American Workers' Wages and Job Opportunities.” Center for American Progress, 29 Aug. 2013, www.americanprogress.org/issues/immigration/news/2013/08/29/73203/immi gration-helps-american-workers-wages-and-job-opportunities/.

Second, research finds small but positive impacts on native-born workers because of the indirect effects that immigrants have on the labor market and economy. As economists Michael Clemens and Robert Lynch explain in The New Republic, “In some areas of the economy, lesser skilled immigrants have kept entire industries alive.” This not only helps native-born workers within the industries but also native-born workers whose jobs are associated or closely connected to those industries. Research shows, for example, that as new immigrants come into the country, the number of jobs offshored in the manufacturing sector decreases. By ensuring that more manufacturing jobs stay in the United States, not only do native-born manufacturing workers benefit, but the demand for services that the manufacturing industry relies upon—such as the transportation of manufacture goods throughout the United States—also remainshigh. Thus the “upstream” jobs held by native-born workers in industries associated with manufacturing are also better off as a result of immigration. Moreover, when one considers how immigration affects different groups of American workers who may be the most likely to compete with immigrants, the positive story still holds true. Research finds that as immigrants enter the labor market, African Americans respond to these changes in the workforce by moving up to higher-skilled—and presumably higherpaying—jobs. In fact, African Americans are three times more likely to transition to higher-skilled jobs as a result of immigration than non-African American workers. Recent evidence similarly shows that an increase in immigration of the magnitude implied by S. 744 would increase the earnings of more educated Hispanic women and men by 1.1 percent and 2.25 percent, respectively.

Hoover Institution, 5-7-2013, “Additional H-1B Workers Would Add Billions to GDP and Federal Tax Revenue,” [**https://www.hoover.org/research/additional-h-1b-workers-would-add-billions-gdp-and-federal-tax-revenue**](https://www.hoover.org/research/additional-h-1b-workers-would-add-billions-gdp-and-federal-tax-revenue)

Our inaugural post estimates the economic and budgetary effects of one part of the Senate Gang of Eight’s proposed immigration reform. It shows that increasing the caps on H-1B visas leads to non-trivial economic and fiscal effects, at least partially offsetting worries over the cost of immigration reform in the next ten years.

Initial estimates put the appropriations cost of the Senate Gang of Eight’s immigration bill (S. 744) at [about $17 billion over ten years](http://online.wsj.com/article/SB10001424127887324345804578427170797280396.html), leading at least a few politicians to cite cost as a potential reason to oppose its passage. But as Senator Rubio and others have pointed out, that cost does not include the economic benefits and tax revenue that would come from future immigrants. One group in particular, new H-1B visa workers, would add an estimated $456 billion to GDP and $113 billion to federal tax revenue over the next ten years. $244 billion of that increase in GDP would accrue to current US citizens and residents, with the rest going to the new H-1B workers.

H-1B visa holders are well-educated and command high wages. 58% in 2011 held advanced degrees and the mean wage of H-1B visa workers was $78,000. Mean wages were $72,000 for new H-1B recipients and $82,000 for those renewing their visas for continuing employment in 2011. The mean starting wages of new H-1B recipients in fiscal year 2015 are estimated to be over $80,000.

## A2: Decrease Spending in US

#### Turn this argument as lower costs to companies means they can employ more at home. Busler 14 uses Delta Airlines in 2003 for example. Delta moved 1,000 jobs to India reducing costs by 25 million dollars. They used this money to fund 1,200 new reservation and sales positions in the U.S. resulting in a net job gain allowing for more money being spent at home.

#### Turn this argument again. Correnti 08 finds that these lower costs also decrease prices resulting in more consumption and more spending by U.S. citizens.

#### Turn for a third time. The Hoover Institution in ’13 explains in a matter of ten years H-1B workers could add up to $133 billion to federal tax revenue. This money will then be spent by our federal government, increasing spending and helping everyone.

#### Outweigh because we are solving global poverty. Chertok of the Huffington Post 13 contends that Business Process Outsourcing, a 300 billion industry, has created 700,000 jobs in the Philippine’s alone, among several million more jobs worldwide bringing these families out of poverty.

Busler, Michael. “Outsourcing Is Good for the U.S. Economy.” Communities Digital News, Communities Digital News, 19 Sept. 2014, www.commdiginews.com/politics-2/outsourcing-is-good-for-the-u-s-economy26113/.

The reason a company chooses to manufacture a product outside of the U.S. is very clear: The company finds it is less costly, even considering the logistical costs of shipping raw materials and the finished goods. The cost savings are often significant. This allows the company to sell the products at much lower prices, so more Americans can consume them. And, of course, it increases profit. That cost-reduction and profit improvement often results in an increase in employment. Consider, for instance, Delta Airlines in 2003. Delta moved 1,000 jobs to India. By doing so, it was able to reduce costs by $25 million. It used the money to fund 1,200 new reservation and sales positions in the United States, resulting in a net job gain. Similarly, consider a consumer who needs to purchase a new smartphone. She finds that she can purchase a state-of-the-art model for about $600. If the phone were made in the U.S., the cost would be more than $1,800. After saving $1,200, she has more money to spend on other goods and services which will encourage the economy to grow.

Correnti, Madison. “Outsourcing Overseas and Its Effect on the US. Economy.” Roanoke Insurance Group Inc., 2008, infospot.roanokegroup.com/acton/fs/blocks/showLandingPage/a/5777/p/p0022/t/page/fm/0.

An important factor of outsourcing, though, is to consider how the U.S. benefits from these outside investments. Consumers are given the privilege of lower prices in various products and services. The quality of these goods are high as well, offering greater competition to keep prices low. "The other part of outsourcing is this: it simply says where work can be done outside better than it can be done inside, we should do it," said by Alphonso Jackson, former U.S. Secretary of Housing and Urban Development. By keeping a good at a low price, this increases the demand and consumption of the good. Rather, if the good were produced in the U.S., it would cost more to pay for it in order to fund for employee wages, require cheaper quality so prices would not be too high, yet still have a higher price compared to how much it would cost coming from outsourcing, leading to consumer dissatisfaction and decreasing demand from the U.S. source. All this means hiring fewer U.S. employees, and paying as close as they can to minimum wage to keep products at a reasonable price so consumers will still buy. Consumers would be forced to pay much more for goods, and for the millions of Americans who shop at Wal-Mart each week, they would incur further economic hardships.

Chertok, Michael. “Business Process Outsourcing Takes on Global Poverty.” The Huffington Post, TheHuffingtonPost.com, 8 May 2013, www.huffingtonpost.com/michael-chertok/cisco-business-processoutsource\_b\_3237251.html.

While international aid for economic development often fails, business has the potential to bring millions of people out of poverty. For no enterprise is this more true than the unsung $300 billion industry known as Business Process Outsourcing. Business Process Outsourcing, often referred to by the acronym BPO, means contracting business functions to third-party service providers. While call centers are the most visible part of this industry, BPO also includes many types of back office processing. This industry largely operates invisibly for consumers in North America and Europe. However, the sector employs several million people worldwide - primarily in India, the Philippines and China. In India, the industry has grown from 1.2 percent of GDP 1998 to 6.4 percent in 2011 -and has created more than 700,000 jobs in the Philippines. While some make the case that outsourcing is just another industry chasing lower wage rates, I’ve seen something different. In 2001, a former McKinsey consultant named Jeremy Hockenstein posed the challenge to me of creating BPO jobs for the poor in the developing world.

## A2: Jobs Crowd-Out

#### Their impacts might work in theory but don’t materialize. The Economist 17 reports that most workers with a college degree, even if they are displaced by an H1B workers, find work elsewhere. That’s why they report that unemployment among college graduates is actually lower than unemployment among non-college graduates.

#### Four specific reasons you turn their argument against them:

#### NASEM reports that H-1B workers do not displace but rather complement natives in computer-related occupations, which is where a large part of the visas go.

#### The Niskanen Immigration Center concludes that for every one new H-1B job, two new jobs net are created. If you are voting on job creation, you are voting for us.

#### The Impacts are even greater in large tech companies, as Bier 15 concludes that each new H-1B employee in a large tech company creates on average 67 new jobs.

#### The Niskanen Center concludes that H1B immigrants act as entrepreneurs in companies: raising production, productivity, and inevitably jobs.

#### Their evidence is taken from the mouths of politicians. The problem, though, is that according to Immigration policy analyst David Bier, these politicians point to layoffs as a reason H-1B’s are bad yet H-1B’s aren’t the reason these layoffs even occurred. Prefer our evidence.

“H-1B visas do mainly go to Indian outsourcing firms” Feb 9th 2017 https://www.economist.com/news/united-states/21716630-not-good-argument-against-them-h-1b-visas-do-mainly-go-indian-outsourcing

Although it is true that foreign workers at the Indian consultancies receive more visas than higher-skilled workers at better-known firms, a simple solution exists. **Congress could raise the number of visas issued. Given that the unemployment rate for college graduates sits at 2.5%, it is fair to say that most native workers displaced by H-1Bs land on their feet.** Reducing the number of visas for TCS and its brethren would probably result in them shifting work to India. A better change would be to end the rule whereby H-1B recipients must stay with the company that sponsored them. For within their ranks may lurk the next Elon Musk or Sergey Brin.

“Immigration Policy and the Search for Skilled Workers: Summary of a Workshop” By **N**ational **A**cademies of **S**ciences, **E**ngineering, and **M**edicine, Policy and Global Affairs, Board on Science, Technology, and Economic Policy, Committee on High-Skilled Immigration Policy and the Global Competition for Talent 12-29-2015 <https://books.google.com/books?id=9vlhCwAAQBAJ&pg=PA75&lpg=PA75&dq=h1b+visa+tradeoff&source=bl&ots=619eGrlTmU&sig=1OR2lbITDlds7Vnc0tIi6IE8Rck&hl=en&sa=X&ved=0ahUKEwj6tsW3773ZAhVlw1kKHfwPBmkQ6AEIeTAI#v=onepage&q=h1b%20visa%20tradeoff&f=false>

To examine this, Peri et al. (2015b) took advantage of the fact that H1-B visas were allocated via lottery in 2007 and 2008. Some cities appeared to satisfy less of their firms’ demand for H-1B workers than did others, although the city demand for H-1B visas has to be proxied by firms’ preliminary expressions of interest, which are much more numerous than actual applications. The authors found that the more a city’s demand for H-1B workers outstripped the visas its firms won in the lottery, the lower the city’s employment and wage growth for native-born workers in computer occupations. They inferred that H-1B workers do not displace but rather complement natives in computer-related occupations

David Bier, immigration policy analyst, Niskanen Center, April 6, 2015, niskanencenter.org/wpcontent/uploads/2015/04/NiskanenH1BsDontReplaceUSWorkers.pdf If H-1Bs were primarily cheaper substitutes for American labor, the pace of H-1B requests—measured by the length of time before the cap on visas is reached—should rise when unemployment rises, as employers look to cut labor costs by laying off workers. But since 2003, we see the opposite: H-1B requests rise as unemployment falls. For every one percent increase in unemployment for workers with computer and tech expertise, who represent two-thirds of all H-1Bs, it takes an additional three months to reach the visa cap. In other words, companies use H-1Bs to grow, not to downsize.

David Bier, immigration policy analyst, Niskanen Center, April 6, 2015, niskanencenter.org/wpcontent/uploads/2015/04/NiskanenH1BsDontReplaceUSWorkers.pdf Although it is impossible to examine every such claim, it is important to recognize that large companies are often downsizing in some areas while growing in others. One instance cited by Sen. Sessions was the recent layoffs by Microsoft, which announced layoffs of up to 18,000 workers. However, the senator did not consider what those jobs were or why they were being cut. The layoffs were mostly support staff, and nearly 70 percent were performing duplicate tasks of workers at the recently acquired Nokia.2 Overall, Microsoft has doubled its workforce over the last decade, including adding 29,000 new employees from 2013 to 2014

David Bier, immigration policy analyst, Niskanen Center, April 6, 2015, niskanencenter.org/wpcontent/uploads/2015/04/NiskanenH1BsDontReplaceUSWorkers.pdf As before, companies are not turning to foreign workers when they are laying off Americans and cutting labor costs. By knowing the number of foreign workers employed in the top H-1B fields, we can predict 90 percent of the variation in the overall employment in those fields. The entrance of a single foreign-born worker into the top H1B fields is associated with an increase of nearly two new jobs overall.

David Bier, immigration policy analyst, Niskanen Center, April 6, 2015, niskanencenter.org/wpcontent/uploads/2015/04/NiskanenH1BsDontReplaceUSWorkers.pdf In other words, the general trend holds true at the firm level as well. Specifically the report found that each H-1B request by large tech companies is associated with an increase of 67 employees overall. The authors used a model that controlled for general market conditions to see if firms that hired H-1Bs were able to hire more non-H1Bs than their competitors. They found that H-1B hiring firms with 5,000 or more employees increased employment by 5 new hires for each H-1B request more than what the general market conditions would predict. Firms with 5,000 or fewer employees added 7 additional hires. Firms that employ H-1Bs are actually hiring more non-H-1Bs than firms that don’t.

David Bier, immigration policy analyst, Niskanen Center, April 6, 2015, niskanencenter.org/wpcontent/uploads/2015/04/NiskanenH1BsDontReplaceUSWorkers.pdf The reality is that a high-skilled worker can act as an entrepreneur within the company. By raising production and productivity in the firm, the skills of an H-1B allow the firm to expand and hire more workers to handle new tasks related to the increased productivity. A new invention, product, or process creates jobs whether the inventor is an H-1B temporary worker or an immigrant entrepreneur.

## A2: Patenting Increases

#### delink- there wont be new patents. The national bureau of economic research finds in 2016 that there is no correlation between h1bs and an increase in patenting. they find that even under the best circumstances possible, the number of patents would increase by less than 1.5%

#### NASEM points out that that studies that claim H-1B immigrants increase patents are using data from highly specialized European scientists and workers rather than the majority of actual H-1B workers. That’s why they conclude that you would not find similar results in modern day immigrants.

“Immigration Policy and the Search for Skilled Workers: Summary of a Workshop” By **N**ational **A**cademies of **S**ciences, **E**ngineering, and **M**edicine, Policy and Global Affairs, Board on Science, Technology, and Economic Policy, Committee on High-Skilled Immigration Policy and the Global Competition for Talent 12-29-2015 <https://books.google.com/books?id=9vlhCwAAQBAJ&pg=PA75&lpg=PA75&dq=h1b+visa+tradeoff&source=bl&ots=619eGrlTmU&sig=1OR2lbITDlds7Vnc0tIi6IE8Rck&hl=en&sa=X&ved=0ahUKEwj6tsW3773ZAhVlw1kKHfwPBmkQ6AEIeTAI#v=onepage&q=h1b%20visa%20tradeoff&f=false>

Kerr and Lincoln (2010) found that an increase in the national H-1B cap statistically significantly increased patenting in cities with many H-1B holders compared to cities with fewer H-1B holders. A 10 percent increase in the cap was associated with a 0.3-0.7 percent increase in patenting for each standard-deviation change in a city’s share of H-1Bs. The magnitude of these results is not easily comparable with those of Hunt and GauthierLoiselle (2010). Kerr and Lincoln found that immigrants had little or no effect on the patenting of those with Anglo-Saxon names, who were disproportionately natives. This contrast with the Hunt and Gauthier-Loiselle findings could be attributable either to imperfections in one or both studies relevant to measuring this externality or to the focus by Kerr and Lincoln on short-term effects, whereas Hunt and Gauthier-Loiselle focused on longterm effects. In contrast to the studies described so far, Doran et al. (2015) found no contribution to patenting from H-1B visa holders. Specifically, they found that relative to firms that lost the 2006 and 2007 H-1B lotteries, winning firms had no increase in the number of patents in the 9 years following their acquiring the H-1B workers. The use of a lottery makes the identification in this study methodology particularly clean.

“Immigration Policy and the Search for Skilled Workers: Summary of a Workshop” By **N**ational **A**cademies of **S**ciences, **E**ngineering, and **M**edicine, Policy and Global Affairs, Board on Science, Technology, and Economic Policy, Committee on High-Skilled Immigration Policy and the Global Competition for Talent 12-29-2015 <https://books.google.com/books?id=9vlhCwAAQBAJ&pg=PA75&lpg=PA75&dq=h1b+visa+tradeoff&source=bl&ots=619eGrlTmU&sig=1OR2lbITDlds7Vnc0tIi6IE8Rck&hl=en&sa=X&ved=0ahUKEwj6tsW3773ZAhVlw1kKHfwPBmkQ6AEIeTAI#v=onepage&q=h1b%20visa%20tradeoff&f=false>

In contrast, Moser et al. (2014) showed that German Jews who fled to the United States in the 1930s greatly boosted patenting in chemical fields. They found that the German Jews increased native patenting by attracting to their subfields natives who would otherwise not have patented, while reducing the patenting of natives already in the field. As with Doran and colleagues, their instrument exploits differences in specialization—in this case between German Jews and American chemists. Both of these studies examined the impact of exceptionally skilled immigrants, and one would not necessarily expect to find similar impacts of immigration from, for example, recent immigrants in the H-1B program. A quite different approach is to measure the effect of immigration on productivity directly. The advantage of this approach is that productivity is the economists’ ultimate interest, while the disadvantage is that productivity is difficult to measure and innovations improving productivity diffuse across the country

national bureau of economic research. 2016. Doran, Kirk; Gelber, Alexander; Isen, Adam. “The Effects of High- Skilled Immigration Policy on Firms: Evidence from Visa Lotteries,” National Bureau of Economic Research. February 2016. <https://gspp.berkeley.edu/assets/uploads/research/pdf/h1b.pdf>

Table 6 estimates the effect of chance lottery wins on patenting, during the patenting baseline period of Years 0 to 8, as well as over the duration of the initial H-1B visa in Years 0 to 3. By “Years 0 to 8,” we mean that we pool the FY2006 lottery, for which we observe Years 0 to 8, with the FY2007 lottery, for which we observe Years 0 to 7. We also examine the marginal effect on the level of yearly patents from a negative binomial regression. In Table 6, we estimate a precise zero effect of chance visas on patenting. The point estimates are generally very close to zero. As the estimates are insignificant, we focus on the confidence intervals to determine what we can rule out with statistical confidence. When the dependent variable is the IHS of the number of patents from Years 0 to 8 in firms with 10 or fewer employees, the upper end of the 95 percent confidence interval in the baseline rules out an increase greater than just 0.47 percent, relative to a “base” mean number of patents of only 0.023 per year. For firms with 30 or fewer employees, in the baseline we bound the increase in patents below 1.3 percent, and in the full sample, below 1.9 percent. When the dependent variable is the level of patents, the confidence interval also indicates at most a small impact, e.g. at most an increase of only 0.0021 patents per year from years 0 to 8 in firms with 10 or fewer employees. The results for Years 0 to 3 verify that there is no significant effect on patenting in earlier years, suggesting no apparent break from the results in Years -1 or -2 shown in Table 3 and Appendix Table 7.34 We also find no evidence that H-1Bs increase high quantities of patenting, and we can bound any increase below a similarly small level. Figure 2 plots the coefficient and confidence interval on chance H-1B visas when the dependent variable is the IHS of number of patents over Years 0 to 8, as a function of the employer’s size. The upper end of the 95 percent confidence interval ranges from near 0 to just above 0.01; across all 50 choices of the employer size threshold shown, in the most positive case we are able to rule out an increase in patents greater than around 1.5 percent (and usually the upper bound is substantially smaller). The point estimate is positive in only three of 50 cases—notably, for size thresholds of 10, 20, and 30—though it is insignificant and very small in all of these cases. We also find no significant effects in the largest firms (over 500 employees). Overall, we find no evidence of a notable increase in patenting and robustly rule out more than a small percentage increase

## A2: Cut Labor Costs

#### The idea that businesses lay off American workers to cut labor costs is inherently untrue. The National Federation of Independent Business 17 finds that 45 percent of small businesses reported a lack of qualified applicants to fill job openings. That’s why Bier 15 contends that if H1Bs were cheaper substitutes for American labor then the pace for H1B requests should rise as unemployment rises since employers supposedly lay off workers in order to cut labor costs, however the opposite occurs. Since 2003 H1B requests have risen as unemployment falls indicating that H1B have nothing to do with the fall of American jobs or any sort of wage manipulation.

Kaplan, Rob. “America Has to Close the Workforce Skills Gap”, BloombergView, 12 April 2017, https://www.bloomberg.com/view/articles/2017-04-12/america-has-toclose-the-workforce-skills-gap

“In order to counteract these trends, the U.S. must work to find ways to expand the workforce and improve productivity. One important vehicle for doing this involves policy makers, businesses and educational institutions working together to create skillstraining programs that equip workers to either join the workforce or improve their skills so they can take higher-paying jobs. Although creation of these partnerships is happening more often, I believe our country must make a quantum leap forward if we are to boost U.S. growth. The skills gap in the U.S. is substantial. The National Federation of Independent Business found that as of first-quarter 2017, 45 percent of small businesses reported that they were unable to find qualified applicants to fill job openings. Dallas Fed surveys of businesses also indicate a significant skills gap. Chief executive officers report shortages of workers for middle-class-wage jobs such as nurses, construction workers, truck drivers, oilfield workers, automotive technicians, industrial technicians, heavy equipment operators, computer network support specialists, web developers and insurance specialists. If these types of jobs go unfilled, businesses will expand more slowly and U.S. growth will be impeded.”

Bier, David. “H-1Bs Don’t Replace U.S. Workers” Niskanen Center. Apr 6, 2015. https://niskanencenter.org/wpcontent/uploads/2015/04/NiskanenH1BsDontReplaceUSWorkers.pdf

“If H-1Bs were primarily cheaper substitutes for American labor, the pace of H-1B requests—measured by the length of time before the cap on visas is reached—should rise when unemployment rises, as employers look to cut labor costs by laying off workers. But since 2003, we see the opposite: H-1B requests rise as unemployment falls. For every one percent increase in unemployment for workers with computer and tech expertise, who represent two-thirds of all H-1Bs, it takes an additional three months to reach the visa cap. In other words, companies use H-1Bs to grow, not to downsize. Moreover, the entrance of a single foreign-born worker into the top H-1B fields— engineering and computer-related fields—is associated with an increase of nearly two new jobs overall in those industries. Despite a 50 percent rise in the number of foreign workers, wages in H-1B fields continue to rise. These workers have proven themselves crucial to America’s economic growth and technological success. Rather than gutting the H-1B program, Congress should remove the arbitrary cap on visas and allow workers to legally change jobs without being deported. This is a better way to address rare cases in which H-1B workers are mistreated or paid below market wages, while increasing freedom and flexibility for both businesses and workers.”

## A2: Wages for Natives Decreased

#### Delink- They legally can't. The american immigration council notes in 2016 that in order for a company to file a petition to hire h1b workers, they must first verify that the employment of an h1b worker will not affect the wages of similarly employed us workers.

#### Turn their argument to our side. The Chamber of Commerce finds that a 1 percent total increase in foreign STEM workers caused an increase in wages for all native-born college educated workers by 4-6 percent.

#### Turn their argument again. The Chamber of Commerce furthers that the denial of H1B applications due to the low quota has lost the United States 3.2 percent of computer related wage growth.

1. **Alt Cause - Youyou Zhou finds in 2017 that H-1B workers in the tech industry who make less than their American peers make less as a result of having little to no experience. AIER furthers in 2014 that factors like gender, marital status, and ethnicity have a much larger impact on wages than H-1B visas.**

#### Immigrants work to expand businesses. Greenstone of Brookings 16 explains that immigrants generally do not even compete for the same jobs as Americans; in fact, they often complement the work of U.S. employees. For example, businesses adjust to new immigrants by opening stores, restaurants, or production facilities to take advantage of the added supply of workers. This translates into more business.

#### Immigrants are entrepreneurs. McKissen 17 quantifies that immigrants are more than twice as likely to start a business than a native-born citizen. He furthers that this is the result of a lack of other paths to upward mobility. He thus concludes that immigrants often live in underserved communities where they spot goods and services that the community lacks access to and therefore fulfill that need creating jobs for Americans.

Greenstone, Michael. “What Immigration Means for U.S. Employment and Wages.” Brookings, Brookings, 28 July 2016, www.brookings.edu/blog/jobs/2012/05/04/what-immigration-means-for-u-semployment-and-wages/.

One reason for this effect is that immigrants and U.S.-born workers generally do not compete for the same jobs; instead, many immigrants complement the work of U.S. employees and increase their productivity. For example, low-skilled immigrant laborers allow U.S.-born farmers, contractors, and craftsmen to expand agricultural production or to build more homes—thereby expanding employment possibilities and incomes for U.S. workers. Another way in which immigrants help U.S. workers is that businesses adjust to new immigrants by opening stores, restaurants, or production facilities to take advantage of the added supply of workers; more workers translate into more business. Because of these factors, economists have found that immigrants slightly raise the average wages of all U.S.-born workers. As illustrated by the right-most set of bars in the chart below, estimates from opposite ends of the academic literature arrive at this same conclusion, and point to small but positive wage gains of between 0.1 and 0.6 percent for American workers. But while immigration improves living standards on average, the economic literature is divided about whether immigration reduces wages for certain groups of workers.

McKissen, Dustin. “This Study Immigrants Are Far More Likely to Start New Businesses Than Native-Born Americans.” Inc.com, Inc., 21 Feb. 2017, www.inc.com/dustinmckissen/study-shows-immigrants-are-more-than-twice-as-likely-to-becomeentrepreneurs.html.

Immigrants are now more than twice as likely to start a business than native-born citizens. So why are immigrants starting more businesses? Economists theorize that many immigrants are prevented from accessing other paths to upward mobility. In other words, all those studies that show applicants are less likely to get hired with an ethnic sounding name might force new immigrants into creating their own business, rather than trying (and often failing) to find a decent paying job working for someone else. Additionally, immigrants often live in underserved communities. If you live in an underserved market, you can spot the goods and services community members don't have access to and fulfill that need. Like my new friend, Ajay. Ajay immigrated to America from India about 15 years ago, where he began working as a computer engineer for Enterprise Rental Car. But he also saw an unserved need in his immigrant network: cricket.

APRIL 2015, " Understanding and Improving the H-1B Visa Program," US Chamber of Commerce, <https://www.uschamber.com/sites/default/files/chamber-compete-pnae_briefing_book_on_understanding_and_improving_h-1b_visas_4-24-2015.pdf>

Foreign, highly skilled workers who come to the United States on the H-1B visa benefit the U.S. economy and create American jobs: **• For every H-1B worker, 1.83 jobs for native-born Americans are created. • An increase in foreign STEM workers of 1 percent of total employment increased wages of native-born college educated workers (STEM and non-STEM by 4 to 6 percent.) • Highly skilled foreign-born STEM workers in the United States may explain up to a quarter of productivity growth in the country over the last 20 years. • The Congressional Budget Office (CBO) says increasing highly skilled immigration will improve economic growth by more than $100 billion over the next decade.**

**The denial of H-1B applications under our current system results in lost wages and lost revenue for U.S.-born workers. • From 2005 to 2010, wages for college-educated, U.S.-born workers with computer-related jobs could have grown 3.2 percent more than they did were it not for the application denials in the H-1B lotteries.**39 • From 1990 to 2007, immigration to the United States was associated with a 6.6 percent to 9.9 percent increase in real income per worker. A 2010 report found no evidence that immigrants crowd out U.S.-born workers in either the short or long run.40

American Immigration Council. 16. “The H-1B Visa Program: A Primer on the Program and Its Impact on Jobs, Wages, and the Economy (Fact Sheet),” American Immigration Council. April 1, 2016.

Before the employer can file a petition with USCIS, the employer must take steps to ensure that hiring the foreign worker will not harm U.S. workers. First, employers must attest, on a labor condition application (LCA) certified by the Department of Labor (DOL), that employment of the H-1B worker will not adversely affect the wages and working conditions of similarly employed U.S. workers. Employers must also provide existing workers with notice of their intention to hire an H-1B worker.

Zhou, Youyou. “Most H-1B Workers Are Paid Less, but It Depends on the Type of Job.” AP News, Associated Press, 18 Apr. 2017, apnews.com/afs:Content:873580003.

The Department of Justice released a memo in March, disqualifying an entry -level computer programmer as a specialty occupation. Chris Mussilo, a Cincinnati-based immigration lawyer, has since advised his clients stay away from the lowest experience level when filing applications in computer science fields. **Mussilo attributed the wage disparity largely to the low experience level of H-1B visa applicants. Most H- 1B visa applicants are either foreign graduates fresh out of the school or young professionals getting hired directly overseas. Both groups are relatively early in their careers.** “It’s not likely that a 46-year-old Chinese engineer leaves Shanghai and comes to America. Theprofile is much more likely a 26- year-old computer engineer who’s been in the field for two or three years comes to the U.S.” Mussilo said. The trend doesn’t hold true for other high-skilled occupations. On average, **foreign workers in non- computer and** **mathematical occupations get paid 58 percent more than the average workers in similar occupation groups**. This is notsurprising to Hira. H-1B visas are given to workers in specialty positions. Take the striking $ 71,000 annual median salary difference in sales-related occupations as an example. The top three job titles H-1B workers applied for in that field are “sales engineer”, “senior sales engineer” and “product manager.” **The H-1B program may even benefit Americans working outside the field of computer** **science**. In a recent research paper, **economics professor John Bound** of University of Michigan **found that** while **H-1B workers** incomputer science occupations crowded out American computer science workers and lowered their wages between 1994 and 2001, they **expanded the employment pool and raised the wages of American workers in other occupations.**

## A2: Brain Drain

#### Nonunique for 2 reasons.

#### First, big companies are simply using L-1 Visas to circumvent the process, getting the workers either way.

#### The second is that if international workers won’t come to the US, they will simply migrate to other highly developed countries with more relaxed immigration laws, meaning that the US gets none of the benefits while the same impacts of the brain drain still occur to the home countries. But even if you still believe them,

#### Turn the argument. Morales 17 of the CGD reports that the H1-B visa program has incentivized more people from other countries to go into pursuit of a degree in information or computer science, so that even if they aren’t chosen in the H-1B program, they are in a comparatively more prosperous sector of their economy than they would be without the degree. Morales quantifies that this caused the Indian IT industry to grow by 525% relative to India’s GDP and when the cap was raised to 115,000 in 2000, India saw a 259% increase of science and engineering degrees.

#### Turn it for a second time: US experience motivates H1B workers to gain valuable skills which are helpful in their home nations. Mario Alberto quantifies in his book “Higher Education For The World” that H-1Bs are vital because there is a transfer of knowledge, skills, ideas, and capital to poorer countries, as well as a skill flow which generates mutual and global benefits.

#### Turn it for a third time: Brookings Institution shows that H-1B’s are a win-win for economies, for they foster new immigrant entrepreneurs that create new jobs and wealth as well as provide the linguistic and cultural know-how that promote trade and investment with their home countries.

#### Mitigate their harms because an H-1B visa by definition only lasts for three years, or six years if you are lucky enough to receive an extension, meaning even if you still believe brain drain is happening and is a bad thing, its short term at best.

#### High-skilled immigrants are the most important providers of remittances. Andrews 17 finds that immigrants from India have been long time key providers of remittances. In fact, the Migration Policy Institute 11 contends that India received 53.13 billion dollars in remittances in 2010. 4 percent of its GDP and 143 percent of its foreign direct investment. These resources contribute to the development of the families at home improving the education of the next wave of high skilled workers.

Gaurav Khanna and Nicolas Morales. 2017. “The IT Boom and Other Unintended Consequences of Chasing the American Dream.” CGD Working Paper 460. Washington, DC: Center for Global Development. <https://www.cgdev.org/publication/it-boom-and-other-unintended-consequences-chasing-american-dream>

We model firm-production, trade and the forward-looking decisions of workers and students in both countries, to closely capture important trends in the data that we first describe in detail. Innovation rapidly expanded the US IT sector in the early 1990s (Bound et al., 2015; Kerr, 2013a), and a few years later the IT sector in India quickly grew from 1.2% of GDP in 1998 to 7.5% in 2012 (NASSCOM, 2012). Indian workers and students responded to these booms and migration opportunities by accumulating computer science skills valuable both at home and abroad. While a fraction of these workers entered the US labor market via the restricted supply of H-1B visas, many joined the rapidly growing IT sector in India. We calibrate our model using data from various sources and countries, and perform out-of-sample tests to show that our model captures these trends. We then conduct counterfactual exercises that change the number of immigrants allowed into the country. **Given that 70% of H-1B visas went to Indian workers by 2014, our results indicate that the H-1B program and the tech boom had a powerful impact on IT sectors in both countries. By the early-2000s, many workers returned to India once their visas expired with newly acquired knowhow and connections. This additionally facilitated the US-led boom to spread to India, and by the mid-2000s India surpassed the US as the major exporter of software. Despite various distributional effects, our results indicate that the average worker in each country is better off due to immigration**.

Andrews, Mike “Trump administration and the AUMF”. Washington Diplomat, http://washdiplomat.com/index.php?option=com\_content&id=15913:no-uspresident-has-wanted-a-new-aumf-congress-is-starting-to-disagree-&Itemid=428

“The prominent countries that figure in the old Indian Diaspora are Malaysia, Mauritius, Trinidad and Tobago, Fiji, Guyana, and Suriname and the important countries with the new Diaspora are all the developed countries like – USA, UK, Canada, Australia and New Zealand. Apart from these two, a good number of Indians also live in the Gulf region. The geographical distribution of Indian migrant destination countries is defined by the level of qualification. The migration flows of the highly-skilled are oriented towards traditional Indian destinations, namely: the US, Canada, the UK and more recently toward non-English speaking EU countries. This wave was accelerated by Indian integration into the world economy. Semi-skilled and unskilled Indian workers are predominantly concentrated in the high-income countries of the Gulf Cooperation Council. These migrants have also been viewed for a long time as key providers of remittances. Current emigrants from India show an evolution of Indian labour migration, confirmed by the presence of highly-skilled flows towards the Gulf, a destination traditionally reserved for unskilled and semi-skilled Indians. The same trend is recorded regarding highly-skilled flows towards the US, Canada, Australia and Europe where unskilled Indian migrants mix with more qualified categories.”

Murthy Law Firm, “India is Number One Recipient of Remittances”, 18 Jul 2011, https://www.murthy.com/2011/07/18/india-is-number-one-recipient-ofremittances/

“From a human capital standpoint, there are compelling reasons for their home governments to welcome these well-educated returnees with open arms, and equally compelling reasons for U.S. immigration policy to make it easier for them to stay here, so the American economy can benefit from their brain power. On the other hand, the Indian and Chinese governments may want to think twice before urging too many of their superstar STEM grads to come home, because they – and other overseas Indians and Chinese – pump huge amounts of money into their home economies in the form of remittances. India leads the world in remittances – money sent home from its own nationals who live and work overseas – according to World Bank data compiled by the Migration Policy Institute (MPI), a nonpartisan Washington think tank. (See Remittances Profile: India, Migration Policy Institute, 2011.) According to MPI, India received remittances from overseas totaling an estimated US$ 53.13 billion in 2010, an amount equivalent to four percent of its gross domestic product (GDP), 30 percent of its merchandise exports, 57 percent of India’s commercial services exports, and 143 percent of foreign direct investment in India. These remittances represent a massive 2,067 percent of the official development assistance India receives.”

Bhavya Dore, Anwesha Ganguly. June 2nd, 2017, Stop blaming the H-1B visa for India’s brain drain—it actually achieved the opposite." *Quartz*. n.d. Web. 23 Mar. 2018. <https://qz.com/997172/you-can-thank-the-h-1b-visa-programme-for-the-it-boom-in-india/>

However, a [paper published last month](http://ideasforindia.in/article.aspx?article=How-the-American-dream-led-to-India-IT-boom)by researchers from the University of Michigan and the Center for Global Development, a Washington DC-based think tank, shows that as more Indian students enrolled in computer science programmes with the hope of working abroad, the cap on H-1B visas meant that many had to stay at home, helping India grow a skilled workforce of its own and boosting its IT sector. Moreover, Indians whose visas had expired after the six-year term often returned to the country, bringing back technological know-how and connections with them. As a result, the researchers say, the presumed brain-drain eventually alchemised into a brain-gain, with India overtaking the US when it came to software exports by 2005. The study used economic models that factored in college choices, wages, visa figures, and IT productivity, based on data from the start of the IT boom in 1994 to 2010.

**Alberto**

<http://www.mundus.amu.edu.pl/EHEW2/book/Brain%20drain%20-%20gain%20country%20studies.pdf>

Second, we observe increasing complexity in both phenomena, as well as their subtle and deep relations with the socio-economic state on the micro and macro scales. Third, the mobility of the skilled can be considered to be a positive phenomenon from the point of view of global innovation. The emerging benefits come only gradually to light - there is a transfer of knowledge, skills, ideas, and capital to poorer countries, as well as a skill flow which generates mutual and global benefits. Mobile talents play a complex role in global development, contribute to shaping a better societal climate and reforms, positively affecting the quality and delivery of public and private services. International mobility of skilled workers can generate global benefits to research, innovation, and entrepreneurship. There are a significant number of foreign-born US Nobel Prize winners or creators of global high tech companies, such as Intel, eBay, and other successful start-ups. Émigrés develop their expertise, accumulate more skills, gain experience of western practices, and increase their network of contacts - all of which can be of great benefit to the future development of their countries. The question is to create proper research conditions for those who have the capacities to push the economy forward, regardless of which country they are located in.

US Experience motivates H1B workers return to and prosper in home countries

All 9 (Ann All, Reporter for IT Business Edge,<http://www.itbusinessedge.com/cm/blogs/all/layoffs-send-h-1b-holders-back-to-india/?cs=37515>) SEW

The article mentions several of the same factors I cited in my post, including restrictions that make it tough for financial companies receiving money from the Troubled Asset Relief Program to hire H-1B workers, the cost and hassle of filing H-1B applications and growing unease over hiring H-1B workers when domestic unemployment rates are so high. Yet the economy seems to be the biggest issue. Les French, president of WashTech, a Seattle-based union for tech professionals that is critical of the visa program, tells the Mercury News that application levels will rise as the economy returns to health. He said: Once the economy picks up, you'll see a pickup in the applications. I think it will be lock-step with the economy. The article also quotes Samta Kapoor, who is finishing up a master's degree in engineering management at Duke University and has been told by prospective employers that they are not hiring international students this year. The economy is also affecting H-1B holders who had already found employment in the United States. According to The Wall Street Journal, some 16,000 to 20,000 Indian H-1B holders have returned home after losing their jobs. H-1B holders who lose their jobs must quickly find another job, leave the country or convert to a B1/B2 tourist visa, which doesn't allow them to work, but gives them some time to get their affairs in order before moving back to their home country. For many H-1B holders, it can be tough readjusting to their native culture, and is even tougher if they have children who have never lived in India. Some Indians are bitter about losing their jobs, while others are more pragmatic. Niraj Sharma, a New York City consultant who had a month to prepare for a return to India, told the Journal that H-1B holders "knew [their] its limitations." He said: But the work experience in the U.S. was tremendously valuable and it provides us with leverage in Asia to prosper. ... If the next opportunity is in the UK or Africa, we will go there. …People have always moved to places of opportunity. While the U.S. will always be a beacon of opportunity, other countries have also started competing with it.

H1B’s are a win-win for economies

**Saxenien 2**.( “Brain Circulation: How High-Skill Immigration Makes Everyone Better Off” Brookings Institution.<http://www.brookings.edu/articles/2002/winter_immigration_saxenian.aspx>) SEW

The Silicon Valley experience underscores far-reaching transformations of the relationship between immigration, trade, and economic development in the 21st century. Where once the main economic ties between immigrants and their home countries were remittances sent to families left behind, today more and more skilled U.S. immigrants eventually return home. Those who remain in America often become part of transnational communities that link the United States to the economies of distant regions. **These new immigrant entrepreneurs thus foster economic development directly, by creating new jobs and wealth, as well as indirectly, by coordinating the information flows and providing the linguistic and cultural know-how that promote trade and investment with their home countries.** **Analysts and policymakers must recognize this new reality**. In the recent U.S. debate over making more H1-B visas available for highly skilled immigrants, discussion began—and ended—with the extent to which immigrants displace native workers. But these high-tech immigrants affect more than labor supply and wages. They also create new jobs here and new ties abroad. Some of their economic contributions, such as enhanced trade and investment flows, are difficult to quantify, but they **must figure into our debates.** Economic openness has its costs, to be sure, but the strength of the U.S. economy has historically derived from its openness and diversity—and this will be increasingly true as the economy becomes more global. As Silicon Valley's new immigrant entrepreneurs suggest, **Americans should resist viewing immigration and trade as zero-sum processes.** We need to encourage the immigration of skilled workers—while simultaneously improving the education of workers here at home.

Bhavya Dore, Anwesha Ganguly. "Stop blaming the H-1B visa for India’s brain drain—it actually achieved the opposite." *Quartz*. n.d. Web. 23 Mar. 2018. <https://qz.com/997172/you-can-thank-the-h-1b-visa-programme-for-the-it-boom-in-india/>

“Because of the software boom in the US, coupled with its immigration policy, it became an incentive for Indians to acquire the computer science skills valued in the US,” said Gaurav Khanna, an economist at the Center for Global Development who wrote the paper with Nicolas Morales. “If US immigration had been restricted in the 1990s, it would not have allowed the Indian IT sector to develop.” In India, degrees conferred in science and engineering rose from about 176,000 in 1990 to 455,000 in 2000. Meanwhile, the cap on H-1B visas went from 65,000 at first to 115,000 in 1999; it then rose to 195,000 in 2000 to 2003 before going back to 65,000 from 2004**. 259%**

## A2: Brain Drain Medical

####  (You can read brain drain turns here; they are under A2: Brain Drain)

#### TURN - Rampellaugh of NY Times reports that many doctors who come and practice in united states are unable to stay here because of how hard it is to become a licensed doctor. This is crucial because when they return to their countries it leads to brain circulation.

#### Delink them- Padma of the college of William and Mary explains that pre-H-1B cap rises, India was a lot worse off as the program has changed the medical landscape of the country, currently leading advances in pharmaceuticals in the world. This evidence functions in two ways.

#### First it proves that increased immigration of these workers is a prerequisite to solving native problems.

#### Secondly it gives a huge burden to the negative to prove how a leading nation in medical technology can somehow be brain drained to death. India isn’t lacking as much medical infrastructure as they make it out to be.

Padma

Google Scholar. "India’s commitment to science begins to pay off." *Nature.com*. 6 Dec. 2017. Web. 23 Mar. 2018. <http://www.nature.com/articles/d41586-017-07771-y>

When Anil Koul told his friends that he would be moving to India to start working at a government research and development organization, most of the reactions were of disbelief, “even sympathy”, he says. “Some thought it was a crazy idea — moving from the world’s largest health-care giant to a governmental, bureaucratic set-up.” Koul took charge of the Institute of Microbial Technology (IMTECH), in the northern city of Chandigarh, in 2016, relocating from Johnson & Johnson in Belgium, where he was senior director and head of the respiratory diseases group. The move to IMTECH — a branch of India’s government-run Council of Scientific and Industrial Research — was atypical. Few scientists return to India after holding top positions abroad, and fewer still move into the less-lucrative public sector. The scientific landscape that Koul has returned to is vastly different from the one he left in 1998. India is now actively participating in and, in some cases, leading advances in pharmaceuticals, agriculture and energy. The country’s efforts in space exploration are a point of particular national pride. India is preparing for its second Moon mission in 2018 after a successful maiden Mars mission in 2014, and is spreading its wings in international astronomy collaborations. The country will host the third laboratory of the Laser Interferometer Gravitational-wave Observatory (LIGO) project in Hingoli, while the National Centre for Radio Astrophysics in Pune is working on the design of the ‘Telescope Manager’ — the central command system of the Square Kilometer Array. These could be signs that India is enjoying ‘brain gain’ — Indian researchers are returning to their country of birth with newly minted research skills gained while abroad. This is a far cry from the state of the country’s scientific sector 40 years ago, when entire cohorts of graduates from India’s research institutes left for US institutions in search of better economic and educational opportunities. “We are now in an era of globalization and international cooperation,” says immunologist Indira Nath, a member of the Indian National Science Academy. “Scientists going abroad is no longer a big issue.”

Danish Institute of International Relations

N.a. "." *Pure.diis.dk*. n.d. Web. 23 Mar. 2018. <http://pure.diis.dk/ws/files/69933/PB2008\_10\_Brain\_Drain\_and\_Fragile\_States\_2\_.pdf>

The debate over brain drains tends to assume that the migration of highly skilled workers is closely correlated with low levels of highly skilled people in poor and fragile states, in other words, that brain drains result in low levels of highly skilled workers in poor and fragile states. This is a specious assumption. Using doctors as a proxy for the highly skilled, Figure 1 plots domestic doctors at home against doctors working abroad for the group of countries presented in Table 1. The simple correlation is clearly positive – a high number of doctors abroad is associated with a high number of doctors at home. A recent study using a different dataset covering 53 African countries reaches a similar result for doctors and nurses alike. There are three possible explanations, which are not mutually exclusive: 1) the presence of more domestic doctors is driving greater emigration; 2) emigration is somehow increasing the supply of domestic doctors (the brain gain effect); or 3) unobserved country factors are simultaneously stimulating both more emigration of doctors and an increased number of domestic doctors. Regardless of which of these explanations (or combinations thereof) are at play, Figure 1 makes it clear that the low level of doctors in poor and fragile countries is not to be explained by the number of doctors that have left these countries. In other words, it is not at all clear that brain drain and low numbers of highly skilled people in poor and fragile states are correlated.

US Citizenship Trend data

<https://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/BAHA/h-1b-2007-2017-trend-tables.pdf>



[CATHERINE RAMPELL](https://www.nytimes.com/by/catherine-rampell)AUG NY TIMES. 11, 2013 <https://www.nytimes.com/2013/08/12/business/economy/long-slog-for-foreign-doctors-to-practice-in-us.html> "Path to United States Practice Is Long Slog to Foreign Doctors"

Thousands of foreign-trained immigrant physicians are living in the United States with lifesaving skills that are going unused because they stumbled over one of the many hurdles in the path toward becoming a licensed doctor here. The involved testing process and often duplicative training these doctors must go through are intended to make sure they meet this country’s high quality standards, which American medical industry groups say are unmatched elsewhere in the world. Some development experts are also loath to make it too easy for foreign doctors to practice here because of the risk of a “brain drain” abroad. But many foreign physicians and their advocates argue that the process is unnecessarily restrictive and time-consuming, particularly since America’s need for doctors will expand sharply in a few short months under President Obama’s health care law. They point out that medical services cost far more in the United States than elsewhere in the world, in part because of such restrictions.

## A2: Outsourcing

#### Specifically, we identify four reasons you are turning this argument, because outsourcing is good.

#### We are solving global poverty. Chertok of the Huffington Post 13 contends that Business Process Outsourcing, a 300 billion industry, has created 700,000 jobs in the Philippine’s alone among several million more worldwide, bringing these families out of poverty.

#### Outsourcing is key to global competitiveness. Amadeo from The Balance in 2017 reports that past attempts to reduce outsourcing have raised prices for all American consumers and killed competitiveness. Their argument also wrongly assumes that unemployed people in America have the qualifications to do the outsourced jobs.

#### Cheaper Goods and more jobs. CNN Money in 2012 finds that outsourcing allows cheaper goods for all consumers. Crucially, a seven-year analysis of 57 different American industries found that despite some people losing jobs from outsourcing, the efficiency gained allowed these industries to hire more people than before outsourcing began.

#### Lower costs to companies means they can employ more at home. Busler 14 uses Delta Airlines in 2003 as an example. Delta moved 1,000 jobs to India reducing costs by 25 million dollars. They then used this money to fund 1,200 new reservation and sales positions in the U.S. resulting in a net job gain.

Busler, Michael. “Outsourcing Is Good for the U.S. Economy.” Communities Digital News, Communities Digital News, 19 Sept. 2014, www.commdiginews.com/politics-2/outsourcing-is-good-for-the-u-s-economy26113/.

The reason a company chooses to manufacture a product outside of the U.S. is very clear: The company finds it is less costly, even considering the logistical costs of shipping raw materials and the finished goods. The cost savings are often significant. This allows the company to sell the products at much lower prices, so more Americans can consume them. And, of course, it increases profit. That cost-reduction and profit improvement often results in an increase in employment. Consider, for instance, Delta Airlines in 2003. Delta moved 1,000 jobs to India. By doing so, it was able to reduce costs by $25 million. It used the money to fund 1,200 new reservation and sales positions in the United States, resulting in a net job gain. Similarly, consider a consumer who needs to purchase a new smartphone. She finds that she can purchase a state-of-the-art model for about $600. If the phone were made in the U.S., the cost would be more than $1,800. After saving $1,200, she has more money to spend on other goods and services which will encourage the economy to grow.

Chertok, Michael. “Business Process Outsourcing Takes on Global Poverty.” The Huffington Post, TheHuffingtonPost.com, 8 May 2013, www.huffingtonpost.com/michael-chertok/cisco-business-processoutsource\_b\_3237251.html.

While international aid for economic development often fails, business has the potential to bring millions of people out of poverty. For no enterprise is this more true than the unsung $300 billion industry known as Business Process Outsourcing. Business Process Outsourcing, often referred to by the acronym BPO, means contracting business functions to third-party service providers. While call centers are the most visible part of this industry, BPO also includes many types of back office processing. This industry largely operates invisibly for consumers in North America and Europe. However, the sector employs several million people worldwide - primarily in India, the Philippines and China. In India, the industry has grown from 1.2 percent of GDP 1998 to 6.4 percent in 2011 -and has created more than 700,000 jobs in the Philippines. While some make the case that outsourcing is just another industry chasing lower wage rates, I’ve seen something different. In 2001, a former McKinsey consultant named Jeremy Hockenstein posed the challenge to me of creating BPO jobs for the poor in the developing world.

Kimberly Amadeo, 3-19-2018, "7 Things You Should Know About Outsourcing," Balance, <https://www.thebalance.com/how-outsourcing-jobs-affects-the-u-s-economy-3306279>

Job outsourcing helps U.S. companies be more competitive in the global marketplace. It allows them to sell to foreign markets with overseas branches. They keep labor costs low by hiring in emerging markets with lower standards of living. That lowers prices on the goods they ship back to the United States. The main negative effect of outsourcing is it increases U.S. unemployment. The 14 million outsourced jobs are almost double the 7.5 million unemployed Americans. If all those jobs returned, it would be enough to also hire the 5.7 million who are working part-time but would prefer full-time positions. That assumes the jobs could, in fact, return to the United States. Many foreign employees are hired to help with local marketing, contacts and language. It also assumes the unemployed here have the skills needed for those positions. Would American workers be willing to accept the low wages paid to foreign employees? If not, American consumers would be forced to pay higher prices. Donald Trump said he would bring jobs back during the 2016 presidential campaign. To do this, he would renegotiate NAFTA. He also threatened to impose tariffs on imports from Mexico and China. That would raise the prices of products made in those countries. That benefit companies that make all their products in America. Without tariffs, it can be difficult for American-made goods to compete with cheaper foreign goods. Imposing laws to artificially restrict job outsourcing could make U.S. companies less competitive. If they are forced to hire expensive U.S. workers, they would raise prices and increase costs for consumers. The pressure to outsource might lead some companies to even move their whole operation, including headquarters, overseas. Others might not be able to compete with higher costs and would be forced out of business.

Steve Hargreaves, 9-14-2012, "The case for outsourcing jobs," CNNMoney, http://money.cnn.com/2012/09/14/news/economy/outsourcing-jobs/index.html. Outsourcing has become a dirty word in this election cycle. But most economists say sending jobs overseas isn’t necessarily a bad thing. The Obama Administration has slammed Romney for outsourcing American jobs while he headed Bain Capital, and Republicans have fired back, accusing President Obama’s stimulus program of outsourcing energy jobs. Yet most economists say criticizing the practice is absurd, because outsourcing ultimately does more good than harm. “When jobs move from a factory in the South to one in Guatemala or China, it certainly has a negative impact on that community in the short run,” said Jay Bryson, a global economist at Wells Fargo. “But in the long run it makes things more efficient.” Cheaper prices for consumer goods are often the first thing cited by defenders of outsourcing. Indeed, many items such as clothing, toys and electronics are getting cheaper, even without adjusting for inflation. But the efficiencies extend beyond the cash register. Companies can use the cost savings to staff up in other parts of their business, said Steven Leslie, a financial services analyst at the Economist Intelligence Group. For example, if Apple (AAPL) can knock, say, $100 off the cost of producing the iPhone by making it in China as opposed to the United States, the company is then apt to spend that $100 in hiring people in other parts of its businesses – such as sales, marketing or design. A forthcoming paper in the American Economic Review looked at 57 American industries from 2000 to 2007. The study found that even though some people lost jobs due to outsourcing, the greater efficiencies the industries realized allowed them to hire even more people in the United States than were laid off. “People tend to count the losses, but they don’t count the gains,” said Leslie. “When we outsource manufacturing, there are a lot of other people who are helped.” Those helped obviously include the workers in foreign countries who get the manufacturing jobs. They can then enter the developing middle class, which in turn increases demand for goods produced in the United States. “Outsourcing is a two way street,” said Douglas Irwin, an economics professor at Dartmouth College. “Other countries are outsourcing to us all the time.”

## A2: Take American Jobs

#### (\_) turns:

#### Empirically, immigrants increase job opportunities for Americans. White of the Atlantic 15 finds that each new immigrant produced 1.2 new jobs which went to native-born employees. That means for every 10 jobs that go to immigrants, 12 are created for U.S. citizens. Busler 14 quantifies this through Delta Airlines in 2003. Delta moved 1,000 jobs to India reducing costs by 25 million dollars. They then used this money to fund 1,200 new reservation and sales positions in the U.S. resulting in a net job gain.

#### TURN - Dartmouth Professor Matthew Slaughter writes for the Wall Street Journal that there is a real, tangible cost to the U.S. economy of allocating far fewer skilled-immigrant visas than companies need. This translates into 2,000 U.S. jobs lost every day.

#### Turn it again because the Impacts are even greater in large tech companies, as Bier 15 concludes that each new H-1B employee in a large tech company creates on average 67 new jobs.

#### TURN for the fourth time- The current quota on H-1B visas has created supply shock where the demand is so high and the supply so low that it has created negative economic consequences for the American job market. The Partnership for A New American Economy confirms this in 2014 quantifying that because of supply shock, the job market for native born Americans slowed as much as 7% over their longitudinal study.

#### Turn - Even if you buy the fact that H-1B workers take American jobs short-term, you’ll be voting aff on this argument for long-term impact. According to Baron with the Virginia Pilot in April 2018, H-1B workers bring economic growth and prosperity in their ingenuity and innovation skills, creating American jobs.

#### TURN: The alternative to H1B is outsourcing. Ruthizer of CATO writes that having a low cap on H1Bs would cause companies to shift overseas in order to get the workers they need.

#### This is playing out in the status quo. Short of Silicon Republic just a month ago finds that in response to H-1B crackdowns, 22% of companies have moved work overseas.

#### Immigrants are entrepreneurs. McKissen 17 finds that immigrants are more than twice as likely to start a business than a native-born citizen. He furthers that this is the result of a lack of other paths to upward mobility. He thus concludes that immigrants often live in underserved communities where they spot goods and services that community lacks access to and fulfill that need creating jobs for Americans. They aren’t taking jobs, they are filling a need.

#### Turn because immigrant labor creates upstream jobs for Americans. Oakford from the Center for American Progress 13 quantifies that in some key areas of the economy, lesser skilled immigrants have kept entire industries alive. He cites the manufacturing industry which is reliant on the demand for services provided by immigrants that allows for transportation of goods throughout the United States. Without H1B workers, this industry would crash and burn, resulting in a much larger loss of American jobs.

Busler, Michael. “Outsourcing Is Good for the U.S. Economy.” Communities Digital News, Communities Digital News, 19 Sept. 2014, www.commdiginews.com/politics-2/outsourcing-is-good-for-the-u-s-economy26113/.

The reason a company chooses to manufacture a product outside of the U.S. is very clear: The company finds it is less costly, even considering the logistical costs of shipping raw materials and the finished goods. The cost savings are often significant. This allows the company to sell the products at much lower prices, so more Americans can consume them. And, of course, it increases profit. That cost-reduction and profit improvement often results in an increase in employment. Consider, for instance, Delta Airlines in 2003. Delta moved 1,000 jobs to India. By doing so, it was able to reduce costs by $25 million. It used the money to fund 1,200 new reservation and sales positions in the United States, resulting in a net job gain. Similarly, consider a consumer who needs to purchase a new smartphone. She finds that she can purchase a state-of-the-art model for about $600. If the phone were made in the U.S., the cost would be more than $1,800. After saving $1,200, she has more money to spend on other goods and services which will encourage the economy to grow.

White, Gillian B. “Actually, Immigration Can Create Jobs.” The Atlantic, Atlantic Media Company, 1 May 2015, [www.theatlantic.com/business/archive/2015/05/actually-immigration-cancreate-jobs/391997/](http://www.theatlantic.com/business/archive/2015/05/actually-immigration-cancreate-jobs/391997/).

Part of the rationale behind this separation for the purpose of the study is that demand for tradable goods can be the result of forces outside of a local economy, while demand for non-tradable goods are beholden to population shifts within a specific location. John McLaren of UVA and Gihoon Hong of Indiana, coauthors of the study, found that when looking specifically at non-tradable sectors, each new immigrant produced about 1.2 new jobs, most of which went to native-born employees. Put more simply—if 1,000 new immigrants were to move in, the local economy would end up gaining about 1,200 new jobs. The researchers refer to this increased demand effect as a “shot-in-thearm” for the local economy. They also find that while in some models an influx of immigrant workers will always lower wages for those in tradable professions, it also can cause the wages for those in non-tradable professions to see a wage increase, as demand for everyday goods and services grow with the expanding population. There was also some evidence that immigration might help provide greater diversity of such goods and services. Of course there are some limitations to these findings when it comes to highlighting the positives that a new population of immigrants can bring to a local economy.

McKissen, Dustin. “This Study Immigrants Are Far More Likely to Start New Businesses Than Native-Born Americans.” Inc.com, Inc., 21 Feb. 2017, www.inc.com/dustinmckissen/study-shows-immigrants-are-more-than-twice-as-likely-to-becomeentrepreneurs.html.

Immigrants are now more than twice as likely to start a business than native-born citizens. So why are immigrants starting more businesses? Economists theorize that many immigrants are prevented from accessing other paths to upward mobility. In other words, all those studies that show applicants are less likely to get hired with an ethnic sounding name might force new immigrants into creating their own business, rather than trying (and often failing) to find a decent paying job working for someone else. Additionally, immigrants often live in underserved communities. If you live in an underserved market, you can spot the goods and services community members don't have access to and fulfill that need. Like my new friend, Ajay. Ajay immigrated to America from India about 15 years ago, where he began working as a computer engineer for Enterprise Rental Car. But he also saw an unserved need in his immigrant network: cricket.

Oakford, Adriana Kugler and Patrick. “Immigration Helps American Workers' Wages and Job Opportunities.” Center for American Progress, 29 Aug. 2013, www.americanprogress.org/issues/immigration/news/2013/08/29/73203/immi gration-helps-american-workers-wages-and-job-opportunities/.

Second, research finds small but positive impacts on native-born workers because of the indirect effects that immigrants have on the labor market and economy. As economists Michael Clemens and Robert Lynch explain in The New Republic, “In some areas of the economy, lesser skilled immigrants have kept entire industries alive.” This not only helps native-born workers within the industries but also native-born workers whose jobs are associated or closely connected to those industries. Research shows, for example, that as new immigrants come into the country, the number of jobs offshored in the manufacturing sector decreases. By ensuring that more manufacturing jobs stay in the United States, not only do native-born manufacturing workers benefit, but the demand for services that the manufacturing industry relies upon—such as the transportation of manufacture goods throughout the United States—also remainshigh. Thus the “upstream” jobs held by native-born workers in industries associated with manufacturing are also better off as a result of immigration. Moreover, when one considers how immigration affects different groups of American workers who may be the most likely to compete with immigrants, the positive story still holds true. Research finds that as immigrants enter the labor market, African Americans respond to these changes in the workforce by moving up to higher-skilled—and presumably higherpaying—jobs. In fact, African Americans are three times more likely to transition to higher-skilled jobs as a result of immigration than non-African American workers. Recent evidence similarly shows that an increase in immigration of the magnitude implied by S. 744 would increase the earnings of more educated Hispanic women and men by 1.1 percent and 2.25 percent, respectively.

David Bier, immigration policy analyst, Niskanen Center, April 6, 2015, niskanencenter.org/wpcontent/uploads/2015/04/NiskanenH1BsDontReplaceUSWorkers.pdf In other words, the general trend holds true at the firm level as well. Specifically the report found that each H-1B request by large tech companies is associated with an increase of 67 employees overall. The authors used a model that controlled for general market conditions to see if firms that hired H-1Bs were able to hire more non-H1Bs than their competitors. They found that H-1B hiring firms with 5,000 or more employees increased employment by 5 new hires for each H-1B request more than what the general market conditions would predict. Firms with 5,000 or fewer employees added 7 additional hires. Firms that employ H-1Bs are actually hiring more non-H-1Bs than firms that don’t.

**Matthew J. Slaughter, 3-25-2014, "How America Loses a Job Every 43 Seconds," WSJ,** [**https://www.wsj.com/articles/matthew-slaughter-how-america-loses-a-job-every-43-seconds-1395780519**](https://www.wsj.com/articles/matthew-slaughter-how-america-loses-a-job-every-43-seconds-1395780519)

**"There is a real, tangible cost to the U.S. economy of allocating far fewer skilled-immigrant visas than companies need.** Most immediately, the cost is forgone jobs created in the companies and beyond. More broadly, the cost is forgone ideas, innovation and connections to the world. The immediate job-loss cost is much larger than subtracting the 85,000 visas allowed from the number of H-1B petitions filed. First, more petitions would certainly be filed were it not for the limited window: Companies need new talent year-round. Then there are the lost jobs from the additional hiring of Americans that talented immigrants spur. Bill Gates testified to Congress in 2008 that for every immigrant hired at technology companies, an average of five additional employees are added as well. Research last year by economist Theo Eicher estimated each new Microsoft job adds eight jobs in supplier companies. **Restrictive skilled-immigration policy costs U.S. jobs every single day. How many? Start with an estimated 100,000 jobs lost directly this year from H-1B visa applications that were either not filed or not approved beyond the current cap of 85,000. Then add 400,000, a ballpark estimate from research of additional jobs not created at immigrant-hiring companies and at these companies' suppliers. That's 500,000 jobs lost thanks to too-restrictive U.S. immigration policy. Spread across 50 five-day workweeks, this translates into 2,000 U.S. jobs not created a day. That is a new job lost about every 43 seconds, around the clock, every single day that America is open for business. In 2013, the U.S. economy created 2.37 million new payroll jobs. This tally could have been more than 21% higher had U.S. immigration restrictions not existed. Wise reform could bring a welcome end to the damage restrictive immigration policy inflicts on the country's own economic vitality."**

**PNAE**

[**http://research.newamericaneconomy.org/wp-content/uploads/2014/06/pnae\_h1b.pdf June 2014**](http://research.newamericaneconomy.org/wp-content/uploads/2014/06/pnae_h1b.pdf%20June%202014)**, The Partnership for a New American Economy, How H-1B Visa Denials Cost U.S.-Born Tech Workers Jobs and Wages During the Great Recession**

Our calculations strongly refute the argument that H-1B workers in the IT industry take jobs away from their U.S.-born competitors. In every one of our models, cities that had larger H-1B shocks experienced slower growth in the number of jobs available for U.S.-born computer workers—both high- and low-skilled—in the years that followed. Specifically, we found that every time a city experienced a 1 percent shock in the available supply of computer workers (as a result of the H-1B visa lotteries in 2007 and 2008)15, **the growth in the number of jobs available for non-college educated, U.S.-born workers slowed as much as 7.1 percent between the 2005-2006 and 2009-2010 time periods. For equivalent U.S.-born college-educated workers, it slowed by as much as 1.3 percent during that time. We also found that employers who were denied H-1B visas were not able to respond by hiring high-skilled, U.S.-born workers in their place.**

Ted Ruthizer, "The H-1B Straitjacket Why Congress Should Repeal the Cap on Foreign-Born Highly Skilled Workers", March 3, 2000, <https://object.cato.org/sites/cato.org/files/pubs/pdf/tbp-007.pdf>

In an intensely competitive global environment, with constant pressure placed on employers to cut expenses and increase productivity, the H-1B visa category has become a convenient target for critics who try to draw a connection between immigration and domestic layoffs. Although it is true that large U.S. corporations have been laying off workers in record numbers,26 many employers are firing one type of worker and hiring other workers with different skills. H-1B professionals are not the cause of those layoffs and hiring practices but an important source of flexibility in the labor market. The need for H-1B professionals is another manifestation of the inexorable pressure on companies to adapt quickly to changing market conditions. **Constraining H-1B hiring won’t end corporate downsizing. It will simply force employers to shift more and more of their operations abroad, where they can get the resources they need, including all-important human capital, to maintain production.27**

Eva Short, Silicon Republic, "How are US companies coping with Trump’s H-1B visa crackdown?", 03-05-2018, <https://www.siliconrepublic.com/careers/h1b-visa-envoy-richard-burke>

**New research into immigration trends commissioned by Envoy, a company that helps US companies process visa applications, reveals the scale of how the new visa crackdowns are affecting companies and prospective employees alike.** We spoke to Richard Burke, the CEO of Envoy, about the research his company conducted, the challenges US companies are facing and how employers can use technology to make the visa application process go more smoothly. What kind of skill shortages do foreign workers most often fill in your clients’ companies, and which sectors report the highest skill gaps? We work with more than 1,000 companies nationwide, from fast-growing tech start-ups, to the Fortune 500 and everything in between. Our customers rely on foreign talent to fill the biggest skills gaps in the US, which is primarily in the STEM areas: engineering, software development and data science. The 400 companies we surveyed rely increasingly on foreign national talent for myriad reasons, but most notably because of the skills gap. Beyond addressing the large skills gap, companies report that a key benefit of hiring foreign talent is knowledge of global business practices outside the US, and having unique and diverse experiences and perspectives. HR professionals have said that the US immigration system has led to delayed projects and more hires. **How much is this costing companies? The cost on companies is profound; 26pc of companies are delaying projects, 25pc say they had to increase budgets, 22pc moved work overseas and 14pc say they are unable to fulfil client projects.** Foreign nationals are more anxious and have more questions, which is leading them to delay accepting positions until their applications are approved.

Baron, Ethan. “H-1B Visa Applications Hit Cap, Affirming Demand for Foreign Workers.” Virginian-Pilot, 9 Apr. 2018, pilotonline.com/business/jobs/article\_68a5256b-a7c7-5781-b96a-92db53c1c2fa.html.

Bay Area tech companies rely heavily on foreign workers, with a census-based report released in January saying nearly three-quarters of tech employees in Silicon Valley and half in San Francisco and the East Bay were foreign born.

FWD.us wants to smooth the path for highly skilled foreigners.

“We should make it easier for the best and brightest to come from around the world while also cracking down on bad actors,” the group said in a blog post April 2.

“H-1B visa holders create jobs and raise wages for native-born Americans by bringing their ingenuity and entrepreneurial spirit to the science, engineering, and tech sectors, creating American jobs and benefiting thousands of businesses and countless communities across the country.”

“People want a bargain,” said Norm Matloff, a computer science professor at the University of California, David, who studies the H-1B program. “They like to pay less. It’s that simple.”

Matloff argued that there’s no evidence of a significant shortage of home-grown tech talent in the U.S. His research into government data indicates that wages in the technology industry are rising only slowly, he said. “They’re not going up by enough to indicate that there’s a big shortage,” Matloff said.

Citizenship and Immigration uses random computer selection, known as a lottery, to award the 85,000 visas including the standard and master’s applications.

## A2: Disincentivizes STEM graduates

#### If this were true, then we would see a downward trend of students getting bachelors and graduate degrees in STEM fields. However, Schaffhauser 18 finds that in the last year when college enrollment in all colleges shrunk, the only areas that grew were STEM fields clearly showing a strong upward trend of STEM workers who are not inhibited or frightened by H1B workers.

#### We solve long-term. Look to Cornell University finds that every H-1B visa carries with it a high application fee that is paid by the company sponsoring the foreign workers. Combined, the 85 thousand visas issued annually generate 190 million that goes to fund universities providing STEM education as well as 320 million to training programs that provide technical skills to low-income workers. Voting pro is the only way to solve this problem in the long run by allowing these graduates more funds.

Dian Schaffhauser, 1-10-18, "STEM Majors on Rise even as College Enrollment Shrinks," Campus Technology, https://campustechnology.com/articles/2018/01/10/stem-majors-on-rise-even-as-college-enrollment-shrinks.aspx

STEM Majors on Rise even as College Enrollment Shrinks

The [National Student Clearinghouse Research Center](https://nscresearchcenter.org/) issued its [latest college enrollment numbers reflecting data for the fall 2017 term](https://nscresearchcenter.org/current-term-enrollment-estimates-fall-2017/). While all types of institutions have seen drops in enrollment, many STEM programs have seen increases.

[…]

Across instructional programs more undergraduate majors lost enrollment than gained it. The big exceptions — where gains were made — tended to concentrate on STEM fields. Overall, in four-year institutions, science, technology, engineering and math majors grew by 2.2 percent. In terms of real numbers, majors related to computer and information sciences and support services saw growth of 24,919 enrollments from fall 2016 to fall 2017; and biological and biomedical sciences grew by 14,374 enrollments.

Levine [Cornell University], L. (2005). Education and training funded by the H-1B visa fee and the demand for information technology and other professional specialty workers. Washington, DC: Congressional Research Service. https://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=1186&context=key\_workplace

The 105th and 106th Congresses raised the limit on newly approved H-1B visas in 1998 and again in 2000, from the level of 65,000 set by the Immigration and Nationality Act of 1990, because of a perceived shortage of workers with information technology (IT) skills. A longer term remedy to the seeming mismatch between the qualifications of U.S. workers and the technical skill requirements of U.S. employers also was initiated: the imposition of a user fee on employers who file petitions to bring into the country, to extend the stay of, or to hire from other U.S. employers nonimmigrant professionals to fund programs that prepare U.S. students and workers for computer-related and other high-skilled occupations. Most of the user fees went to the Computer Science, Engineering, and Mathematics Scholarship (CSEMS) program in the National Science Foundation (NSF) and the H-1B Training Grant program in the Department of Labor (DOL). Between 2000 and 2005, the NSF awarded about $190 million through the CSEMS program to colleges and universities to provide scholarships to low-income, academically talented students enrolled in undergraduate and graduate degree programs in mathematics, engineering, and computer science. Between 2000 and 2004, the DOL program awarded some $328 million to local workforce investment boards and businesses to provide training in technical skills to employed and unemployed workers. More than 60,000 individuals had completed their training as of September 30, 2004, out of a total of some 87,000 persons to be trained. Most of the 129 grants have focused on hightech/information technology skills training.

## A2: Income Inequality

#### H1B visas create jobs for the poor, closing the gap. Forbes 13 explains that hiring more immigrants benefits the U.S. labor market by creating more jobs and higher wages for U.S. natives with limited education and low income.

#### Turn this argument. Ruiz of Brookings 16 finds that wages are on the rise for U.S. born workers in occupations with the most H1B requests. The industries where the jobs are going are only getting less inequality.

#### Turn their argument again. Alan Greenspan, former Chair of the Federal Reserve Board states that the US’s skilled wages are higher than anywhere in the world. If we open up a significant window for skilled foreign workers, that would suppress the skilled-wage level and end the concentration of income. The companies would hire the educated workers they need. And those workers would compete with high-income people, driving more income equality.

#### Greenspan from Brookings writes that Immigrants and U.S.-born workers generally do not compete for the same jobs; instead, many immigrants complement the work of U.S. employees and increase their productivity. businesses adjust to new immigrants by opening stores, restaurants, or production facilities to take advantage of the added supply of workers; more workers translate into more business. Because of these factors, economists have found that immigrants slightly raise the average wages of all U.S.-born workers

Flows, Capital. “Want To Reduce Income Inequality? Lower The Barriers To Talented Immigrants.” Forbes, Forbes Magazine, 5 Mar. 2013, www.forbes.com/sites/realspin/2013/03/05/want-to-reduce-income-inequalitylower-the-barriers-to-talented-immigrants/#7402a32e7f14.

The key question on immigration reform in the United States is not how many immigrants to let in, but what kind of immigrants to open our doors to. Moving to a national immigration system that favors highly-skilled immigrants will benefit American workers – especially those with low education and low wages – and will significantly reduce a growing and troubling inequality in the U.S. labor market. Evidence indicates that a visa issued to a highly-skilled immigrant does not automatically mean one less job for an American citizen. It could actually mean more jobs and higher wages for United States natives, especially those with limited education and low income. So, substantially increasing the number of skilled immigrants – scientists, engineers, entrepreneurs – while reducing the number of unskilled immigrants could play an important role in lowering wage disparities in America.

Rothwell, Jonathan, and Neil G. Ruiz. “H-1B Visas and the STEM Shortage.” Brookings, Brookings, 28 July 2016, [www.brookings.edu/research/h-1b-visas-and-the-stemshortage/](http://www.brookings.edu/research/h-1b-visas-and-the-stemshortage/).

Wages are increasing in occupations with most H-1B requests. In recent years, from 2009 to 2011, nominal wage growth for U.S.-born workers with at least a bachelor’s degree has been high for the most prominent H-1B occupations. The average nativeborn worker experienced flat annual growth in wages over that period (0.0 percent), but wage growth for those in computer occupations—the largest H-1B category—grew by 1.3 percent each year since 2009 and 2.7 percent each year since 2000 for those with a bachelor’s degree. Wage growth was even higher for engineers, with 2.1 percent growth since 2009 and 3 percent growth since 2000. For every prominent H-1B occupational category except life scientists and operations specialties managers, wage growth was stronger than the national average since 2009. Since 2000, all but postsecondary teachers have seen higher than average wage growth.

Garrett, Thomas A. U.S. Income Inequality: It's Not So Bad, Federal Reserve Bank of St. Louis, 15 July 2016, [www.stlouisfed.org/publications/inside-the-vault/spring2010/us-income-inequality-its-not-so-bad](http://www.stlouisfed.org/publications/inside-the-vault/spring2010/us-income-inequality-its-not-so-bad).

As a result of these differences in income growth, the income of the wealthiest 5 percent of households grew from 8.1 times that of the income of the poorest 20 percent of households in 1996 to 8.7 times as great by 2006. Such figures commonly lead to the conclusion that income inequality in the United States has increased. This apparent increase in income inequality has not escaped the attention of policy makers and social activists who support public policies aimed at reducing income inequality. However, the common measures of income inequality that are derived from the census statistics exaggerate the degree of income inequality in the United States in several ways. Furthermore, although many people consider income inequality a social ill, it is important to understand that income inequality has many economic benefits and is the result of - and not a detriment to - a well-functioning economy.

Federation for American Immigration Reform. H-1B Visas: Harming American Workers.

Apr. 2008, fairus.org/issue/workforce-economy/h-1b-visas-harming-american-workers.

A National Research Council report found that "H-1B workers requiring lower levels of high tech skill received lower wages, less senior job titles, smaller signing bonuses, and smaller pay and compensation increases than would be typical for the work they did."6 It also found that H-1Bs have an adverse impact on overall wage levels.7 The Independent Computer Consultants Association reports that the use of cheaper foreign labor has forced down the hourly rates of U.S. consultants by as much as ten to 40 percent. The effect of depressing wages by increasing the available pool of qualified workers is not an innocent by-product of the H-1B visa program. Statements by Alan Greenspan, former Chair of the Federal Reserve Board make the point that this wage lowering effect is intended. "Our skilled wages are higher than anywhere in the world. If we open up a significant window for skilled [foreign] workers, that would suppress the skilled-wage level and end the concentration of income." "Significantly opening up immigration to skilled workers solves two problems. The companies could hire the educated workers they need. And those workers would compete with high-income people, driving more income equality.”

Greenstone, Michael. “What Immigration Means For U.S. Employment and Wages.”

Brookings, Brookings, 28 July 2016,

www.brookings.edu/blog/jobs/2012/05/04/what-immigration-means-for-u-s-employment-and-wages/.

One reason for this effect is that immigrants and U.S.-born workers generally do not compete for the same jobs; instead, many immigrants complement the work of U.S. employees and increase their productivity. For example, low-skilled immigrant laborers allow U.S.-born farmers, contractors, and craftsmen to expand agricultural production or to build more homes—thereby expanding employment possibilities and incomes for U.S. workers. Another way in which immigrants help U.S. workers is that businesses adjust to new immigrants by opening stores, restaurants, or production facilities to take advantage of the added supply of workers; more workers translate into more business. Because of these factors, economists have found that immigrants slightly raise the average wages of all U.S.-born workers. As illustrated by the right-most set of bars in the chart below, estimates from opposite ends of the academic literature arrive at this same conclusion, and point to small but positive wage gains of between 0.1 and 0.6 percent for American workers.But while immigration improves living standards on average, the economic literature is divided about whether immigration reduces wages for certain groups of workers.

## A2: There isn’t a shortage in STEM

#### Their argument relies on a very misleading definition of STEM. The US Chamber of Commerce finds these statistics factor in fields that have absolutely nothing to do with the actual STEM fields. Examples include anthropology and medieval history. It also counts STEM graduates who are working in different fields, and it counts STEM jobs that don’t even require a STEM degree. Make them clarify all these confounding variables, or there is no way they can prove causation.

US Chamber of Commerce " Understanding and Improving the H-1B Visa Program," No Publication, <https://www.uschamber.com/sites/default/files/chamber-compete-pnae_briefing_book_on_understanding_and_improving_h-1b_visas_4-24-2015.pdf>. April 2015.

Arguments suggesting there is no STEM shortage overwhelmingly rely on broad and inconsistent definitions of STEM and data that is either misleading or false. Recently, some have argued that there is no scarcity of STEM students and workers. These arguments are either misleading or false, and are based on one of the following inaccuracies: The misleading claim that most U.S. STEM workers are not employed in a STEM field. This claim is misleading because it: Defines STEM to include social sciences such as anthropology or medieval history. Counts STEM graduates who work on Wall Street, in medicine, in law, or in managerial positions as not working in STEM fields. Mixes and matches STEM occupations that are filled by individuals with college degrees with those that do not require college degrees, such as computer and information technology jobs.

## A2: No Demand

#### 1. There is an extremely high demand for skilled foreign workers. Nicole Torres of the Harvard Business Review quantifies in May of 2017 that the demand for skilled foreign nationals has generally been so high and the quota so low that it has created problems for employers. But furthermore, even when the economy is uncertain, employers still seek talented people on an ongoing basis.

#### 2. The future will call for huge amounts of workers with skills in technology, information, and computing. Torres internally citing The Economist writes that the number of unfilled U.S. jobs in computing and information technology will exceed one million by 2020. Raising the quota would supply this demand and benefit the US economy.

#### 3. Dartmouth Professor Matthew Slaughter writes for the Wall Street Journal that there is a real, tangible cost to the U.S. economy of allocating far fewer skilled-immigrant visas than companies need. This translates into 2,000 U.S. jobs not created a day. That is a new job lost about every 43 seconds, around the clock, every single day that America is open for business. In 2013, the U.S. economy created 2.37 million new payroll jobs. This tally could have been more than 21% higher had U.S. immigration restrictions not existed. In the end, raising the quota would bring a welcome end to the damage restrictive immigration policy inflicts on the country's own economic vitality

Nicole Torres, 5-4-2017, "The H-1B Visa Debate, Explained," Harvard Business Review, <https://hbr.org/2017/05/the-h-1b-visa-debate-explained>

"There is other evidence of a strong demand for workers with tech skills. **The Economist has reported that the number of unfilled U.S. jobs in computing and information technology could top one million by 2020: "The number of young Americans graduating with qualifications in IT subjects is rising, but nowhere near fast enough to satisfy the burgeoning demand for their skills.** Last year, American campuses produced fewer than 56,000 graduates with the sort of qualifications sought by information technology (IT) firms.""

Torres 10 Nicole Torres (Associate editor at Harvard Business Review), National Foundation for American Policy, "n/a," Published "**The demand for skilled foreign nationals has generally been so high and the quota so low that it has created problems for employers**. During a one-week filing window in April 2008, U.S. Citizenship and Immigration Services (USCIS) received 163,000 H-1B applications, nearly twice as many petitions as slots available under the FY 2009 quota of 65,000, plus 20,000 for advanced degree holders from U.S. universities. The petitions were awarded to employers by lottery and no new H-1B petitions could be issued the remainder of the fiscal year. **Even when the economy is uncertain, employers still seek talented people on an ongoing basis. Moreover, even firms that downsize in one part of a company may be hiring in another part.**

**Matthew J. Slaughter, 3-25-2014, "How America Loses a Job Every 43 Seconds," WSJ,** [**https://www.wsj.com/articles/matthew-slaughter-how-america-loses-a-job-every-43-seconds-1395780519**](https://www.wsj.com/articles/matthew-slaughter-how-america-loses-a-job-every-43-seconds-1395780519)

**"There is a real, tangible cost to the U.S. economy of allocating far fewer skilled-immigrant visas than companies need.** Most immediately, the cost is forgone jobs created in the companies and beyond. More broadly, the cost is forgone ideas, innovation and connections to the world. The immediate job-loss cost is much larger than subtracting the 85,000 visas allowed from the number of H-1B petitions filed. First, more petitions would certainly be filed were it not for the limited window: Companies need new talent year-round. Then there are the lost jobs from the additional hiring of Americans that talented immigrants spur. Bill Gates testified to Congress in 2008 that for every immigrant hired at technology companies, an average of five additional employees are added as well. Research last year by economist Theo Eicher estimated each new Microsoft job adds eight jobs in supplier companies. **Restrictive skilled-immigration policy costs U.S. jobs every single day. How many? Start with an estimated 100,000 jobs lost directly this year from H-1B visa applications that were either not filed or not approved beyond the current cap of 85,000. Then add 400,000, a ballpark estimate from research of additional jobs not created at immigrant-hiring companies and at these companies' suppliers. That's 500,000 jobs lost thanks to too-restrictive U.S. immigration policy. Spread across 50 five-day workweeks, this translates into 2,000 U.S. jobs not created a day. That is a new job lost about every 43 seconds, around the clock, every single day that America is open for business. In 2013, the U.S. economy created 2.37 million new payroll jobs. This tally could have been more than 21% higher had U.S. immigration restrictions not existed. Wise reform could bring a welcome end to the damage restrictive immigration policy inflicts on the country's own economic vitality."**

## A2: Bringing Cheaper Labor

#### Delink- H1-B workers, in fact, can cost even more for employers than Americans. Besides the additional costs of filing the visa, hiring lawyers, and bringing the worker all the way from his/her home country, The American Bureau of Economic Research found that “In 2012, immigrant STEM workers earned more than their native counterparts.” Therefore, employers usually spend even more to bring immigrants through H1-B visas.

####  This is not true because The Atlantic in 2016 explains that “despite rhetoric suggesting that most immigrants are a source of cheap labor, these workers, all things considered, do not come cheap. In fact, new research shows that on average, they cost employers more than American workers in the long run.”

####  The Atlantic in 2016 even furthers by quoting says Gordon Hanson, an economist at the University of California who is the lead author of a report relating to H1-B visa workers who says that “There’s been this heated debate about H-1B workers coming in and undercutting U.S. workers by accepting substantially lower wages, but we’re not seeing evidence to support that.” Everything they’re saying is pure speculation and not the reality, therefore don’t buy their argument.

**Gordon H., xx-xx-xxxx, No Publication, 3-30-2018 http://www.nber.org/digest/nov16/w22623.html**

**In 2012, immigrant STEM workers earned more than their native counterparts.** The researchers also investigate how the wage gap between immigrant and native-born STEM workers varies with the number of years since immigration. For the period 2010-12, immigrant STEM workers who had been in the U.S. for less than five years earned on average 5.7 percent less than their native-born counterparts. However, immigrant STEM workers who had been in the U.S. for at least six years earned more than their native-born counterparts. The researchers point out that these wage patterns cast doubt on con-cerns that visa programs like the H-1B program, which allows firms to bring skilled workers to the United States, have undercut the earnings of domestic workers, at least in the STEM fields.

**Alexia FernáNdez Campbell, 12-7-2016, Atlantic, Not All Immigrant Labor Is Cheap Labor 3-30-2018 https://www.theatlantic.com/business/archive/2016/11/foreign-tech-workers-arent-cheap-labor/509096/**

But **despite rhetoric suggesting that most immigrants are a source of cheap labor, these workers, all things considered, do not come cheap. In fact, new research shows that on average, they cost employers more than American workers in the long run.** A study released last week by economists at the University of California, San Diego, and Dartmouth College shows that the average foreign worker in science and technology jobs starts out making only slightly less than American-born workers—about 94 cents on the dollar. But after working in the United States for five years, the average foreign STEM worker earns $1.04 for every dollar their American colleagues make. This salary increase could be the result of several factors.

Another is that after obtaining a green card, immigrants can trade up to better-paying jobs. An average of an additional 10 cents per hour after five years is a remarkable leap compared to jobs in non-STEM fields, where it takes an average of 20 years for immigrant workers to get paid the same as their American counterparts. “**There’s been this heated debate about H-1B workers coming in and undercutting U.S. workers by accepting substantially lower wages, but we’re not seeing evidence to support that**,” says Gordon Hanson, an economist at the University of California who is the lead author of the report. The study analyzes Census data going back to 1980, focusing on STEM workers with at least a bachelor’s degree.

## A2: Decreases US Competitiveness

#### Turn - because growth in other nations benefits the United States. Toder of the Tax Policy Center finds that more Chinese prosperity benefits the United States economy by providing more choices for U.S. consumers, markets for U.S. producers, and capital for U.S. borrowers.

#### The Insider explains that the US Needs an increase in H-1B Visa Cap to continue global competitiveness because our ability to recruit skilled science and engineering workers will become impossible.

#### Mitigate their impact - There are two key reasons why we mitigate their impacts:

#### Business Insider explains that the US is the largest and most productive economy in the world in the status quo. Going from number one to number one makes no difference.

#### US is still on top in every metric. Business Insider furthers that the US is among the largest exporters and, most importantly, has the highest foreign direct investment in the world.

ERIC TODER, 2012, " International Competitiveness: Who Competes Against Whom and for What?," No Publication, <https://www.urban.org/sites/default/files/publication/25811/412654-International-Competitiveness-Who-Competes-Against-Whom-and-for-What-.PDF>

#### Under standard economic theory, the notion that we are “competing” with China or that economic growth in China represents a threat gets it mostly backwards.16 Far from being an economic threat, more Chinese prosperity benefits the U.S. economy by providing more choices for U.S. consumers, markets for U.S. producers, and capital for U.S. borrowers.17 Unlike Red Sox fans, who have reason to cheer when the Yankees lose, we should, by this line of argument, be pleased when China’s economy performs well. An overwhelming majority of economists support free trade and oppose specific proposals for trade restrictions, a position that often places them in opposition to public opinion.18 But the same politicians who make competitiveness, with its sometimes protectionist overtones, a leading talking point often also support free trade agreements.19 And the competitiveness rhetoric is often used to justify policies that many economists view as ranging from benign to positive, such as improving our educational system, investing in infrastructure, reducing the long-term buildup of federal debt, or reforming the federal income tax.20

**Steven Perlberg “10 Reasons Why America Will Continue To Dominate The Global Economy For Years” Business Insider. 6/22/13.** [**http://www.businessinsider.com/10-ways-us-competitive-advantage-2013-6**](http://www.businessinsider.com/10-ways-us-competitive-advantage-2013-6) **//
“The U.S. economy is the largest and most productive in the world - The U.S. accounts for one-fifth of global GDP with only 4.5% of the world's population. America's economy is nearly twice the size of China's in nominal dollars. Plus, the U.S. is one of just a few developed countries with real GDP higher than it was before the crisis, according to the report.”**

**Steven Perlberg “10 Reasons Why America Will Continue To Dominate The Global Economy For Years” Business Insider. 6/22/13.** [**http://www.businessinsider.com/10-ways-us-competitive-advantage-2013-6**](http://www.businessinsider.com/10-ways-us-competitive-advantage-2013-6) **//SP
The U.S. leads the world in manufactured goods - Nominal manufacturing output totaled $1.9 trillion in 2012, a rise of 27% from 2009. Employment in the sector has increased by 500,000 workers since 2010, according to U.S. Trust. 3) The U.S. is among the largest exporters of goods and services - Exports since the recession have taken off. In 2012, total exports totaled $2.2 trillion, nearly a 40% rise from 2009 levels, according to the report. 4) Foreign investors still love the U.S.- U.S. Foreign Direct Investment inflows in the post-crisis years racked up $736 billion. That's 15% of the global total, according to U.S. Trust. And while people talk about investment in China, America is still on top by a landslide.”**

**Hansen, Workforce Management, 4-10-06**

(Fay , “Visa limits fuel frustration in efforts to fill technical jobs; Observers say firms are being forced to drop key projects or offshore more work; a proposal to raise the cap on H-1B visas could provide relief”, *Workforce Management*, THE INSIDER; Pg. 44, 1,KV)

When **U.S. recruiters go out to buy technical talent**, they shop in domestic markets **that are highly protected by restrictive immigration policies**, voluminous and ever-changing rules and a cumbersome visa process. **The prime example of this regulatory nightmare is the H-1B visa program. The current cap** on the number **of H-1B visas issued annually is** 65,000, or about **1 percent of the total U.S. science and engineering workforce.**

``The cap on H-1B visas has limited the high-tech industry's ability to attract and retain the best and the brightest workers,'' says Jack Krumholtz, managing director for federal government affairs at Microsoft. ``**This harms our ability to innovate and has negative consequences for U.S. global competitiveness.** This challenge is only increasing. In 2005, the H-1B cap was reached two months before the fiscal year even began.''

Legislation to raise the cap to 115,000 is part of a huge package of immigration law reforms now before Congress, but experts agree that there is no guarantee that the higher cap will pass. **If Congress does not raise the cap substantially, recruiting sufficient numbers of skilled science and engineering workers will become impossible.**

## A2: Economic Overheat

#### DL - Investor Business in December of 2017 writes that the GOP tax cut that influences EVERY INDUSTRY would not overheat the economy. Thus, we can see that a few more H1B visa holders in one industry will not have a dramatic effect. They further that there is clearly room for additional growth without sparking inflation or economic harm.

#### DL - The Economist in 2017 corroborates this by stating that the economy is not in danger and is in fact capable of increased economic growth

#### DL - Economist Tim Worstall in 2017 writes that “At the same time the unemployment rate actually ticked up to 4.4% [in 2017].” He furthers that the economy is showing no sign of pressures that would result in harms, ultimately concluding that the US economy still has plenty of room to grow.

#### DL – The Fed would prevent it. DW in March of 2018 reports that the US central bank is slowly tightening monetary policy to prevent the possibility of overheating. They find that economic activity will continue to expand at a decent pace.

#### M – Peri of UCDavis finds that the economic effects of immigrants take on average 7 to 10 years to manifest. Importantly, this would give the federal reserve plenty of time to respond to any possible inflation or oncoming recession. That means we win on long-term growth.

**Gross**

Gross, Daniel. “Why Bubbles Are Great for the Economy.” Slate Magazine, 9 May 2007, www.slate.com/articles/business/moneybox/2007/05/pop.html.

**Pop!**

**Why bubbles are great for the economy**.

Looking back through the last 150 years, a familiar pattern emerges. **A wonderful new technology or economic idea arrives. A few** **good years of solid growth help engender a sense that things are different and that new rules apply. Hype and rosy projections—from Irving Fisher's 1929 prediction of a "permanently high plateau" to *Dow 36,000—*justify investing at stratospheric levels. The trend, previously confined to the business community, crosses over into popular culture. Everyone's buying stock, investing venture capital, refinancing a mortgage, installing compact fluorescent light bulbs. And then, *pop!* The bubble bursts**, heroes become goats, and bankruptcies spread. As corruption and venality are exposed, self-loathing andrecriminations rule the day. (See: subprime lending, spring 2007.) And that's when all the moralizing narratives about the tragedy of bubbles get written.

But this is only half the story! **After all, the process of growth and innovation doesn't end when a bubble bursts. The Internet** **wasn't unplugged and shut down in 2002. In fact, once you gain a little historical distance from bubbles, it is clear that some bubbles—some, not all—leave behind something that is a little bit boring but extremely useful: infrastructure. The bubbles that have left behind commercial infrastructure have been incredibly important contributors to America's remarkable long-term economic performance.**

**Simply put, bubbles are how new commercial infrastructure gets built in this country**. In the 1840s and 1850s, Europeangovernments slowly strung up telegraphs from large city to large city. But in the United States, bubble-drunk entrepreneurs rampaged throughout the countryside, stringing up competing and often redundant wires way ahead of demand. Most went bankrupt. In the 1880s, vast competing, and often redundant, rail networks were built *way* ahead of demand. By 1894 about a quarter of the rails were in bankruptcy. The 1990s saw an orgy of commercial infrastructure built for the Internet. We all know how that ended.

**But Americans recover from failure very quickly. All that infrastructure wasn't torn down—it was consolidated, taken over by new investors with lower cost bases, and reused. The cheap, pervasive telegraph led to American dominance in the national and international market in information—and long-lasting businesses like the Associated Press and the Chicago Board of Trade**. The cheap, pervasive national railroad network led to an integrated market in goods and commodities—and long-lastingbusinesses such as department stores, mail-order retailers like Sears, and national brands from Coca-Cola to Procter & Gamble. **The**

**Internet pop has left us with Web 2.0—Facebook and Skype, MySpace and YouTube, and, most of all, Google. Each of these companies either was started or gained critical mass *after* the Internet bubble burst. Each gained tremendous scale overnight thanks to all the cheap excess capacity built during the 1990s bubble.**

**During bubbles, a second type of infrastructure is built, too: the mental infrastructure. The money raised during bubbles doesn't just go into the incinerator. It is spent on marketing, advertising, promotion, hype, and brand awareness. Bubble-era companies, desperate for traffic, discount furiously, pay rebates, offer free shipping, and run their businesses on negative margins—all as part of a heroic effort to coax consumers and businesses to spend their money in fundamentally different ways.** The telegraphs slashed per-word rates to compete with the mail and with each other. The railroads slashed freight rates tocompete with canals and rivers, and with each other. In the 1990s, the entire e-commerce sector spent furiously to persuade consumers and businesses to take the leap of faith and buy stuff—stocks, books, airline tickets, pet food, groceries, diamonds, chemicals, you name it—online.

**Most of the pioneering Internet bubble-era companies failed as businesses. But they succeeded in making millions of people believe that it was safe, efficient, and desirable to conduct business online. That mental infrastructure didn't disappear after the bust.** People didn't suddenly stop buying things online in 2001. According to Forrester Research, e-commerce more than doubledbetween 2001 and 2006, to $211.4 billion. Post-bust innovators were able to tap into both a commercial physical infrastructure (near-universal broadband) and a huge installed base of customers. Thus, businesses that were stillborn during the boom (Webvan, advertising-supported video sites) can thrive after the bust (FreshDirect, YouTube).

Today the services-driven U.S. economy is showing a remarkable capacity to blow and deflate bubbles quickly. With the assistance of Federal Reserve Chairman Alan Greenspan, we transitioned seamlessly from Internet bubble to real-estate bubble to alternative-energy bubble in just six years. **That makes the mental infrastructure more important than ever.** Take the housing bubble that just popped. Millions of people will get hurt—and hurt badly—as housing prices fall and ARMs are reset higher. The upsides of bubbles are always hardest to see when things are collapsing. (Raise your hand if, in 2001 and 2002, you thought an Internet search and advertising company would be worth $146 billion in 2007.) But the mental and commercial infrastructure surrounding real-estate credit will remain. The culture of refinancing, which proved a huge boon to the economy throughout the 1990s and first half of this decade, will stay with us. So, too, will important bubble-era services like Zillow that empower consumers.

These efforts to make a virtue out of some of the worst tendencies in the American economic character may sound like a naive exercise of hope over experience. But in my book, experience *should* give us hope—even if the housing bubble continues to wreak damage on the economy and the alternative-energy space is getting bubbly. **It is possible, even rational, to be both short-term** **gloomy and long-term optimistic**. Those who believe that the nation's experience with bubbles is all gray cloud and no silver liningneed to ask where we would be without the irrational exuberance. **Without the disasters of Global Crossing and Worldcom, would** **we still have Google?**

**Worstall**

Worstall, Tim. “Jobs Up, Unemployment Rate Up, Here's Why US Economy Has More Room To Grow.” Forbes, Forbes Magazine, 7 July 2017, www.forbes.com/sites/timworstall/2017/07/07/jobs-up-unemployment-rate-up-heres-why-us-economy-has-more-room-to-grow/#24a6f54c3e78.

**The job creation numbers for June are out showing that the US economy produced 222,000 more of them. At the same time the unemployment rate actually ticked up to 4.4%. It's the combination of these two things which shows that the US economy still has more room to grow. We can also add in the third economic number from today, relatively modest wage growth--that**

**just adds to the power of the story. The economy is doing fine but it's not booming and we're not seeing, as yet at least, any sign of pressures which would make us think that it's going to stop doing just fine.**

It's all actually slightly boring, news is what is unusual after all, not what has been standard for a few years now. Then again, "interesting economic times" is more of a curse than a blessing.

**Economist**

“America's Long-Running Economic Expansion.” The Economist, The Economist Newspaper, 16 Dec. 2017, www.economist.com/news/leaders/21732523-donald-trump-not-architect-american-growth-short-term-things-are-set-go.

Mr Trump over-eggs things, of course. He claims each good jobs report and each new peak in the S&P 500 as his own achievement. In fact, he was lucky in his inheritance. The market has risen by 25% since his election, but is up by 195% since 2009. The unemployment rate fell from a peak of 10% to 4.7% under Barack Obama and then to 4.1% on Mr Trump’s watch. His administration says that a mix of deregulation and corporate- tax cuts will spur sustained GDP growth of 3%, well above the 2% average of recent years. As the economy approaches full employment, an astonishing pickup in productivity would be needed to accomplish that. But Trump-bashers overstate their case, too. They dismiss the optimism of consumers and bosses as sentiment, not substance. They

warn that the stockmarket is dangerously overvalued and that America’s expansion, which is in its 102nd month, must soon falter. **Yet**

**the economy is not in immediate danger. And the maturity of the business cycle cuts both ways (see article**

**(http://www.economist.com/news/finance-and-economics/21732536-labour- market-healthiest-it-has-been-least-decade) ).** It

makes a nonsense of Mr Trump’s claims to be the author of American economic success**. But the economy is also capable of some**

**welcome surprises.**

**Investor Business**

**“GOP Tax Cuts Won't Cause The Economy To Overheat; Here's Why** | Stock News & Stock Market Analysis - IBD.” Investor'sBusiness Daily, Investor's Business Daily, 15 Dec. 2017, www.investors.com/politics/editorials/gop-tax-cuts-economy-overheating/.

While Republicans were debating the particulars of their tax plan, various economists were busy warning that enacting a pro-growth tax cuts would risk "overheating" the economy.

The argument goes like this: The best the U.S. economy can do these days is about 2% annual GDP growth, which is the path it's currently on. If the tax cuts boost growth above this pace, there's a risk that it could spark inflation, which would require the Fed to raise rates, which would risk a recession.

But who says the economy can only grow at 2%? And why? The answer is remarkably simple, and almost certainly wrong.

To get at that 2% figure, economist basically add together the growth in the labor force and a measure of output-per-worker — better known as productivity. Based on current trends, the expectation is that the population will climb at slightly less than 1% a year, and productivity will climb at about 1% a year.

"This is why many economists argue that the U.S. economy has a potential growth rate of 2% per year, possibly less," notes First Trust chief economist Brian Wesbury. "And they also say it can't be fixed."

Wesbury, along with his colleagues Robert Stein and Strider Elass, explain that while population growth is fairly easy to measure, productivity isn't.

**In fact, they say, the government is underestimating real productivity growth, because it doesn't know how to measure the impact of new technologies.**

"Yes, government sources say it's weak. But anyone who goes outside instead of living in the data knows nearly everything is getting better, faster and cheaper," they write. They note that, among other problems, the government doesn't know how to account for free stuff, like GPS navigation on smartphones, free language translators, Google search results when it measures productivity.

Zachary Karabell, writing for Bloomberg View, notes that, as a result, "there is a growing chasm between what our economic system is and what our numbers are capable of measuring."

Wesbury and company point out that, to the extent that overall productivity isn't higher, one big reason is government. Indeed, two of the industries with the worst productivity growth in the past decade have been power generation and banking — both of which are extremely heavily regulated by government.

**Putting this together, it would seem that there is clearly room for additional growth without sparking inflation,** especially if theTrump administration continues to liberate industries from excessive, productivity-killing, government regulations.

**Indeed, the bigger risk isn't that the economy will overheat, but that the Fed will overreact and raise rates too aggressively.**

**DW**

Deutsche Welle. “Fed Moves to Prevent US Economy from Overheating | DW | 21.03.2018.” DW.COM, www.dw.com/en/fed-moves-to-prevent-us-economy-from-overheating/a-43075197.

**Fed moves to prevent US economy from overheating.**

The Fed's drive to stimulate the world's largest economy in the wake of the 2007-2009 financial crisis and recession is drawing to a close.

On Wednesday, the US central bank again raised its benchmark overnight lending rate by another 25 basis points— the fifth rate hike since it ended its ultra-low interest rate policy in December 2016, and setting current rates to a range of 1.50 percent to 1.75 percent.

In a statement following a two-day meeting, the Fed's rate-setting Federal Open Market Committee (FOMC) said the economic outlook had strengthened in recent months.

**"The Committee expects that, with further gradual adjustments in the stance of monetary policy, economic activity will expand at a moderate pace in the medium term and labor market conditions will remain strong," the FOMC statement added.**

**So far, the Fed has been moving gradually to tighten monetary policy to prevent the world's largest economy from overheating.**

Giovanni **Peri** Associate Professor of Economics at the University of California, Davis, “The Impact of Immigrants in Recession and Economic Expansion” **10** www.migrationpolicy.org/pubs/Peri-June2010.pdf

 While data on gross domestic product (GDP) suggest that the worse of the recession is probably over, the US labor market is still deeply depressed. Unemployment rates in the United States are at levels not experienced for two decades. Between January 2009 and January 2010 about 3.9 million jobs were lost.1 It is natural, therefore, to revisit questions about the impact of immigrants on the labor market and on the economy through the lens of the current economic situation. Are the shortrun effects of net immigration2 on native workers’ employment and income less beneficial (or more harmful) if immigrants enter the United States during a recession? Does the economy have the same capacity to “absorb” new workers when immigrants join the US economy in a recession? Do the longrun gains or losses to the US economy from immigration depend on the phase of the cycle during which immigrants enter the country? These questions have become particularly relevant in the last two years and the present report tries to address them. Most (though not all) economic research over the last decade has emphasized the potential gains that result from immigration to the United States. Immigration can boost the supply of skills different from and complementary to those of natives,3 increase the supply of low-cost services,4 contribute to innovation,5 and create incentives for investment and efficiency gains.6 Quantifying these gains is not easy, but steady progress has been made in identifying and measuring them. There is broad consensus that the long-run impact of immigration on the average income of Americans is small but positive.7 In particular, recent studies have identified measurable gains for the highly educated and small, often not significant, losses for less-educated workers. These empirical analyses, however, have focused on the “long run.”8 But the present economic recession and its persistent labor market consequences make the long run seem rather distant, and more pressing concerns about the short run have taken center stage.9 **Immigration’s economic benefits** mostly **result from** its effect on immigrant and native **workers’ occupational choices, accompanied by employers’ investments** and reorganization of the firm. For instance, immigrants are usually allocated to manual-intensive jobs, promoting competition and pushing natives to perform communication-intensive tasks more efficiently. This process, at the same time, reorganizes firms’ structure, producing efficiency gains and pushing natives towards cognitive and communication-intensive jobs that are better paid. **These effects** may **take a few years to unfold** fully. In the meantime and before the adjustments take place, do immigrants crowd out natives from the labor market? How long does it take for firms to adjust their investments and organization in order to benefit from the new supply of skills? Are these processes easier and less costly during an economic expansion than in an economic downturn? Until very recently no comprehensive analysis of the short-run effects of immigration on the US labor markets has been possible.10 The reason is that yearly representative data from the Current Population Survey, typically used to analyze production and labor markets, have contained information on the place of birth of individuals only since 1994 (as opposed to the decennial census that has always included that information). Hence, it is only during the last few years that sufficient data has accumulated in order to analyze the short-run (yearly) impacts of net immigration on labor market outcomes. Moreover, between 1994 and 2007, only the mild 2001 recession was observed, providing limited variation over the economic cycle. While several influential academic papers have emphasized how the short-run effects of immigration on wages and employment could be different from long-run effects, those differences were based on theoretical assumptions rather than on empirically estimated evidence. Using empirical methods in line with the best practice used to analyze and quantify the long-run effects of immigration, this report will provide some evidence to inform these questions. It begins by analyzing the short-run impact of immigration on employment, income, and other factors that affect income, such as investments, hours worked, and productive efficiency, examining the speed with which the economy adjusts to accommodate new immigrants. It then extends this analysis to investigate how these shortrun effects, and possibly the medium-run effect (over four or five years), depend on the state of the economy when immigrants enter the labor market. Finally, it discusses the implications the results may have for immigration policy. The results suggest that in the long run, immigrants do not reduce native employment rates, but they do increase productivity and hence average income. This finding is consistent with the broad existing literature on the impact of immigration in the United States. A **new analysis of the short-run impacts** of immigration, however, **finds** some mild **negative effects: immigration may** slightly **reduce native employment** at first, because the economic adjustment process is not immediate. **Lower average income is also likely** in the short run. The **long-run gains** to productivity and income **become significant after seven to ten years**. The results moreover suggest that the short-run impact of immigration depends on the state of the economy. When the economy is growing, new immigration creates jobs in sufficient numbers to leave native employment unharmed, even in the relatively short run. During downturns, however, new immigrants are found to have a small negative impact on native employment in the short run (but not the long run). The economy does not appear to respond as quickly to new immigrants in terms of new job creation and productivity boosts during recessions.

# Abuse

## General Exploitation

#### First, Statistics that show high levels of exploitation are misleading

According to Rajiv Rao, New Tech for Old India, in June 21st, 2017 “​Report suggests US paranoia about H-1Bs largely unsupported by facts or stats” [https://www.zdnet.com/article/report-suggests-us-paranoia-about-h-1bs-largely-unsupported-by-facts-or-stats/] Accessed 4/13/18 SAO

While there have been plausible reports of how Indian firms and sub-contractors were exploiting their H-1B workers by underpaying them and making them work longer hours than they should have been, the report suggests that the figures cited by the Trump Administration -- that around 80 percent of H-1Bs are paid less than the median wage in their fields -- is seriously flawed. "This statistic is misleading, as it relies on a Department of Labor database that includes multiple applications for the same individuals, since a new filing is generally required when an H-1B professional moves to a new area," the report said. "That means it double or triple counts anyone who works in more than one geographic location (primarily younger workers sent to multiple offices)." According to the report, the median salary for H-1Bs who logged at least three working years by 2015 was around $7,000 higher than the median salary in the industry.

#### Nonunique: The president signed an executive order on Tuesday as part of an ongoing effort to crack down on companies hiring lower-wage workers from outside of the United States. The trump administration is evaluating companies so they don’t abuse workers.

#### Turn this on them, Bier, am immigration policy analyst wrote in 2015 that Increasing the H1B visa quota would solve for employers who threaten immigrants with deportation. Due to the low cap, a lottery is used to decide which companies can hire H-1Bs. Without the cap, workers would not have to choose between a visa and a good employer.

David Bier, immigration policy analyst, Niskanen Center, April 6, 2015, niskanencenter.org/wp-

content/uploads/2015/04/NiskanenH1BsDontReplaceUSWorkers.pdf

A counterintuitive way to combat H-1B abuses is to make more visas available. Due to the low cap, a lottery is used to decide which companies can hire H-1Bs. Like a raffle, the winners are the employers who submit the most applications, not necessarily the employers who have the greatest need (as measured in pay). For example, even though Microsoft pays its H-1B employees 46 percent higher than the median salary for employers in the same city and industry, a third of its H-1B requests could not be filled in 2014.25 The H-1B lottery funnels workers toward a random assortment of employers, not the ones that they would naturally choose in a free market. Without the cap, workers would not have to choose between a visa and a good employer

**Ali Vitali / Apr.18.2017 NBC NEWS** “Trump's Executive Orders Aimed at Curbing Low Wage Foreign Hires” https://www.nbcnews.com/politics/white-house/trump-s-executive-orders-aimed-curbing-low-wage-foreign-hires-n747906

President Donald Trump signed an executive order on Tuesday aimed at reducing the number of lower wage foreign hires in the U.S***.* workforce and bringing job opportunity back to American employees — a key campaign promise. The signing of this order, Trump told the Kenosha, Wisconsin crowd, will "defend our workers, protect our jobs, and finally put America first". The so called "Buy American, Hire American" executive order announced at the headquarters of Snap-on Tools is another part of Trump's "America First" themed first 100 days in office. The executive order also stresses a preference for federal projects to use steel, iron, and other goods that are manufactured and made in the U.S. "We are finally standing up for our workers and for our companies," Trump said on Tuesday adding that the order "declares that American projects should be made with American goods."** The goal of these eventual changes to the program would be to prioritize visas for higher-skilled, higher wage-earning foreign workers, as opposed to the lottery system currently in place for the awarding of H-1Bs. **One of the biggest impacts of this order may be cultural, one administration official said Monday. "The culture immediately changes across the agencies," the official told reporters. "We have a lax enforcement, lax monitoring, lax compliance. We are moving forward with a muscular new policy that we’re announcing tomorrow." "Hire American" The order directs the Departments of Labor, Justice, Homeland Security, and State to take "prompt action" in cracking down on fraud and abuse in guest worker programs, like H-1B visas. The restructuring strategies described by the official, who spoke with reporters anonymously in a White House background briefing, would mean less "undercutting" of American labor and more opportunity for companies to hire American workers. According to the official "the result of the H-1B program as it is now is that [foreign] workers are often brought in well below market rates to replace American workers, again, sort of violating the principle of the program, which is supposed to be a means for bringing in skilled labor."**

**Rob Kaplan Bloomberg April 12, 2017 “America Has to Close the Workforce Skills Gap” https://www.bloomberg.com/view/articles/2017-04-12/america-has-to-close-the-workforce-skills-gap**

**In order to counteract these trends, the U.S. must work to find ways to expand the workforce and improve productivity. One important vehicle for doing this involves policy makers, businesses and educational institutions working together to create skills-training programs that equip workers to either join the workforce or improve their skills so they can take higher-paying jobs. Although creation of these partnerships is happening more often, I believe our country must make a quantum leap forward if we are to boost U.S. growth. The skills gap in the U.S. is substantial.** The National Federation of Independent Business found that as of first-quarter 2017, 45 percent of small businesses reported that they were unable to find qualified applicants to fill job openings. **Dallas Fed surveys of businesses also indicate a significant skills gap. Chief executive officers report shortages of workers for middle-class-wage jobs such as nurses, construction workers, truck drivers, oilfield workers, automotive technicians, industrial technicians, heavy equipment operators, computer network support specialists, web developers**

## A2: $60,000 Loophole

#### 1.     This isn’t the motive as to why companies hire immigrants on the H-1b visa. Instead, Smith of Georgetown University (14) reports that the demand for workers within stem fields is currently not being met by the domestic workforce.

#### 2.    Chamberlain of the GERB (17) writes that after surveying 52,000 H-1B visa worker salaries, on average they are paid 2.8% higher than the average American salary.

#### 3.    Status quo is solving: Martinez of the ATP (18) contends that congress is passing new regulations to mandate a salary of at least $130,000 per year for holders of the H-1b visa.

Nicole Smith, xx-xx-2014, “STEM Executive Summary” Georgetown University,<https://cew.georgetown.edu/wp-content/uploads/2014/11/stem-execsum.pdf>

High and rising wage premiums are being paid to STEM workers in spite of the increasing global supply. This suggests that the demand for these workers is not being met.2 Indeed, with the exception of some PhD-level researchers in academia, the demand for workers in STEM occupations is increasing at every education level. The STEM supply problem goes beyond the need for more professional scientists, engineers, and mathematicians. We also need more qualified technicians and skilled STEM workers in Advanced Manufacturing, Utilities and Transportation, Mining, and other technology-driven industries. Innovation and technology change have led to demand for STEM competencies beyond traditional STEM occupations.3 Previously, STEM work had been concentrated among an elite few workers. Today, competencies necessary for innovation are scattered across a wider swath of the economy. STEM competencies are needed in a broader reach of occupations, and their use is growing outside of STEM. What’s more, people within these occupations that use STEM competencies most intensely are earning significantly more than those who are not. The concern for STEM shortages tends to focus on the possibility of an insufficient supply of STEM workers, but the deeper problem is a broader scarcity of workers with basic STEM competencies across the entire economy. Demand for the core competencies is far greater than the 5 percent traditional STEM employment share suggests, and stretches across the entire U.S. job market, touching virtually every industry. Since 1980, the number of workers with high levels of core STEM competencies has increased by almost 60 percent. Further, in all but two occupational clusters, the rate of growth in demand for these core STEM competencies has increased at far greater rates than the growth in employment.4

Dr. Andrew Chamberlain, 4-3-2017, "Dispelling Myths: What H1B Visa Workers Are Really Paid," Glassdoor Economic Research,<https://www.glassdoor.com/research/h1b-workers/>

Comparing H1B and U.S. Wages To compare salaries for H1B and U.S. workers, we used a sample of 58,025 salary offers listed on H1B visa applications for workers in 10 large U.S. cities in fiscal year 2016 from the U.S. Department of Labor. As a comparison group of U.S. workers, we pulled a sample of 101,728 full-time U.S. salaries reported on Glassdoor for a similar time period, in the same 10 cities. We then grouped both samples into similar types of jobs, and looked at roughly 100 jobs for which there was significant data (at least 100 salaries in both H1B and Glassdoor salary samples). We ran a simple regression of annual salary on controls for city and job title, along with a binary indicator equal to 0 if it was a U.S. salary on Glassdoor and 1 for a H1B visa salary. The estimated coefficient on the H1B visa indicator tells us the average difference in pay between U.S. and foreign workers after accounting for differences in the city and job they worked in. The table below shows our results. The coefficient on the “H1B Visa = 1” variable shows that foreign H1B salaries are 2.8 percent higher on average than comparable U.S. salaries — a statistically significant difference. Thus, there’s no evidence that H1B workers are paid any lower than comparable U.S. salaries – and, in fact, earn slightly more – once we carefully compare workers in the same jobs, in the same cities, during the same time period in fiscal year 2016.

Nicole Martinez, 3-9-2018, “Congress Proposes $130K Salary Requirement for H1B Visa Holders” ATP,<https://atp.orangenius.com/h1b/>

The H1B visa is one such visa – defined as a ‘specialty occupation’ visa, the visa is issued to highly skilled workers who possess a higher education degree and display an extraordinary talent within an industry. The H1B visa is the most common work visa issued in the United States – it’s estimated that more than a million H1B visas are issued per year. However, the new presidential administration is seeking to curb the H1B visa requirements to make it more difficult for companies to hire foreign workers. Proposed by several Republican leaders, the new rules would more than double the minimum salary requirement for H1B workers, if the company is an H1B dependent employer. An employer is considered to be H1B dependent if more than 15 percent of its workforce is working under an H1B visa. Currently, to qualify for an H1B visa, a company must be willing to pay a qualifying worker a minimum salary of $60,000 annually. Under the new regulations, companies would be required to pay a minimum of $130,000 annually. In addition to being on the floor of the House, there are many that claim President Trump will be signing an executive order to establish these exact policies, thereby bypassing the need for the measure to go to a vote. If it passes, scores of H1B workers will be required to give up their jobs and exit the country immediately.

## A2: Pay Less/Cheaper Labor

#### Delink- This is empirically false. Mithas from the University of Maryland is probably the best meta-study in this whole topic. In conclusion, they find that H-1B workers in IT earn 8.1% more. This study is the most reliable for a multitude of reasons.

#### Its longitudinal, looking at a span of 5 years of data, not cherry-picking 1 year

#### Looks at 50,000 IT professionals, the biggest dataset on this topic and the largest H-1B employment sector

#### The author controls for education level, job title, hours worked, gender, size of the employer, and years of experience to terminate any bias in the study.

#### We solve this issue way better. Bier from the Niskanen Center explains that the current system is a lottery, so the businesses such as Microsoft who pay very high wages to H-1B workers don’t even fill a large amount of their visa requests. That’s why Bier finds that increasing the cap would allow the workers to pick the place with the highest wages, rather than being forced into a company that won the lottery.

#### Turn. Bier in 2015 says that businesses are willing to pay higher wages to H-1B workers because they have such a strong need for more skilled workers. Despite a 50 percent rise in the number of foreign workers, wages in H-1B fields continue to rise.

#### With H-1b, they are guaranteed a job most likely in the STEM field. If they weren’t part of the program, they likely wouldn’t have a job or at very least wouldn’t be getting paid nearly as much. A job is better than no job.

#### Even if it occurs, its not generally harmful. Jeff Bukhari ’17 explains lower wages brought higher company profits, leading to more IT firms to produce innovation and competition.

Goel 17’ “How Trump’s ‘Hire American’ Order May Affect Tech Worker Visas” <https://www.nytimes.com/2017/04/18/technology/h1b-visa-facts-tech-worker.html>

 “The Trump administration was vague about what it would like to change. In a background briefing with reporters, **officials said they were considering changing the wage levels that would qualify for visas, raising fees for H-1B applications and steering more visas to immigrants with advanced degrees.** The government will also publicly release more data about other visa programs, such as the L-1, which allows workers officially employed overseas by a company to work in the United States. “We don’t know how many L-1s are here, who employs them, where they are located and what they are paid,” said Ronil Hira, an associate professor of political science at Howard University who has extensively studied immigrant visa programs. **Many in Congress support changing the H-1B lottery system to give preference to the highest-paying jobs. “We should allocate visas based on who wants to pay the highest salary to avoid undercutting the wages of American workers,” said Ms. Lofgren, who has sponsored one of several bills on the topic.”** Correction: June 29, 2017 An article on April 19 about President Trump’s “Hire American” order referred incorrectly to the application process for employers seeking to hire H-1B workers. **The employers must attest that they are paying the foreign workers prevailing wages and that the working conditions of existing workers will not be adversely affected.** They do not have to attest that they tried to find an American first. This correction was delayed because the error was pointed out to editors only recently.

Jeff Bukhari, 2-15-2017, “Why H-1B Visas Aren’t So Good for Silicon Valley Workers,” Fortune, http://fortune.com/2017/02/15/h1-b-silicon-valley-wages/

There is a caveat, though, that could give ammunition to opponents of the H-1B visa program. Without the added foreign labor, the study concluded that domestic employment in the computer science sector would have been between 6.1% and 10.8% higher in 2001. Put simply, for every 100 foreign computer scientists working in the U.S., between 33 and 61 domestic workers were displaced. The influx of foreign workers also held down wages, the authors concluded, with compensation being 2.6% to 5.1% lower than if foreign workers were not allowed.

Despite that impact, tech-sector jobs remain among the best-paid jobs in the country. Industry trade group CompTIA estimates that the average U.S tech worker earned $105,400 in 2016, more than twice the national average. The group estimates that the tech sector employed 6.7 million people in the U.S. in 2016, or about 6% of private-sector workers.

The lower wages in the sector were not necessarily a bad thing for the overall welfare of the nation, the report concluded. Lower wages allowed for higher company profits, which in turn led to an increase in the number of IT firms that entered the market, thus spurring competition and innovation.

The study also notes that high-skilled immigrants who enter the U.S. workforce sometimes [indirectly open up new opportunities for U.S. workers](http://fortune.com/2017/02/08/h-1b-visa-donald-trump-startups-entrepreneurs/). When one labor avenue is closed off to an extent, workers have incentive to look elsewhere for employment. Instead of working in computer science, for instance, a worker may choose to be an architect or manage a production team. The diversification would raise the productivity of workers overall, the authors concluded.

David Bier, immigration policy analyst, Niskanen Center, April 6, 2015, niskanencenter.org/wpcontent/uploads/2015/04/NiskanenH1BsDontReplaceUSWorkers.pdf A counterintuitive way to combat H-1B abuses is to make more visas available. Due to the low cap, a lottery is used to decide which companies can hire H-1Bs. Like a raffle, the winners are the employers who submit the most applications, not necessarily the employers who have the greatest need (as measured in pay). For example, even though Microsoft pays its H-1B employees 46 percent higher than the median salary for employers in the same city and industry, a third of its H-1B requests could not be filled in 2014.25 The H-1B lottery funnels workers toward a random assortment of employers, not the ones that they would naturally choose in a free market. Without the cap, workers would not have to choose between a visa and a good employer.

Jonathan Rothwell and Neil G. Ruiz, 5-10-2013, "H-1B Visas and the STEM Shortage," Brookings, <https://www.brookings.edu/research/h-1b-visas-and-the-stem-shortage/>

**H-1B visa holders earn more than comparable native-born workers.  H-1B workers are paid more than U.S. native-born workers with a bachelor’s degree generally ($76,356 versus $67,301 in 2010) and even within the same occupation and industry for workers with similar experience.  This suggests that they provide hard-to-find skills.**

Chamberlain, Andrew. “Dispelling Myths: What H1B Visa Workers Are Really Paid” Glassdoor Economic Research Blog, April 3 2017, https://www.glassdoor.com/research/h1b-workers/
“What are the facts about H1B visa salaries in today’s labor market? Are these foreign workers really paid less than their American counterparts? To answer this, we looked at a large sample of salaries from H1B visa applications and compared them to similar U.S. salaries reported on Glassdoor. We looked at the most recent year available — federal fiscal year 2016 — and focused on 10 major U.S. cities, comparing pay for U.S. and foreign H1B workers for the same job titles. The bottom line: Across the 10 cities and roughly 100 jobs we examined, salaries for foreign H1B workers are about 2.8 percent higher than comparable U.S. salaries on Glassdoor.

**Bier, David**. “H-1Bs Don’t Replace U.S. Workers” Niskanen Center. **Apr 6, 2015.** https://niskanencenter.org/wp-content/uploads/2015/04/NiskanenH1BsDontReplaceUSWorkers.pdf

**“If H-1Bs were primarily cheaper substitutes for American labor, the pace of H-1B requests**—measured by the length of time before the cap on visas is reached—**should rise when unemployment rises, as employers look to cut labor costs by laying off workers. But since 2003, we see the opposite: H-1B requests rise as unemployment falls**. For every one percent increase in unemployment for workers with computer and tech expertise, who represent two-thirds of all H-1Bs, it takes an additional three months to reach the visa cap. In other words, companies use H-1Bs to grow, not to downsize. **Moreover, the entrance of a single foreign-born worker into the top H-1B fields— engineering and computer-related fields—is associated with an increase of nearly two new jobs overall in those industries. Despite a 50 percent rise in the number of foreign workers, wages in H-1B fields continue to rise.** These workers have proven themselves crucial to America’s economic growth and technological success. Rather than gutting the H-1B program, Congress should remove the arbitrary cap on visas and allow workers to legally change jobs without being deported. This is a better way to address rare cases in which H-1B workers are mistreated or paid below market wages, while increasing freedom and flexibility for both businesses and workers.”

[Nicole Torres](file:///C%3A%5CUsers%5Cjonah%5CDropbox%5CApril%20Prep%5CNicole%20Torres) Harvard May 04, 2017 <https://hbr.org/2017/05/the-h-1b-visa-debate-explained> “The H-1B Visa Debate, Explained”

Hanson cautions, however, that their results do not discount the possibility that the arrival of foreign-born engineers is driving down earnings for U.S.-born engineers. “Standard economic models would say that’s happening,” he says. “But more engineers is a good thing. There may be some lower earnings opportunities for U.S.-born engineers, but there’s more innovation for the country as a whole.” Similarly, an analysis of 2010 H-1B petitions by Jonathan Rothwell and Neil Ruiz, both formerly of Brookings, [found](https://www.brookings.edu/research/h-1b-visas-and-the-stem-shortage/) that H-1B workers earned more on average ($76,356) than American workers with a bachelor’s degree ($67,301), within the same age group and occupation. (It’s worth noting that the process of petitioning for an H-1B visa costs companies [thousands of dollars](https://hbr.org/2016/09/hiring-data-scientists-from-outside-the-us-a-primer-on-visas), which suggests that they pay a premium for foreign workers’ skills.) Hanson and Slaughter’s paper also noted that although H-1B visas disproportionately go to STEM workers, this is not an inherent feature of the H-1B program. “That most H-1B visas are captured by STEM workers may simply be the consequences of strong relative labor demand for STEM labor by U.S. companies,” they write.

[Dr. Andrew Chamberlain](https://www.glassdoor.com/research/author/andrew/) | April 3, 2017 “Dispelling Myths: What H1B Visa Workers Are Really Paid”

https://www.glassdoor.com/research/h1b-workers/

Why Aren’t H1B Workers Usually Paid Less? The finding that skilled foreign workers in the H1B program are usually paid about the same or slightly higher than U.S. workers for most roles shouldn’t come as a surprise, for several reasons. First, this finding is consistent with academic research. For example, a 2011 [study](http://ftp.iza.org/dp6259.pdf) found salaries for H1B visa applicants were about 10 percent higher on average than salaries reported by U.S. workers in U.S. Census Bureau data. The authors of that study “fail[ed] to find support for the notion that H-1Bs are paid less than observationally similar US born workers; in fact, they appear to have higher earnings in some key STEM occupations, including information technology.” Another reason we shouldn’t be surprised that H1B workers are paid about the same as U.S. workers is because the law requires it. U.S. Department of Labor regulations require that employers pay H1B workers at or above the “[prevailing wage](https://www.foreignlaborcert.doleta.gov/pwscreens.cfm)” for similar jobs. Critics of the H1B program argue that employers game this system, intentionally understating the skill level of H1B workers to obtain lower prevailing wages. While that may be true in some cases — such as the example jobs we show above where H1B salaries are usually below U.S. salaries — the data show prevailing wage regulations seem to be working reasonably well in practice. Finally, there are good reasons in economic theory we should expect H1B visa salaries to be somewhat above U.S. salaries. H1B visa applications are expensive — a 2011 [study](http://www.gao.gov/assets/320/314501.pdf) from the General Accountability Office found that legal and administrative costs to employers for an H1B application ranged from $2,320 to $7,500 or more. Employers should only be willing to pay that extra cost if H1B workers somehow justify it with higher productivity or special skills not available among U.S. workers. If so, it’s not surprising that salaries for H1B workers who’ve cleared those costly regulatory hurdles are somewhat higher other workers who haven’t.

Sunil Mithas, Vol. 56, No. 5, May 2010, " Are Foreign IT Workers Cheaper? U.S. Visa Policies and Compensation of Information Technology Professionals," University of Maryland, <http://sci-hub.hk/10.1287/mnsc.1100.1149>

Following prior work on compensation of IT professionals (e.g., Ang et al. 2002; Levina and Xin 2007; Mithas and Krishnan 2008, 2009; Truman and Baroudi 1994) and subject to data availability, we identify and control for other relevant variables in our models of compensation for IT professionals, such as gender, institutional factors (the type of firm or industry that an IT professional belongs to such as ITversus nonITindustry, dot-com versus non-dot-com firms, for-profit versus nonprofit firms, firm size), and the average number of hours per week worked by the respondent. We also use dummies for each year of the salary survey, which enables us to control for an unemployment situation and, thus, consideration of demand factors in the labor market.

First, our results are not driven by foreign IT professionals self-selecting and migrating to high-paying areas because our main findings hold even if we control for location of IT professionals at the U.S. state level in our models. Including dummies for states results in premiums that are lower by 1%–3%, though still sizable (see Table 8, column (2)). Note also that migration to high-paying areas is not completely under the control of IT professionals; employers need to offer jobs in those areas based on their assessment of skills and competencies of IT professionals. Second, our findings are not driven by failure to control for job titles. Other studies in labor economic literature do not control for job titles in wage regressions because doing so will understate returns on human capital (see, for example, Angrist and Krueger 1999, Krueger 1993).9 Nonetheless, salary premiums decrease somewhat, but findings remain broadly similar even if we include job titles in wage regressions (see Table 8, column (3)). Third, because firms sometimes use IT professionals on contract (instead of as full-time employees), the part-time issue does not affect our findings because our sample uses data for full-time IT professionals only (excluding less than 1% contractors in the full sample). The use of total compensation in place of cash compensation also yields broadly similar results (see Table 8, column (4)). Fourth, our findings related to returns on education are not driven by differences in variance on education. Even though foreign IT workers have higher levels of education (42% of foreign IT professionals have master’s degrees, and above compared to 23% in the case of U.S. citizens), because we use separate dummy variables for education variables, the variance of education variables for non-U.S. citizens is similar to or higher than that of education variables for U.S. citizens (see Table 2). Fifth, we also estimated our models using dummy indicators for firm size, instead of a continuous empno variable, and these models yielded essentially similar results to those we reported earlier. Sixth, because American IT professionals have higher mean levels of experience than the foreign workers, one may argue that the marginal value of an additional year of experience for U.S. IT workers is less. The reason is because U.S. IT workers are farther along the curve on concave wage-tenure profiles as shown in prior work (Slaughter et al. 2007). To rule out this alternative explanation, we computed marginal returns on IT experience at the mean level of total work experience in our data set and found that the relative magnitudes of returns on experience are essentially similar as reported earlier. Finally, we used a propensity score matching approach to compute differences in wages of IT professionals due to citizenship and visa status (for further details on this approach, see Mithas et al. 2006, Mithas and Krishnan 2009, Rosenbaum and Rubin 1983). This approach compares compensation of non U.S. citizen or work visa IT professionals with that of comparable U.S. citizen IT professionals as in H1A, H1B, or H1C, ensuring that that matched workers are similar on propensity scores based on their observed characteristics. The results of the propensity score analyses (see Figures A.1–A.3 in the online appendix showing propensity score matching across strata) suggest that IT professionals without U.S. citizenship earn approximately 8.1% more than those with U.S. citizenship, IT professionals on an H-1B or other work visa earn approximately 7.9% more than those with U.S. citizenship, and IT professionals with a green card earn approximately 13.6% more than those with U.S. citizenship or work visa holders (see column (3) of Table 9).10

## A2: Threaten Deportation

#### Delink- Even if fired, the USCIS can trigger Section 214.1 B or C of Title 8 in the code of Federal regulations, allowing H-1B workers to extend their status in the U.S. when they see instances of abuse from the abusive employer.

#### Delink- Companies are disincentivized to threaten deportation because of the backlash they will receive in courts and in the media. Make them read you a single firm who got away with deporting or threatening to deport an H-1B employee without serious harm done to their brand.

#### Delink- Anti-retaliation protection policies punish companies flow of labor if found threatening deportation. The USCIS could prevent you from filing an H-1B petition for 2 years. Holistically that is 2 years a company must rely on the limited native labor supply that will put a massive toll on productivity and limit competitiveness with other companies that can use H-1Bs. The harms are too dire to risk.

#### Delink- Schaefer reports a months ago, the department of labor has skyrocketed the fines associated with retaliation violations. If found threatening deportation, firms are now subjugated to a $20,521 fee for a simple threat.

David Bier, immigration policy analyst, Niskanen Center, April 6, 2015, niskanencenter.org/wpcontent/uploads/2015/04/NiskanenH1BsDontReplaceUSWorkers.pdf

A counterintuitive way to combat H-1B abuses is to make more visas available. Due to the low cap, a lottery is used to decide which companies can hire H-1Bs. Like a raffle, the winners are the employers who submit the most applications, not necessarily the employers who have the greatest need (as measured in pay). For example, even though Microsoft pays its H-1B employees 46 percent higher than the median salary for employers in the same city and industry, a third of its H-1B requests could not be filled in 2014.25 The H-1B lottery funnels workers toward a random assortment of employers, not the ones that they would naturally choose in a free market. Without the cap, workers would not have to choose between a visa and a good employer.

Bhattacharaya, Ananya. "Relief! Half-a-million Indian green-card applicants won’t be

forced to leave the US." Quartz. 1/9/18. https://qz.com/1175205/indian-h-1b-

visa-holders-waiting-for-green-cards-wont-be-forced-to-leave-the-us/

Indians queuing up for green cards can breathe a sigh of relief. On Jan. 09, the Donald Trump administration clarified that it was not considering any policy alteration that could fuel a “self-deportation” of sorts among immigrants. On Dec. 30, news reports indicated that the US Citizenship and Immigration Services (USCIS) was drafting a policy that would curb the indefinite extension for H-1B visa holders on the green-card route, forcing them to return home. “...USCIS is not considering a regulatory change that would force H-1B visa holders to leave the United States by changing our interpretation of section 104(c) of AC-21, which provides for H-1B extensions beyond the 6-year limit,” the state agency told Washington DC-based publication McClatchy. “Even if it were, such a change would not likely result in these H-1B visa holders having to leave the United States because employers could request extensions in one-year increments under section 106(a)-(b) of AC21 instead.” The clarification offers respite to over half-a-million Indians for whom the wait for a green card can stretch upwards of 12 years.

Section 214 evidence

USCIS. "Report H-1B or H-2B Employment Fraud." *USCIS*. n.d. Web. 24 Apr. 2018. <https://www.uscis.gov/working-united-states/temporary-workers/h-1b-specialty-occupations-and-fashion-models/combating-fraud-and-abuse-h-1b-visa-program>

If an H-1B worker reports suspected fraud or abuse, immigration law may provide certain protections to these workers. If an H-1B worker:

* applies to extend their H-1B status or change their nonimmigrant status,
* indicates that they faced retaliatory action from their employer because they reported an LCA violation, and
* lost or failed to maintain their H-1B status,

we may consider this situation to be an instance of ‘‘extraordinary circumstances’’ as defined by sections 214.1(c)(4) and 248.1(b) of Title 8, Code of Federal Regulations. Normally, H‑1B workers are not eligible to extend or change their status if they have lost or failed to maintain their H-1B status. However, if they can demonstrate ‘‘extraordinary circumstances,’’ we may use our discretion to excuse this requirement on a case-by-case basis.

N.a. "Will I Be Deported If I Complain Against My H-1B Employer?." *Avvo.com*. 27 Aug. 2013. Web. 24 Apr. 2018. <https://www.avvo.com/legal-guides/ugc/will-i-be-deported-if-i-complain-against-my-h-1b-employer>

To help ease some of these concerns, the government enacted a new regulation that enables these terminated H-1B employees the possibility of staying in the United States to look for a new job despite having lost their H-1B status. [INA §212(n)(2)(C)(v)](http://www.uscis.gov/propub/ProPubVAP.jsp?dockey=c9fef57852dc066cfe16a4cb816838a4).Specifically, under this regulation, when an employee is terminated in retaliation for reporting an employer's H-1B program violations, the USCIS has the discretion to excuse the employee's loss of status due to that termination by treating it as an "extraordinary circumstance beyond the control" of the employee.In other words, this regulation allows a terminated employee the possibility of having time to find a new job in the United States and to apply for a change of status or extension of stay.

N.a. "H1 Visa Holder Rights - Protect yourself from employer abuse while on H-1B visa." *Immihelp.com*. 23 Feb. 2018. Web. 24 Apr. 2018. <https://www.immihelp.com/visas/h1b/h1-visa-holder-rights.html>

When you complain about any of the alleged violations, your employers may threaten to terminate your employment, contact USCIS and revoke your visa, have you deported, bring a lawsuit against you for violation of employment agreement or non-compete agreement or disclose negative information about you to potential employers or other third parties. Even though it is not legal to do so, some employers may do it anyway. Therefore, you should be prepared to deal with all of that. If the employer is convicted of this, they may be fined up to $5,000 and disqualified from filing H-1B petition for two years, among other penalties.

**Penalties Increase for Employment Law Violations**Three federal agencies — the Environmental Protection Agency (EPA), the Occupational Health & Safety Administration (OSHA), and the U.S. Department of Labor (DOL) — announced their annual-allotted increases for non-compliance fines.

This is yet another reason why it’s so important to ensure your organization is abiding by all environmental health and safety and employment laws. Fortunately, both are KPA’s specialty.

With the new inflation-based updates, many EPA penalties are now $53,484–55,907. Some penalties are as high as $97,229 per day, per violation. OSHA’s updated penalty range is $12,934–129,336 per violation for willful and repeated offenses.

Below are the maximum amounts the DOL can charge employers for various violations:

* Minimum wage and overtime rules = $1,964 per day
* Child labor laws = $12,529 per day
* Anti-retaliation and discrimination laws under visa programs = $20,521 per day
* Workplace injuries or deaths of child workers = $56,947 per day
* Willful replacement of American workers under the H-1B visa program = $52,641 per day
* Employee Retirement Income Security Act (ERISA) = $2,140 per day
* Genetic Information Nondiscrimination Act(GINA) = $569,468 maximum

## A2: Immobility

#### Delink- BadMus Law Firm finds that even if you are in the process of green card approval, you are eligible to change employers upon following portability laws.

#### Delink- Anderson finds that H-1Bs actually face a great deal of mobility, citing in 2003 that they were more H-1B applications moving to a different firm than entry H-1B employments. Moreover, he furthers that a majority of H-1B workers at top STEM companies transferred from a different firm in the U.S.

N.a. "." *Digitalcommons.law.byu.edu*. 9 Mar. 2018. Web. 19 Apr. 2018. <https://digitalcommons.law.byu.edu/cgi/viewcontent.cgi?article=1380&context=jpl>

Further, according to Stuart Anderson, H-1B visa holders already enjoy a great deal of mobility, despite claims to the contrary.159 In support of this idea, he reports that “[a] number of S&P 500 companies related that the majority of their H-1B hires first worked for other employers.”160 Additionally, Anderson states that during 2003 more H1B applications were approved for “continuing” employment than for initial employment, and “anecdotal evidence indicates that most ‘continuing’ employment involves an H-1B visa holder changing to a new employer.”161 He argues that if H-1B holders lack mobility out of a fear that “they will lose their place in the queue for labor certification and permanent residence,” then the solution is not to change the H-1B program but rather to make changes to the labor certification and residence application processes.162

Green Card Application Portability – 5 Questions to Ask Before Changing Jobs While Waiting for Your Green Card Approval | BADMUSLAW." *Badmuslaw.com*. n.d. Web. 19 Apr. 2018. <http://badmuslaw.com/green-card-application-portability-5-questions-to-ask-before-changing-jobs-while-waiting-for-your-green-card-approval/>

Green card applicants often ask if they are able to change employment while waiting for final approval.  The answer is yes, if you follow established portability rules.  Generally, if your I-485 application has been pending for 180 days or more, you are eligible to change jobs and continue your green card application.  However, portability rules have pitfalls you must avoid, or your green card application can be denied.

Here are five key questions you need to get answered before making any change in employers.

1.  Is my application dependent upon my employer? If your green card category depends upon a job offer, then your application is dependent upon your employer (“sponsor”) and you must observe portability rules to avoid denial of your green card application.   Currently, the green card categories requiring a job offer and subject to portability rules are EB-1 Outstanding Researcher, EB-1 Multinational Manager, EB-2 and EB-3 workers based upon labor certification.

## A2: Language Barrier

#### Delink- Vigoda Law Firm corroborates that lots of U.S. firms ignore the H-1B applications written in foreign languages because of the increased maintenance and money needed to translate the whole process to America. As a result, the only firms that would want to deal with language barriers are big companies who already have the resources to get rid of the barrier.

Hannah Vigoda. "Linguistic Limitations: Language Barriers For Migrants To The United States." *Vigoda Law Firm*. 6 Oct. 2017. Web. 19 Apr. 2018. <http://www.vigodalaw.com/new-blog/2017/10/6/linguistic-limitations-language-barriers-for-migrants-to-the-united-states>

While there is no official language requirement for living and working in the United States, many of the steps necessary to gain legal status give a signifiant leg up to English speakers. [H-1B visas](http://www.vigodalaw.com/new-blog/2017/7/13/welcome-post), for example, allow immigrants with rare skills to move here for up to three years. But the Federal government can challenge applications if it does not think an applicant’s skills are unique, and has been doing so [with growing frequency](http://www.reuters.com/article/us-usa-immigration-employment-insight/trump-administration-red-tape-tangles-up-visas-for-skilled-foreigners-data-shows-idUSKCN1BV0G8). When the government challenges an H-1B applicant, their sponsor must provide documentation demonstrating that they have unique skills. If the applicant’s references are in another language, the company must go through the expensive and time-consuming process of translating them into English. This makes it much easier to sponsor workers who not only speak English, but are from primarily English-speaking countries, as their references will not need translating. In addition to the present de facto advantage for English speakers, there is an ongoing effort to officially favor them in applications to live, work, or reside permanently in the US. In particular, the RAISE Act, an attempt to restrict immigration favored by President Trump, favors skilled immigrants, whom it [defines in part](http://www.vigodalaw.com/new-blog/2017/8/9/raise-act-rundown-an-overview-of-a-recent-immigration-proposal) by their ability to speak English. If this bill becomes law, it will further limit migration opportunities for non-English speakers.

## A2: Hurt Minority Groups

#### There is a legitimate skill gap that can’t be filled using only domestic workers. Instead, we need to rely at least somewhat on foreign workers. Dore 17 explains that employers had a rough time this last year filling jobs due to a talent shortage that could not be filled with domestic workers.

1. **Turn. Kellogg Insight in 2016 explains that immigrants tend to take jobs in less desirable offices or that require highly specialized skills, typically complementing American workers rather than compete with them for jobs**
2. **Alt Cause - Isobel Heck finds in 2013 that culture on college campuses is the main reason why minorities who major in STEM often don’t stay in that major, saying that college professors are more likely to recommend lower stratus careers to minorities. Deborah Strange furthers in 2017 that implicit biases in teachers and family backgrounds steer minorities away from STEM careers.**
3. **Alt Cause – Rayome in 2017 finds that the largest reasons behind the lack of African Americans in tech fields is invisible biases in K-12 fields. When they do get hired, the problem lies in hostile workplaces that causes people of color to leave prematurely. Increasing the cap wouldn’t make this worse.**
4. **T – However, affirming fixes this. Bier with Forbes writes that the current quota of H1B visas restrains the expansion of small businesses. That’s important when Hecht 2018 writes that the small business economy has enormous value and potential for minority groups. Raising the gap will allow the small business market to hire more H1B workers, innovate and expand, and consequently aid minorities in establishing themselves in the tech work force.**

#### Businesses don’t hire foreign workers because they’re cheaper than American workers. In fact, H-1B visa holders typically receive wages above the average because there are stringent educational requirements attached to their jobs. Chamberlin furthers in 17 that even though H1B visa holders were paid less in the 1990s, with the growth in regulations and the tech industry, they are now paid equal to their comparable U.S. workers.

#### Turn. Nell of the Heritage Foundation finds that raising the cap on H1B visas would allow American businesses to expand operation here in the U.S. creating more jobs and higher wages for American workers. They provide an example in which if the quota were raised to 195,000 visas would increase revenues by nearly $69 billion over 8 years.

**Kellogg Insight**, “Does the H-1B Visa Program Hurt American Workers?”, **7 September 2016**, https://insight.kellogg.northwestern.edu/article/does-the-h1-b-visa-program-hurt-american-workers

“So which is it? Do H-1B workers contribute to the economy by performing jobs that Americans are unwilling or unable to do, or do they steal jobs from U.S. workers and push down wages? Daniel Aobdia, an assistant professor of accounting information and management at Kellogg, investigated these questions within a specific industry: H-1B workers hired as auditors. **His team found that these workers, most of whom attended U.S. schools, tend to take jobs in less desirable offices or that require highly specialized skills, suggesting that they complement—rather than displace—U.S. workers. In addition, the researchers found no evidence that hiring more H-1B workers lowered wages at those offices.”**

Dore, Bhavya. “Stop blaming the H-1B visa for India’s brain drain—it actually achieved the opposite” Quartz Magazine, 2 June 2017, <https://qz.com/997172/you-canthank-the-h-1b-visa-programme-for-the-it-boom-in-india/>

“The retirement of Baby Boomers, a poor perception of skilled trades and the lack of an educational system focused on skilled trades created a perfect storm in the global workforce—a worst-case scenario where the combination of the three has impacted millions of lives. In its 2015 Talent Shortage Survey, ManpowerGroup reported that the 41,000 global employers surveyed on the talent shortage attributed the difficulty to (1) a lack of available applicants or no applicants, (2) lack of technical competencies, (3) lack of experience, (4) lack of workplace competencies and (5) the desire for higher wages by those applying. Thirty-eight percent of those employers surveyed had difficulty filling jobs last year, representing a 2 percent increase over 2014—and the highest percentage since 2007. Fifty-four percent felt the talent shortage had a medium to high impact on their client-facing relationships. In addition, more than 40 percent expected the talent shortage to hinder customer service and cause a reduction in competitiveness and productivity. The gap has reverberated across all aspects of business operations.”

Chamberlain, Andrew. “Dispelling Myths: What H1B Visa Workers Are Really Paid” Glassdoor Economic Research Blog, April 3 2017, https://www.glassdoor.com/research/h1b-workers/

“What are the facts about H1B visa salaries in today’s labor market? Are these foreign workers really paid less than their American counterparts? To answer this, we looked at a large sample of salaries from H1B visa applications and compared them to similar U.S. salaries reported on Glassdoor. We looked at the most recent year available — federal fiscal year 2016 — and focused on 10 major U.S. cities, comparing pay for U.S. and foreign H1B workers for the same job titles. The bottom line: Across the 10 cities and roughly 100 jobs we examined, salaries for foreign H1B workers are about 2.8 percent higher than comparable U.S. salaries on Glassdoor. While it may be true that an influx of H1B workers in the 1990s hurt computer science wages, there’s no evidence in the data on Glassdoor that H1B workers today represent a source of “cheap” labor paid any lower than comparable U.S. workers.”

Nell, Guinevere. “More H-1B Visas, More American Jobs, A Better Economy.” The Heritage Foundation, 30 Apr. 2008, www.heritage.org/immigration/report/more-h-1b-visas-more-american-jobsbetter-economy.

“American employers cannot find enough highly skilled workers to fill essential positions. There are not enough American workers with advanced skills in computer, engineering, and mathematical occupations to perform the work that many high-tech companies need. This shortage of skilled labor has forced many companies to outsource operations abroad. Raising the cap on H-1B visas for skilled workers would allow American businesses to expand operations here in the United States, creating more jobs and higher wages for American workers. Increasing the H-1B cap would also raise significant tax revenue from highly skilled and highly paid workers. Heritage Foundation calculations show that raising the cap to 195,000 visas would increase revenues by a total of nearly $69 billion over eight years. Unlike tax increases, this would be an economically beneficial source of revenue for PAYGO offsets.”

Heck, Isobel. “Lacking Foundation, Minorities Struggle in STEM Fields.” Brown Daily Herald, 1 Nov. 2013, www.browndailyherald.com/2013/10/31/lacking-foundation-minorities-struggle-stem-fields/.

Lacking foundation, minorities struggle in STEM fields. Students said campus culture and insufficient preparation often impeded success.

Underrepresented minority students in science, technology, engineering and math — known as STEM fields — named lack of preparation, stereotyping and unsupportive learning environments as the three major challenges they face.

“As a collective, this is a struggle,” said Jamelle Watson-Daniels ’15, a black student concentrating in physics and Africana studies. “If the University doesn’t distinctly look to improve this, then these people are going to fall through the cracks, and that’s what’s been happening.”

…

“Sense of self”

Students interviewed said their experiences at Brown are shaped by their learning environments — in which they said they often find themselves treated like outsiders.

“So the academic piece, that’s one thing, and then there’s the more psycho- or socio-emotional sort of piece that involves how you respond to your environment’s response to you. … You … feel like the outsider,” said Joseph Browne ’11, coordinator of the New Scientist Program.

Professors can unintentionally say things that deter a student from a certain field or path, Browne said. For example, a professor may encourage a woman or minority student to go into teaching high school rather than pursuing research, he said. “Those kinds of things chip away at your sense of self very quickly,” Browne said. “You become aware that this is not the same kind of advice and kind of interactions this person would have with someone who didn’t look like me.”

It “never even crossed my mind in high school that I was at a disadvantage in any way,” Watson-Daniels said. “When I got here, I was told I was at a disadvantage, and I’d never heard that before.”

Upon arriving, Watson-Daniels said, her approach to science and math changed entirely.

“I wouldn’t attempt the homework by myself because I was already under the impression I just couldn’t do it,” she said. “The flaw in helping people who are at a disadvantage is pointing out that they’re at a disadvantage if they didn’t know.”

Eventually, it reached the point where Watson-Daniels felt she couldn’t take exams.

“I’d get there and look around and feel like I didn’t know anything,” she said. Professors were confused by why she could do problems in office hours or on the homework but couldn’t do similar problems on exams, she said.

Her experience in science courses has frequently caused her to reconsider her decision to concentrate in physics, she said.

“Until very recently, I was convinced that there was something wrong with me and that maybe science just was not for me,” she wrote in an email to the Herald.

Sandra Kimokoti ’15 said interactions with other students can also negatively affect minority students in STEM fields.

These attitudes can manifest themselves in subtle ways, such as minority students not being picked as lab partners or not being included in group discussion, Kimokoti said.

“We’ve heard from Latino students and African-American students that fellow students don’t want to include them in study groups,” said Mitchell Chang, a higher education expert and professor at the University of California at Los Angeles. “They think they won’t be major contributors.”

“In class there is an assumption that I don’t have anything to say,” Kimokoti said. “I constantly put my voice out there to affirm that I do deserve to be here. In some ways, it’s been good because it’s put me in the professor’s face. But it gets tiring to have to prove every day that you deserve to be there.”

Strange

Strange, Deborah. “Minority Students Face Cultural Barriers to STEM Education.” Gainesville Sun, Gainesville Sun, 20 May 2017, www.gainesville.com/news/20170519/minority-students-face-cultural-barriers-to-stem-education.

Minority students face cultural barriers to STEM education

Two University of Florida professors, no strangers to the entry barriers for minority students in science, technology, engineering and math fields, explain how the taunting of minority students in a robotics competition are part of a cultural idea that minority students don’t belong in STEM classes.

After winning a regional robotics competition in Indiana, a group of fourth-graders were taunted by other students and their parents.

The fourth-graders, members of the Pleasant Run Panther Bots, are African American and Latino. As they and their parents left the competition, children yelled “Go back to Mexico” at them, the Indianapolis Star reported.

Two University of Florida professors learned of the news and, themselves no strangers to the entry barriers for minority students in science, technology, engineering and math fields, were inspired to send their encouragement.

“The kids didn’t get treated the way they deserve,” said Emilio Bruna, a Mexican-born UF professor of wildlife ecology and conservation and of Latin American Studies.

Bruna, engineering professor Juan Gilbert and other members of the UF community, sent a 30-pound box of UF T-shirts, baseball caps, USB drives and other swag to the students.

“The things that happened to those kids is very tragic,” said Gilbert, who is the first African American chairman of the university’s

Department of Computer and Information Science and Engineering.

The students, he said, were essentially told, “you don’t belong,” he said.

That message is often the beginning of minority students’ path away from STEM education. And in fields where there aren’t many role models who are minorities, who look like minority students, it’s easy to feel like one doesn’t belong.

“It can feel like you’re the only one, and it’s isolating,” Gilbert said.

Bruna said implicit biases inherently direct minority students away STEM fields. They might not be called on by teachers, and their families might push them into different fields. They might be faced with low expectations and the idea that affirmative action is the only reason for any of their success.

“There’s all this cultural baggage that over time starts to accumulate,” Bruna said.

Rayome

Rayome, Alison DeNisco. “Here's the Real Reason Tech Companies Fail to Hire More Minorities.” TechRepublic, www.techrepublic.com/article/heres-the-real-reason-tech-companies-fail-at-hiring-more-minorities/.

"People think they're all working in these wildly diverse organizations, but the numbers just do not add up," said Carolyn April, CompTIA senior director of industry analysis. "It's a sort of a psychological mindset I think that people have, that doesn't really veer out by the hard facts."

The framing of the problem itself is often an issue, said Allison Scott, chief research officer at the Kapor Center for Social Impact. "In K-12 education through job retention, there are series of biases, barriers, and disadvantages that affect women and people of

color that lead to the numbers we see," Scott said. "If you think about it from that perspective, just doing some unconscious bias training is not going to change the trends of the tech workforce."

…

There's a very high rate of attrition among minorities and women in some of these tech companies," April said. "They may get hired, but then they leave prematurely, because once they're in the environment, it is not inclusive or it's hostile. They just do not feel welcome."

Indeed, unfair treatment in the workplace is the single largest driver of turnover in the tech industry, costing companies more than $16 billion per year in employee replacement costs, according to a recent study from the Kapor Center for Social Impact examining why people leave tech jobs. It was named more frequently than actively seeking a better opportunity, dissatisfaction with the work environment, being recruited away, or dissatisfaction with their job duties/responsibilities.

Bier

Flows, Capital. “H1-B Visa Quotas Greatly Restrain Small Business Expansion.” Forbes, Forbes Magazine, 26 June 2012, www.forbes.com/sites/realspin/2012/06/17/h1-b-visa-quotas-greatly-restrain-small-business-expansion/#14f25563718c.

H1-B Visa Quotas Greatly Restrain Small Business Expansion.



Market-driven demand grew while government-controlled supply shrank. “In most years,” the Government Accountability Office found last year, “demand for new H-1B workers exceeded the cap.” This mismatch is further exacerbated by fees and regulations that prevent businesses, particularly small firms, from even applying. One company estimated the cost of the H-1B and green card process at $16,000. More than sixty percent of small businesses surveyed by the GAO “incurred significant business costs resulting from petitions denied due to the cap, delays in processing H-1B petitions, and other costs.”

H-1B regulations advantage large companies because they can absorb application costs and afford more qualified consultants. Complicated forms and regulations—and the imperative of speed and accuracy—force most businesses to hire experts for $3,000 for a single applicant. Multinational companies surveyed by the GAO “were generally able to hire their preferred candidates because the firms were skilled at navigating the immigration system.” This legal inequity places start-ups and small firms at a disadvantage.

“Some companies would not want to be bothered with foreign students because it would require a lawyer to do all the paperwork,” Elias Shiu, a professor at the University of Iowa’s department of statistics and actuarial science, told The Des Moines Register earlier this year. International students constitute more than sixty percent of Shiu’s department, like many science, engineering, and technology departments at other universities. Yet finding jobs for these highly-qualified workers in the U.S. is almost impossible due to H-1B regulations.

Not only can big players navigate the system better than small firms, they often manage to avoid it completely. Large firms like Principal can afford to have actuary offices in China and Brazil. Similarly, Microsoft recently opened offices in Vancouver to make use of Canada’s more expeditious immigration system for foreign software designers. Not only is stimulating off-shoring bad policy, it is unfair to small U.S. competitors who cannot afford offices overseas to avoid visa constraints.

Nicolle (if opponents say Bier talks about cost, not quota)

“Why Don't Companies Sponsor H-1B Visas for International Students?” International Student Careers, 10 Apr. 2018, www.internationalstudentcareers.com/companies-sponsor-h-1b-visas/.

Why don’t companies sponsor H-1B visas for international students?

They worry you won’t be selected in the H1B lottery

Currently, this is the biggest reason why companies don’t sponsor H-1B. Sponsoring H-1B candidates is risky. There is no guarantee you will get the H-1B visa because it is a government lottery system. Only 35% of employers who applied for the H1B received one in 2015. That means 2/3 of international students who were at the companies who sponsored (and employed them) had to leave the country when their OPT was finished.

It costs between $3,000-$10,000 to sponsor H-1B. It takes over 10K to a company to train and sponsor you. Some companies can’t afford the loss.

Hecht

Hecht, Jared. “Are Small Businesses Really the Backbone of the Economy?” Inc.com, Inc., 17 Dec. 2014, www.inc.com/jared-hecht/are-small-businesses-really-the-backbone-of-the-economy.html.

Leading Innovation

Small businesses also lead the way in terms of tech and new product innovation. In an evaluation of all "high patenting firms," or firms with 15 or more patents in a four year period--a study conducted by the Small Business Administration found that small businesses produced 16 times more patents per employee compared to larger patenting firms. Considering that small businesses account for 43 percent of high tech employment, it's not surprising to note that tech startups account for a significant portion of that innovation.

Reflecting America's Diversity

More and more, small business ownership is reflecting the diversity of the United States. As of 2012, 14.6 percent of small business owners were minorities, compared with 11.5 percent in 2007. This includes 2.3 million Hispanic-American-owned businesses, 1.9 million African-American-owned businesses, and 1.6 million Asian-owned businesses.

This diversity is also reflected in the 36 percent women business owners, and the 9 percent of small businesses owned by veterans. Although we're a long way from small business ownership being equally representative of the American population, this is evidence of the value and potential of the small business economy for minority groups.

## A2: Age Discrimination

#### The age gap is nonexistent. The Harvard Business School uses a 13 year analysis of age elasticity in jobs and found that STEM fields contain 3 to 4 of the highest age elasticities among all occupations, meaning STEM fields discriminate less on age than any other career.

Kerr, William R. "U.S. High-Skilled Immigration, Innovation, and Entrepreneurship: Empirical Approaches and Evidence." Harvard Business School Working Paper, No. 14-017, August 2013.

Prominent advocates against the H-1B visa program claim that tech firms use the program to keep their workforces younger, in part to lower wage bills. 10 This claim is impossible to evaluate in the frameworks described earlier. While advocates against immigration cite the Borjas (2003) crowd-out results, this paper’s framework does not incorporate the types of substitution proposed to be the most important by many H-1B critics. To analyze this feature, Kerr et al. (2013) conceptually lay out a nesting scenario, exclusively among skilled workers with college degrees or higher, where the top-level is occupations, the second level is worker age/experience, and the third level is immigration status. The study then estimates the elasticity of substitution across age groups within each occupation using the Current Population Survey from 1995-2008. **These estimates reveal that the elasticity of substitution across age groups is substantially higher in STEM-related fields than among other workers. STEM fields account for three of the four highest elasticities among occupations, and are greater than those in fields like law or accounting**. Higher elasticities of substitution by age for STEM occupations give one indication as to why older natives may experience displacement from young immigrants in STEM fields. In the nesting format, the results say that the age boundary between young immigrants and older natives may be more porous among STEM fields than in other occupations where a very low elasticity across age groups means that young immigrants effectively have the most impact on young natives in the same occupation

## A2: Expanding Worsens Abuse/Easily Abused

#### The government is solving these issues and will continue to in the future. CNN 18 finds that Trump is cracking down on H1B visa abuses by promoting a “Buy American, Hire American” strategy that is being followed by his federal agencies. In fact, Meyers 17 finds that United States Citizenship and Immigration Services has issued new H1B guidelines that are reserving more spots for very high-skilled (thus higher paid) professionals. It even went as far to make computer programmers who were applying to show proof that their jobs are complex or specialized and require professional degrees. That’s not all, in April 17 Trump signed an executive order that promised to order an interdepartmental review of the H-1B visa program, which many companies and organizations rely on when sponsoring “skilled” foreign talent.

O’Brien, Sarah. “Trump administration cracks down H-1B visa abuse”, CNN, 23 Feb 2018, http://money.cnn.com/2018/02/23/technology/h1b-visa-abuse/index.html

“H-1B visas are valid for three years and can be renewed for another three years. It is a visa that is near and dear to the tech community, with many engineers vying for one of the program's 85,000 visas each year. (20,000 of that quota are reserved for advanced degree holders.) Demand for the visa often exceeds the supply -- in that case, a lottery system is activated. "Since there is a limited number of H-1B visas it is important that those visa workers go where they are legitimately needed," attorney Sara Blackwell told CNN. Blackwell advocates for American workers replaced by foreigner visa holders. The government's crackdown is in line with Trump's direction to federal agencies to implement a "Buy American, Hire American" strategy. The administration proposed new rules and guidance for preventing fraud and abuse of work visas -- particularly the H-1B program. The USCIS says it may limit the length of the visa to shorter than three years based the information an employer provides. For example, if an employer can't prove the H-1B holder is "more likely than not" needed for the full three years, the government might issue the visa for fewer than three years.”

Meyers, Michelle. “Feds crack down on H-1B Visa abuse, fraud” CNet. Apr 3, 2017. https://www.cnet.com/news/trump-h-1b-crack-down-abuse-fraud-visa-uscisjustice-department/

“So, in the name of protecting American workers, the USCIS says it will take a "more targeted approach" when making visits to H-1B petitioners and work sites. It will focus on applicants where basic business information can't be verified, companies with a higher ratio of H-1B employees and employers applying for petitioners who work off site. Meanwhile, just Friday, the USCIS issued much-anticipated new H-1B guidelines, aimed at reserving the H-1B visas for very high-skilled (and thus higher-paid) professionals. They include a requirement that computer programmers applying for the visas provide additional information to prove their jobs are complex or specialized and require professional degrees. The Justice Department also weighed in on Monday, cautioning employers petitioning for the visas not to discriminate against US workers. "US workers should not be placed in a disfavored status, and the department is wholeheartedly committed to investigating and vigorously prosecuting these claims," said Acting Assistant Attorney General Tom Wheeler.”

Crunden, E.A. "Trump's crackdown on H1B visas goes far beyond tech workers." 4/19/17. Think Progress. https://thinkprogress.org/trumps-crackdown-on-h1-bvisas-goes-far-beyond-tech-workers-3951395915c6/

The president signed an executive order on Tuesday as part of an ongoing effort to crack down on companies hiring lower-wage workers from outside of the United States. At a Wisconsin factory, Trump promised to order an interdepartmental review of the H-1B visa program, which many companies and organizations rely on when sponsoring “skilled” foreign talent. While a number of visas allow non-Americans to live and work in the United States, the H-1B program has been the subject of particular ire for the Trump administration. Seen by critics as a tool abused by companies in order to attract cheap foreign labor, support for H-1B reform is bipartisan. Tech workers represent an enormous percentage of H-1B recipients, and are often seen as the face of this visa program. Unsurprisingly, tech companies have lobbied hard to expand the program, and in 2015 the top ten H-1B recipients were outsourcing firms. It’s no surprise, then, that much of the conversation surrounding Trump’s H-1B crackdown has been dominated by references to outsourcing, technology, and Silicon Valley. But tech workers aren’t the only people who rely on H-1B visas for their livelihoods. Academics and lower-wage employees (oftentimes at non-profits), as well as foreign students drawn to those jobs, also count on the program — and a crackdown could hinder their efforts to pursue the jobs they love, in fields that aren’t typically lucrative, like advocacy and social justice.

## A2: Aging Out

## A2: H-4 Domestic Abuse

#### They wont ever be deported- Bhattacharya 14’ explains that U.S. law is very stringent on domestic violence, reporting domestic violence to law enforcement will not cause the women to be deported. At this point they have a burden to read you a case where we actually ever saw this happen.

#### Harsh Laws reduce violence- If convicted of domestic violence, the courts can trigger Title 8 Section 1227 or Title 18 section 16 and deport an H-1B visa holder regardless of sentence, and regardless of whether the conviction is a felony or misdemeanor. This makes domestic abusers less likely to exert violence as the consequences for the abuser are very real.

#### There is an alternate cause than what they tell you- Oliver of Cali Polytechnic Institute analyzes that some of the biggest factors behind domestic abuse were cultural norms and violence in family of origin. This is problematic as the UN population fund reported that 2/3 of married women in India were victims of domestic violence already. This means that most Indian men coming over to America might have already had an abusive mindset and it’s not because of the H-4 visa laws that caused them to be abusers.

#### The alternative is worse- Remember the UN card again which stated that 2/3 of married women in India are already facing domestic violence. The laws protecting and recognizing domestic violence victims are much better here in the U.S. then they are in India. Thus, an H-4 visa holder would much rather live in an environment where their rights are better enforced and domestic violence is taken seriously in the law.

But even if you believe that they are in a worse condition in America than in India, there is no impact because The Status quo is solving this this issue in many ways.

#### First is through U-visas. U-visas are given to H-4 holders who have endured domestic abuse. Effectively allowing them to legally stay in the U.S. for 4 years, work in the US, and receive the opportunity to apply for a green card.

#### The Status quo is solving the problem. Dutt of the India Times reports that there is a new form that allows domestic violence survivors to get independent work authorization. Importantly, this form is confidential, preventing the abuser from learning of the application. The Indian Eagle confirms that importantly, this permit is not at all reliant on the status of the spouse. Already over 100,000 women have gotten work permits in just 3 years, and this number is increasing each year.

#### The Violence Against Women Act ensures citizenship. FindLaw 2016 reports that if you are a domestic abuse survivor, you can petition for a green card, allowing the victim to completely separate their citizenship from the abuser.

#### The third of which is Manavi, an organization that offer free legal help and safe houses to these immigrant women that is funded by the U.S. Department of justice.

Ela Dutt, 2-22-2017, "H4 visa holders who are victims of domestic abuse can get EAD, rules USCIS," News India Times, <http://www.newsindiatimes.com/immigrant-domestic-violence-survivors-allowed-to-work>

Dutt, Ela. [Editor at the News India Times]. “H4 visa holders who are victims of domestic abuse can get EAD, rules USCIS”. News India Times, February 2017. Indian-American activists are excited about a new development that bodes well for H4 visa survivors of domestic violence. A federal immigration form that allows some immigrant domestic violence survivors on H4 visa to apply for independent Employment Authorization Document (EAD), is being applauded by Indian-American advocacy organizations. According to activists this is the final step to activate Section 814(c) of the Violence Against Women Act (VAWA) of 2005 which was intended to address this problem. It was announced on the last day of the Obama administration Jan. 19, and the Trump administration let it stand on Feb. 14 after a review. Section 814(c) amended the Immigration and Nationality Act (INA) to provide eligibility for employment authorization to certain abused spouses of non-immigrants admitted under 15 separate immigration categories. More than 10 years later, the final rule implementing this section has finally become effective, advocates say. The United States Citizenship and Immigration Services (USCIS) issued Form I-765V, “Application for Employment Authorization for Abused Nonimmigrant Spouse,” Jan. 19. The document, which is available on the USCIS website (uscis.gov/i-765v), is confidential, thus preventing the abuser from learning of the application and helping an applicant gain security and independence.

FindLaw. [Business of Thomson Reuters that provides online legal information and online marketing services for law firms]. “The ‘Domestic Violence Green Card’: Immigrant Visa Petitions for Victims”. FindLaw, 2016. If you’re the victim of domestic violence and you’re not a United States citizen or permanent resident, you may be eligible to file your own application for what is commonly called a “domestic violence green card.” Typically, green cards (permanent resident status documents) are obtained when a family member or an employer sponsors an immigrant’s application to reside in the United States on a permanent or long-term basis. However, if you’re residing in the U.S. and suffering as a victim of domestic violence, you are able to self-petition for a green card under a provision of the Violence Against Women Act (VAWA). If you’re not currently residing in the U.S. but your abuser is an employee of the U.S. government or a member of the uniformed services, you can still file for your own green card if you were abused by a U.S. citizen or permanent resident while present in the United States. Finally, if you’re an illegal immigrant suffering domestic violence, you aren’t immediately eligible for the “domestic violence green card” but you can still receive protection from the government if you qualify for a special non-immigrant visa called a U visa. The U visa doesn’t grant you automatic access to government benefits, but you’ll become eligible for consideration for benefits by the U.S. Citizenship and Immigration Services Department (USCIS). For more information on the U visa, visit the USCIS website or U.S. Immigration Support.

Manavi

About Barbara, 2-4-2018, "US Visa Rules Can Create Heartbreak for Women," No Publication, <http://www.passblue.com/2018/02/04/us-visa-rules-can-create-heartbreak-for-women/>

For a relatively brief period in 2015-2016, the Obama administration relaxed the rule for H-4 visa holders allowing a spouse to hold a job if she (or he) could secure an employment authorization document (EAD). But in December 2017, the Trump anti-immigration wave led to a decision that might soon be announced saying that a paying job would again be prohibited by the U.S. Citizenship and Immigration Service, part of the Department of Homeland Security. As it has been widely reported, H1-B visa numbers may also be curtailed for all foreigners; Indians account for the largest number of those granted now. “When she comes here on this H-4 visa and she’s a highly qualified woman who was earning this big salary back home, she may find that she cannot work,” said Gupta, a specialist in dealing with domestic abuse. “Then she’s put into an apartment or a very small house, and she doesn’t even have a Social Security card or a driving license.” Many women do volunteer work if that is an option. Others simply get isolated and trapped. “She can’t drive; she can’t go anywhere” Gupta said. “So she’s stuck in the house and she has to depend on her husband, even like to bring the milk -- or if she has a baby, to bring the diapers. Everything is dependent on the husband. So this gives the other spouse an enormous amount of power over the life of another human being. Her passport is being kept under lock and key, so she has nothing – no identity.” “In a lot of cases the men take advantage of this,” she said. “This may not be in the beginning, but then he suddenly realizes he is in an all-powerful position.” She added that domestic abuse cannot necessarily be linked to the imbalance in their lives, but that the tension that arises because of it can aggravate a troubled relationship. “There are a lot of women’s rights organizations in India,” Gupta said, “but they are looking to the rights of women in that country. There are not a lot of organizations that can tell her what can happen if she goes to another country.” Immigration processes can be very different country to country, however. Unlike the U.S., numerous governments around the world are more accommodating to a spouse, woman or man, in a temporary immigrant status. “It’s completely different in New Zealand,” Gupta said, “It’s completely different in Australia. In most of the European countries they have some rights. But here they cannot. So what happens is that they cannot anticipate that. People don’t come to us here until they are in trouble.” Manavi began as an organization working with women from across South Asia, who are still its central focus. But the organization does not turn away calls for help from others such as Middle Easterners and East Asians. It is one of several dozen help organizations or programs in New York-New Jersey area, many of them offering multilingual services to women in immigrant communities who may not know their rights or how to seek assistance. Among these groups are the Domestic Harmony Foundation, which supports projects to end domestic violence and exploitation in Muslim families. There is also Sakhi for South Asian Women, a widely known and respected decades-old organization offering not only services for women who have been abused or sexually assaulted but also economic empowerment programs for those who are able to work. For Indo-Caribbean women there is Jahajee Sisters, which has very recently borne the shock of a brutal murder on Jan. 1 of one of its community, a 26-year-old woman with two preschool-age children who was stabbed repeatedly by her husband. Manavi, an organization supporting women in crisis for more than 30 years, offers a panoply of services including counseling, free legal clinics (including on how to file for divorce) and a transient safe house for women at great risk. The organization has been receiving funding from a U.S. Department of Justice program dealing with violence against women. “We get federal grants because we work in preventing domestic violence and sexual assault,” Gupta said. An annual gala in April raises additional funds among Indian-Americans and others in the community.

Whatever combination of factors may come together to make life difficult for a wife, including her fear of losing her children if she would decide to return to India, the story seems to end the same way, Gupta said: “It is mostly women who sacrifice their careers.”

U-visas

N.a. "Abused H4 visa holders to get work authorization." Path2usa.com. n.d. Web. 24 Mar. 2018. <https://www.path2usa.com/blog/uscis-rolls-out-implementation-of-granting-work-authorization-to-abused-h-4-visa-holders>

Even women who have divorced their abusive spouses can apply for work authorization for up to two years after the divorce has been finalized which is a major victory as typically, H-4 status ends once a divorce is finalized, making the victim undocumented. Victims of abuse can also apply for a U visa, a non-immigrant visa for individuals who have endured significant physical or emotional abuse.

Ilrc.org. 18 Jul. 2017. Web. 24 Mar. 2018. <https://www.ilrc.org/sites/default/files/resources/proseuvisamanual\_english.pdf>

A U-Visa lets victims of crimes who meet certain requirements stay in the United States. A U-Visa provides the following benefits: • You can legally live in the United States for four years. After three years of having a U-Visa you can apply for a green card to stay in the U.S. permanently. (And if you get a green card, you can eventually apply to become a U.S. citizen). • With a U-Visa you can get permission to work in the United States. • Some of your family members might also be able to get a U-Visa. • With a U-Visa you might be eligible for certain public benefits in some states like California and New York.

H-1B DEPORTATION TITLE 8 Section 1227 or Title 18 section 16

<http://nortontooby.com/topics/domestic_violence>

Manavi

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Bhattacharya

One day after receiving a thrashing from her husband, she threatened to go to the police but her husband counter threatened to abandon her. He told her that without an immigrant status and without him she will be deported back to India, or even worse be jailed for staying in US illegally. Afraid to let her family down, Harleen endured the torture until one day in a rare show of generosity her husband took her to a gurdwara. In the washroom, to her great surprise, was stuck the number of an Asian women’s helpline. A lady in the washroom sensed her dilemma and dialled the helpline for her. A voice answered in Hindi and for the first time in 10 months Harleen saw a ray of hope."Don’t believe your husband’s threats. The law in US is very stringent against domestic violence. Undocumented immigrants and those on dependent visa also have the right to report domestic violence without the fear of being deported", says Aparna Bhattacharya, Executive Director, Raksha – a Georgia-based NGO for South-Asian women. Women are afraid to report violence as they fear that their spouse who has "money, US citizenship or ties with the US government will prevail in court."

Domestic violence has been a long time issue that has affected both men and women in all cultures. The reasons someone might be abused could be related to both internal and external factors. This project reviewed previous literature that examined factors of abuse, perpetuation of abuse, cultural differences and treatments. Factors found to be related included alcohol use, violence in family of origin, need for dominance, drug use, stress, low paying occupations, cultural norms, and emotional dependency. Research findings have indicated domestic violence are a result of many factors and needs to be examined differently among different cultures and sub cultures.

U-visas

N.a. "Abused H4 visa holders to get work authorization." *Path2usa.com*. n.d. Web. 24 Mar. 2018. <https://www.path2usa.com/blog/uscis-rolls-out-implementation-of-granting-work-authorization-to-abused-h-4-visa-holders>

Even women who have divorced their abusive spouses can apply for work authorization for up to two years after the divorce has been finalized which is a major victory as typically, H-4 status ends once a divorce is finalized, making the victim undocumented. Victims of abuse can also apply for a U visa, a non-immigrant visa for individuals who have endured significant physical or emotional abuse.

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USCIS

Abused H4 visa holders to get work authorization." *Path2usa.com*. n.d. Web. 24 Mar. 2018. <https://www.path2usa.com/blog/uscis-rolls-out-implementation-of-granting-work-authorization-to-abused-h-4-visa-holders>

It was recently announced that USCIS will begin granting work authorization to abused H-4 visa holders. 12 years ago, Congress authorized work authorization for abused spouses of H-1B visa holders under the 2005 Violence Against Women Act and on February 14, 2017, USCIS finally announced the implementation of the initiative. H-4 visas are given to spouses of H-1B visa holders and the new initiative allows H-4 women who are involved in an abusive relationship to apply for work authorization, whether they are still in the home with their abusive spouse, or have fled the abusive relationship all together. Affected women can apply via the new form, I-765V,  “Application for Employment Authorization for Abused Nonimmigrant Spouse”.Even women who have divorced their abusive spouses can apply for work authorization for up to two years after the divorce has been finalized which is a major victory as typically, H-4 status ends once a divorce is finalized, making the victim undocumented. Victims of abuse can also apply for a U visa, a non-immigrant visa for individuals who have endured significant physical or emotional abuse.The implementation of this initiative comes as a huge relief for affected women, as most shelters limit women who are fleeing abusive relationships to just three months leaving them with very few options or resources to sustain themselves. While it is noted that work authorization is not a definitive solution or sure-fire path to permanent residency, it does open doors to more permanent opportunities and after the two years is up, has potential for renewal.

Dutt, Ela. [Editor at the News India Times]. “H4 visa holders who are victims of domestic abuse can get EAD, rules USCIS”. News India Times, February 2017.

More than 10 years later, the final rule implementing this section has finally become effective, advocates say. The United States Citizenship and Immigration Services (USCIS) issued Form I-765V, “Application for Employment Authorization for Abused Nonimmigrant Spouse,” Jan. 19. The document, which is available on the USCIS website (uscis.gov/i-765v), is confidential, thus preventing the abuser from learning of the application and helping an applicant gain security and independence. It is also very user friendly, said Devangi Raval, who worked with a South Asian women’s support organization on domestic violence, and is now with the New Jersey based mainstream group Women Rising. “I definitely think it is the right step. Ninety percent of the cases I was dealing with were women not able to leave their spouses because of financial reasons,” Raval said. “The form also mentions a safe mailing address which I really like.

UN population fund

Shepard M.. "Addressing Domestic Violence Against Women: An Unfinished Agenda." *PubMed Central (PMC)*. Wolters Kluwer -- Medknow Publications, n.d. Web. 30 Mar. 2018. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2784629/>

The trend of violence against women was recently highlighted by the India's National Crime Records Bureau (NCRB) which stated that while in 2000, an average of 125 women faced domestic violence every day, the figure stood at 160 in 2005.([7](https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2784629/#CIT7)) A recent United Nation Population Fund report also revealed that around two-thirds of married women in India were victims of domestic violence. Violence in India kills and disables as many women between the ages of 15 and 44 years as cancer and its toll on women's health surpasses that of traffic accidents and malaria combined.([8](https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2784629/#CIT8)) Even these alarming figures are likely to be significantly under estimated given that violence within families continues to be a taboo subject in both industrialized and industrializing countries.

Violence against women act provision

FindLaw. [Business of Thomson Reuters that provides online legal information and online marketing services for law firms]. “The ‘Domestic Violence Green Card’: Immigrant Visa Petitions for Victims”. FindLaw, 2016.

If you’re the victim of domestic violence and you’re not a United States citizen or permanent resident, you may be eligible to file your own application for what is commonly called a “domestic violence green card.” Typically, green cards (permanent resident status documents) are obtained when a family member or an employer sponsors an immigrant’s application to reside in the United States on a permanent or long-term basis. However, if you’re residing in the U.S. and suffering as a victim of domestic violence, you are able to self-petition for a green card under a provision of the Violence Against Women Act (VAWA). If you’re not currently residing in the U.S. but your abuser is an employee of the U.S. government or a member of the uniformed services, you can still file for your own green card if you were abused by a U.S. citizen or permanent resident while present in the United States. Finally, if you’re an illegal immigrant suffering domestic violence, you aren’t immediately eligible for the “domestic violence green card” but you can still receive protection from the government if you qualify for a special non-immigrant visa called a U visa.

Soergel

Andrew Soergel. "For Here or to Go? America's H-1B Dilemma." *US News & World Report*. n.d. Web. 24 Mar. 2018. <https://www.usnews.com/news/articles/2016-04-01/for-here-or-to-go-americas-h-1b-dilemma>

At what point did you decide you wanted to produce a movie highlighting the H-1B experience? What story are you trying to tell? Through the course of my living here in Silicon Valley, I started noticing the curious assimilation of the Southeast Asian population. If you ever visit certain places in Sunnyvale or San Jose, it feels very Indian. And for a newcomer, it might feel like they never left India. That's very curious, and it's not just this ethnicity. It's a lot of other ethnicities that just kind of build this bubble around themselves. To me, the natural thing would be to get more into the realm of the general public. But here, you have these pockets of very strongly knitted cultural communities. People don't come here, then, with an open mind of assimilating into and embracing the new culture they're about to enter in. They're more interested in holding onto their existing mental models of existence. So it's a very, very complex topic. But there is no real authentic portrayal of this assimilation story. The problem for immigrants like me is that there's no authentic legal or media or political representation. We are pretty much temporary visitors, and we are treated as temporary visitors for a very, very long time, to the tune of 15 or 20 years or so. So now I've been here close to 11 years, and I'm still temporary. I still don't have a sense of permanence. I still don't have furniture. Simple things like that. Simply put, I couldn't explain to my mother what the problem of living in America was. On the surface, it's all very, very good. You have a great job, living in a great city, living in San Francisco, you make decent pay. But the kind of pressures and constraints that your immigration status lends on you is very unique, and it starts dictating your life in very strange ways.

Nate Swanner. "Trump Administration Going After H-1B Spouses." Dice Insights. 19 Dec. 2017. Web. 22 Mar. 2018. <https://insights.dice.com/2017/12/19/h-1b-spouses-h-4-work/>

Premium processing for H-1B was also halted. Hardest hit by this proposal may be Indian women. An estimated 80 percent of H-1B recipients come from India, and roughly 90 percent of the 36,000 H-4 holders are women. It’s worth noting that the DHS is only calling its shot, as there’s currently no formal rule change in place. This proposal also doesn’t prohibit spouses from traveling with H-1B visa holders; it only removes their right to work. But that’s a drop in the bucket for ‘job protection,’ and may not dissuade many H-1B applicants. At this juncture, it’s hard to say if the White House and DHS are chipping away at a perceived problem and trying to make good on a campaign promise, or doing just enough to ward off criticism. [Without actual action and sweeping policy change](https://insights.dice.com/2017/11/01/h-1b-reform-lingers-trump-white-house/), some may think it smacks of the latter.

Travel to India, Cheap Flights to India, Aviation News, India Travel Tips, xx-xx-xxxx, "Now Abused H4 Visa Holders can Apply for Work Permit in USA," <a class="vglnk" href="https://www.indianeagle.com/travelbeats/work-authorization-policy-for-abused-h4-visa-holders-in-usa/

[USCIS](https://www.indianeagle.com/travelbeats/usics-new-fees-for-us-citizenship-and-immigration-services/) released a new form for ‘Application for Employment Authorization for Abused Nonimmigrant Spouse’, titled I-765V. The spouses of highly-skilled foreign workers employed on H1B visas are entitled to H4 visa in the US. Most of H1B and H4 visa holders are from India. The new policy made it possible for those in or out abusive relationship with H1B visa holders to apply for temporary work authorization.

Those who have divorced their spouses ([H1B visa](https://www.indianeagle.com/travelbeats/tag/h1b-visa/) holders) on grounds of domestic abuse have also been brought within the purview of the new policy for H4 visa holders. They can apply for work authorization for maximum two years. Generally, spouses of H1B visa holders stand the risk of losing their H4 status if they file for divorce. They become undocumented immigrants once the divorce is finalized.

Many H4 visa holders are threatened with the loss of immigration status if they walk out of the marriage. Thus abusive persons continue to subjugate their spouses to domestic violence, taking advantage of this rule. Divorce is no longer a cap on H4 visa holders’ rights to apply for temporary work authorization in the US. The abused spouses’ application for work permit has nothing to do with their partners’ status in the process of attaining legal permanent residency. The new work authorization policy is a sort of empowerment for the abused H4 visa holders to be independent of their abusive partners and live out of the relationship without divorce, according to Nisha Karnani, an Indian American immigration attorney. The victims of domestic violence among H4 visa holders can also apply for a non-immigrant U visa, which is granted to those who have been subjected to physical or mental abuse.

World Nikhila, 4-29-2018, "More than 100,000 H4 dependent spouses in the US got work permits in the last 3 years," Firstpost, <https://www.firstpost.com/world/more-than-100000-h4-dependent-spouses-got-work-permits-in-the-last-3-years-4234273.html>

[Latest numbers available from the United States Citizenship and Immigration Services](https://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/BAHA/eads-by-basis-for-eligibility.pdf) show that the United States has so far given employment authorisation documents to 104,750 H4 visa holders (spouses/ dependents of H1B workers) since 2015 when the floodgates first opened.

In the last three years, USCIS has approved employment authorisation for 26,858 applicants in 2015 followed by 41,526 in 2016 and 36,366 until June end this year.

## A2: Body Shopping

#### You can turn their offense to our side because Cromwell '09 of the Brooklyn Journal of Law writes that if the cap of H-1B visas was increased, [quote] "the practice of body shopping will likely decline or disappear altogether". In fact, the low cap in the status quo has actually created more body shopping but voting for the AFF will effectively reduce the pressure to mobilize a supply of H-1B visas.

#### Delink -There are rules that​ prohibit companies from charging workers the cost of a visa and also require that there be a job when the foreign worker arrives. The abuse of these outsourcing firms is being cracked down on in the status quo. Already, significant progress has been made, as in 2013 “Tata Consultancy ​agreed to a settlement of $29.75 million dollars ​to all ...workers in a class action case [and] ​Infosys reached a settlement​ with the US in its visa fraud case in 2013 [agreeing] to pay ... $34 million.

#### Body shopping is outdated: Mishra of Business Standard reports that the US passed new legislation two months ago that ends body shopping by forcing companies to prove that its H1B employees have specialized knowledge for highly skilled positions, meaning the entry level programmers that are body shopped no longer qualify.

#### Ghanate of Deccan Chronicle finds that this reform will have at least a 60-70 percent impact on consultancies putting an end to bodyshopping

Cromwell 09 Courtney L. Cromwell (JD candidate at Brooklyn Law School), Brooklyn Journal of Corporate, Financial & Commercial Law, "Friend or Foe of the U.S. Labor Market: Why," Published <https://brooklynworks.brooklaw.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=1146&context=bjcfcl>

"Instead, however, the H-1B cap may be the cause of body shopping in the United States, **and if the cap is abolished, the practice of body shopping will likely decline or disappear altogether. In 2003, once the cap reverted to 65,000 from 195,000, n145 employment placement agencies and consulting firms** such as MindTree and Wipro, two of the largest body shoppers, **began "scrambling to build teams of visa-ready people**." n146 They were forced to anticipate what skills their clients would need in the next few years and thus make efforts to mobilize enough H-1B visas to "manage a supply imbalance that was expected to emerge . . . ." n147 Thus, **the 65,000 cap created a high demand for H-1B visas, which led employment and recruiting agencies to obtain as many H-1B workers as possible for themselves and their clients. n148 In turn, as a result of these agencies hoarding H-1B visas, it is likely that the abusive body shopping practices** **developed because the [\*471] agencies could not afford to pay H-1B workers who were not assigned to jobs.** Therefore, **raising or abolishing the cap will reduce the pressure to mobilize a supply of H-1B visas, thus eliminating the practice of body shopping altogether."**

[Jeremy Carroll](https://www.nbcbayarea.com/results/?keywords=%22Jeremy+Carroll%22&byline=y&sort=date) of NBC May 16, 2016 “Silicon Valley's "Body Shop" Secret: Highly Educated Foreign Workers Treated Like Indentured Servants” https://www.nbcbayarea.com/investigations/Silicon-Valleys-Body-Shop-Secret-280567322.html

Broken Promises “’Indentured servants’ is a pretty accurate term because in many cases that’s exactly what’s going on,” said Phillip Griego of San Jose’s Phillip J. Griego and Associates. Over the years, Griego and his law partner, Robert Nuddleman have represented several H-1B workers in lawsuits against body shops. Griego says the body shops “will promise to pay all of their expenses to get over here,” said Griego. [Obama Is Silicon Valley's Only Hope For Immigration Reform](https://www.nbcbayarea.com/news/local/Obama-Is-Silicon-Valleys-Only-Hope-For-Immigration-Reform-266145301.html) But Griego says workers tell a very different story. “They may not even have a job” when the workers arrive in the United States, said Griego. “Which is a misrepresentation of the H-1B visa.” [H-1B visa rules](http://www.uscis.gov/eir/visa-guide/h-1b-specialty-occupation/understanding-h-1b-requirements) prohibit companies from charging workers the cost of a visa and also require that there be a job when the foreign worker arrives. Rules Ignored or Broken The joint CIR/NBC Bay Area investigation found dozens of instances where companies ignored and broke those rules. We tracked court cases involving consultancy companies or their executives, including a half-dozen civil cases filed in state and federal courts, around the country. In total, these court filings involved more than 600 fraudulent H-1B visas and petitions. One case became [a class action lawsuit](https://www.documentcloud.org/documents/1347380-30896-complaint.html) based on the conditions that attorney Michael Ng found for many of the workers at Silicon Valley Systech or SVS. “Most of these people had also paid substantial fees, illegally, to cover the cost of the H-1B visa application to the United States,” said Ng, a labor attorney in San Francisco. He considers Santa Clara-based Silicon Valley Systech to be a body shop. Ng said many of the SVS workers were “benched” once they arrived in the US, meaning there was no job and were forced to wait for work on the “bench.” Under H-1B rules, that’s illegal. “They didn’t have jobs lined up for any of their employees, certainly nothing at the levels that they had promised them,” said Ng. In court filings in response to the lawsuit’s complaint, a lawyer for the SVS [denied the allegations](https://www.documentcloud.org/documents/1347382-svs-answer-to-fac.html) and maintained that any problems with pay, work or “benching” were a result of the workers’ actions. Midway through the lawsuit’s process in 2009, Silicon Valley Systech went out of business, leaving workers with nothing. “Essentially they dumped them [the workers] into the guesthouse,” said Ng. Confined to a Guesthouse A guesthouse is a small apartment or home where as many as eight to ten workers stay at once. A dozen different interviews confirmed that the guesthouses are commonly used by body shops. One worker from India described how the body shops explained the guesthouse when he arrived: “We are placing you in the guesthouse. Until you get the job you have to stay in the guesthouse, you should not go out, even for a walk,” the worker said. This worker, too, asked to remain anonymous because of fears he will jeopardize his future job prospects. He stayed in guesthouses for several months and was told not to leave. “My family’s in India,” he said. “I have a 6 month old baby and I want to see my son, and they [my family] want to come to the US and] stay with me,” the worker said. Yet because of the living conditions at the guesthouse, the worker said there was no way his family could join him in the United States. The worker said the body shop made him pay $2,300 to get an H1-B visa, which is illegal under federal law. He said the body shop kept up to 30 percent of his $60 an hour contract salary for ‘expenses’ and ‘taxes.’ This was in addition to the actual federal and state taxes withheld from his paycheck. He estimated that the body shop kept about $35,000 of his salary a year. Companies Under the Microscope According to federal records, two of the largest consulting and outsourcing companies have been accused in federal court of breaking US laws around H-1B visas. [A civil case in Texas](https://www.documentcloud.org/documents/1347409-usa-v-infosys.html) brought by the federal government alleged that Infosys committed visa fraud in a similar program. According to USCIS statistics, Infosys applied to sponsor 11,652 H-1B workers in fiscal year 2013. [Infosys reached a settlement](https://www.documentcloud.org/documents/1347419-settlement-131030plano.html) with the US in its visa fraud case in October 2013. They agreed to pay the US government a record $34 million, including $24 million to the US Attorney's office for the Eastern District of Texas. USCIS statistics also show Tata Consultancy Services, applied for 7,279 H-1B work visas in fiscal year 2013. [Tata Consultancy was also sued](https://www.documentcloud.org/documents/1347413-1-1-complaint.html) in 2006 in San Francisco for alleged breach of contract when the company, according to the lawsuit, allegedly failed to pay temporary visa holders gross wages promised. The case affected some workers on H1-B visas. San Francisco class action attorney Daniel Hutchinson represented H-1B workers in the class action lawsuit against Tata Consultancy. “It comes down to people not getting paid what they’re promised to get paid or what they should be getting paid,” Hutchinson said. “And that’s actually the experience that we’ve seen for a lot of people where people have come forward and company officials have told them, ‘if you complain about this, if you don’t sign over this amount, if you don’t agree to this deduction, then we can just send you back to India.’” [In court papers](https://www.documentcloud.org/documents/1347411-answer-to-first-amended-complaint.html), Tata’s attorney denied all the allegations. However, after seven years in court, Tata Consultancy [agreed to a settlement of $29.75 million dollars](https://www.documentcloud.org/documents/1347410-settlement-order-giving-final-approval-for-class.html) to all the workers in a class action case, or an average of $1,600 per person after attorneys’ fees and costs. Steve Tindall, the co-lead counsel on the case said that “each class member received different amounts” in the settlement. “I don’t think the general public knows much at all about who is being employed within the tech sector,” said Hutchinson. “It seems to be something that’s affecting hundreds of people who I’ve talked to and then through our investigations, thousands of people outside of that as well too,” he continued. Neither Tata nor Infosys returned multiple requests from NBC Bay Area’s investigative team for comment.

Bibhu Mishra & Kiran Rathee, "Trump's H1B visa policy to hit third-party supplier base of Indian IT firms | Business Standard News", 24 Feb 2018, http://www.business-standard.com/article/current-affairs/new-h1b-visa-policy-to-hit-third-party-supplier-base-of-indian-it-firms-118022400045\_1.html

A new policy announced by US President Donald Trump’s administration is expected to hit the third-party supplier base of Indian information technology (IT) companies in the US. **According to the policy, companies would now have to go the extra mile to prove that its H1B employees deployed at third-party worksites have “specific and non-qualifying speculative assignments in speciality occupation”**. “If a petitioner is applying to extend H1B employment for a beneficiary who was placed at one or more third-party worksites during the course of past employment with the same petitioner, then the petitioner should also establish that the H1B requirements have been met for the entire prior approval period,” the United States Citizenship and Immigration Services (USCIS) said on Thursday through the seven-page policy guidelines.

"Hyderabad: H1B rules curb body shopping", feb 28 2018, Ghanate

<https://www.deccanchronicle.com/nation/current-affairs/280218/hyderabad-h1b-rules-curb-body-shopping.html>

Hyderabad: **The new H1B policy guidance introduced by the US government, which seeks detailed information about the employment of those applying for this visa, will put an end to ‘body shopping’ companies that have been abusing the system.**

The US Citizenship and Immigration Services (USCIS) said in its memo dated February 22, “Employers must provide contracts and itineraries for employees who will work at a third-party location.”Subhakar Alapati, director of Global Tree Overseas Education and Immigration Consultant, Hyderabad, said that the memo will not impact genuine workers “but **there will be at least 60-70 per cent impact on consultancies because they have to provide details of the third-party company as the US authorities are coming down heavily on them.”**

# Politics/ Hegemony

## A2: Republican Backlash

#### There is rising support among Republicans for H1B visas. Breland of the Hill 18 finds that Republican Senators Orrin Hatch of Utah and Jeff Flake of Arizona are proposing a bill that would increase the quota for H1B visas and allow for H-4 visas.

#### Kwong in January tells us that even as Trump considers blocking extensions of H1B Visas, Republican senators, like Orrin Hatch and Jeff Flake, continue to push for them.

**Kwong, Jessica**. "Republicans Propose H1B Visa Expansion as Trump Considers Slashing the Program." Newsweek. **1/26/18**. http://www.newsweek.com/republicans-propose-h-1b-visa-expansion-trump-considers-slashing-program-792620

Two Republican **legislators are pushing to make more H-1B visas available in the U.S. to highly skilled immigrants, even as President Donald Trump reportedly considers a proposal that would block extensions of such visas for workers awaiting their green card approvals.** Senators Orrin Hatch of Utah and Jeff Flake of Arizona on Thursday introduced the Immigration Innovation “I-Squared” Act of 2018, which aims to increase the annual quota from 65,000 to 85,000 for the H-1B visa, a non-immigrant document that allows U.S. companies to employ graduate-level foreign workers in fields that require technical and theoretical expertise. The legislation also seeks to lift an existing cap of 20,000 additional H-1B visas reserved for workers with master's degrees if their employers sponsor their green cards. It also looks to provide work authorization for H1-B visa holders’ spouses and dependent children and intends to remove limits per country for green cards sponsored by employers that led to a backlog for people from countries including India and China.

Breland, Ali. "Hatch Bill would Dramatically Increase H1B Visas." The Hill. 1/25/18. http://thehill.com/homenews/senate/370650-hatch-bill-would-dramaticallyincrease-h-1b-visas

Sen. Orrin Hatch (R-Utah) plans to release legislation on Thursday that would expand high skilled immigration visas and allow the spouses and children of such visa holders to legally work in the U.S. According to the text of the bill obtained by The Hill, Hatch’s Immigration Innovation (or I-Squared) Act would increase the cap on H-1B high skilled immigration visas from 65,000 to 85,000 a year and expand the number of visas allocated to meet demand up to 195,000. The bill would also scrap the per-country cap on employment-based green cards. The bill, if it became law, would also create a legislative provision to allow the dependents of H-1B visa holders to legally work in the U.S. with H-4 visas. The Department of Homeland Security has signaled that it is considering scrapping this program, to the dismay of the technology industry, which has vocally supported the visa.

Kwong, Jessica. "Republicans Propose H1B Visa Expansion as Trump Considers Slashing the Program." Newsweek. 1/26/18. http://www.newsweek.com/republicanspropose-h-1b-visa-expansion-trump-considers-slashing-program-792620

Two Republican legislators are pushing to make more H-1B visas available in the U.S. to highly skilled immigrants, even as President Donald Trump reportedly considers a proposal that would block extensions of such visas for workers awaiting their green card approvals. Senators Orrin Hatch of Utah and Jeff Flake of Arizona on Thursday introduced the Immigration Innovation “I-Squared” Act of 2018, which aims to increase the annual quota from 65,000 to 85,000 for the H-1B visa, a non-immigrant document that allows U.S. companies to employ graduate-level foreign workers in fields that require technical and theoretical expertise. The legislation also seeks to lift an existing cap of 20,000 additional H-1B visas reserved for workers with master's degrees if their employers sponsor their green cards. It also looks to provide work authorization for H1-B visa holders’ spouses and dependent children and intends to remove limits per country for green cards sponsored by employers that led to a backlog for people from countries including India and China.

## A2: Policy Tradeoff

##### **1.     Make my opponents specify a specific policy that is trade off with an increase of the H-1B visa program.**

##### **2.    They don’t prove a probability of this argument coming to fruition in the real world.  That is crucial because Nilsen of Vox (18) writes that democrats are now fighting over the long-term trends of immigration policy.**

##### **3.    Republicans don’t have the power to repeal other policies. Galston of the Brookings Institute (18) finds that the American people are currently rejecting more of Trump's immigration plan. Even if Trump wants to commence some type of trade off, it would cost him his supporters.**

Ella Nilsen, 2-13-2018, "Immigration is becoming a 2020 litmus test for Democrats," Vox,<https://www.vox.com/policy-and-politics/2018/2/13/16902454/daca-democrats-2020-immigration-shutdown>

Senate Democrats eyeing the 2020 presidential ticket have been consistent on one message for months: They’re willing to shut down the government over DREAMers. Since the fight over the lack of a long-term spending bill and immigration deal began in earnest in December, Democrats have tried to use what little political leverage they have to get a permanent fix for the sunsetting Deferred Action for Childhood Arrivals program protecting young, unauthorized immigrants, even if it meant a government shutdown. But some politicians have been more consistent than others. The past few months have seen a fierce debate on the left — with progressives and immigrant rights groups saying Democrats “caved” by voting to reopen the government twice in two weeks — and others saying Senate Democrats managed to preserve their leverage. But among some high-profile rumored 2020 contenders, there has been no debate. Sens. Kamala Harris (D-CA), Bernie Sanders (I-VT), Cory Booker (D-NJ), Elizabeth Warren (D-MA), and Kirsten Gillibrand (D-NY) all voted against every recent spending bill because they have not seen a vote on an immigration fix. They did it again on Thursday night, joining a handful of other Democrats voting against a long-term spending bill.

William A. Galston, 2-7-2018, "Voters to Trump: You’re on thin ice with immigration policy," Brookings,<https://www.brookings.edu/blog/fixgov/2018/02/07/voters-to-trump-youre-on-thin-ice-with-immigration-policy/>

According to the latest research, the American people reject much of President Trump’s plan for immigration. But they agree on one big point: Don’t deport the Dreamers. According to a survey released by Quinnipiac University on February 6, 81 percent of registered voters support allowing immigrants who were brought to the country as children to remain in the United States and eventually apply for citizenship. Ninety-four percent of Democrats favor this policy—no surprise there. But so do 82 percent of Independents, 76 percent of whites without a college degree, and 68 percent of Republicans. When it comes to another key element of the Trump plan—building a wall along the border with Mexico—the picture changes. Only 37 percent of voters support this idea, while 59 percent oppose it. Although 75 percent of Republicans want to see it built, 61 percent of Independents and 89 percent of Democrats do not. It splits Mr. Trump’s base—whites with less than a college degree—down the middle, with 51 percent in support versus 46 percent opposed.

## A2: Republicans Gain Support

#### 1. Increasing the quota of H-1B visas is going to create backlash against republicans, Enten of Fivethirtyeight 2017 explains that if republicans are to stray away from their party platform of strict immigration laws than they are guaranteed backlash from the electorate. However, passing such immigration reform would be a political winner for the democratic party as York of The Washington Examiner 2014 illustrates that when more immigrants are allowed to come into our country, democrats are more likely to win elections in congress while republicans are going to lose support. Empowering the democratic party is important for two reasons:

#### 2.    Pearchingtree Solutions 2018 argues that because hard times are descending upon tech industries and the American middle class is being sacrificed for emerging middle classes in other countries. As a result, the current demand of an increase in visas is expected to decrease.

#### 3.    Chait of The National Interest 2017 writes that the reason that most people do not like the republican party is due to it being deeply imbedded into our history and impressions of what the parties are being passed down over generations. One policy won’t fix a generation of views on a party.

Annalyn Kurtz, April 18, 2017,  This Is an H-1B Visa. And Here's How President Trump Wants to Change It”,  Fortune, Accessed March 13, 2018,<http://fortune.com/2017/04/18/h1b-visa-donald-trump/>

President Trump heads to Wisconsin this afternoon to pay a visit to a tool factory and the blue collar workers who helped win him the election. During the trip, he’s expected to sign what his aides are calling a “Buy American, Hire American” executive order. According to a briefing by two senior White House officials Monday, The “Hire American” part specifically directs federal agencies to “crack down on fraud and abuse” in the immigration system. It also calls for the Departments of Labor, Justice, Homeland Security, and State to suggest reforms to the H-1B visa program for foreign workers. The move comes after Trump, as a candidate, paraded laid-off IT workers onstage and called for the end of the H-1B visa program. He at first said the visas “decimate” American workers and depress U.S. wages, but later seemed to flip-flop on the issue. The government opened up applications for H-1B visas earlier this month, with allocations for 85,000 visas untouched by Trump.

PerchingTree Solutions,  “The Trump Uncertainty Principle : Impact on H/L/OPT/TN Visas”, Accessed March 13, 2018,<https://www.perchingtree.com/trump-uncertaintity-h1b-visa/>

Nick Statt of Verge is less optimistic in his write-up here.  He claims that the hard times are descending on the Silicon Valley and the tech industry in general. Critics of the program argue that American middle class has been sacrificed to give way to emerging middle class in countries like India, China, Philippines, Mexico. Some argue that for every replaced American worker, there is at least one H1B worker imported into the country and five to ten off-shore workers employed in IT hubs. There is a definite lure of the American Dream and it not surprising to note that there are Visa Temples in India where people donate airplane replicas as people believe that it will boost their chances of foreign travel. A large majority of Indian and foreign students are indebted with large loans to meet their aspirations of the American Dream. The lure is such a cultural movement in India that parents succumb to the societal pressures by mortgaging their homes and their life savings. The economic impact due to any changes in the immigration policies will be severely felt in India and US alike. Some claim that H1B grooms are the most sought after candidates and Trump’s new policies may lead to a drop in demand.

Harry Enten, September 12, 2017, “Trump’s Hardline Immigration Stance Got Him To The White House”, FiveThirtyEight, Accessed March 13, 2018,<https://fivethirtyeight.com/features/why-polls-showing-daca-as-popular-even-among-republicans-dont-tell-the-whole-story/>

Immigration is similar to guns in that the Democratic position on many specific immigration policy questions is more popular than the Republican position, but Republicans hold their own on immigration more generally. Much of Trump’s immigration agenda doesn’t poll well: For instance, there isn’t broad support for building a border wall with Mexico, limiting legal immigration or ending DACA. However, recent surveys from George Washington University and Morning Consult found that Democrats and Republicans tend to poll evenly when it comes to which party is trusted more to handle immigration. Additionally, immigration tends to be an issue that is more important to Republicans than Democrats. The 2016 national exit poll found that Trump beat Hillary Clinton by 31 percentage points among voters who said immigration was the most important issue facing the country. The 2016 Cooperative Congressional Election Study found that 73 percent of Trump voters said immigration was of “very high importance” to them, compared with 24 percent of Clinton voters. And despite Trump’s rhetoric on immigration and Latinos during the 2016 campaign, he probably did no worse among them than Mitt Romney did in 2012. (And he may have done slightly better.)

Harry Enten, September 12, 2017, “Trump’s Hardline Immigration Stance Got Him To The White House”, FiveThirtyEight, Accessed March 13, 2018,

So even though DACA is popular, Republicans would be unlikely to face a backlash among their voters — even their more centrist ones — should they refuse to pass a replacement. Indeed, Republican members of Congress could face a backlash if they pass one — in the form of primary challenges. In recent elections, a hardline stance on immigration has proved to be a winner in Republican primaries. It has been highly correlated with how well GOP senators have done against primary challenges — senators with more hardline positions have done better against primary challengers; those with more moderate views have done worse. In 2016, moreover, immigration may have been the issue most responsible for Trump’s winning the Republican nomination. In every state with a caucus or primary exit poll, he did best among voters who said immigration was their top issue.1

Dan Backer, 6-20-2017, "The Media’s Unrelenting Bias Against Trump – InsideSources," InsideSources, <http://www.insidesources.com/medias-unrelenting-bias-trump/>

From Charlottesville to Hurricane Irma, the liberal media are determined to leverage the tragedy of the day to inflame the American people against President Trump. In Irma’s wake, CNN decided to shift coverage from the hurricane’s havoc to politics, attacking the president’s stance on climate change. One CNN headline read: “Trump dismisses climate change questions by contradicting himself on hurricanes.” After Hurricane Harvey made landfall in Houston, MSNBC criticized Trump for visiting the city too soon — despite blaming President George W. Bush for visiting New Orleans too late after Hurricane Katrina. Other outlets blasted first lady Melania Trump for wearing high heels on the plane to Houston (she changed into sneakers on the ground). I don’t recall the same media outrage at Michelle Obama for sending fundraising emails during Hurricane Sandy or wearing $540 shoes to a food bank. But let’s be honest: Who really believes the media would be satisfied by anything when it comes to this White House? And that’s the problem.

## A2: US Hegemony

#### If they say it will hurt Vietnam, Thailand, etc. or the people of the South China Sea.

#### This would happen in both worlds. The Diplomat 17 explains that with declining economic clout and a military dispersed across the globe, U.S. containment of Chinese influence in East Asia is futile. Meaning regardless of voting pro or con these horrible effects are already set in motion.

#### If they say that the US will act out against China leading to global conflict.

#### The US already has a strategy for this inevitable event. Glickman of The Hill 18 finds that the US has adopted a new National Defense Strategy which anticipates a possible great power transition from the US to China. In this strategy it states in very clear terms that the United States remains committed to maintaining “a free and open international order” alongside China. That’s important as the Diplomat 17 contends that China, in its pursuit of the South China Sea, looks to maintain this order as it is a common interest.

#### Turns

#### Turn the argument against them as this will actually increase hegemony and attract more businesses. Unlike the US, China refuses to allow its companies to outsource according to the Global Times 17. That’s important because the Economic Policy Institute 16 finds that the top 10 H1B visa using firms outsource to other countries such as India and by increasing the quota you further promote this freedom to companies on who they can hire. No company will leave a nation that promotes this freedom for a country such as China who inputs limitations. This means it will reverse the decrease in hegemony we see now by attracting larger businesses who seek more freedom and satisfying the ones we already have.

#### Even if you believe that affirming will decrease US hegemony, turn this argument to our side because there will be less reckless interventions. Glaser of the CATO Institute states that by no longer being the global superpower, the US will be more cautious of its unilateral actions knowing it will be held responsible.

#### General Hegemony Decline Bad – Non-uniques

#### Global trade is nowhere near dependent on US hegemony. He cites Mueller of Ohio State University who explains that although more actors are increasingly capable of disrupting US command of the seas, none can undermine the maritime status quo of free trade due to the clear majority of nations who would respond to such action. Even if China were to become the global hegemon, free trade would be uninhibited as China has the ability to act now with its military however it refuses to commit economic suicide.

#### China would let the U.S. to continue its counter terrorism efforts. He cites a RAND corporation study that found that China would let the US continue its efforts in the Middle East and abroad due to the oil benefits it receives and its common interest in fighting terrorism.

#### War would not break out. Glaser finds that economic interdependence, which developed before America’s rise, has always been the underlying reason for deterrence. He concludes that the normative shift of the world from glorifying war to making it a last resort due to its costliness, will continue to maintain peace in a world without US hegemony.

John Glaser, 1-9-2017, "Is U.S. Primacy a Burden or a Benefit?," Cato Institute, <https://www.cato.org/blog/us-primacy-burden-or-benefit>

It’s not clear to me that America secures better oil exploration deals as a result of its expansive grand strategy. Nor am I convinced that the ability to organize ad hoc military coalitions always serves U.S. interests; too often they have been used as a veneer of international legitimacy for reckless interventions. It seems a good thing, for example, that the U.K. parliament refused to go along with [Obama’s plan](https://www.cato.org/multimedia/events/crisis-syria-can-us-intervention-solve-anything) [to bomb the Assad regime](https://www.cato.org/publications/commentary/syrian-wmds-dont-justify-intervention) in 2013. [According to Secretary of State John Kerry](https://www.theguardian.com/world/2017/jan/05/john-kerry-us-syria-intervention-plan-britain-obama), that was the pivotal moment in derailing a war that was deeply unpopular with the American public and that Congress wouldn’t even formally approve.

More interesting is Cambanis’s argument that America’s “global cop” role keeps shipping lanes open and facilitates free trade agreements. I think America’s post-war and early Cold War role in setting up international institutions that liberalized economies and encouraged the lowering of trade barriers was important, but the notion that global free trade today depends on U.S. hegemony is dubious. Most countries have learned the lesson that freer trade and globalization is a net economic benefit; they don’t need U.S. military bases to continue to be convinced. And certainly America’s frequent “global cop” military interventions don’t help. Moreover, as Joshua Shifrinson and Sameer Lalwani write in a chapter for [a Cato Institute book](https://store.cato.org/book/dangerous-world) (By John Muller) on threat perception and U.S. national security, “Although more actors are increasingly capable of disrupting American command [of the seas], none are capable of systematically undermining the maritime status quo.” Indeed, any state interested in gaining global power and influence will strive to keep shipping lanes open and engage in free trade. Just ask China.

And as for the argument that China would be “thrilled for America to pull back,” I seriously doubt it. China certainly prefers an American withdrawal from the South and East China Seas, but, as a recent [RAND Corporation study](http://www.rand.org/pubs/research_reports/RR1229.html) found, China is all too eager to let the U.S. carry the burden for Middle East energy security, believing ([erroneously](https://www.foreignaffairs.com/articles/persian-gulf/2016-12-12/getting-out-gulf)) that American military presence there helps secure the free flow of oil out of the Persian Gulf, incidentally a region that China relies on for oil imports far more than the U.S. does.

Much of this debate boils down to whether or not U.S. primacy deserves credit for [the decline](http://www.bostonglobe.com/opinion/2016/04/15/the-decline-war-and-violence/lxhtEplvppt0Bz9kPphzkL/story.html?event=event25) [of interstate war](https://csis-prod.s3.amazonaws.com/s3fs-public/legacy_files/files/publication/twq12SummerTertrais.pdf), and thus for the increase in global economic productivity, since 1945. Many argue that it does, but there are competing arguments. Nuclear weapons and the destructive power of modern conventional militaries have created an environment of “defense dominance” in which war and conquest are either prohibitively costly or just plain infeasible. Economic interdependence, which developed long before America’s rise to superpower status, also creates incentives to keep the peace and [get rich instead](http://pages.ucsd.edu/~egartzke/publications/gartzke_ajps_07.pdf) – so the cause-effect variable could very well be the reverse of what Cambanis and others claim. Cato’s own John Mueller has long [argued](http://www.cornellpress.cornell.edu/book/?GCOI=80140100312400) that a normative shift in the way most societies see war, from a glorified practice to an abhorrent last resort, is the real reason for the decline of international conflict. Cambanis predicts that, contrary to the prognostications of some fearful commentators, Trump will not reduce America’s role in the world because he will soon realize that it is a net benefit to the country’s interests and its bottom line. I agree Trump is unlikely to pare back U.S. predominance, but I think it will have more to do with his predilection for exercising immense power than anything else.

Kyle Haynes, The Diplomat, 6-2-2017, "Would China Be a Benign Hegemon?," Diplomat, https://thediplomat.com/2017/06/would-china-be-a-benign-hegemon/

Charting a course for U.S. grand strategy in East Asia requires asking three key questions. First, what are the United States’ vital substantive interests in the region? Second, how costly will it be for the United States to maintain its longstanding regional dominance in the face of China’s rise? And third, how likely are its interests to be maintained within a regional order dominated by China?

First, with respect to core regional interests, the United States fundamentally seeks to maintain an [open, liberal economic order](https://www.foreignaffairs.com/issues/2017/96/3) and to maintain the territorial and political security of its regional [allies](https://muse.jhu.edu/article/413018/summary). This would necessitate upholding the freedom of navigation throughout the region’s international waters, including the South and East China Seas. Second, given China’s enormous population, geographic location, and economic dynamism, it will be impossibly [costly](http://www.pwc.com/gx/en/issues/economy/the-world-in-2050.html) for the United States to sustain its regionally dominant position over the coming years. With declining economic clout and a military dispersed across the globe, U.S. containment of Chinese influence in East Asia is futile.

[…]

American policymakers grappling with the strategic dilemma presented by China’s rise and recent assertive shift should focus on signals of China’s substantive preferences for East Asian regional order. China is clearly seeking to supplant the United States as the region’s hegemon, but this is entirely consistent with the behavior of an emerging great power that is largely satisfied with the status quo order. The United States similarly expelled Great Britain from the Western Hemisphere after 1900, but did not push on to invade Canada or [pilfer British investments](https://history.state.gov/milestones/1899-1913/roosevelt-and-monroe-doctrine) throughout the region. As an emerging great power, the United States sought primarily to deny other powers the ability to threaten its territory.

Despite some disquietingly aggressive tactics, the substantive policies underlying China’s assertive shift actually seem quite compatible with American interests. China would establish effective control over most of the South and East China Seas, and construct a set of economic institutions more favorable to its interests. But China’s policies have given little indication that it harbors designs of broader territorial expansion or seeks to fundamentally overthrow the liberal regional order. American strategy in East Asia should be driven by these signals of China’s substantive preferences, not the fact that China is pursuing regional hegemony in the first place.

TheHill, 1-29-2018, Gabriel Glickman "Is China's global hegemony a foregone conclusion?," http://thehill.com/opinion/international/371048-is-chinas-global-hegemony-a-foregone-conclusion

The world is going backwards into the future — the latest evidence being the new National Defense Strategy (NDS), which anticipates a possible great power transition from the United States to China. There are two components of the new release: one is an unclassified synopsis that is 11 pages long and is [available to the public](https://www.defense.gov/Portals/1/Documents/pubs/2018-National-Defense-Strategy-Summary.pdf), the other is a much longer (and presumably detail-oriented) report that will remain classified for the foreseeable future.

What is most notable about the NDS is that it avoids the militant-like nationalism of the National Security Strategy (NSS) that was released in December (there is no mention of “America First”), and it states in very clear terms that the United States remains committed to maintaining “a free and open international order.”

What does the DOD mean by “order”? In the field of international relations, the terms “revisionist state” and “status quo state” are used to describe, respectively, countries that seek to change the current international system and those that uphold it. In the 20th and 21st centuries, the international system has been defined by American hegemony and the spread of Western liberal democracy rather than its challengers — notably, fascism and socialism. This is commonly referred to as the liberal world order.

## A2: Colonialism

#### Steinmetz in 2003 explains that the collapse of current US Hegemony recreates colonial violence. This is the easiest way to vote for the aff: Robert L Professor of Political Science in 2004 explains that hiring H1-B visa employees for science and math we save 2 billion per year in training cost. Their the easiest way to decrease colonial violence.

#### The U.S. mischaracterized as an empire when that really isn’t true Foreign Affairs explains that reciprocal economic partnerships and democratic agreements are the norm.

Steinmetz 3

(George associate professor of sociology at the University of Michigan, Public Culture, Volume 15, Number 2, “The State of Emergency and the Revival of American Imperialism: Toward an Authoritarian Post-Fordism”, Spring 2003, pp. 323-345,KV)

One of the strengths of world system theory is its ability to distinguish between the political forms of imperialism and colonialism and the forces that promote them. World system theorists would likely agree with the assertion by the authors of Empire that **current American geopolitical strategy cannot be described as colonial or even neocolonial. During periods in which the core is dominated by an economic hegemon there is less incentive for particular states in the core to stake out privileged, protected connections to specific markets and sources of raw materials in the periphery**. Access to the entire periphery is in principle guaranteed by the hegemon (even if the classic examples, such as the Netherlands in the sixteenth century and Britain after 1815, reveal many exceptions to this rule). **Epochs of open global markets alternate with periods in which free trade collapses and the core countries fight openly for the role of hegemon. It is during such unsettled, nonhegemonic periods that the core countries turn to colonization or kindred technologies of domination in order to solidify their access to particular peripheral markets and sources of raw materials and labor** (Wallerstein [1978] 1986; Bergesen and Schoenberg 1980). Such **protectionism, colonial annexation, and intense intracore competition characterized the era of the collapse of British hegemon**y in the late nineteenth century. **World system theory thus broadly predicts the reestablishment of protectionism and colonial or quasi-colonial connections between particular zones in the core and the periphery during periods of economic crisis**.

**Paarlberg 4**

**(**Robert L, Professor of Political Science at Wellesley College, International Security, Volume 29, Number 1, Knowledge as Power: Science, Military Dominance, and U.S. Security, Summer 2004, http://muse.jhu.edu/journals/international\_security/v029/29.1paarlberg.html#authbio, KV)

U.S. science has found a way to overcome this domestic educational handicap by importing trained science talent from abroad. In this sense, **globalization can be counted as a support for U.S. science hegemony, not a threat to that hegemony. U.S. universities make up for K-12 educational deficits in science and math by attracting well-trained STEM students from abroad, and then by persuading the best of these foreign students to stay**. In all the natural sciences and engineering, 35 percent of U.S. Ph.D.'s are now awarded to foreign students. **In the physical sciences and engineering specifically, roughly 50 percent of U.S. Ph.D.'s now go to foreign students**.68 In addition to universities**, high-technology U.S. manufacturing firms have also come to rely heavily on foreign-born graduates for a substantial portion of their growing workforce**.69 Between 1990 and 2000, the foreign-born share of science and engineering doctorates in the U.S. workforce increased from 24 percent to 28 percent. When it comes to science, the United States remains the preeminent land of immigrants. In 1999 all four of the U.S. Nobel Prize winners in physics, chemistry, physiology/medicine, and economics were born outside of the United States.

Roughly one-third of the foreign scientists now working in the United States arrived already fully trained.70 **When the United States allows graduates from India's elite institutes of technology to enter with temporary visas, the nation gains access at no charge to a human capital resource that costs the government of India roughly $15,000-$20,000 per student to train**. By implication, **when Congress in 1998 eased the annual quota on H-1B visas, thus facilitating movement into the country for roughly 100,000 of these well-trained Indian professionals, the training cost savings for the United States equaled $2 billion per year**.71 **As long as the United States can continue to attract this trained foreign** [End Page 144] **talent, the weakness of its own K-12 science preparation system will not have to undermine U.S. science hegemony overall**.

**Ikenberry 4** Professor of Geopolitics. G. John **Ikenberry**. “Illusions of Empire: Defining the New American Order” Foreign Affairs, March/April 2004.

Is the United States an empire? If so, Ferguson's liberal empire is a more persuasive portrait than is Johnson's military empire. But ultimately, **the notion of empire is misleading -- and misses the distinctive aspects of the global political order that has developed around U.S. power.** The United States has pursued imperial policies, especially toward weak countries in the periphery. But **U.S. relations** with Europe, Japan, China, and Russia **cannot be described as imperial, even when "neo" or "liberal" modifies the term. The advanced democracies operate within a "security community" in which the use or threat of force is unthinkable. Their economies are deeply interwoven. Together, they form a political order built on bargains, diffuse reciprocity, and an array of intergovernmental institutions** and ad hoc working relationships. **This is not empire; it is a U.S.-led democratic political order that has no name or historical antecede**nt.To be sure, the neoconservatives in Washington have trumpeted their own imperial vision: an era of global rule organized around the bold unilateral exercise of military power, gradual disentanglement from the constraints of multilateralism, and an aggressive effort to spread freedom and democracy. But this vision is founded on illusions of U.S. power. It fails to appreciate the role of cooperation and rules in the exercise and preservation of such power. Its pursuit would strip the United States of its legitimacy as the preeminent global power and severely compromise the authority that flows from such legitimacy. Ultimately, the neoconservatives are silent on the full range of global challenges and opportunities that face the United States. And as Ferguson notes, **the American public has no desire to run colonies or manage a global empire. Thus, there are limits on American imperial pretensions even in a unipolar era**. Ultimately, the empire debate misses the most important international development of recent years: the long peace among great powers, which some scholars argue marks the end of great-power war. Capitalism, democracy, and nuclear weapons all help explain this peace. But so too does the unique way in which the United States has gone about the business of building an international order. **The United States' success stems from the creation and extension of international institutions that have limited** and legitimated **U.S. power**.

## A2: US Imperialism

#### Shaw in 2002 explains that Criticizing benevolent action on the grounds of imperialism undermines liberation of oppressed people – imperialism is justified in some instances.

**Shaw** **2** (Martin Shaw, professor of international relations at University of Sussex, Uses and Abuses of Anti-Imperialism in the Global Era, 4-7-2002, http://www.martinshaw.org/empire.htm AFM)

*Conclusion: The abuses of anti-imperialism* It is worth asking **how the politics of anti-imperialism distorts Western leftists' responses to global struggles for justice.** John Pilger, for example, consistently seeks to minimise the crimes of Milosevic in Kosovo, and to deny their genocidal character - purely because these crimes formed part of the rationale for Western intervention against Serbia. He never attempted to minimise the crimes of the pro-Western Suharto regime in the same way. The crimes of quasi-imperial regimes are similar in cases like Yugoslavia and Indonesia, but the West's attitudes towards them are undeniably uneven and inconsistent. *To take as the criterion of one's politics opposition to Western policy, rather than the demands for justice of the victims of oppression as such, distorts our responses to the victims and our commitment to justice.* **We need to support the victims regardless of whether Western governments take up their cause or not; we need to judge Western power not according to a general assumption of 'new imperialism' but according to its actual role in relation to the victims. The task for civil society in the West is not, therefore to oppose Western state policies a**s a matter of course, *à la* Cold War, but **to mobilise solidarity with** democratic oppositions and **repressed peoples, against authoritarian**, quasi-imperial **states. It is to demand more effective global political, legal and military institutions that genuinely** and consistently **defend the interests of the most threatened groups**. It is to grasp the contradictions among and within Western elites, conditionally allying themselves with internationalising elements in global institutions and Western governments, against nationalist and reactionary elements. The arrival in power of George Bush II makes this discrimination all the more urgent. In the long run, **we need to develop a larger politics of global social democracy and an ethic of global responsibility that address the profound economic**, political and cultural **inequalities between Western and non-Western world**s. We will not move far in these directions, however, unless we grasp the life-and-death struggles between many oppressed peoples and the new local imperialisms, **rather than subsuming all regional contradictions into the false synthesis of a new Western imperialism.**

# Alts

## A2: I-squared Instead

#### First, the negative must argue for the status quo in public forum debate so unless they prove probability of I-squared becoming law, it will never be status quo and cannot be argued. With that said there are two reasons why I-squared will never become law.

#### I-squared is nothing new to Congress and a familiar bill that has been introduced the past 3 years. The bill has never even left committee in all 3 of those years due to the polarization from both sides. Make them prove that the bill has any footing this year that would be different from the past 3 years.

#### Trump will veto the bill. Lewis 18 explains that Trump is focused on the RAISE act which promotes a far more conservative outlook on immigration that follows his campaign message. I-squared is too bipartisan for Trump to agree to meaning not only would the negation have to prove that they would find a majority in the house and senate but that they could also reach two-thirds majority to override this veto.

#### These two factors accounted leave the bill with a 4 percent chance of being enacted as law according to Congress.gov. Hardly a viable alternative to be even considered in this debate.

Jackson Lewis Pc, 2-4-2018, "‘I-Squared’ Bill Would Change H-1B and Other Immigration Programs," No Publication, <https://www.lexology.com/library/detail.aspx?g=67d0f6ad-518e-4e59-83ae-4235f963d8bd>

President Donald Trump has long talked about taking a merit-based approach to immigration, and, according to Senator Hatch, the Immigration Innovation Act of 2018 (“I-Squared”) is just that. [Hatch said](https://www.hatch.senate.gov/public/index.cfm/releases?ID=F7E803D0-753E-4787-B5F7-9CAB10EE5878), “As I’ve long said, high-skilled immigration is merit-based immigration, and we need a high-skilled immigration system that works. [I-Squared] will help ensure that our companies have access to the world’s best and brightest . . . .”

[Unlike the RAISE Act](https://www.globalimmigrationblog.com/2017/08/trump-announces-support-for-senate-bill-curbing-legal-immigration/), sponsored by Senators Tom Cotton (R-AR) and David Perdue (R-GA) and supported by Trump, I-Squared would not cut legal immigration over a 10-year period. Instead, it proposes an increase in programs for high-skilled foreign workers while still protecting U.S. workers.

**I-squared**

Some key provisions of I-Squared regarding H-1B visas include:

Increasing the annual allocation of H-1B visas to a maximum of 195,000, based upon demand;

Adding an unlimited number of exemptions for those with U.S. master’s degrees if the employer has or will sponsor the employee for a green card;

Providing work authorization for H-4 dependents where the H-1B spouse has a pending or approved Labor Certification or I-140 and require H-4 employers to certify they will pay the spouse the greater of the actual wage or the prevailing wage;

Prioritizing adjudication of cap-subject H-1Bs based upon a degree hierarchy;

Streamlining the H-1B process for employers who file multiple nonimmigrant or immigrant petitions;

Prohibiting the displacement of U.S. workers with H-1B workers;

Restricting exemptions for H-1B dependent employers, including many outsourcers;

Raising prevailing wages; and

Raising ACWIA fees, based upon employer size and the number of H-1Bs available each year, to promote American ingenuity by using the new funds to increase STEM education funding.

I-Squared also proposes changes in green card programs. Key provisions would:

Eliminate per country numerical limitations on immigrant visas and recapture unused visas from FY 1992 through FY 2013 to cut the backlogs;

Increase portability;

Add 35,000 employment-based conditional immigrant visas; and

Create dual intent for students to make it easier to apply for green cards from student status.

Versions of I-Squared were introduced by Hatch in previous sessions of Congress since 2015. Hatch hopes that this time, the bill might be included in the immigration discussions underway regarding DACA.

Tara Golshan, 8-3-2017, "Trump endorsed an immigration bill that probably won’t pass. It still matters.," Vox, <https://www.vox.com/2017/8/3/16083368/trump-immigration-bill-cotton>

RAISE Act

On its own, the bill — the Reforming American Immigration for Strong Employment (RAISE) Act — will almost certainly fail to garner 60 votes to pass the Senate. But it’s yet another signal that there is a contingent of Republicans in Congress open to an immigration fight on Capitol Hill.

The RAISE Act is among a handful of Republican proposals introduced in recent months aimed at actualizing Trump’s far-right immigration agenda. In the House, several proposals have surfaced that would allow local law enforcement officers to [enforce federal immigration laws](http://dailycaller.com/2017/06/28/congress-toughest-immigration-bill-is-still-waiting-in-the-wings/), cut off [funding to sanctuary cities](http://www.politico.com/story/2017/06/23/illegal-immigration-bill-house-vote-239897), and [overhaul the asylum](http://www.washingtontimes.com/news/2017/jun/7/pete-sessions-pushes-house-bill-end-asylum-loophol/) system in the United States. And the White House’s most vocal critics of legal and illegal immigration, Miller and [White House chief strategist Steve Bannon](https://www.vox.com/policy-and-politics/2017/2/2/14472404/steve-bannon-legal-immigration-problem), have had a heavy hand in these proposals.

Only a few months ago, there seemed to be widespread consensus among congressional Republicans that [immigration wasn’t a top priority for this Congress](https://www.vox.com/policy-and-politics/2017/5/24/15457662/immigration-anxiety-trump-congress-action) — many told Vox they were waiting for action from Trump.

GovTrack.us, 3-29-2018, "Immigration Innovation Act of 2018 (S. 2344)," <https://www.govtrack.us/congress/bills/115/s2344>

Introduced: Jan 25, 2018

Status: Introduced on Jan 25, 2018

This bill is in the first stage of the legislative process. It was introduced into Congress on January 25, 2018. It will typically be considered by committee next before it is possibly sent on to the House or Senate as a whole.

Prognosis:

4% chance of being enacted according to [Skopos Labs](https://www.skoposlabs.com/) ([details](https://www.govtrack.us/congress/bills/115/s2344))

4/1/18, "S.2344," Congress.gov, <https://www.congress.gov/bill/115th-congress/senate-bill/2344>

|  |  |
| --- | --- |
| Latest Action: | Senate - 01/25/2018 Read twice and referred to the Committee on the Judiciary. |

## A2: Qualifications-based Instead

#### The Cato Institute finds that preferential H1B alternatives would discriminate on the basis of national origin, only making the problem worse.

#### They don’t solve the problem. The Niskanen Immigration Center finds that H-1B visas are already heavily regulated by the government, and more regulation will do nothing.

Chad Sparber, CATO Institute, "An Alternative to the H-1B Lottery" Research Briefs in Economic Policy No. 84, Sept. 6, 2017, https://www.cato.org/publications/researchbriefs-economic-policy/alternative-h-1b-lottery#full One challenge might be that the change in allocation method would alter firm behavior. First, consider compositional issues in the absence of changes in behavior. Occupational and country composition between allocation methods would not differ much: data show that the demographic composition of the H-1B population is quite similar to the composition of the top 36 percent of recipients (who are presumably similar to the top 36 percent of applicants). Visas would still be concentrated among Indian and computerrelated workers in both methods. Ability-based distribution would lead to more computer, architecture, and engineering workers, but fewer foreign managers. The proportion of Indian and Chinese H-1B recipients would rise, but the share of other Asian groups would fall

David Bier, immigration policy analyst, Niskanen Center, April 6, 2015, niskanencenter.org/wpcontent/uploads/2015/04/NiskanenH1BsDontReplaceUSWorkers.pdf More government regulation is not the answer to protect H-1Bs and Americans from abusive practices. The federal government already regulates the wages and working conditions of H-1B employers, and its Fraud Detection and National Security Directorate annually conducts more than 15,000 random onsite inspections of employers without notice.26 Government inspectors will never be as effective of a tool at protecting workers as empowering the workers to protect themselves.

## A2: ANY other alternative

#### They are bringing up a random alternative that creates an unfair situation for the affirmative team. Alternatives besides simply negating the resolution removes all fairness from the debate. The affirmative side should not be expected to have preparation on every single alternative plan that the negative brings up. If this was the case we would have needed to start prepping this topic at the beginning on the year. Force them to stick to the harms of H1B visas like the resolution asks us to do.

## A2: O-1 Visa

#### O-1 visas are only for the extremely educated. Legal Company NOLO explains: An O-1, on the other hand, demands you to show that you have risen to the “very top of the field,” which you must prove through extensive documents, including one major international award, or several other very unique achievements. The international award would be something like a Nobel Prize or a Grammy. If you don’t have a major award, you must have at least three other significant achievements from a detailed list. Consequently, those who qualify for the O-1 often have a degree or education well above the bachelor’s level (for example, researchers who have a Ph.D.).

Share On, xx-xx-xxxx, "Qualify for Either an H-1B or O-1 Visa? How to Choose," nolo, <https://www.nolo.com/legal-encyclopedia/qualify-either-h-1b-o-1-visa-how-choose.html>

#### O-1 is worse for the families. NOLO continues that A spouse and unmarried children under age 21 may accompany the O visa holder, but they may not accept employment in the United States.

#### Georgia State finds that because of strict regulations and documentations, they are only a rare few instances where someone who cannot receive an H-1B gets an O-1 instead. Which explains on the impact level why Brookings that because of the influx of other types of occupations, O-1 visas barley impacts the STEM industry.

Share On, xx-xx-xxxx, "Qualify for Either an H-1B or O-1 Visa? How to Choose," nolo, https://www.nolo.com/legal-encyclopedia/qualify-either-h-1b-o-1-visa-how-choose.html

The O visa holder and family may travel in and out of the U.S. or stay continuously for as long as the visa stamp and status are valid.

A spouse and unmarried children under age 21 may accompany the O visa holder, but they may not accept employment in the United States.

On Campus Employment. "Hiring Employees on Employment-Based Visas (H-1B, TN, O-1) - International Student & Scholar Services." *Isss.gsu.edu*. n.d. Web. 28 Apr. 2018. <https://isss.gsu.edu/administrators/employing-an-h-1b-scholar/>

There are rare instances where someone who does not have the ability to file for an H-1B or TN (and/or for whom a J-1 is inappropriate) may be eligible for an O-1 visa, which reflects outstanding achievement in their particular field. An O-1 petition is very, very difficult and requires an immense amount of documentation to substantiate it. As the viability of an O-1 must be determined before a department initiates, ISSS requests that the department contact Drew Webster, Assistant Director of Scholar Services, at awebster@gsu.edu.  Once an O-1 has been determined to be a viable route, the department may initiate at that time.

## A2: EB-5

#### The USCIS reports that in order to get an EB-5 you need to invest in a company AND CREATE 10 new jobs for us workers. Not nearly every workers does even one of these two requirements, it clearly is not a good alternative, so you drop them on face.

#### The investment amount for the EB-5 is ridiculous. Voigman of EB-5 Investors website reports that a minimum of $500,000 in investment is required to even have a chance at this visa. The purpose of an H1b visa is for these workers to have better economic and job opportunity in the US. Only the wealthy elite of India have 500,000$ to invest in American companies, not people looking for jobs.

Fredrick Voigtmann, xx-xx-xxxx, "EB-5 Visa Requirements," No Publication, <http://www.eb5investors.com/eb5-basics/eb-5-visa-requirements>

**Required EB-5 Investment Amount**

EB-5 visa applicants are typically required to make either a $500,000 or $1 million capital investment amount into a U.S. commercial enterprise. The EB-5 investment can take the form of cash, inventory, equipment, secured indebtedness, tangible property, or cash equivalents and is valuated based on U.S. dollar fair-market value.

USCIS, xx-xx-xxxx, "EB-5 Immigrant Investor Program," https://www.uscis.gov/eb-5

USCIS administers the EB-5 Program. Under this program, entrepreneurs (and their spouses and unmarried children under 21) are eligible to apply for a green card (permanent residence) if they:

* Make the necessary investment in a commercial enterprise in the United States; and
* Plan to create or preserve 10 permanent full-time jobs for qualified U.S. workers.

This program is known as EB-5 for the name of the employment-based fifth preference visa that participants receive.

Congress created the EB-5 Program in 1990 to stimulate the U.S. economy through job creation and capital investment by foreign investors. In 1992, Congress created the Immigrant Investor Program, also known as the Regional Center Program. This sets aside EB-5 visas for participants who invest in commercial enterprises associated with regional centers approved by USCIS based on proposals for promoting economic growth.

# Other

## A2: Terror

#### First on probability. They’re totally overblowing this terror threat. Nowrasteh of the CATO Institute finds in a 41-year analysis that the chance of an illegal immigrant committing a terror attack is 1 in 11 billion per year. That’s why he concludes that the terror threat they talk about isn’t large enough to warrant an extreme immigration policy change.

Alex Nowrasteh. Cato Institute. September 13, 2016. “Terrorism and Immigration: A Risk Analysis” https://www.cato.org/publications/policy-analysis/terrorism-immigration-risk-analysis

Terrorism is a hazard to human life and material prosperity that should be addressed in a sensible manner whereby the benefits of actions to contain it outweigh the costs. Foreign-born terrorists who entered the country, either as immigrants or tourists, were responsible for 88 percent (or 3,024) of the 3,432 murders caused by terrorists on U.S. soil from 1975 through the end of 2015. This paper presents the first terrorism risk analysis of the visa categories those foreign-born terrorists used to enter the United States. Including those murdered in the terrorist attacks of September 11, 2001 (9/11), the chance of an American perishing in a terrorist attack on U.S. soil that was committed by a foreigner **over the 41-year period studied here** is 1 in 3.6 million per year. The hazard posed by foreigners who entered on different visa categories varies considerably. For instance, the chance of an American being murdered in a terrorist attack caused by a refugee is 1 in 3.64 *billion* per year **while the chance of being murdered in an attack committed by an illegal immigrant is an astronomical 1 in 10.9 *billion* per year.** By contrast, the chance of being murdered by a tourist on a B visa, the most common tourist visa, is 1 in 3.9 million per year. Any government response to terrorism must take account of the wide range of hazards posed by foreign-born terrorists who entered under various visa categories. The federal government has an important role to play in screening foreigners who enter the United States, and to exclude those who pose a threat to the national security, safety, or health of Americans. This terrorism risk analysis of individual visa categories can aid in the efficient allocation of scarce government security resources to those categories that are most exploitable by terrorists. **The hazards posed by foreign-born terrorists are not large enough to warrant extreme actions like a moratorium on all immigration or tourism.**

## A2: Visas Unstable

#### The Trump administration clarified that they do not intend to force visa holders to leave the U.S. Bhattacharaya 18 explains that the US Citizenship and Immigration Services stated that they will not be changing the interpretation of section 104(c) of AC-21 which allows for H1B extensions beyond the 6-year limit. This means H1B visa holders will be able to stay and wait for their green card even up to 12 years which is the longest it can take.

Bhattacharaya, Ananya. "Relief! Half-a-million Indian green-card applicants won’t be forced to leave the US." Quartz. 1/9/18. https://qz.com/1175205/indian-h-1bvisa-holders-waiting-for-green-cards-wont-be-forced-to-leave-the-us/

Indians queuing up for green cards can breathe a sigh of relief. On Jan. 09, the Donald Trump administration clarified that it was not considering any policy alteration that could fuel a “self-deportation” of sorts among immigrants. On Dec. 30, news reports indicated that the US Citizenship and Immigration Services (USCIS) was drafting a policy that would curb the indefinite extension for H-1B visa holders on the green-card route, forcing them to return home. “…USCIS is not considering a regulatory change that would force H-1B visa holders to leave the United States by changing our interpretation of section 104(c) of AC-21, which provides for H-1B extensions beyond the 6-year limit,” the state agency told Washington DC-based publication McClatchy. “Even if it were, such a change would not likely result in these H-1B visa holders having to leave the United States because employers could request extensions in one-year increments under section 106(a)-(b) of AC21 instead.” The clarification offers respite to over half-a-million Indians for whom the wait for a green card can stretch upwards of 12 years.

## A2: Harm Families

#### Obama has already created legislation that is solving the issue of income for these families and large companies are pressuring the government to protect these families. Rodriguez of Reuters 18 finds that in the 3 years since Obama’s 2015 authorization for H1B spouses to work in the U.S., roughly 40,000 spouses have worked in the U.S. each year under H-4s. He furthers that when Trump trying to repeal the authorization, the Information Technology Industry Council, whose members include Apple, Amazon, Facebook and Microsoft, called upon Trump to retain the authorization. These families are being helped and they have some of the biggest companies and the deepest pockets on their side.

O'Brien, Sara Ashley. Immigration reform: Is this the first step? CNN. 2/24/15. <http://money.cnn.com/2015/02/24/news/economy/h4-visa-immigration/?iid=EL>

On Tuesday, the U.S. Citizenship and Immigration Services announced that select H-4 visa holders will be eligible for employment authorization. It was part of President Obama's executive action on immigration in November, but has been part of a grassroots movement for much longer. It is the first reform to be implemented that's geared toward high-skilled immigrants. The H-4 visa is given to spouses of those on an H-1B, as well as a handful of other, less common, visas. At present, H-4 visa holders can't earn an income or possess a social security number. "It's a big win for the Indian community," said Shah Peerally, who heads up an immigration law firm in Newark, Calif. "A lot of people are going to be able to go on with their lives." The State Department said 96,753 people received an H-4 in 2013, 76% of whom were from South Asia. (Indians also receive the majority of H-1B visas, with most working in science, tech and engineering, according to Neil Ruiz of the Brookings Institution.) But Ruiz says it isn't just Indian women who have suffered -- the entire U.S. has been losing out because of this policy. "In a world where everyone is competing, other countries like Canada are more competitive in giving both spouses and high-skilled workers authorization to work as soon as they arrive," he said.

Rodriguez, Salvador. U.S. tech trade groups urge Trump to let spouses of H1b holders to work. Reuters. 1/18/18. <https://www.reuters.com/article/us-usa-immigrationtech/u-s-tech-trade-groups-urge-trump-to-let-spouses-of-h1b-holders-to-workidUSKBN1F71D0>

U.S. technology trade groups on Thursday urged the Trump administration to retain an Obama-era rule that allows certain spouses of highly skilled guest workers to also work legally in the United States. The call was made in a letter published on the website of the Information Technology Industry Council, whose members include Apple Inc, Amazon.com Inc, Facebook Inc, Alphabet Inc’s Google, Microsoft Corp. Ten other national business groups also signed the letter. The Department of Homeland Security indicated in a regulatory notice in December that it would at least partially undo the 2015 Obama administration decision granting work authorization to spouses of workers on H1b visas, which are used widely in the tech industry. In fiscal 2016, about 42,000 spouses, who entered the country on H-4 visas, were granted work authorization. The total exceeded 36,000 in the first three quarters of fiscal 2017, according to data from U.S. Citizenship and Immigration Services, a component of DHS. If the work authorization is repealed, H1b visa holders may move to countries where their spouses can legally work, said David Leopold, a partner at Ulmer & Berne LLP who specializes in immigration. “It’s a disincentive to stay here.” The DHS notice did not give specifics, but said the agency was reviewing the final rule in light of the April 2017 “Buy American and Hire American” executive order by President Donald Trump.

## A2: Gender Disparity

#### Alt cause – Wall Street Journal 18 finds that after studying half a million adolescents from 67 countries, that statistically, women are stronger in reading and writing than men. Because of this, Williams, the Director of the Cornell Institute for Women in Science, concludes that as long as they can make a living doing it, women nearly always choose a career that lines up with their strengths.

#### Link Turn- Yardi of the University of Michigan finds that the reason there isn’t much women working in STEM, in the US, are cultural factors. Indian however do not face this same issue, with 45% of computer science undergrads in India going to women. Thus, when you increase the H-1B quota you are essentially expanding South Asian culture and breaking stereotypes by bringing in a new outlook of women in STEM

#### Link Turn- Sherwood-Randall writes that the key to bringing more women into the STEM field is creating a role model for these women. Thus even if we bring a bad ratio of gender through the H-1B visa system, as long as we are creating a net increase of women, there is a higher risk of a revolutionary women in our world who will be the guide to the next wave of women in STEM jobs.

#### Link Turn- The Brooking Institute finds that the fees employers must pay to receive an H-1B worker goes toward the National Science Foundation. Increasing the quota only increases the amount of money going into the foundation. More importantly, the U.S. Committee on Small Businesses 18’ reports that the NSF distributes some of its money to building minority-serving institutions of higher education in context of women especially. They have goals planned to specifically reduce the gender disparity in the STEM field.

Susan Pinker, 4-27-2018, "Why Aren’t There More Women in Science and Technology? ," WSJ, <https://www.wsj.com/articles/why-arent-there-more-women-in-science-and-technology-1519918657>

Some fascinating gender differences surfaced. Girls were at least as strong in science and math as boys in 60% of the PISA countries, and they were capable of college-level STEM studies nearly everywhere the researchers looked. But when they examined individual students’ strengths more closely, they found that the girls, though successful in STEM, had even higher scores in reading. The boys’ strengths were more likely to be in STEM areas. The skills of the boys, in other words, were more lopsided—a finding that confirms several previous studies.

I asked Wendy Williams, founder and director of the Cornell Institute for Women in Science, what she makes of these findings. She wrote that if girls expect they can “live a good life” while working in the arts, health or sciences, then girls choose to pursue what they are best at—which could be STEM, or it could be law or psychology. She added, “However, if the environment offers limited options, and the best ones are in STEM, girls focus there...Stoet’s and Geary’s findings deservedly complicate the simplistic narrative that sex differences in STEM careers are the result of societal gender biases.”

Dr. Elizabeth Sherwood-randall. "Investing in Our Future by Empowering Women and Girls in STEM." *Energy.gov*. n.d. Web. 7 Apr. 2018. <https://www.energy.gov/articles/investing-our-future-empowering-women-and-girls-stem>

America’s national and economic security depends on innovation. At the Department of Energy, we believe that innovation is driven by diverse perspectives, so one of our top priorities is expanding the STEM talent pipeline to include people who bring new ideas to the table. An important part of this effort is focused on women and girls, who are historically underrepresented in STEM careers both within the Department and in industry and academia. As we transition to a new Administration, I want to share the path we have charted for increasing representation of women in STEM fields through ongoing efforts to attract the brightest minds to projects and issues where they can make a tremendous impact. First, we know that role models and mentors help young women visualize themselves as STEM professionals. The Energy Department has produced a series of online profiles called [Women @ Energy](https://www.energy.gov/diversity/listings/women-energy%20) that not only provide successful role models for future [women in STEM](https://www.energy.gov/women), but also showcase the range of opportunities a STEM education makes possible.

*Hcixb.org*. 29 Mar. 2018. Web. 7 Apr. 2018. <http://www.hcixb.org/papers\_2017/hcixb17-final-37.pdf>

Curiously, this phenomenon is not nearly as stark in countries such as India, where women are wellrepresented in computer science: 45% of computer science undergraduates were women in 2013 (All India Survey On Higher Education, 2015). What is striking about this difference, as we cross borders from the United States to India, is that it occurs in spite of gender-equity contexts that go in the opposite direction. The United States is among the world’s leading countries in terms of gender equality in general, and education specifically: It is ranked 1st by the World Economic Forum’s (2014) Gender Parity Rankings for Educational Attainment. India on the other hand was ranked 103rd, despite recent progress. The phenomenon thus turns standard narratives of technology and gender upside down. In this preliminary paper, we explore possible underlying causes for this phenomenon based on qualitative interviews with young women from the United States and India who majored in STEM and non-STEM fields as undergraduate students. Our tentative conclusions raise complex questions about gender, technology, and development and potentially challenge HCI work in relevant areas. Related Work Studies have sought to understand why women’s representation in computer science is so low in the United States. There is consensus that the causes are socio-cultural factors as opposed to biology or genetics. The reasons for this view are compelling: There are considerable swings in representation over time, and there are significant differences across countries (Hill et al., 2010; Andreescu et al., 2008). Several articles note the influence of background stereotypes. STEM subjects are seen as masculine while the arts and the humanities are perceived as feminine. Women and girls may therefore experience stereotype threat (Spencer et. al, 1999). Girls consistently assess their mathematical ability to be lower than boys of equal capability (Correll S. J., 2001). Over time, that assessment can lead to “disidentification,” where individuals lose aspirations for fields they are stereotyped against (Nosek et al., 2009; Good et al., 2008). The other effect acts through men and boys where a dominant “geek culture” may alienate anyone who feels anything less than ardor for the subject (Margolis & Fisher, 2002). Findings from the United States contrast with what is known about women in India, who do not perceive computer science to be a masculine field but simply a path to socio-economic success (Varma & Kapur, 2015). Indeed, women studying computer science in India report high confidence about their academic performance (Escueta, Saxena, & Aggarwal, 2013). One study associates this gender-neutrality with familycentered cultures (Venkatesh, 2015).

*Gpo.gov*. 17 Mar. 2018. Web. 7 Apr. 2018. <https://www.gpo.gov/fdsys/pkg/CHRG-113shrg86153/pdf/CHRG-113shrg86153.pdf>

Women make up 48 percent of the national workforce while they makeup just 24 percent of the STEM workforce or STEM workers. Furthermore in 2007, unrepresented minority groups comprise 33.2 percent of college-age population in the United States but only 17 percent of undergraduate students earned a STEM degree. So, the work by the Judiciary Committee has been finalized but the work of the Senate has not. Our Committee hopes to provide some informed debate for the Senate floor on this issue. Last week, the Senate Judiciary Committee adopted Senator Hatch’s amendment that will add $1000 fee in addition to what was already in the bill for an H–1B petition. These new funds will be deposited in the STEM education and training account that will raise an estimate of $135 million per year. Seventy percent of these funds will be distributed to states for STEM-related grants for the purpose of improving STEM education so that it meets the needs of both students and employers, and I would say employees that need retraining. The National Science Foundation will receive 20 percent for STEM capacity building at minority-serving institutions of higher ed, and the remainder will be divided between the departments for job training and administrative costs. While this is a step in the right direction, the question is: Is it a big enough step to make a difference?

## A2: Backlog

##### **1.     They can’t quantify a threshold for their impact to materialize, even if we increase the number of visas they don’t prove the current system can’t handle it.**

##### **2.    Non-unique: American Immigration Lawyers Association reports that out current immigration system is badly broken, to the extent that it is very hard to be effective.**

##### **3.    The Economic Times (18) concludes that Trump has proposed to end the visa lottery system in order to reduce backlog of highly-skilled workers. Even if this is true in the short term, the long term solves back.**

Economic Times, 1-27-2018, "Donald Trump proposes to end visa lottery system, favours skilled workers,"<https://economictimes.indiatimes.com/nri/visa-and-immigration/donald-trump-proposes-to-end-visa-lottery-favours-skilled-workers/articleshow/62662430.cms> //SP

US President Donald Trump has proposed to end the visa lottery system in favour of reducing backlogs of highly-skilled workers, a plan which may benefit thousands of Indian IT professionals who are currently having several decades of waiting period to get their Green Cards. If passed by the Congress and signed into law, such a move is expected to significantly reduce the green card backlogs for highly skilled immigrants from India.

American Immigration Lawyers Association, xx-xx-xxxx, “IMMIGRATION REFORM”, file:///C:/Users/sethp/Downloads/03031701.pdf //SP

Our current immigration system is badly broken and in dire need of a top-to-bottom overhaul. Immigration laws that are out of sync with 21st century economic realities and demographics have given rise to a vast underground economy characterized by criminal smugglers, fake documents, and millions of undocumented immigrants who are vulnerable to exploitation. Our borders are unmanageable, and we are unable to focus our enforcement resources on those who mean us harm. Moreover, our immigration system is plagued by backlogs, delays, and dysfunction: close family members are separated for years and even decades; businesses lack access to the workers they need to grow or remain open; U.S. and immigrant workers are exposed to mistreatment; and immigration raids and mass detention are now part of the landscape.

### Green Card Backlog

#### No unique: The Green card backlog is longer than most applicants life span no

According to Sunita Sohrabji, India-West, on January 25th, 2018 “House Bill Aims to Clear Huge Backlog for Green Cards by Eliminating Per Country Cap” [http://www.indiawest.com/news/global\_indian/house-bill-aims-to-clear-huge-backlog-for-green-cards/article\_83df9fc0-0147-11e8-bab5-037a626d034b.html] Accessed 4/14/18 SAO

Indian nationals whose I-140 application for a green card has been approved are currently waiting an estimated 70 years before getting their green cards because of the per-country cap, which mandates that no single country can get more than seven percent of the 140,000 employment-based green cards allotted each year. About 9,800 employment-based green cards are approved for Indians each year. “Half a million people are stuck in this backlog. Many will die before they get their green card,” Pratik Dakwala, co-founder of Immigration Voice, told India-West.

## A2: Social Services Overstretch

**Education:**

#### Mitigate the impact for two reasons: both come from Nowrasteh 10 who finds that First, foreign students tend to fill new spots rather than displace qualified Americans, and that second, H-1B workers are for the most part, already educated which means that they don’t receive state funding for their education.

#### Even if you don’t believe that, affirming solves back. Nowrasteh 10 finds that the annual federal tax revenue lost by forcing STEM graduates to leave the country amounts to 3.6 billion dollars – he concludes that affirming would increase tax revenue and offset public education subsidies.

Alex Nowrasteh, “H-1B Visas: A Case for Open Immigration of Highly Skilled Foreign Workers,” Competitive Enterprise Institute, October 2010, https://cei.org/sites/default/files/Alex%20Nowrasteh%20-%20H1-B%20Visas.pdf

Foreign-born graduate students do not crowd out American students from advanced programs.67 They tend to ﬁ ll new spots rather than displace qualiﬁed Americans.68 The number of PhDs awarded to Americans has not changed in recent decades, but the departments have expanded tremendously to accommodate increasing numbers of foreign students. Additionally, highly skilled, foreign-born workers do not use public education funds. Education is the single largest component of state and local government spending, absorbing roughly a third of all state and local expenditures.69 The average per pupil cost of public primary and secondary education is approximately $9,600 per year.70 Highly skilled foreign workers on H-1B visas are, by and large, already educated once they receive their work documents. They do not receive state funding for primary and secondary education

Students already working in the U.S. on H-1B visas can typically receive in-state tuition for state universities if they become residents of the state in which they are working. This may qualify as an example of taxpayers subsidizing the education of foreign-born workers—though the workers still pay. This is a relatively minor problem that would be best addressed by states reforming their in-state tuition policies. Moreover, if highly skilled foreign workers were allowed to live and work in the U.S. indeﬁnitely after completing their education, the increased tax revenue would more than offset the modest public education subsidy. The amount of annual federal tax revenue foregone by forcing STEM graduates to leave the country is approximately $3.6 billion.71 That makes up for state university subsidies.

**Healthcare:**

#### Mitigate the impact for two reasons: both come from Nowrasteh 10 who finds that first, whereas American social welfare programs are designed to provide care for the elderly, sick, women, and children, the majority of H-1B workers are younger, healthier, and more male than the American average. Even more so, he also finds that high median incomes and legal restrictions make H-1B workers essentially ineligible for Medicaid benefits, which is also why he concludes that they are 140 times less likely to receive benefits from social security and Medicare.

#### Even if you don’t believe that, affirming solves back. Nowrasteh 10 finds that the annual federal tax revenue lost by forcing STEM graduates to leave the country amounts to 3.6 billion dollars – this money can go back towards funding these programs.

Kirk Doran [University of Notre Dame], Alexander Gelber [Goldman School of Public Policy, UC Berkeley, and NBER], Adam Isen [Office of Tax Analysis, U.S. Department of the Treasury], “The Effects of High-Skilled Immigration Policy on Firms: Evidence from Visa Lotteries,” 2016

Contrary to the restrictionist claim that immigrants place a strain on state-provided social services, highly skilled foreign workers are net contributors to the welfare state. Most American social welfare programs are designed to provide care to the elderly, sick, women, and children.72 The majority of H-1B workers are younger than the American population average, healthier, and male. Of H-1B workers, 95.53 percent are 44 years old or younger, compared to 61.5 percent of the general American population.73 Of the total U.S. population, 12.7 percent is old enough to receive Social Security and Medicare beneﬁts, while only 0.09 percent of the H-1B population is old enough to qualify for those programs. H-1B workers are ineligible for Medicaid beneﬁts. Besides having a high median annual income of $60,000 and a mean annual income of $54,000 (which by itself makes them ineligible),74 legal foreign residents of the U.S. are not eligible to receive Medicaid beneﬁts during the ﬁrst ﬁve years of their residency.75 Their primary and secondary education was not paid by the U.S. government or any states, so the costs for them are lower and net tax revenue greater.

In addition to not receiving entitlement beneﬁts or public education, H-1B workers pay a signiﬁcant amount of taxes to the federal treasury. The STEM graduates likely to have remained in the U.S., had visa rules allowed them, would have paid between $2.7 billion to $3.6 billion in tax revenue to the federal government.76

## A2: Immigration Auth. Strain

##### **1.     They never once tell you a brightline of how many more immigrants have to come to work in America before our immigration authority is strained.**

##### **2.    Status quo solves: GTSC (11) writes that there are current plans to help relieve the overstrained immigration system and return it to a more dependable system.**

##### **3.    They over simplify the government because they assume spending will not go up with an increase. However, Connor of Dice (18) contends that current legislation proposals want to increase the current quota to 195k. As a result, we would contend that the government is ready for the increase and is not blankly asserting a number.**

Government Technology & Services Coalition’s, 9-01-2011, “New Border Patrol Policy for Checking Transportation Hubs for Illegals Sparks Controversy”,<https://www.hstoday.us/briefings/daily-news-analysis/new-border-patrol-policy-for-checking-transportation-hubs-for-illegals-sparks-controversy/>

Border Patrol’s transportation checks generally involved specially trained agents who would question people at transportation hubs whoappeared suspicious according to certain criteria. But these practices had come under increasing attack by both immigrant and civil rights groups who claimed the tactic consisted of racial profiling and violated the civil rights of the persons questioned. The new policy, which has been met with criticism from some officials inside the Department of Homeland Security (DHS), comes on the heels of the Obama administration having earlier announced that as part of its approach to relieve an overstrained immigration system it would allow an untold number of illegal aliens to stay in the US while it concentrates on deporting illegals who have for the most part committed violent crimes. Authorities familiar with the matter told Homeland Security Today the practice of performing transportation hub checks has been an effective tool for nabbing illegal aliens who’d somehow managed to evade detection at a border Port of Entry (PoE), as well as people whose visas were expired.

John Connor, 1-30-2018, "Meet the Bill That Wants to Expand the H-1B Visa Program," Dice Insights,<https://insights.dice.com/2018/01/30/h-1b-via-reform-expands-limits/>

Does the term “I-Squared” ring a bell? It’s the nickname for “Immigration Innovation Act,” legislation first introduced in 2015 that is on the verge of reappearing. If it passes, it could expand the H-1B visa program even further. Speaking with Axios, Orrin Hatch (R-Utah) spokesperson Matt Whitlock confirmed the bill is in the works. The most ambitious part of the proposed legislation (Axios obtained a copy) is the expansion of the H-1B visa program to 195,000 recipients, annually. The current cap on H-1B visas is 85,000. In addition to expanding the H-1B program, the bill will also allow spouses of H-1B visa holders to work in the United States legally. Here are Axios’ other takeaways from the bill:

## A2: Not Enough Green Cards

##### **1.     Not having a green card is not the end of the line. Bhattacharya of Quartz India (18) writes that over half a million Indians who were waiting for a green card gives them an extension for more time to obtain it.**

##### **2.    Status quo solves: Chaven of Times of India (18) reports that congress is currently planning to increase the number of green cards available to immigrants.**

##### **3.    The government has altered the program to solve back already. Miano of the CIS (17) argues that the government added an extension of work time onto the H-1B visa to help control for this problem.**

##### **4.    Scope: Miano of the CIS (17) furthers that this is only a problem for four countries, for the rest of the world the system works fine.**

Ananya Bhattacharya, 1-9-2018, "Relief! Indian green-card applicants won't be forced to leave the US," Quartz,<https://qz.com/1175205/indian-h-1b-visa-holders-waiting-for-green-cards-wont-be-forced-to-leave-the-us/>

“…USCIS is not considering a regulatory change that would force H-1B visa holders to leave the United States by changing our interpretation of section 104(c) of AC-21, which provides for H-1B extensions beyond the 6-year limit,” the state agency told Washington DC-based publication McClatchy. “Even if it were, such a change would not likely result in these H-1B visa holders having to leave the United States because employers could request extensions in one-year increments under section 106(a)-(b) of AC21 instead.” The clarification offers respite to over half-a-million Indians for whom the wait for a green card can stretch upwards of 12 years.

Veerdhawal Chavan, 1-11-2018, "Bill for increasing allotment of green cards introduced in US House," Times of India,<https://timesofindia.indiatimes.com/business/india-business/bill-for-increasing-allotment-of-green-cards-introduced-in-us-house/articleshow/62456321.cms>

WASHINGTON: A legislation that seeks to push for a merit-based immigration system and increase the allotment of green cards by 45 per cent annually has been introduced in the US House of Representatives and may benefit Indian techies if signed into law. Backed by the Trump administration, the legislation 'Securing America's Future Act' if passed by Congress and signed into law by US President Donald Trump will end the diversity visa programme and reduce the overall immigration levels from currently averaging 1.05 million to 2,60,000 a year. The legislation was introduced by House Homeland Security Committee Border and Maritime Security Subcommittee Chairwoman Martha McSally, House Homeland Security Committee Chairman Michael McCaul, House Judiciary Committee Chairman Bob Goodlatte and House Judiciary Committee Immigration and Border Security Subcommittee Chairman Raul Labrador.

John Miano On March 21, 2017, 3-21-2017, "Solving the H-1B Green Card Backlog: It's Easy If You Try," CIS.org,<https://cis.org/miano/solving-h1b-green-card-backlog-easy-if-you-try>

The percentage of Indian H-1B visas rises in years where the quota is reached and falls in those years where the quota is not reached, showing the crowding-out effect. For example, in FY 2010 (a year the H-1B quotas were not reached), the percentage of Indian H-1B visas dropped back to 45 percent. The United States makes a maximum of 140,000 employment-based green cards available each year. Because of our national policy of diversity in immigration, each country is limited to 7 percent of those (10,000). If you allow 80,000 H-1B workers (plus their dependents) from India to apply for 10,000 green cards each year, the entirely predictable result is a backlog. The backlog got so long that it started going past the six-year duration of H-1B. Providing another illustration of the paradox, Congress addressed this issue in the American Competitiveness in the Twenty-First Century Act of 2000 by allowing aliens with pending green card petitions to remain in H-1B status indefinitely.

John Miano On March 21, 2017, 3-21-2017, "Solving the H-1B Green Card Backlog: It's Easy If You Try," CIS.org,<https://cis.org/miano/solving-h1b-green-card-backlog-easy-if-you-try>

Currently, the backlog for Indians seeking an EB-3 employment-based green card is 12 years. But notice that this problem of green card backlogs is limited to just four countries: India, China, Philippines, and Mexico. For the rest of the world the system works fine. Providing yet another illustration of the paradox that problems in the immigration system have to be fixed by the same folks that created the problems is "H.R.392, the "Fairness for High-Skilled Immigrants Act of 2017". This bill eliminates per-country quotas on employment-based green cards and increases the percentage limits for others. If this ridiculous legislation (currently with 144 co-sponsors) is enacted it would: Cause abandonment of the national policy of having an immigration system based on diversity and replace it with a policy of prioritizing immigration from India; Ease the problem of green card backlogs from India, China, Mexico, and the Philippines by inflicting that misery on the entire rest of the world; and Force anyone who wants an employment-based green card to get in the H-1B guest worker queue first.

## A2: Security Breaches

#### 1. TURN - Piper of The Washington Internet Daily finds that H-1B visas are specifically key to managing and creating a [quote] "quantum leap" in cybersecurity technology. In fact, many of the most innovative entrepreneurs in security have left the US because of a H-1B shortage. In order for the US to maintain a competitive advantage in terms of advanced technology, raising the quota would solve the biggest problems associated with security breaches and threats.

#### 2. NON-UNIQUE - As award winning novel "Economics of Information Security" explains, there are numerous reasons how and why security breaches happen. When it comes to specific employee trust, the costs are very hard to calculate. Make them prove to you that H-1B visas are a) significantly contributing to security breaches and b) that breaches are a unique reason to negate.

Piper 09 Greg Piper, **Washington Internet Daily**, "WASHINGTON INTERNET DAILY Vol. 10 No. 202," Published

"China's suspected role in much industrial espionage shouldn't drive U.S. decision making on cybersecurity, Wade said. "I wouldn't get too hung up on where the threat comes from," he told a questioner. **Much of the same technology to guard against cyberattacks is useful to prevent "self inflicted wounds" by employees and software bugs.** Minihan told another questionnaire that foreign adversaries already have a "persistent presence" in government systems, but that adversaries are limited by their ability to process all the information held by the government in exposed systems. The "'gotcha' tip of the iceberg" -- embarrassing breaches -- must not be the focus of agencies and cybersecurity providers, because the rest of the iceberg can be addressed with "building codes and standards," Minihan said. Asked about an open letter to the White House from several security CEOs that called for more federal cybersecurity R&D, Security Innovation Network founder Robert Rodriguez blamed the R&D shortage partly on immigration rules. **Some of the most innovative entrepreneurs in security have left the U.S. because of an H-1B visa shortage, he said.** Wade said the National Science Foundation is promoting "leapahead technology" through sponsored conferences on both coasts to bring together academic researchers, and Defense is sponsoring similar gatherings. **"There's a substantial amount of money that's going to be thrown at this problem," but entrepreneurs must be ready to pitch a "quantum leap" in cybersecurity, not a marginally better product, Russell said. Any system can be hacked, so the U.S. needs a competitive advantage in advanced technology to stay ahead of threats, he said. -- Greg Piper"**

**“Economics of Information Security”**

<http://bit.ly/2ImBxjN>

"**The transitory costs of security breaches include lost business and decreased productivity resulting from the unavailability of the breached resources; labor and material costs required to detect, contain, repair, and reconstitute breached resources; costs associated with evidence collection and prosecution of the attacker; costs related to providing information to customers and the public; and other media-related costs [26]. Permanent, or long-term, costs have more far-reaching effects on the breached firm's future cash flow. These costs are related to the loss of customers who switch to competitors, inability to attract new customers due to perceived poor security, loss of trust of customers and business partners, legal liabilities arising from the breach, and the cost of attackers' access to confidential or proprietary information. Perceptions of increased business risk may also translate into increased insurance costs for the firm and higher capital costs in debt and equity markets. The costs incurred as a result of breaches can be further classified as tangible or intangible. It is possible to estimate the cost of lost sales, material and labor, and insurance, but costs related to trust are difficult to calculate.** Nonetheless, these intangibles are extremely important in the measurement of the overall cost of security for business. Table 1 blocks out the four types of costs and the degree of uncertainty associated with dollar estimates of each type"

## A2: Cybersecurity

#### TURN - Internet Systems Consortium 2017 reports that cybersecurity is a serious concern that the world will face a deficit of 1.8 million security professionals by 2022. Unlike our opponents however, we provide a solution because ISC suggests that H1B visas will solve for cybersecurity problems by bringing highly skilled workers and innovation to the industry of cybersecurity.

27 April 2017 ISC

“H1-B Visas Critical to Address Cybersecurity Professional Shortfall” http://blog.isc2.org/isc2\_blog/2017/04/h1b-visas-cybersecurity-workforce.html

Based on the findings of the 2017 Global Information Security Workforce Study, the world will face a deficit of 1.8 million information security professionals by 2022. With headlines dominated by breaches and cyber threats, we at (ISC)² need to be a strong voice and advocate for the global cybersecurity workforce. It is for this reason that I sent a [letter](http://blog.isc2.org/files/isc2-recommendations-letter-h1b-visa.pdf) to White House Chief of Staff, Reince Priebus, on behalf of the (ISC)² organization and our members across the globe, to provide feedback on President Trump’s Executive Order, which directed the Department of Homeland Security to review how it issues H1-B visas. Even after giving U.S. citizens priority consideration for open cybersecurity positions, we will still face a substantial talent shortfall, which can be mitigated with an H-1B visa program that helps bring skilled and trained workers from other countries to fill these roles. (ISC)² suggests our Certified Information Systems Security Professional (CISSP) certification as one way to verify cybersecurity professionals for H-1B visas. The CISSP was the first credential in the field of information security to meet the stringent requirements of ISO/IEC Standard 17024, and is also Department of Defense 8140/8570 approved. Professionals with the CISSP have proven their knowledge and experience in the field. Our members also must abide by a standard code of ethics, which includes the following canon: “protect society, the common good, necessary public trust and confidence and the infrastructure.” We do not want to prevent talented cybersecurity professionals, such as our global members, from offering their expertise to benefit the U.S. economy. I recently testified in a [Subcommittee on Information Technology](https://oversight.house.gov/hearing/reviewing-federal-workforce-challenges-possible-solutions/) on ways that the United States can improve the federal IT workforce. We also provided [recommendations to the Trump administration](http://blog.isc2.org/isc2_blog/2017/04/isc2-cybersecurity-workforce-recommendations.html) on how to improve the current status of the federal cybersecurity workforce. Utilizing the expertise and experience of our membership, these recommendations were created following our 2016 federal CISO forum, which included members of the (ISC)² U.S. Government Advisory Council (USGAC) and other federal CISOs and executives who participated in discussions surrounding these critical considerations. (ISC)² hopes to establish a constructive dialogue with the Trump administration as they strengthen cybersecurity for our country.

## A2: Spies

#### DELINK: Even if there is a slight risk of espionage and leaks, the countries who receive the sensitive material won’t have the ability to bring the weapons systems about, because they don’t have the key specialized workers necessary to produce these systems. This means that...

#### TURN: If the H-1B Visa quota is increased, the US will have more than enough skilled workers to make advanced weaponry systems to defend against other nations.

#### TURN: The cap on the quota for H-1B visas increases fraud. This is because there are more employers and workers competing for the limited number of legitimate visas available, so many turn to illegal methods

**Even if there is a slight risk of espionage and leaks the countries who receive the sensitive material won’t have the ability to bring the weapons systems about, because they don’t have the key specialized workers necessary to produce these systems**

**Paarlberg 4** (“Knowledge as Power: Science, Military Dominance, and U. S. Security” Robert L., International Security, Vol. 29, No. 1, Summer 2004 Pg 141)

In the modern age of more collaborative science, even U.S. weapons laboratories have to some extent become globally networked. Roughly 70-75 percent of the research needed to make progress in weapons-related work is still unclassified, and it is often best developed in part through international collaboration. In 1998 America's Los Alamos, Lawrence Livermore, and Sandia Laboratories received 6,398 foreign visitors, including 1,824 visitors from sensitive countries, and the U.S. employees of these labs traveled frequently to scientific conferences and laboratories abroad.**61Is there a danger in such collaborations that U.S. military R&D discoveries will diffuse internationally? Security precautions notwithstanding, knowledge of U.S. advancements in military R&D will almost surely spread internationally through such linkages, but copying and imitation through espionage will not be enough to bring laggard states all the way up to a full RMA capability.**

**Copying was at one time a viable option for those trying to catch up with technology leaders.** When Britain developed its new super battleship HMS Dreadnoughtin 1906, it took only three years for Germany to build its own Nassau-class copy. **A scientifically lagging Soviet Union was able** (together with the United States) **to borrow and build on German rocketry innovations after World War II, and the initial U.S. lead in atomic weapons that emerged from that same war proved fleeting as well.** The first U.S. fission weapon detonation in 1945 was followed by a Soviet detonation only four years later, and the first U.S. fusion weapon detonation in 1952 was followed by a Soviet detonation just ten months later. **Currently, the risk that U.S. rivals will be able to copy and match leading-edge military technology innovations is greatly reduced. First, the very few states that might be able to copy and match U.S. IT-based military innovations are not rivals.** In the IT sector, one indicator of absorption capacity is density of internet use, and among the twenty-nine states in the world in 2000 with more than twenty internet hosts per 1,000 people (the United States had nine times that number), all but four were democracies within the OECD, formally or informally aligned with the United States.62 The only four states above this threshold level of IT density outside the OECD were Hong Kong, Israel, Singapore, and the United Arab Emirates. Or consider those states that have demonstrated some scientific prowess by patenting inventions in the United States. About 70 percent of these foreign origin patents were granted to inventors from just four countries-France, Germany, Japan, and the United Kingdom, all formal U.S. allies. The two most rapidly growing foreign patent applicant countries are Taiwan and South Korea, two more allied states. Tai-wan and South Korea surpassed Canada in 1998 to become the fifth and sixth most-active sources of foreign inventors patenting in the United States.63

**H-1B key to high skilled labor market**

**Masters AND Ruthizer** [Suzette Brooks, oversees immigration grantmaking at the J. M. Kaplan Fund, Ted, past president and general counsel of the American Immigration Lawyers Association, March 3, “The H-1B Straitjacket Why Congress Should Repeal the Cap on Foreign-Born Highly Skilled Workers,” http://www.cato.org/pubs/tbp/tbp-007.pdf]ADS

 For almost 50 years the U.S. economy has benefited from the contributions of people admitted with the H-1B status, which permits qualified foreign national professionals to work for U.S. employers on a temporary basis.1 By using the H-1B visa, employers have been able to quickly plug holes in their domestic workforce with capable and often exceptional professionals from abroad in a wide range of fields, including information technology, finance, medicine, science, education, law, and accounting. Yet, as **U.S. employers,** large and small alike, **struggle to find enough skilled professionals**, particularly **in the high-tech sector**,2 the H-1B status is being strangled. Unnecessary and inadequate H-1B quotas have put this vital immigration status in jeopardy and threaten to undermine the competitiveness of U.S. companies in the global marketplace.

**The Cap is increasing fraud in the H-1B system-**

**Nguyen AND Carafano 8** [Diem, Research Assistant, James, Deputy Director, October 30, “Tackling Fraud in H-1B: Work Visas Need Sensible Oversight,” http://www.heritage.org/Research/Reports/2008/10/Tackling-Fraud-in-H-1B-Work-Visas-Need-Sensible-Oversight]ADS

The H-1B visa for highly skilled temporary workers is a very popular program for non-immigrant workers. Workers participating in the program can work only for a specific sponsoring employer. Terms of employment are limited to six years. For the past several years, the cap for H-1B visas has been 65,000 a year, and each year USCIS reaches the cap within days. **This low cap is the biggest concern for the H-1B program.** Businesses are finding it difficult to find enough Americans to fill certain jobs and have been leaning on H-1B visas for help. However, with the low number of available visas, some companies have decided to open their doors in other countries. Microsoft, for example, has established facilities in Canada and Mexico, finding it easier to bring skilled workers there than to the United States. **Additionally, the low caps may actually be driving an increase in fraud as more employers and workers compete for the limited number of legitimate visas available**. Though necessary, simply raising the cap will not eliminate fraud.

## A2: Fraud/Identity Theft

#### De-link. The CATO Institute quantifies in 2010 that the claim that H-1Bs lead to fraud is empirically wrong. First of all, they have been proven to create more jobs which is a net benefit to the US economy but more specifically, of the 134 instances of fraud between '91 and '99, only 1 per year was found to be intentional.

#### According to CNN in 2018 - The most recent policy passed by the Trump administration already solves any possibilities of fraud and body shopping. The newest addition to the laws increases the scrutiny and makes the checks before visas are given out much more extensive.

#### CATO furthers that the inspector general of the U.S. Department of Justice, Michael R. Bromwich, testified that "there is very little hard data available to gauge the magnitude of visa fraud". Moreover, the three cases cited in the inspector general's testimony as ongoing fraud investigations all involved criminal activity by INS employees. No reasonable person condones immigration fraud of any type, but the allegation of significant H1B fraud is simply unsupported by the facts. Make them prove to you that fraud is an extreme threat to the US, because judge, empirically it’s not.

**CATO**

[**http://www.cato.org/pubs/tbp/tbp-007.pdf**](http://www.cato.org/pubs/tbp/tbp-007.pdf)

Fears that H-1B workers cause unemployment and depress wages are unfounded. H-1B workers create jobs for Americans by enabling the creation of new products and spurring innovation. High-tech industry executives estimate that a new H-1B engineer will typically create demand for an additional 3–5 American workers. Reports of systematic underpayment and fraud in the program are false. From 1991 through September 1999, only 134 violations were found by the U.S. Department of Labor, and only 7, or fewer than 1 per year, were found to be intentional. The lack of widespread violations confirms that the vast majority of H-1B workers is being paid the legally required prevailing wage or more, undercutting charges that they are driving down wages for native workers. Wages are rising fastest and unemployment rates are lowest in industries in which H-1B workers are most prevalent.

"The tame enforcement picture contrasts sharply with the widespread but unproven accusations of pervasive fraud in the H-1B visa process. According to **some opponents of the H-1B status, the alleged fraud is occasioned by employers who knowingly file visa petitions for persons who fail to meet the statutory criteria, prospective H-1B applicants who falsify their academic credentials, and government employees on the take who further those criminal acts.** But the evidence of H-1B visa fraud is exclusively anecdotal. Given the small number of those visas available every year and **the overwhelming need for such visas by legitimate employers complying with the law, vague, largely unsubstantiated allegations of abuse should not be accepted without hard evidence, and they must not obscure the very real benefits provided by this important category of visa holders.** In House Immigration Subcommittee hearings held on the topic of nonimmigrant visa fraud in May of 1999, senior Immigration and Naturalization Service official William Yates testified that "anecdotal reports by INS Service Centers indicate that INS has seen an increase in fraudulent attempts to obtain benefits in this category [H-1B]. These fraud schemes appear to be the result of those wishing to take advantage of the economic opportunities in the U.S."39 Given the small base number of proven frauds, the alleged increase hardly seems a vigorous call to action. In a similar vein, **the inspector general of the U.S. Department of Justice, Michael R. Bromwich, testified that "there is very little hard data available to gauge the magnitude of visa fraud, a point noted by [the General Accounting Office] in its reports on this subject. . . . This lack of comprehensive statistics hinders the ability of the State Department and the INS to appropriately respond to visa fraud."40 Moreover, the three cases cited in the inspector general's testimony as ongoing fraud investigations all involved criminal activity by INS employees.**

[Sara Ashley O'Brien](http://money.cnn.com/author/sara-ashley-obrien/index.html) February 23, 2018 <http://money.cnn.com/2018/02/23/technology/h1b-visa-abuse/index.html> "Trump administration cracks down H-1B visa abuse"

H-1B visas are valid for three years and can be renewed for another three years. It is a visa that is near and dear to the tech community, with many engineers vying for one of the program's 85,000 visas each year. (20,000 of that quota are reserved for advanced degree holders.) Demand for the visa often exceeds the supply -- in that case, a lottery system is activated. "Since there is a limited number of H-1B visas it is important that those visa workers go where they are legitimately needed," attorney Sara Blackwell told CNN. Blackwell [advocates](http://money.cnn.com/2016/01/25/technology/disney-h1b-workers/index.html?iid=EL) for American workers replaced by foreigner visa holders. The government's crackdown is in line with Trump's [direction to federal agencies](http://money.cnn.com/2017/04/18/technology/h1b-reform/index.html?iid=EL) to implement a "Buy American, Hire American" strategy. The administration proposed new rules and guidance for [preventing fraud and abuse](http://money.cnn.com/2017/04/03/technology/h1b-visa-fraud/index.html?iid=EL) of work visas -- particularly the H-1B program. The USCIS says it may limit the length of the visa to shorter than three years based the information an employer provides. For example, if an employer can't prove the H-1B holder is "more likely than not" needed for the full three years, the government might issue the visa for fewer than three years. The memo also says the administration wants to prevent employee "benching." That's when firms bring on H-1B visa holders but don't give them work and don't pay them the required wages while they wait for jobs. Most projects don't need foreign workers for the full term, according to Monty Hamilton, CEO of IT contractor Rural Sourcing. Although most agree that some employers abuse H-1B visas, how pervasive the abuse -- and how to prevent it -- remains a sensitive and divisive issue. Robert Cormier, a retired criminal investigator for federal law enforcement, says that asking for more information from third party companies could help the government crack down on bad actors. The threat of prosecution if companies are caught lying could be enough to deter fraud. "That could change the game completely," he told CNN. Others say it could have an unintended consequence: Hurting those who are using the H-1B properly, according to Betsy Lawrence, the American Immigration Lawyers Association's director of government relations. Immigration attorney Tahmina Watson said the government has already been much stricter about H-1B enforcement since Trump took office. "Much of what is said in the memo has been carried out in the last 12 months leading to record number of denials," Watson said. Indian outsourcing firms will be the hardest hit. Indian workers receive more than 70% of all H-1B visas. Companies and immigration lawyers are preparing for the new H-1B lottery season. Applications must be filed on April 1st.

## A2: Hegemony Unsustainable

#### TURN: A world without United States as a global superpower would create a power vacuum. The impacts to this are massive: the start of a new Dark Age, AIDS and malaria would spread, and world-wide disorder.

#### DELINK: US hegemony is sustainable because of its democratic system, which makes it easy for Washington D.C. to extend its reach. Also, its geography gives it a broad anchor over the Atlantic and Asian hemisphere. Lastly, American culture is innovative and dynamic enough to spread to anywhere in the world.

**A world without United States unipolarity would create a power vacuum, this is the biggest impact**

**Niall Ferguson**, July/August 200**4**. professor of history at Harvard University, senior fellow at the Hoover Institution at Stanford University. “A World Without Power” Foreign Policy http://www.mtholyoke.edu/acad/intrel/afp/vac.htm

So what is left? Waning empires. Religious revivals. Incipient anarchy. A coming retreat into fortified cities. These are the Dark Age experiences that a world without a hyperpower might quickly find itself reliving. The trouble is, of course, that this Dark Age would be an altogether more dangerous one than the Dark Age of the ninth century. For the world is much more populous—roughly 20 times more—so friction between the world's disparate “tribes” is bound to be more frequent. Technology has transformed production; now human societies depend not merely on freshwater and the harvest but also on supplies of fossil fuels that are known to be finite. Technology has upgraded destruction, too, so it is now possible not just to sack a city but to obliterate it. For more than two decades, globalization—the integration of world markets for commodities, labor, and capital—has raised living standards throughout the world, except where countries have shut themselves off from the process through tyranny or civil war. The reversal of globalization—which a new Dark Age would produce—would certainly lead to economic stagnation and even depression. As the United States sought to protect itself after a second September 11 devastates, say, Houston or Chicago, it would inevitably become a less open society, less hospitable for foreigners seeking to work, visit, or do business. Meanwhile, as Europe's Muslim enclaves grew, Islamist extremists' infiltration of the EU would become irreversible, increasing trans-Atlantic tensions over the Middle East to the breaking point. An economic meltdown in China would plunge the Communist system into crisis, unleashing the centrifugal forces that undermined previous Chinese empires. Western investors would lose out and conclude that lower returns at home are preferable to the risks of default abroad. The worst effects of the new Dark Age would be felt on the edges of the waning great powers. The wealthiest ports of the global economy—from New York to Rotterdam to Shanghai—would become the targets of plunderers and pirates. With ease, terrorists could disrupt the freedom of the seas, targeting oil tankers, aircraft carriers, and cruise liners, while Western nations frantically concentrated on making their airports secure. Meanwhile, limited nuclear wars could devastate numerous regions, beginning in the Korean peninsula and Kashmir, perhaps ending catastrophically in the Middle East. In Latin America, wretchedly poor citizens would seek solace in Evangelical Christianity imported by U.S. religious orders. In Africa, the great plagues of AIDS and malaria would continue their deadly work. The few remaining solvent airlines would simply suspend services to many cities in these continents; who would wish to leave their privately guarded safe havens to go there? For all these reasons, the prospect of an apolar world should frighten us today a great deal more than it frightened the heirs of Charlemagne. If the United States retreats from global hegemony—its fragile self-image dented by minor setbacks on the imperial frontier—its critics at home and abroad must not pretend that they are ushering in a new era of multipolar harmony, or even a return to the good old balance of power. Be careful what you wish for. The alternative to unipolarity would not be multipolarity at all. It would be apolarity—a global vacuum of power. And far more dangerous forces than rival great powers would benefit from such a not-so-new world disorder.

**US heg sustainable – multiple reasons**

**Slaughter 9** (Anne-Marie, of the Woodrow Wilson School of Public and International Affairs, Princeton, Foreign Affairs, January- February 2009, “America's Edge Subtitle: Power in the Networked Century,” p. 94)

Almost 30 years ago, the psychologist Carol Gilligan wrote about differences between the genders in their modes of thinking. She observed that men tend to see the world as made up of hierarchies of power and seek to get to the top, whereas women tend to see the world as containing webs of relationships and seek to move to the center. Gilligan's observations may be a function of nurture rather than nature; regardless, the two lenses she identified capture the differences between the twentieth-century and the twenty-first-century worlds. The twentieth-century world was, at least in terms of geopolitics, a billiard-ball world, described by the political scientist Arnold Wolfers as a system of self-contained states colliding with one another. The results of these collisions were determined by military and economic power. This world still exists today: Russia invades Georgia, Iran seeks nuclear weapons, the United States strengthens its ties with India as a hedge against a rising China. This is what Fareed Zakaria, the editor of Newsweek International, has dubbed "the post-American world," in which the rise of new global powers inevitably means the relative decline of U.S. influence. The emerging networked world of the twenty-first century, however, exists above the state, below the state, and through the state. In this world, the state with the most connections will be the central player, able to set the global agenda and unlock innovation and sustainable growth. Here, the United States has a clear and sustainable edge. THE HORIZON OF HOPE The United States' advantage is rooted in demography, geography, and culture. The United States has a relatively small population, only 20-30 percent of the size of China's or India's. Having fewer people will make it much easier for the United States to develop and profit from new energy technologies. At the same time, the heterogeneity of the U.S. population will allow Washington to extend its global reach. To this end, the United States should see its immigrants as living links back to their home countries and encourage a two-way flow of people, products, and ideas. The United States is the anchor of the Atlantic hemisphere, a broadly defined area that includes Africa, the Americas, and Europe. The leading countries in the Atlantic hemisphere are more peaceful, stable, and economically diversified than those in the Asian hemisphere. At the same time, however, the United States is a pivotal power, able to profit simultaneously from its position in the Atlantic hemisphere and from its deep ties to the Asian hemisphere. The Atlantic and Pacific Oceans have long protected the United States from invasion and political interference. Soon, they will shield it from conflicts brought about by climate change, just as they are already reducing the amount of pollutants that head its way. The United States has a relatively horizontal social structure -- albeit one that has become more hierarchical with the growth of income inequality -- as well as a culture of entrepreneurship and innovation. These traits are great advantages in a global economy increasingly driven by networked clusters of the world's most creative people. On January 20, 2009, Barack Obama will set about restoring the moral authority of the United States. The networked world provides a hopeful horizon. In this world, with the right policies, immigrants can be a source of jobs rather than a drain on resources, able to link their new home with markets and suppliers in their old homes. Businesses in the United States can orchestrate global networks of producers and suppliers. Consumers can buy locally, from revived local agricultural and customized small-business economies, and at the same time globally, from anywhere that can advertise online. The United States has the potential to be the most innovative and dynamic society anywhere in the world.

## A2: People Stay Illegally

##### **1.     They over exaggerate the problem: Jan of the Washington Post (17) writes that H-1B visas can be renewed once, and if the worker is applying for green cards they can renew the visa indefinitely.**

##### **2.    Even if they overstay their visa, this creates a bigger problem for that person because they do not have a job anymore and if they are caught they will have no chance of a future visa.**

##### **3.    Bray of All Law reports that overstaying a visa can be a serious offense and lead to devastating consequences for that individual. This is important because the threat of being caught deters people in the long-term.**

##### **4.    Trump is currently working to solve this problem. Siegal of The Daily Signal (17) finds that trump is focusing on border security and cracking down on illegal immigration.**

##### **5.    Non-unique: either way people still come in on the H-1b visa, they neg doesn’t advocate for the removal of the program. But rather, for the status quo.**

##### **6.    Nixon of the New York Times (16) concludes that Washington can’t even quantify how many immigrants overstay their visas. That means my opponents can’t quantify their impact.**

Tracy Jan, 4-3-2017, "This one group gets 70 percent of high-skilled foreign worker visas," Washington Post,<https://www.washingtonpost.com/news/wonk/wp/2017/04/03/this-one-group-gets-70-percent-of-high-skilled-foreign-worker-visas/?utm_term=.a091e552263d>

American tech companies who use workers hired by these firms benefit from the cheaper labor, as well as the automatic loyalty engendered among workers who would otherwise lose their legal status. The H-1B visas last for three years, and can be renewed once. But workers applying for green cards can renew their visas indefinitely. There is currently a decade-long backlog of Indian green card applicants. Given the tremendous delay, companies have an incentive to hire workers from India, who critics say end up in a system of de facto “indentured servitude.” “It’s not because Indians are smarter. These companies want more control over their employees. An immigrant worker has few rights and is now stuck with the employer for many years,” said Aman Kapoor, president of Immigration Voice, a nonprofit advocating on behalf of high-skilled foreign workers concerned about the green card backlogs.

Ilona Bray, xx-xx-xxxx, "Consequences of Overstaying on a Temporary U.S. Visa," AllLaw,<http://www.alllaw.com/articles/nolo/us-immigration/consequences-of-overstaying-on-temporary-visa.html>

Staying past the expected departure date on your U.S. visa can carry some serious consequences. For example, your visa will be automatically voided, and you won't be able to apply for a new visa at any consulate outside of your home country. In some cases, you may be barred from returning to the U.S. for a number of years, depending on how long you stayed and whether you fit into an exception or actually accrued "unlawful presence," which is a separate definition under the law. We'll look at this in more detail below. How Long Did You Overstay? First, let's be clear on when you were expected to leave. This would be the date shown on your Form I-94 Arrival/Departure Record. That's a different date from the expiration date of your visa, which is merely the last date upon which you could have used that document to enter the United States. So you'll need to count forward from the date on your I-94. If you entered the U.S. as a student, your I-94 will likely say "D/S," for duration of status. That means your overstay begins when you stop studying or complying with the terms of your visa. However, for purposes of the time bars discussed in this article, the important issue is whether you actually accrued "unlawful presence," which students don't do unless an immigration official or judge has deemed them unlawfully present.

Josh Siegal, 3-10-2017, "Trump Faces Challenge of Visa Overstays," Daily Signal,<https://www.dailysignal.com/2017/03/10/trump-faces-challenge-of-visa-overstays-the-largest-source-of-illegal-immigration/>

As President Donald Trump focuses on border security in his initial actions to counter illegal immigration, a new report shows the unauthorized population increasingly is made up of those who first entered the U.S. legally. In each year from 2007 to 2014, the report from the Center for Migration Studies finds, more people joined the illegal immigrant population by remaining in the U.S. after their temporary visitor permits expired than by sneaking across the Mexican border. In 2014, about 4.5 million U.S. residents, or 42 percent of the population of roughly 11 million illegal immigrants, had overstayed their visas, the report says. Overstays accounted for about two-thirds—66 percent—of those who ended up joining the illegal immigrant population in 2014.

Ron Nixon, 1-1-2016, "U.S. Doesn’t Know How Many Foreign Visitors Overstay Visas," New York Times,<https://www.nytimes.com/2016/01/02/us/politics/us-doesnt-know-how-many-foreign-visitors-overstay-visas.html>

The question from the congressman to the Obama administration official was straightforward enough: How many foreign visitors overstay their visas every year? The reply was simple too, but not in a satisfying way. “We don’t know,” the official said. The testy exchange during a recent congressional hearing between Representative Mark Meadows, Republican of North Carolina, and Alan Bersin, the assistant secretary for international affairs at the Department of Homeland Security, highlights what some law enforcement officials call a critical weakness in the United States foreign visa program. The issue has taken on added urgency as part of a broader examination of immigration policy following the mass shootings in San Bernardino, Calif., that left 14 people dead and 22 wounded. Tashfeen Malik, one of the attackers, was granted entry to the United States under a K-1 visa, also known as a fiancé visa. Her husband, Syed Rizwan Farook, was an American-born citizen. Both died in a shootout with the police. While Ms. Malik did not overstay her visa, the attack added to fears that a terrorist could exploit gaps in the system. Nearly 20 years ago, Congress passed a law requiring the federal government to develop a system to track people who overstayed their visas. After the attacks of Sept. 11, 2001, an entry and exit tracking system was seen as a vital national security and counterterrorism tool, and the 9/11 Commission recommended that the Department of Homeland Security complete a system “as soon as possible.” Two of the Sept. 11 hijackers, Satam al-Suqami and Nawaf al-Hazmi, had overstayed their visas. Since then, the federal government has spent millions of dollars on the effort, yet officials can only roughly estimate the number of people in the United States illegally after overstaying visas.

## A2: Errors Occur

##### **1.     Feshir of MPR News (17) argues that the process of getting an H-1B visa is now harder than in the past. For example, there are new qualifications that need to be met and a prolonged period until it is accepted. This process makes it harder for the wrong people to get into our country as the bar is now higher.**

##### **2.    They can’t even quantify their impact, that is crucial because this probably is not that big of an issue.**

##### **3.    Nonunique: The Associated Press (16) quantifies that over 850 immigrants were mistakenly granted citizenship. This means that either way you vote, there will be people that accidentally get through the system.**

Riham Feshir, 9-13-2017, "Process for U.S. work visas suddenly gets harder," MPR News,<https://www.mprnews.org/story/2017/09/13/work-visa-h1b-process-more-difficult>

Delbene got caught up in a new trend immigration lawyers say has been making the process of getting H1B visas more difficult than ever. As part of the approval process, in some cases the U.S. Citizenship and Immigration Services, or USCIS, issues a request for evidence after an application has been filed. USCIS usually sends such requests when the officer processing the application believes the employer hasn't provided all the evidence necessary to meet the requirements of the H1B visa. But lately, the requests have been inane and irrelevant, immigration attorneys say. Based on the paperwork sent by USCIS, the requests seem to be aimed at slowing down the process and creating additional hurdles rather than getting necessary evidence.

Associated Press, 9-19-2016, "More than 800 immigrants mistakenly granted U.S. citizenship," Denver Post,<https://www.denverpost.com/2016/09/19/us-immigrants-granted-citizenship/>

WASHINGTON — The U.S. government has mistakenly granted citizenship to at least 858 immigrants from countries of concern to national security or with high rates of immigration fraud who had pending deportation orders, according to an internal Homeland Security audit released Monday. The Homeland Security Department’s inspector general found that the immigrants used different names or birthdates to apply for citizenship with U.S. Citizenship and Immigration Services and such discrepancies weren’t caught because their fingerprints were missing from government databases.

## A2: Biotech/Biodegration

#### Their link Is really weak. What they fail to realize is that companies petition for H1B workers and send in applications for workers. If these bio(tech/degradation) companies needed more workers, they would send in applications in order to get more workers. The fact that they aren’t doing this clearly shows the lack of a need.

#### This makes zero logical sense – All research institutions are exempt from the cap so raising it will do absolutely nothing to impact research. Think about their claim that people will go to other jobs. If I have a degree in biotechnology and there is a research position waiting for me in the field I study in, why would I suddenly switch to computer-based jobs just because more of them are available.

#### They don’t provide any probability of how many people will switch. They also don’t tell you how many H1B immigrants work in this field to begin with or how many are added each year. This means is could very easily be a low percentage of people switching or even working in this field at all, meaning the impact is incredibly low. But even if you believe that the bio(tech/degradation) sector will lose workers,

#### (Degradation) It doesn’t matter because they aren’t innovating anymore. Gu from the University of Hong Kong finds that testing has occurred for half a century, but there has been little new information from recent testing and studies. Even worse, he finds that many have reported studies that just reiterate information discovered decades ago. If there hasn’t been any innovation in years, obviously the current number of H1B researchers aren’t doing anything to help innovation right now.

#### (Degradation) This scientific field wont even help solve problems. Along with the lack of innovation, the current biodegradation inventions don’t work. The Guardian in 2016 reports that biodegradable plastic products don’t actually degrade – not even fulfilling their original goal. This field may in theory be important, but they are failing in the past and in the present. Because they have been constantly failing, it is their burden to prove that they will stop failing in the future and what will change to cause the future successes, because H-1B workers aren’t working.

Gu J-D, 2016, Biodegradation testing: so many tests but very little new innovation. Applied Environmental Biotechnology, vol.1(1): 92–95. <http://dx.doi.org/10.18063/AEB.2016.01.007>

Biodegradation tests have been conducted for testing the degradation of environmental pollutants for at least half a century, but little innovations and new information have been made available from the more recent efforts. In this context, substrate, microorganisms, enrichment and degradation are discussed critically to summarize the essential approaches for biodegradation testing and also the new directions in this area of research. The information intends to provide some essential assistance to individuals working on this topic in their research and applications.

The concept of biodegradation delineated by Martin Alexander has contributed to the training of several generations of scientists and graduate students to work on this subject of organic persistent chemicals throughout their careers[1] . Recently, research on biodegradation has been shifted more and more to the developing countries, especially the emerging economies such as China, India, Brazil, etc., due to the economic development[2,3] , but many recent reported studies have failed to show new innovative understanding and novel knowledge beyond what had been established decades ago.

Adam Vaughan, 5-23-2016, "Biodegradable plastic 'false solution' for ocean waste problem," Guardian, <https://www.theguardian.com/environment/2016/may/23/biodegradable-plastic-false-solution-for-ocean-waste-problem>

Biodegradable plastic water bottles and shopping bags are a false solution to the ubiquitous problem of litter in the oceans, the UN’s top environmental scientist has warned.

Most plastic is extremely durable, leading to large plastic debris and “microplastics” to spread via currents to oceans from the Arctic to the Antarctic, a [UN report published on Monday](http://www.unep.org/about/sgb/Portals/50153/UNEA/Marine%20Plastic%20Debris%20and%20Microplastic%20Technical%20Report%20Advance%20Copy.pdf) found.

Greener plastics that breakdown in the environment have been marketed as a sustainable alternative that could reduce the vast amount of plastic waste that ends up in the sea after being dumped. But Jacqueline McGlade, chief scientist at the UN Environment Programme, told the Guardian that these biodegradable plastics were not a simple solution.

“It’s well-intentioned but wrong. A lot of plastics labelled biodegradable, like shopping bags, will only break down in temperatures of 50C and that is not the ocean. They are also not buoyant, so they’re going to sink, so they’re not going to be exposed to UV and break down,” she said.

## A2: Racism

1. **Delink:** Peri[[1]](#footnote-1) of the University of California explains in 2014 the way H1B’s are processed. They must go through a computer generated lottery system before they are chosen for processing. Logically a random system leaves very little room for racist policies.
2. **Delink:** The definition of racist implies that the government is giving preferential treatment to one class of people over another. However this is not what is happening. The reason that a majority of H1B admissions are from Asian nations is because the majority of applicants are from these countries. Since applications are open to anyone who is eligible there is very little purposeful racism which is why in 2017, Molla[[2]](#footnote-2) of Recode finds China and India received 82 percent of all H-1B visas issued in 2016.
3. **Delink:** Lippman[[3]](#footnote-3) of The Hill finds in 2017 that American companies employ workers based on multiple reasons. He finds that the H1B program provides American employers incentive to hire Americans rather than undercut American wages and outsource jobs
4. **Delink/Mitigate:** Even if you buy that the H1B program is racist right now, the program is solving for itself. Kolakowski[[4]](#footnote-4) of Insight News finds in 2017 that Trump’s executive order and proposed reforms actually tasked the departments of Homeland Security, Justice, Labor, and State to review current H-1B policy with an eye toward eliminating fraud and abuse. Inherently it is clear that if racist admission is a problem it will be addressed soon.

## A2: Racial Diversity

1. Delink- Bonnie 15’ finds that most firms in America have an influx of Asians. On the link level it makes no sense because Forbes finds 82% of H-1Bs went to India and China, both Asian countries. The firms don’t look more diverse if they bring in more of the majority.
2. Their evidence is misrepresentative- Lots of issues are stemming of the methodology here. First Broadwater is a no-one. The Hill finds that he hates all forms of immigration, runs an organization ridiculing the perceived flaws of the H-1B, while running a tech outsourcing company. That’s why they don’t read you any other causality evidence or any academia from Broadwater. While he makes it seem like its causal, the actual methodology is not whatsoever. All Broadwater does was look at the computer science racial gap and conclude that since H-1Bs are the type of visa most Computer science firms receive, they must be using it to expand diversity. There is no stat model, factors, regression plots, nothing whatsoever to prove or compare H-1Bs as the causal link. Moreover the NSF study he cites is not in citation or anywhere in the internet. If anything we would say that the STEM firms that use H-1Bs are the ones who cannot find work in America.
3. Alternate Causal- WP 16’ finds that there is a 38 point gap in education between black and white Students. AND. Isobel 13’ report that the college professors are the biggest reason for diversity gap, as they are usually found recommending lower stratus careers to minorities. Don’t stand here and do nothing about the situation. Thus, the third response is a
4. Turn- Niel ’17 finds that H-1B visa filing fees have been used to fund educational native STEM programs funneled through the NSF. Thankfully, the NSF reports that their ultimate goal is to serve minorities and their gap in the STEM industry. Giving them more funding gives us more solvency. Murthy finds in 2011 that the NSF has already given out 58,000 US scholarships and fees have generated 2.3 billion over a decade.

Niall Mccarthy. "India And China Accounted For 82% Of U.S. H-1B Visas In 2016 [Infographic]." *Forbes*. 19 Apr. 2017. Web. 29 Apr. 2018. <https://www.forbes.com/sites/niallmccarthy/2017/04/19/india-and-china-accounted-for-82-percent-of-u-s-h-1b-visas-in-2016-infographic/>

According to [U.S. State Department data](https://travel.state.gov/content/visas/en/law-and-policy/statistics/non-immigrant-visas.html), 82 percent of all H-1B visas issued in 2016 went to India and China. 85,000 H-1B visas are issued every year while 100,000 more are extended or re-issued. Last year, 126,692 of them went to recipients from India, 21,657 were issued to Chinese workers. Mexico rounded out the top three with 2,540.

According to Bonnie Marcus, of Forbes, August 12th, in 2015 “The Lack Of Diversity In Tech Is A Cultural Issue” [https://www.forbes.com/sites/bonniemarcus/2015/08/12/the-lack-of-diversity-in-tech-is-a-cultural-issue/#686d433d79a2] Accessed 4/23/18 SAO

Tech companies are experiencing growing pressure to diversify their workforce which is predominantly white, Asian, and male. The increased public scrutiny has resulted in some larger tech companies disclosing their employee information, which indicates little progress. A recent survey of the top 9 tech companies in Silicon Valley by Fortune reveals that on average, women comprise about one-third of the workforce. That gap expands the higher up you go in an organization, with the best company showing women holding 29% of leadership jobs. In general, companies made slightly better progress on ethnic diversity than they did on increasing their percentages of female employees, although not in leadership roles.

<https://www.washingtonpost.com/news/answer-sheet/wp/2016/08/10/why-more-stem-classes-wont-help-solve-the-serious-stem-achievement-gap/?noredirect=on&utm_term=.309546dc7d35>

Valerie Strauss August 10, 2016

A new report from the National Assessment of Educational Progress (NAEP) suggests so. Recently released technology and engineering literacy scores from NAEP’s Nation’s Report Card – which measures whether students are able to apply tech and engineering skills to real-life situations – revealed a 28-point gap between students from low-income families and their more affluent peers, and a 38-point gap between black and white students. This discrepancy must be addressed – not merely for the sake of the students left behind, but for the prosperity of our country and the health of our planet.

 http://www.browndailyherald.com/2013/10/31/lacking-foundation-minorities-struggle-stem-fields/

Students said campus culture and insufficient preparation often impeded success

“Sense of self” Students interviewed said their experiences at Brown are shaped by their learning environments — in which they said they often find themselves treated like outsiders. “So the academic piece, that’s one thing, and then there’s the more psycho- or socio-emotional sort of piece that involves how you respond to your environment’s response to you. … You … feel like the outsider,” said Joseph Browne ’11, coordinator of the New Scientist Program. Professors can unintentionally say things that deter a student from a certain field or path, Browne said. For example, a professor may encourage a woman or minority student to go into teaching high school rather than pursuing research, he said. Faculty diversity Several students said hiring more minority professors in STEM departments is vital to improving the experiences of underrepresented minority students. “It limits your motivation when you realize there aren’t people like you in the field you want to pursue,” Duah said.Watson-Daniels said the absence of minority professors harms all students — not just minorities.“When you don’t see black professors in a classroom … as a white student, you don’t have the opportunity to learn from a black professor. So when in your life do you get the opportunity to learn that they have something to teach you?”

N.a. "." *Nsf.gov*. 6 Apr. 2018. Web. 29 Apr. 2018. <https://www.nsf.gov/about/budget/fy2019/pdf/fy2019budget.pdf>

Broadening participation infuses science and engineering excellence into varied individual, institutional, and geographic networks and provides for the discovery and nurturing of talent wherever it may be found. Additionally, NSF defines broadening participation in terms of individuals from underrepresented groups (i.e., women, underrepresented minorities, and persons with disabilities) as well as institutions (i.e., women’s colleges, minority-serving institutions, and institutions primarily serving persons with disabilities) and geographic areas (i.e., rural, urban and EPSCoR jurisdictions) that do not participate in NSF research programs at rates comparable to others. 1

Neil G. Ruiz of the and Jill H. Wilson, Brookings Institute, March 13, explains in 2013 “Targeting H-1B Visa Fees to Better Address Skills Needs” [https://www.brookings.edu/blog/the-avenue/2013/03/13/targeting-h-1b-visa-fees-to-better-address-skills-needs/] Accessed 4/20/18 SAO

Our idea stems from a lesser-known aspect of the H-1B program: the requirement that employers requesting H-1B visas for highly skilled temporary workers pay a fee that is then used to fund grants for skills training and STEM education. These grants are meant to develop the skills of the existing U.S. workforce in order to fill jobs presently held by H-1B workers. This small but important grants program funds skills training through the Department of Labor and STEM (science, technology, engineering and math) education through the National Science Foundation. Completely funded by H-1B visa fees rather than tax dollars, it is protected from sequestration.

Mlfadmin. "Report on $3 Billion in H1B Employer Fees - Murthy Law Firm | U.S Immigration Law." *Murthy Law Firm | U.S Immigration Law*. 8 Apr. 2011. Web. 29 Apr. 2018. <https://www.murthy.com/2011/04/08/report-on-3-billion-in-h1b-employer-fees/>

The American Competitiveness and Workforce Improvement Act (ACWIA) established what is commonly referred to as the “training fee.” This fee is currently set at a level of $1500 for companies with more than 25 employees; the fee is reduced to $750 for companies with 25 employees or fewer. This payment must accompany most H1B petitions. The amount collected, totaling more than $2.3 billion between fiscal years 2000 and 2011, is used for funding training and scholarships for U.S. workers. The report cites a statistic from the National Science Foundation (NSF) that a portion of these funds has been used for 58,000 college scholarships for U.S. students in the fields of science and math.

THE HILL

Fbi, 6-30-2015, "Exposing Broadwater’s hypocrisy," TheHill, <http://thehill.com/opinion/letters/246585-exposing-broadwaters-hypocrisy>

Mr. Broadwater is the managing partner of Broadserv LLC, a Maryland-based company that, according to its website in 2013, “provides professional & technical services to North American software and technology companies, leveraging high quality, low cost, international resources from India, South America, Europe and the Middle East.” After the Center for New Community exposed his ties to this company in 2013, the description was changed to reference “outsourced American labor.”

Mr. Broadwater appears to be profiting from helping companies hire labor outside the United States. If so, his attempt to use American workers as justification for his anti-immigrant advocacy is particularly shameful.

Mr. Broadwater’s advocacy is nothing if not anti-immigrant. In 2013, he appeared on a webcast organized by NumbersUSA where he said, “Legal immigrants, illegal immigrants, they’re all bad as far as we’re concerned, for America.” NumbersUSA is a leading organization within the contemporary anti-immigrant movement, founded under the guidance and financial assistance of eugenicist and white nationalist John Tanton.

Despite his vigorous condemnation of all immigrants, the online presence of Mr. Broadwater’s anti-immigrant advocacy organization, Americans4Work, virtually disappeared shortly after hosting a November 2013 symposium on unemployment. The symposium featured the stridently anti-immigrant Sen. [Jeff Sessions](http://thehill.com/people/jeff-sessions) (R-Ala.), who has a record of voting against policies that would benefit unemployed American workers.

# A2: Cap-Exempt

## A2: Cap-Exempt General

#### Overall, realize that they must prove that potential H-1B employees will prefer capped to uncapped industry in order for their impacts to materialize. This is not so for x reasons.

#### According to [Pew Research Center](http://www.pewresearch.org/fact-tank/2017/04/27/key-facts-about-the-u-s-h-1b-visa-program/), just 10% of H-1B employees are uncapped workers. The main reason that this number is so low is that uncapped employers don’t do a good job of reaching out to potential employees. This is an issue independent of the number of H-1B visas; their argument is a red herring.

#### Their link Is really weak. What they fail to realize is that companies petition for H1B workers and send in applications for workers. If these bio(tech/degradation) companies needed more workers, they would send in applications in order to get more workers. The fact that they aren’t doing this clearly shows the lack of a need.

#### This makes zero logical sense – All research institutions are exempt from the cap so raising it will do absolutely nothing to impact research. Think about their claim that people will go to other jobs. If I have a degree in biotechnology and there is a research position waiting for me in the field I study in, why would I suddenly switch to computer-based jobs just because more of them are available.

#### Of the 10% of workers who do work in uncapped industry, there is no clear evidence that the main reason they accepted their job is\_\_\_\_\_\_. (Muddle their analysis about the incentives that people have to work in the private as opposed to the public sector. Refer to analysis refutations below).

#### Pay: Dispute evidence

####  (IF Defense impact) [In the law there is a special H-1B visa](https://www.hooyou.com/h-1b/h-1b2.html), called the H-1B2, that allows for foreign nationals to work in the U.S. Department of Defense. The number of H-1B2 visas is already capped at 100. Because the DOD isn’t even an uncapped industry, their impacts don’t hold up, even if you buy that there will be a decrease in employment in uncapped industries.

#### (Defense Impact) Turn (contingent on 3): With this in mind, if you agree that understaffing in the DoD is a problem, then you vote pro, because we are increasing the number of H-1B2 visas and solving back for status quo issues.

Neil G. Ruiz, APRIL 27, 2017, "Key facts about the U.S. H-1B visa program," Pew Research Center, <http://www.pewresearch.org/fact-tank/2017/04/27/key-facts-about-the-u-s-h-1b-visa-program/>

Universities and colleges, nonprofits and government research institutions are exempted from the cap through the American Competitiveness in the 21st Century Act of 2000. These uncapped employers have accounted for about 10% of H-1B visa applications since fiscal 2010

United, 4/26/2017, "H-1B2 Subcategory: Department of Defense," No Publication, <https://www.hooyou.com/h-1b/h-1b2.html>

The H-1B2 visa is intended for aliens who perform services of an exceptional nature relating to a cooperative research and development project administered by the United States [Department of Defense](https://www.defense.gov/)(DoD). To be awarded an H-1B2 visa, aliens must undergo a selective application process. In fact, only 100 H-1B2 visa holders are permitted in the U.S. at any given time.

## AT: Links

### Terminal Defense

#### On the overall argument; terminally delink it because in both worlds, the quota will still be met. As a result, Palma of Texas A&M explains that the incentive to apply for the uncapped sector will always exist because it is the safest and most reliable option to get accepted into the US. And we would contend that getting into the US is always going to be the first priority for H-1B workers because the quality of life in the US so much higher than the country they came from.

<http://ageconsearch.umn.edu/record/259199/files/Abstracts_17_05_22_03_23_37_65__75_109_214_186_0.pdf> (Palma)

### AT: Higher Pay

2 responses

#### First, this is simply false. Brindle of the Guardian explains that the public sectors pay 7% more than the private sector.

#### Second, even if private sector gives higher pay, Roberts of the Balance explains that the public sector provides many benefits such as pension plans. The most important benefit however, is job security. We would argue that H-1B workers will always value job security over higher pay since the risk of deportation as a result of unemployment outweighs any marginal benefit of a higher salary.

<https://www.theguardian.com/money/2010/jan/23/public-private-sector-grass-greener> (Brindle)

<https://www.thebalancecareers.com/the-pros-and-cons-of-a-government-job-1669764> (Roberts of the Balance)

### AT: Corporate Partnerships

#### Non-unique them completely because Munro of BB explains that there will be an incentive for corporations to issue partnerships with the government because they want to access government databases. They need prove why corporate partnerships suddenly stop the moment we affirm.

<https://www.uscis.gov/sites/default/files/USCIS/Laws/Memoranda/Static_Files_Memoranda/Archives%201998-2008/2006/ac21c060606.pdf> (Munro)

## AT: Impacts

### AT: University and Government Research Facilities

2 responses

#### First, the Bureau of Labor Statistics explains that there is not even a shortage in Universities and Government Research Facilities right now and there is no evidence it’s going to exist in the future.

#### This evidence is better than theirs because it comes directly from the government, so it eliminates bias.

#### Second, make them actually quantify 1. How many workers we are going to lose from affirming and 2. what type of implications this would make.

#### Third, from our contention 1 where we tell you According to a 2017 report by Cornell University every H-1B visa carries with it a high application fee that is paid by the company sponsoring the foreign workers. Combined, the 85 thousand visas issued annually generate 190 million that goes to fund universities providing STEM scholarships to US citizens therefore creating incentive for US CITIZENS to major in STEM education.

<https://www.bls.gov/opub/mlr/2015/article/stem-crisis-or-stem-surplus-yes-and-yes.htm> (Bureau)

# Indicts

## I2: CIS/ Center of Immigration Studies

#### The CIS is historically bigoted. The Southern Poverty Law Center reports that the CIS has hired racist and anti-semetic authors to write for them. They point out the organization’s financial and intellectual ties to extreme racists.

#### PolitiFact points out that reports published by the CIS have been widely deemed misleading and riddled with basic errors by scholars on immigration, nonpartisan immigration research organizations, and by the US immigration and Customs Enforcement. Basically there is a wide consensus that their source is wrong.

Southern Poverty Law Center 17​. “Is the Center for Immigration Studies a 'Hate Group' ?” PolitiFact Florida, 15 Feb. 2017, www.politifact.com/florida/article/2017/mar/22/center-immigration-studies-hate-group-southern-pov/ Heidi Beirich, director of SPLC’s​(Southern Poverty Law Centers) Intelligence Project, summarized why CIS landed on the list in the America’s Voice blog: "**CIS has a long history of bigotry, starting with its founder, white nationalist John Tanton, but in 2016, the group hit a new low**. CIS commissioned Jason Richwine, a man who’s Ph.D. dissertation endorses the idea of IQ differences between the races, to write multiple reports and blog pieces for the organization. **The group also continued to circulate racist and anti-Semitic authors to its supporter**s, and finally, staffer John Miano attended the white nationalist group VDARE’s Christmas party in December."

Southern Poverty Law Center 17​. “Is the Center for Immigration Studies a 'Hate Group' ?” PolitiFact Florida, 15 Feb. 2017, www.politifact.com/florida/article/2017/mar/22/center-immigration-studies-hate-group-southern-pov/ **Reports published by the CIS have been widely deemed misleading and riddled with basic errors by scholars on immigration, think tanks from across the ideological and political spectrum, media of all stripes; several leading nonpartisan immigration-research organizations; and by U.S. Immigration and Customs Enforcement. The organization has also drawn criticism for its financial and intellectual ties to extremist racists**. The Southern Poverty Law Center (SPLC )published reports in 2002 and 2009 connecting CIS to John Tanton, who helped found various other organizations, including the Federation for American Immigration Reform (FAIR) and NumbersUSA, and showing he has ties to white supremacy groups and a eugenics foundation (SPLC). **Bottom line, this is a hate group**. (2/8/2017

## I2: Depressed Wages of Computer Scientists (2.6 and 5.1 percent) (Nat Bureau of Econ Research) Indict

#### Uses 16 year old data

Dr. Andrew Chamberlain, 4-3-2017, "Dispelling Myths: What H1B Visa Workers Are Really Paid," Glassdoor Economic Research, https://www.glassdoor.com/research/h1b-workers/

This debate was recently fueled by a new study from the National Bureau of Economic Research that found an influx of H1B workers in the 1990s reduced wages for U.S. computer scientists by 2.6 to 5.1 percent. Although the study also found that wages for non-tech workers rose by 0.04 to 0.28 percent — and despite being based on 16-year-old data — it was widely reported in media as showing H1B visas hurt wages for American workers.

#### Decrease came because the cap had been raised from 65k (current) to 115k in 1999 then to 195k between 2000 and 2003

John Bound† Gaurav Khanna‡ Nicolas Morales§, “Understanding the Economic Impact of the H-1B Program on the U.S”, February 2017, Population Studies Center University of Michigan, https://www.psc.isr.umich.edu/pubs/pdf/rr16-857.pdf

Since 1990, when the visa was initiated, the number of H-1B visas issued annually has been capped. The initial cap was of 65,000 visas per year was not reached until the mid-1990s, when demand began to exceed the cap. However, the allocation tended to fill each year on a first come, first served basis, resulting in frequent denials or delays on H-1Bs because the annual cap had been reached. After lobbying by the industry, Congress raised the cap first to 115,000 for FY1999 and then to 195,000 for FY2000-2003, after which the cap reverted to 65,000. Figure 1e shows the growth in the number of H-1 visas (the H-1 was the precursor to the H-1B) issued 1976-2008, estimates of the stock of H-1 visas in the economy each year, and the changes in the H-1B visa cap.7

#### Uses data from between 1994 and 2001. This isn’t at all relevant to the current economy. There is an extreme difference between the tech industry in 2001 versus in 2018.

John Bound† Gaurav Khanna‡ Nicolas Morales§, “Understanding the Economic Impact of the H-1B Program on the U.S”, February 2017, Population Studies Center University of Michigan, https://www.psc.isr.umich.edu/pubs/pdf/rr16-857.pdf

Over the 1990s, the share of foreigners entering the US high-skill workforce grew rapidly. This migration potentially had a significant effect on US workers, consumers and firms. To study these effects, we construct a general equilibrium model of the US economy and calibrate it using data from 1994 to 2001. Built into the model are positive effects high skilled immigrants have on innovation. Counterfactual simulations based on our model suggest that immigration increased the overall welfare of US natives, and had significant distributional consequences. In the absence of immigration, wages for US computer scientists would have been 2.6% to 5.1% higher and employment in computer science for US workers would have been 6.1% to 10.8% higher in 2001. On the other hand, complements in production benefited substantially from immigration, and immigration also lowered prices and raised the output of IT goods by between 1.9% and 2.5%, thus benefiting consumers. Finally, firms in the IT sector also earned substantially higher profits due to immigration.

1. <http://www.newamericaneconomy.org/wp-content/uploads/2014/06/pnae_h1b.pdf>

In six of the last nine years, the H-1B visa cap has been met within 90 days of the government opening up the application window; and in 2007, 2008, 2013, and 2014, so many applications came in during the first week that officials had to hold a lottery to determine which ones to process. That meant that tens of thousands of potential workers were denied the ability to come to the U.S. [↑](#footnote-ref-1)
2. <https://www.recode.net/2017/4/13/15281170/china-india-tech-h1b-visas>

China and India received 82 percent of all H-1B visas issued in 2016, according to data from the U.S. Department of State. These visas are for highly skilled workers who often take up shop at tech companies in the U.S. [↑](#footnote-ref-2)
3. <http://thehill.com/opinion/immigration/364099-h1b-visa-reform-could-encourage-companies-to-hire-more-american-workers>

 “It offers a market-based solution that gives priority to those companies willing to pay the most. This ensures American employers have the access to the talent they need, while removing incentives for companies to undercut American wages and outsource jobs.” [↑](#footnote-ref-3)
4. <https://insights.dice.com/2017/11/15/h-1b-visa-applications-tighter-review/>

Although Trump promised during his Presidential campaign to stop the use of H-1B visas as a “cheap labor program,” his administration hasn’t yet proposed any major reforms. In April, Trump issued an executive order that tasked the departments of Homeland Security, Justice, Labor, and State to review current H-1B policy with an eye toward eliminating fraud and abuse. [↑](#footnote-ref-4)