

Table of Contents

Table of Contents	1
A/T NEG.....	10
A2 Economics.....	11
AT Takes American Jobs.....	12
1: Delink: Torres, Harvard Business Review, 2017 – shortages exist, because even if there isn't a shortage just looking at the number of STEM workers in general, we have too many computer scientists and too little petroleum engineers. We solve: our first warrant about visa fees is very explicit in that by increasing H-1Bs you increase education specifically to end shortages, which means that in the long term the best way to solve is to affirm.....	12
2: Turn: Ghosh, Mashable, 2018 – without skilled labor, companies would just outsource the jobs to overseas. National Foundation for American Policy, 2008 – 65% of companies will outsource in face of lack of H-1Bs.....	12
3: Turn: Khanna, Center for Global Development, 2017 – new H-1Bs push workers into higher positions in the company as they take on managerial positions. That's why American Immigration Council, 2018 – 1% increase in foreign STEM workers increases native wages by 8%.....	12
4: Turn: Ruthizer, CATO Institute – new H-1B workers innovate and develop products which increase the demand for low-skilled labor, quantifying that each new H-1B workers creates 5 jobs elsewhere.....	12
Linchpin: American Immigration Council, 2013 – increasing the quota could create 1.3 million jobs.	12
Prefer our analysis – empirics prove: Mayda, Georgetown University, 2017 – when we decreased H-1B quota back to 65000 in 2004, we didn't see an increase in employment.....	12
AT Depresses US Wages	16
1: Turn: Khanna, Center for Global Development, 2017 – new H-1Bs push workers into higher positions in the company as they take on managerial positions.	16
2: Turn: Campbell, Atlantic, 2016 – H-1B workers make more in the long-run, which means they drive up prices, not drive down prices.	16
3: Turn: CRS, 2016 – L-1 is a substitute for large companies in place of H-1Bs. Costa, EPI, 2010 – these L-1s drive down wages even more because they literally do not have wage requirements.	16
Linchpin: American Immigration Council, 2018 – 1% increase in foreign STEM workers increases native wages by 8%.....	16
AT Overheating.....	18
1: Turn: Levin, Vanity, 2018 – more immigrants solves overheating because it increases the productivity of labor by injecting more workers.	18

A2 Other Countries 19

AT Brain Drain - General.....20

1: Nonunique: Bhattacharya, Quartz, 2018 – if they don’t go to America, they’ll go to other countries like Canada. Thus, Idehen, Business Day, 2010 – reversing brain drain is impossible because most wealthy nations have systems to lure top talent.....20

2: Turn: The H-1B system enhances education in other countries for two reasons.....20

A: Khanna, Center for Global Development, 2017 – incentive for education because of foreign opportunities, raising employment of CS in India by 27.5%.....20

B: Varma, University of New Mexico, 2017 – immigrants who go back value education more, which increases lobbying for better education in their country of origin20

3: Turn: The H-1B system creates an influx of top workers for two reasons.....20

A: Cromwell, Brooklyn Journal of Law, 2009 – H-1B cap means immigrants who are educated in America but can’t get an H-1B visa return home instead, benefitting the countries they return to massively.....20

B: Khanna, Center for Global Development, 2017 – H-1B visa holders return home after their visa expires, taking the information they learned and dramatically improving the countries they return to, concluding that this propensity to return is what drove India’s IT boon.....20

Ultimately, Kerr, Harvard University, 2017 – this return effect increases Indian and Chinese invention by 12%.....20

4: Turn: Balaker, American University, n.d. – H-1B workers often link companies in adopted countries with investment opportunities in their country of origin, facilitating the flow of financial resources.....20

AT Doctor Drain.....24

1: Turn: Balaker, American University, n.d. – doctors face horrible conditions in their host countries, such as risk of contracting diseases, political persecution, and poor working conditions. For example, Kazmin, Financial Times, 2017 – 75% of doctors in India are often abused verbally and physically.....24

2: Turn: Padma, College of William and Mary – India empirics prove, because of brain gain, India has become one of the world’s leading countries for pharmaceutical advancements. ..24

A2 Exploitation / Abuse 26

AT Body Shopping27

1: Delink: Mishra, Business Standard, 2018 – new reform means that companies have to go the extra mile to prove that they have specific occupations, preventing body shopping because they cannot just be benched now.27

2: Delink: Pierson, LA Times, 2017 – body shops will just shift overseas and set up headquarters there if they can’t get enough H-1Bs in America, which means the quota has absolutely no effect on body shopping.....27

3: Delink: National Immigration Law Center – U-Visas provide the opportunity for workers who are subject to illegal exploitation to obtain a different visa to quit.27

4: Delink: Congressional Research Service, 2016 – most outsourcing companies are transnational and can access L-1 visas, which makes body shopping terminally nonunique.	27
5: Turn: Cromwell, Brooklyn Journal of Law, 2009 – the H-1B cap is the cause of body shopping because body shops overapply for visas because they think the cap will prevent them from getting enough workers, thus giving them a surplus of H-1B workers which is why they bench them.....	27
6: Turn: Rosenberg, Associated Press, 2015 – companies turn towards body shops when they can't get the skilled labor themselves. Affirming means you give more skilled workers to the companies that need them, driving down demand for body shops.	27
AT Wage Exploitation.....	30
1: Delink: Campbell, Atlantic, 2016 – they only make less when they first start the job, because they are more inexperienced workers at that point. However, as they work for longer periods of time, they end up making 4% more than the average American worker.	30
2: Delink: Cromwell, Brooklyn Journal of Law, 2009 – companies need the H-1B desperately because they paid all the fees and they have a shortage of workers, so H-1B workers are able to leverage that when negotiating wages because there's no guarantee the company will get a replacement.	30
3: Turn: Congressional Research Service, 2016 – companies turn to L-1s when they can't get H-1Bs. Costa, EPI, 2010 – L-1s don't have any wage requirements and are worse than the H-1B system in terms of wage exploitation.	30
4: Turn: Dorantes, San Diego State University, 2016 – they earn 6x more in America than they would in India.	30
AT Sexual Harassment.....	34
1: Delink: Kagan, UNLV, 2015 – U-visas solve, immigrants who are sexually harassed are able to get a visa to shield them from employer backlash and deportation.	34
AT Threat of Deportation.....	35
1: Turn: Immigrants wouldn't be scared of being deported but if conditions are so bad in the US. By making this argument, they concede that it isn't perfect as an H-1B worker, but it's definitely preferable to being in the US.	35
2: Delink: Michailov, CIL – USCIS has enacted a grace period of 60 days after being terminated, giving opportunities to find another job.	35
AT H-4 Housewives.....	36
1: Delink: Sohrabji, 2018 – H-4 spouses can still work despite Trump efforts to end their authorizations.	36
AT H-4 Domestic Abuse.....	37
1: Delink: Kagan, UNLV, 2015 – U-visas solve, immigrants who are sexually harassed are able to get a visa to shield them from employer backlash and deportation. Kertscher, Politico – 67% decline in domestic violence because of these.	37

2: Turn: Goel, Palgrave Pivot – India has very limited protections against domestic abuse while America has much more stringent protections. This means that there is a much higher deterrent against domestic abuse in America, providing a comparative benefit.....	37
A2 Politics	42
AT General Backlash.....	43
1: Delink: Any analysis they read about backlash should’ve already triggered because there is legislation in Congress right now proposing an increase in the quota. Insofar where backlash would occur at policy proposals and not because the legislation passes, any impact they read you is nonunique.....	43
AT Trump/Nativist Backlash	44
1: Delink: There’s literally no reason for Trump to backlash because any increase in the quota would have to be signed by Trump.	44
2: Delink: After the election, Trump literally had almost unlimited political capital controlling the House, Senate, and SCOTUS, but he still was unable to kill immigration legislation like DACA, demonstrating that Trump backlash never triggers the impacts.....	44
3: Delink: Lapowsky, WIRED, 2017 – Trump only engages in immigration policy that makes him look like he’s cracking down when he isn’t, because he’s afraid of business interests that would go against him.....	44
4: Turn: If Trump increases the H-1B quota, his nativist base would backlash against him, thereby decreasing his political capital to pass policy. For example, Jenkins, TIME, 2018 – Trump’s immigration plan about DACA provoked nativist backlash that rallied against him.	44
AT General Republican Backlash.....	46
1: Delink: Kwong, Newsweek, 2018 – pro-business conservatives like Hatch and Flake support the H-1B system and wouldn’t backlash.	46
2: Delink: Griffin, PRRI Research, 2018 – over 70% of Republicans support Indian/Chinese immigration, which are the two countries that the most H-1Bs come from.....	46
AT Lobbying	48
1: Delink: Fang, Bemidji State University, 2012 – there are lobbyists on both sides of the quota debate that lobby vehemently against certain policies. Just because one group lobbies doesn’t mean any legislation gets passed because there are lobbyists on the other side too.	48
2: Turn: Kerr, Harvard Business Review, 2015 – quota changes double the amount that large technology businesses lobby over the issue. Ultimately, these lobbyists outweigh any link they read you for two reasons.....	48
A: Popper, the Verge, 2017 – pro-business lobbies pour in more money than opposition lobbies, which is why Trump hasn’t been able to do anything to the H-1B system.....	48
B: Freeman, University of Texas, 2008 – opposition lobbyists are less coordinated because they have a variety of interests that don’t always converge.....	48
AT DACA.....	51

1: Delink: Freeman, University of Texas, 2008 – illegal and legal immigration aren’t linked because there are different interest groups at play for the two different issues, which means backlash in one arena almost never translates to backlash in a different arena.	51
2: Delink: Empirics Prove – O’Brien, CNN, 2018 – the Hatch bill calling for an increase in the number of H-1Bs isn’t linked at all to a DACA plan.	51
A2 Tradeoffs.....	53
AT Backlogging	54
1: Delink: Sataline, Foreign Policy, 2017 – massive backlog is caused by the cap of how many green cards can come from certain countries. That’s why Economic Times, 2018 – current wait period for Indians is up to 70 years long.	54
2: Turn: Marder, 2018 – the USCIS is funded by the application fees associated to visas. This means that affirming would only solve backlogging because it would increase the funds necessary for the USCIS to sift through the paperwork.	54
AT EB-5s.....	56
1: Delink: Singer, Brookings, 2018 – immigrants would need \$500,000 of investment to even get the visa, limiting the propensity for them to get this visa.	56
2: Turn: Semotiuk, Forbes, 2017 - EB-5 Allocation has loopholes that allow for investment to only go to rich areas that don’t need it, which A. takes out their link and B. perpetuates income inequality.	56
3: Turn: Chen, the Nation, 2017 – the EB-5 program only gentrifies neighborhoods and displaces poor communities that originally lived there.	56
AT EB-2/3s.....	59
1: Delink: Peerally Law – long waitlists for EB-2s means that a shift to EB-2s is impossible.	59
2: Delink: SGM Law Group – companies don’t like sponsoring EB-2s and EB-3s because workers could quit working for them at any time.	59
AT L-1s.....	60
1: Delink: Murthy Law, 2012 – L-1s had to have worked for the company abroad for 3 years.	60
2: Mitigate: Doran, NBER, 2014 – only 15% of L-1s could replace an H-1B worker.....	60
A/T AFF.....	61
Overview – Rollback PTX DA	62
1: Framing: Freeman, University of Texas, 2008 – any benefit they read will get killed within a few years because of political backlash by interest groups because the quota is so controversial, which means that you prioritize reform now because that actually has momentum and isn’t as controversial.	62
A2 Economics.....	63
AT Shortage	64

1: Delink: Millsap, Hill, 2017 – no shortage or wages would be increasing and companies would be stealing the workers of other companies.....	64
2: Delink: Wright, EMSI, 2017 – gap is being closed, as the number of STEM graduates has increased by 43%.....	64
3: Delink: CIS, 2018 – 6.3 million STEM workers who are underemployed, demonstrating that there isn't a shortage.....	64
AT Creates Jobs.....	66
1: Delink: Millsap, Hill, 2017 – no shortage or wages would be increasing and companies would be stealing the workers of other companies. That's problematic, because Matloff, UC Davis, 2003 – same job creating effect would've occurred had they just hired the American workers who didn't get a job.....	66
2: Turn: Bound, NBER, 2017 – H-1B workers take domestic jobs from American workers, concluding that absent this immigration, 10.8% increase in employment.....	66
3: Turn: Orttung, USA Today, 2017 – H-1Bs only allow companies to transition to an offshoring engagement, where H-1B workers learn the systems and processes in America then go back and teach overseas workers, finding that this outsourcing kills 95% of jobs at the firm.....	66
4: Weighing:.....	66
A: We short-circuit, because body shops provide a cheap alternative to labor that companies will exploit to avoid hiring Americans to cut labor costs.....	66
B: Goodsell, Brigham Young University, 2007 – solving body shopping means we can import more H-1B workers to companies that actually need them to do things like create jobs.....	66
Matloff, 2003, http://heather.cs.ucdavis.edu/Mich.pdf.....	66
AT Drives Innovation.....	68
1: Delink: Wu, Harvard, 2017 – most H-1Bs go to industries and firms where patenting and innovation doesn't occur. That's why Economic Policy Institute, 2015 – companies with H-1Bs weren't more innovative than those without H-1Bs.....	68
2: Delink: Doran, University of Notre Dame, 2016 – H-1Bs only displace American workers who would've innovated the same amount as them, which means their impact is terminally nonunique.....	68
3: Turn: Furtado, San Diego State University, 2016 – public research institutions don't have a cap, while the private sector does. This means that immigrants who would have gone into the private sector ultimately decide to go into the public sector instead in fear of losing the lottery, quantifying that the cap increased employment in academic and research-oriented jobs by 51%.....	68
Public sector innovation outweighs for two reasons.....	68
A: Mazzucato, LA Times, 2015 – the private sector doesn't want to engage in high risk innovation because of a fear of profits, preventing them from developing things like pharmaceuticals that would help the people, concluding that 75% of new pharmaceutical drugs are developed by research institutions like the NIH while companies only focus on developing their own drugs further.....	68

B: ITIF, 2011 – private companies don’t want to research broadly because most broad research would leak to competitors who can use the research to outcompete them.....	68
AT Prevents Offshoring.....	72
1: Matloff, HuffPo – face to face interaction is key for these large companies so they will never offshore high-skilled labor.....	72
A2 Specific Occupations.....	73
AT Doctors (General).....	74
1: Delink: Carroll, NYT, 2016 – the problem is that doctors in America aren’t allocated properly, creating shortages in some areas and surpluses in other areas.	74
2: Delink: Gottlieb, NYT, 2013 – technological advancements in the medical field mean that doctors are needed less, solving back for the shortage they discuss.	74
3: Delink: Frankel, Huffington Post, 2016 – switching from a J-1 medical training visa to an H-1B isn’t counted towards the cap.....	74
4: Turn: Raveesh, International Journal of Humanities – brain drain has killed Indian healthcare as all the trained medical professionals leave. Bhowmick, IndiaSpend, 2012 – 64% shortage of doctors. Baptiste, Nation, 2014 – if the Indian doctors stayed, they’d lobby for public healthcare in India, which is the root cause of Indians dying. Quartz, 2014 – 600 million in India have no healthcare.....	74
J-1: exchange visitor.....	75
CPT: (Curricular Practical Training) interns who are recruited later.....	75
IV. PROBLEM OF BRAIN DRAIN IN INDIA	75
US is the biggest gainer from the loss of India due to brain drain.....	75
AT Doctors (Rural).....	78
1: Delink: USCIS, 2017 – doctors for the Conrad 30 program to help rural areas have premium processing and have an advantage for the quota.	78
2: Delink: Murthy Law – doctors for the Conrad 30 program don’t count towards the H-1B quota.	78
AT Teachers.....	79
1: Delink: Ujifasa, Edweek, 2018 – Trump is cutting education spending right now. Problematically, Willmsen, Seattle Times, 2009 – when education spending cuts occur, schools hire the teachers that have gotten fired from other schools, not H-1B teachers.....	79
2: Turn: Genzer, Marketplace, 2013 – teachers are forced into contracts by recruiting companies used by school districts where they have to pay salaries back to come to America, creating cycles of financial instability because they don’t even make much to begin with.....	79
AT Renewables.....	81
1: Union of Concerned Scientists, 2017 – biggest barrier to renewables is the cost of building technology, not a lack of skilled labor.....	81

2: Union of Concerned Scientists, 2017 – renewables are at a disadvantage because of the government, creating an alternative barrier to success.....	81
A2 Helps Other Countries.....	83
AT Brain Gain.....	84
1: Delink: Bhattacharya, Quartz, 2018 – they’ll just go to other countries, nonuniquing the impact.....	84
2: Delink: Ali – when H-1B workers’ visas expire, they go to other developed countries like Australia, not back to their home country. That’s why Torres, 2010 – only 1,000 go back to India each year while 45,000 leave. Ultimately, Breinbauer, FIW, 2007 – effects of Brain Circulation are super limited and can rarely be observed.....	84
3: Turn: Baptiste, Nation, 2014 – creates a cycle where people leave, leaving India with a lack of infrastructure and a poor tax base, driving others to leave as well.....	84
4: Turn: Raveesh, International Journal of Humanities – brain drain has killed Indian healthcare as all the trained medical professionals leave. Bhowmick, IndiaSpend, 2012 – 64% shortage of doctors. Baptiste, Nation, 2014 – if the Indian doctors stayed, they’d lobby for public healthcare in India, which is the root cause of Indians dying. Quartz, 2014 – 600 million in India have no healthcare. Brain Gain doesn’t apply because India needs reform to bring healthcare to other areas, not technology which the cities already have.....	84
<i>Torres, M.A and Wittchen, U. (2010). Brain Drain across the Globe: Country Case Studies.....</i>	85
IV. PROBLEM OF BRAIN DRAIN IN INDIA.....	86
<i>US is the biggest gainer from the loss of India due to brain drain.....</i>	86
AT Remittances.....	88
1: Delink: Bhattacharya, Quartz, 2018 – they’ll just go to other countries, nonuniquing the impact.....	88
2: Turn: Morales, UMich, 2017 – only send 4% of money back. Comparatively, all their money would be in India’s economy if they stayed.....	88
3: Turn: Tumbe, India Institute of Management, 2011 – remittances only go to wealthy individuals who were able to fund their children through higher education, which A. means they don’t help those who actually need money and B. only perpetuate income inequality...88	88
4: Turn: Economist, 2014 – influx of foreign currency enters country, driving up money supply and raising prices of goods. Nisar, Zagreb International Review, 2013 – 1% increase in remittances increases inflation by 0.78%. Kakwani, University of New South Wales, 2007 – 1% increase in prices increases the number of people in poverty by 1.44%. This is because Talukdar, Texas Tech, 2012 – forced to spend more on basic needs like food.....	88
5: Turn: European University Institute, 2013 – remittances mean the government decreases social spending for those individuals because they think the remittances will lift them out of poverty, quantifying that receiving remittances decreases public spending by 18%.....	88
A2 Other Visas.....	92

AT L-1 Visas.....	93
1: Delink: Murthy Law, 2012 – L-1s had to have worked for the company abroad for 3 years.	93
2: Mitigate: Doran, NBER, 2014 – only 15% of L-1s could replace an H-1B worker.....	93
3: Turn: Goodsell, Brigham Young University, 2007 – body shopping is illegal under L-1s....	93
Murthy, 20 Feb 2012, “”, https://www.murthy.com/2012/02/20/l-1-h1b-visas-a-comparison/.....	93
Doran, Nov 14., http://www.nber.org/papers/w20668.pdf // ASC.....	93
A2 Education.....	95
AT Foreign Students.....	96
1: Turn: Anderson, Washington Post, 2016 – foreign students crowd out domestic students because they pay higher tuitions so private universities prefer them.	96
Anderson of the Washington Post 2016,	96

A/T NEG

A2 Economics

AT Takes American Jobs

1: Delink: Torres, Harvard Business Review, 2017 – shortages exist, because even if there isn't a shortage just looking at the number of STEM workers in general, we have too many computer scientists and too little petroleum engineers. We solve: our first warrant about visa fees is very explicit in that by increasing H-1Bs you increase education specifically to end shortages, which means that in the long term the best way to solve is to affirm.

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Linchpin: American Immigration Council, 2013 – increasing the quota could create 1.3 million jobs.

Prefer our analysis – empirics prove: Mayda, Georgetown University, 2017 – when we decreased H-1B quota back to 65000 in 2004, we didn't see an increase in employment.

Torres, Nicole. "The H-1B Visa Debate, Explained." Harvard Business Review. Harvard University, 4 May 2017. Web. Accessed 19 March 2018. <<https://hbr.org/2017/05/the-h-1b-visa-debate-explained>>

A literature review by Yi Xue and Richard C. Larson of MIT found that there is and isn't a STEM skills shortage — it depends on where you look. In the academic job market, for example, they conclude there is no noticeable shortage; in fact, there is an oversupply of PhDs competing for tenure-track faculty positions in many fields (e.g., biomedical sciences, physical sciences). **But the government sector and private industry have shortages in specific areas. In the private sector, for instance, software developers, petroleum engineers, and data scientists were found to be in high demand.**

Ghosh, Sayari. "If You Really Want to Put 'America First,' Support Tech Industry Immigrants."

Mashable. Mashable, 21 February 2018. Web. Accessed 21 April 2018.

<<https://mashable.com/2018/02/21/immigrants-tech-industry-h1b-visas/#SDA2The1A5q1>>

At many tech employers — and countless other companies where tech provides infrastructure behind a non-technical product — in Silicon Valley, [up to half of employees](#) could disappear. More than 40,000 companies submitted H-1B visa applications in fiscal year 2016. How would companies like Microsoft, Google, Amazon, and Apple continue to thrive? How would firms like Accenture, Deloitte, Ernst & Young, and JP Morgan Chase continue to excel? (All of these companies are among the [top employers of H-1B visa holders](#).)

Who would backfill these 750,000 vacant jobs? We already know there is a [huge gap](#) between tech jobs and available employees. If you care about the number of women in STEM jobs, brace yourself for those numbers to plummet: South Asian or East Asian women are [overrepresented in the software industry](#) relative to their white peers. **Without enough qualified domestic employees, employers will send projects sent overseas. If we send 750,000 tech workers home, it's far more likely that the jobs will follow them back to India and China via outsourcing; the dollars will simply flow beyond U.S. borders altogether. International graduate students — who provide an important pillar of higher education as teaching assistants and research associates — would think twice about heading for U.S. universities, given such a hostile job market.** So much for "making American great again."

National Foundation for American Policy. "H-1B Visas and Job Creation." NFAP. Mar.

2008. Web. 26 Apr. 2018. <<http://www.nfap.com/pdf/080311h1b.pdf>>

Outsourcing and Hiring More Individuals Outside the United States. **Preventing companies from hiring foreign nationals by maintaining the current low limit on H-1B visas is likely to produce the unintended consequence of pushing more work to other countries.** When asked, "**Which of the following your company has done in response to the lack of H-1B visas to fill positions in the U.S.?**" 65 percent of the companies said they "**Hired more people (or outsourced work) outside the United States.**" This is significant in that even if those companies responding to the survey are heavier users of H-1B visas it means that **these are the companies most likely to hire outside the United States in response to an insufficient supply of skilled visas for foreign nationals.**

Gaurav Khanna. "The IT Boom and Other Unintended Consequences of Chasing the American Dream." Center for Global Development. Aug. 2017. Web. 23 Apr. 2018.

<<file:///Users/rjiang16/Downloads/Khanna.pdf>>

In Section 2 we capture these descriptive patterns within the framework of a general equilibrium model that contains five crucial features. First, we model how US firms hire both US and foreign workers, and Indian firms hire workers from India. Importantly, firms hire three different types of workers — computer scientists, non-CS college graduates and non college graduates. More skillbiased capital and better technology imply that wages are higher in the US and Indian CS workers wish to emigrate. **As migration increases the size of the US CS workforce, firms demand more workers in complementary occupations, such as managerial positions. At the same time, skillbiased technical change shifts labor demand in favor of high-skill occupations.**

American Immigration Council. "The H-1B Visa Program: A Primer on the Program and Its Impact on Jobs, Wages, and the Economy." American Immigration Council. 6 Apr. 2018. Web. 26 Apr. 2018. https://www.americanimmigrationcouncil.org/sites/default/files/research/the_h-1b_visa_program_a_primer_on_the_program_and_its_impact_on_jobs_wages_and_the_economy.pdf

From the creation of the H-1B program in 1990 to 2010, H-1B-driven increases in STEM workers were associated with a significant increase in wages for college-educated, U.S.-born workers in 219 U.S. cities. **A one percentage point increase in foreign STEM workers' share of a city's total employment was associated with increases in wages of 7 to 8 percentage points paid to both STEM and non-STEM college-educated natives, while non-college educated workers saw an increase of 3 to 4 percentage points.**¹² From 2009 to 2011, wage growth for U.S.-born workers with at least a bachelor's degree was nominal, but wage growth for workers in occupations with large numbers of H-1B petitions was substantially higher.

Ted Ruthizer. "The H-1B Straitjacket." CATO Institute. n.d.. Web. 26 Apr. 2018. <<https://object.cato.org/sites/cato.org/files/pubs/pdf/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.**

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.

Anna **Mayda**. "The Effect of the H-1B Quota on Employment and Selection." Georgetown University. 27 Sep. 2017. Web. 26 Apr. 2018.

http://qcpages.qc.cuny.edu/~fortega/research/MOPSS_bindingquota.pdf

Namely, we analyze the market for native-born workers using the same triple difference framework and find no evidence for a change in new native-born employment, in occupations similar to those of H1B workers, at for-profit firms after 2004. These results have an important implication. **Since the reduced cap caused H-1B employment to fall without generating an offsetting rise in native employment, the results find no evidence for short-run native and H-1B labor substitutability.**

AT Depresses US Wages

1: Turn: Khanna, Center for Global Development, 2017 – new H-1Bs push workers into higher positions in the company as they take on managerial positions.

2: Turn: Campbell, Atlantic, 2016 – H-1B workers make more in the long-run, which means they drive up prices, not drive down prices.

3: Turn: CRS, 2016 – L-1 is a substitute for large companies in place of H-1Bs. Costa, EPI, 2010 – these L-1s drive down wages even more because they literally do not have wage requirements.

Linchpin: American Immigration Council, 2018 – 1% increase in foreign STEM workers increases native wages by 8%.

Gaurav Khanna. "The IT Boom and Other Unintended Consequences of Chasing the American Dream." Center for Global Development. Aug. 2017. Web. 23 Apr. 2018.
<file:///Users/rjiang16/Downloads/Khanna.pdf>

In Section 2 we capture these descriptive patterns within the framework of a general equilibrium model that contains five crucial features. First, we model how US firms hire both US and foreign workers, and Indian firms hire workers from India. Importantly, firms hire three different types of workers – computer scientists, non-CS college graduates and non college graduates. More skillbiased capital and better technology imply that wages are higher in the US and Indian CS workers wish to emigrate. **As migration increases the size of the US CS workforce, firms demand more workers in complementary occupations, such as managerial positions. At the same time, skillbiased technical change shifts labor demand in favor of high-skill occupations.**

Alexia Fernandez **Campbell**, "Not All Immigrant Labor Is Cheap Labor" The Atlantic, November 30th 2016, <https://www.theatlantic.com/business/archive/2016/11/foreign-tech-workers-arent-cheap-labor/509096/> (ML)

Foreign students are more likely to have expertise in STEM fields than Americans, and many have been in the U.S. for years, studying at American universities. **The easiest path** for them **after graduating is** to get **a job** offer, which would require the employer **to apply for** one of coveted 85,000 **H-1B visas** issued each year through a lottery system. What gets lost in the controversy about the H-1B visa is the fact that immigrants working in STEM fields are increasingly responsible for American innovation. These immigrants are more likely to major in science and engineering than American college students, and they file twice as many U.S. patents. 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. One possibility is that it comes as people acquire more work experience in the United States. 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.

Congressional Research Service, August 9, 2016,

https://www.everycrsreport.com/files/20160809_R43735_bfdc2db9b70d47783d7181a54bf6206939bdf99.pdf // JY

The L-1 intra-company transferee visa was established for companies that have offices abroad to transfer key personnel freely within the organization.²⁰ It is considered a visa category essential to retaining and expanding international businesses in the United States. Some, however, have raised concerns that intra-company transferees on the L-1 visa may displace U.S. workers who had been employed in those positions for these firms in the United States. Others express concern that **the L-1 visa has**

become a substitute for the H-1B visa, noting that **L-1 employees are often comparable in skills and occupations to H-1B workers, yet lack the labor market protections the law sets for hiring H-1B workers. These concerns have been raised,** in particular, **with respect to certain outsourcing and information technology firms that employ L-1 workers as subcontractors within the United**

States. A related concern is that an unchecked use of L-1 visas will foster the transfer of STEM and other high-skilled professional jobs overseas, as managers and specialists gain experience in the United States before they transfer the operations abroad. After investigating the L-1 visa, the Department of Homeland Security Inspector General offered this assessment: "That so many foreign workers seem to qualify as possessing specialized knowledge appears to have led to the displacement of American workers, and to what is sometimes called the 'body shop' problem."²¹ Legislation to address these concerns is frequently linked with H-1B reform.²²

Daniel Costa, 8-13-2010, https://www.epi.org/publication/abuses_in_the_l-1-visa_program_undermining_the_us_labor_market/ // JY

Finally, **the lack of a labor market test, minimum wage requirements, or any numerical cap on L-1 and L-2 visas allows multi-national companies to circumvent the numerical restrictions and labor certification and attestation required by the H-1B class of temporary work visa,** which in turn can lead to the displacement and replacement of workers already in the United States, while also placing downward pressure on wages for all workers. In conclusion, the paper assesses current legislative proposals for reforming the L-visa program and offers a series of policy recommendations for its improvement.

AT Overheating

1: Turn: Levin, Vanity, 2018 – more immigrants solves overheating because it increases the productivity of labor by injecting more workers.

Bess Levin, Vanity, 2/15/2018, “ECONOMISTS BEGINNING TO WORRY TRUMP MIGHT NUKE THE ECONOMY AFTER ALL”, <https://www.vanityfair.com/news/2018/02/economists-are-beginning-to-worry-that-trump-might-nuke-the-economy>

The ludicrous timing is the crux of the problem. As my colleague William D. Cohan notes, there's only so much gasoline you can pour on a white-hot economy before it overheats. Last week's market correction was primarily the result of fears that the Federal Reserve will respond to rising inflation by hiking interest rates and slamming the brakes on the whole shebang, kicking off a potential Twitter war between Trump and new Fed chair Jerome Powell in the process. That's a dangerous position to be in when you're already in a nearly decade-long expansion cycle. When the economy inevitably slows (which, memo to the president, is how business cycles tend to work), the debt problem gets even worse. So what's going on? It's not stated clearly in the paper, but Friedman starts from the premise that the U.S. is still essentially in a depression—not in the sense that we're staring at mass job losses and bread lines, but in the sense that the country is operating at far, far below its economic potential. As a result, he thinks a sufficiently massive amount of government stimulus spending could create a fast burst of growth, pushing the economy's output back to where it naturally belongs and returning the U.S. to full employment. By Friedman's accounting, the first few years of Sanders' plan would give us just that sort of a jolt. In 2017 alone—again, assuming Sanders can pass all his proposals—the country would get a roughly \$400 billion boost from things like government infrastructure projects and increased consumer spending resulting from an increase in the minimum wage. It would get roughly another \$400 billion injection due to single-payer, since Washington would start paying premiums before increasing taxes to cover them. Loosely speaking, it would be like dumping the entire Obama stimulus package on the country in one year. Over time, Friedman thinks the push largely from government spending will bring the U.S. back to full employment. As the labor market gets tighter, the improved economy will attract more immigrants, expanding the size of the workforce, and employees will simultaneously become more productive. More people producing more stuff per hour will then sustain the relatively speedy pace of growth under President Sanders, even as things like tax increases take more of a bite. Is that really so absurd? The problem with Friedman's forecast is that it involves a series of questionable assumptions that, stacked on top of each other, aren't really credible. Take his stimulus math. In general, economists believe that government spending is more effective at sparking growth—in academic speak, it has a higher “fiscal multiplier”—when the economy is weak than when it's strong. If we're in a severe recession, \$1 of extra federal cash could create \$2 or so in growth, as businesses rev back up and the unemployed return to work. But if the economy is already firing on all cylinders, that same dollar probably won't lead to much extra growth at all, since there won't be a lot of jobless Americans to hire or unused factory lines to turn back on. Instead, it's more likely to bring about inflation, in which case the Federal Reserve would likely intervene by raising interest rates to slow the economy and keep prices from rising. Friedman believes government spending could be enormously helpful at first because, again, in his view the U.S. is still stuck in a ditch. He told me he thinks the economy would be roughly \$1 trillion larger if it were operating at its potential. The Congressional Budget Office, in contrast, thinks the output gap is about half that size, and its guess is on the high end. Even if Friedman is right on that point—and he might be, since estimating this stuff is tricky—he still assumes that new spending will have a fairly strong effect way past the point at which the economy should hit full employment in his model, when you'd expect the fiscal multiplier to be closer to zero. All the while, inflation averages 3 percent, which is above the Federal Reserve's target, and yet the bank never steps in to cool things off. Both the inflation estimate, which still seems a bit low, and the idea that the Fed would stand pat seem like a stretch. And it goes on: **In order for more spending to grow the economy once you hit full employment, the U.S. either needs a larger or more productive labor force.** Friedman argues that in spite of retiring Baby Boomers, **the influx of ready-to-work immigrants he envisions will still boost the country's employment-to-population ratio to 65 percent.** That has never happened before. He also thinks productivity growth will average 3.2 percent per year, which the U.S. has also never managed on any kind of sustained basis in the modern era. His basis for that particular prediction is a concept known as Verdoorn's law, which says that lower unemployment drives productivity higher. It's a very interesting idea, but not exactly a mainstream one.

There are more bits to nitpick—Friedman's estimates about the effect of minimum-wage increases on consumer spending growth seem atypically large, for instance—but you probably get the idea. In a vacuum, any one of Friedman's predictions about productivity or the labor force or inflation might just seem a bit sunny. But in the end, he's predicting one low-probability outcome after another. As Jared Bernstein from the liberal Center on Budget and Policy Priorities said to me, “When you throw all those assumptions together, they're implausible.”

A2 Other Countries

AT Brain Drain - General

1: Nonunique: Bhattacharya, Quartz, 2018 – if they don't go to America, they'll go to other countries like Canada. Thus, Idehen, Business Day, 2010 – reversing brain drain is impossible because most wealthy nations have systems to lure top talent.

2: Turn: The H-1B system enhances education in other countries for two reasons.

A: Khanna, Center for Global Development, 2017 – incentive for education because of foreign opportunities, raising employment of CS in India by 27.5%.

B: Varma, University of New Mexico, 2017 – immigrants who go back value education more, which increases lobbying for better education in their country of origin

3: Turn: The H-1B system creates an influx of top workers for two reasons.

A: Cromwell, Brooklyn Journal of Law, 2009 – H-1B cap means immigrants who are educated in America but can't get an H-1B visa return home instead, benefitting the countries they return to massively.

B: Khanna, Center for Global Development, 2017 – H-1B visa holders return home after their visa expires, taking the information they learned and dramatically improving the countries they return to, concluding that this propensity to return is what drove India's IT boon.

Ultimately, Kerr, Harvard University, 2017 – this return effect increases Indian and Chinese invention by 12%.

4: Turn: Balaker, American University, n.d. – H-1B workers often link companies in adopted countries with investment opportunities in their country of origin, facilitating the flow of financial resources.

Ananya Bhattacharya. "Indian techies look to Canada as the American Dream turns into an H-1B nightmare." Quartz. 27 Feb. 2018. Web. 18 Apr. 2018. <<https://qz.com/1215625/the-h-1b-nightmare-has-turned-indian-techies-onto-the-canadian-dream/>>

"Look, these are talented and in-demand people. **If they decide the US isn't a welcoming place, they'll go to Canada, China, or Europe instead.**" Richard Burke, CEO of global immigration management platform Envoy, told Quartz. "**Talent is mobile**, and US lawmakers need to understand that this country isn't the only option for the world's skilled workforce."

[...]

"Canada's flexible immigration policies, cultural diversity, democratic values, career opportunities, and large communities of the Indian diaspora **lure thousands of Indians to apply for a permanent residency visa**," Poorvi Chothani, managing partner at immigration law firm LawQuest, said. **The cost of living in Canadian cities is also comparatively more affordable** than Silicon Valley and perks like free healthcare are a big draw.

Idehen, '10 [6/7/10, Kevin Idehen is a reporter for business day Business Day, "Africa's talented professionals work outside the continent," http://www.businessdayonline.com/index.php?option=com_content&view=article&id=11649:africas-talented-professionals-work-outside-the-continent-&catid=117:news&Itemid=349]
The challenge of reversing any brain drain is huge but the opportunities it presents, far outweigh the threats. **Most of the developed nations have policies in place to attract high skilled labour from around the world needed to fill their own vacuum. The United Kingdom, the United States, Canada, Australia, and New Zealand have all made, and continuously updated, their policies to recruit this segment of international migrants.** The United States doubled its H1-B visas from 65,000 to 130,000 largely due to great lobbying by the IT and other industries. Britain's points system, adopted in 2006, ensures that only people with the right skills or contribution will be able to enter the UK to work or study. There is no reason why Nigeria should not have a similar policy in place to attract the best to aid in accelerating our own national development.

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In a different exercise we allow Indian workers to respond to the possibility of migrating and accumulate skills, but restrict migration itself. Under this specification we shut down the possibility of brain-drain but still allow for brain-gain in India. These results are presented in the last column of Table 14. **The prospect of migrating and earning a high wage in the US raises CS employment in India substantially by 27.5%**, which in turn **raises Indian IT production and overall output** by more than before. Since migration does not actually take place in this scenario, only 0.1% of US born CS workers switch to other occupations while US IT output falls by 1.5%. This fall in US IT output is large because there are no immigrant CS to enlarge the CS workforce. US welfare actually falls under the scenario where Indians acquire skills but do not migrate to the US. Overall world welfare rises by only 0.02%, much less than before.

Rali Varma. "Comparative Analysis of Brain Drain, Brain Circulation and Brain Retain: A Case Study of Indian Institutes of Technology." University of New Mexico. 1 Oct. 2017. Web. 23 Apr. 2018. <<https://pdfs.semanticscholar.org/73ff/82e40e4b9c20f8ddcc7be4f065bcf642c675.pdf>>

It is argued that **the return of migrants with new ideas, skills and ambitions** tends to **have a major positive impact on developing countries' economic growth and social structure** (Appleyard 1989). Dumont and Lemaitre (2005) have suggested that **migrants transfer money to their home countries**, which, among other things, results in **providing much-needed foreign exchange**. Beine et al. (2008) have reasoned that **with brain circulation, human capital increases in the home countries**. Because **individuals returning to their home countries often value education more highly**, this can **lead to an indirect but substantial investment in additional education and training** in their home countries. Saxenian (2005) has argued that **returned migrants have been instrumental in technology transfers from developed countries to their home countries**. Wadhwa et

al. (2007a) have gone one step further to claim that **because of return migration countries like India and China are experiencing an entrepreneurship boom as they are learning to innovate just as Silicon Valley does.** Arora and Gambardella (2005) have proposed that **the growth of the software industry has contributed in a nontrivial way to the growth of India as a whole** and has provided the basis for the growth of a new entrepreneurial model. Varma

(2007) has shown that **even without return migration, immigrant scientists and engineers are networking, communicating and collaborating with their peers at home.**

Cromwell, Courtney. "Friend or Foe of the U.S. Labor Market: Why Congress Should Raise or Eliminate the H-1B Visa Cap." Brooklyn Journal of Corporate, Financial, & Commercial Law, 2009. Web. Accessed 23 March 2018.

2<<https://brooklynworks.brooklaw.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=1146&context=bjfccl>>

As more and more U.S.-educated foreign students are forced to leave the United States after graduation for lack of available visas, they return to their home countries, which become "attractive locales for off-shoring. The cap on the H-1B visa "has resulted in a highly educated class of knowledge workers in Asian countries that is acculturated to U.S. business practices and prepared to conduct business on global terms." Thus, U.S.- trained talent returns to its home countries where U.S. companies have established operations for cheaper wages and less overhead.

Gaurav Khanna. "The IT Boom and Other Unintended Consequences of Chasing the American Dream." Center for Global Development. Aug. 2017. Web. 23 Apr. 2018.

<file:///Users/rjiang16/Downloads/Khanna.pdf>

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.**

Kerr 17, William R. William R. Kerr is a professor at Harvard Business School, where he is faculty chair of the Launching New Ventures program for executive education. "The Supply Side of Innovation: H-1B Visa Reforms and US Ethnic Invention" HBS.edu. 26 Oct. 2017. Web.

<http://www.hbs.edu/faculty/Publication%20Files/09-005_005359f2-2ee8-4d73-b248-af492e44ecb4.pdf>

Our first finding is that increases in H-1B admissions substantially increased rates of Indian and Chinese invention in dependent cities relative to their peers. In the base specifications, a 10% growth in the H-1B population increased Indian and Chinese invention by 6%-12% in the most dependent quintile of cities relative to the bottom two quintiles. Just as importantly, the relative rates of Indian and Chinese invention grew by 2%-7% in the second and third quintiles. These differences are economically important and statistically different from responses in the reference category. Responses are also weaker for other non-English inventor groups, which is to be expected given the H-1B program's primary pull from India and China for SE workers.

Berhanu **Balaker**, January 2018 MPA, American University in Cairo, 1989 B Ed, Addis Ababa University, 1982, The Need for Public Policy Initiatives to Retain Medical Doctors in Ethiopia, <https://scholarworks.waldenu.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=5992&context=dissertation>

I, however, argued that **migration can have a positive impact on sending countries, for instance by stimulating the pursuit of higher education in anticipation of migration abroad in search of high-paying employment**. In the words of Lowell and Findlay (2001), **"As enrollment increases 25 spurred by the chance of emigration, average human capital increases and, therefore, overall source country growth can be stimulated"** (p. 7). **More importantly, the funds that migrants send home may benefit their countries of origin even in the absence of a Western-style financial system** (World Bank, 2011). **According to World Bank, India is a good example in that it has received the greatest amount of remittances, some \$55 billion.** The impact of this influx of capital was nowhere more visible than in the southern state of Kerala, where per capita income was 60% above than the national average and from which the volume of emigration was correspondingly higher (Chishti, 2007). The World Bank's report (2011) listed the Philippines as the recipient of the fourth largest amount of remittances, totaling some \$21.3 billion, and tied this large volume to the fact that around 8 million Filipinos, roughly one-eighth of the entire population, work abroad. **Africa also greatly benefits from remittances.** By way of comparison, the top 10 remittance-recipient countries in Africa in 2010 listed in the World Bank (2011) report were Nigeria, \$10 billion; Sudan, \$3.2 billion; Kenya, \$1.8 billion; Senegal, \$1.2 billion; South Africa, \$1 billion; Uganda, \$0.8 billion; Lesotho, \$0.5 billion; Ethiopia, \$0.4 billion; Mali, \$0.4 billion; and Togo, \$0.3 billion. In addition, migration can also alleviate unemployment problems in a source country (Srisankarajah, 2005) and may not have any effect **if the country has a surplus of skilled professionals. Individuals who cannot find work in domestic labor markets may find gainful employment when they migrate, thus benefitting themselves,** the destination country, and the source country, the latter through remittance. Further, return migration may increase both skills and investment; perhaps more **importantly, migrants are able to play key roles in linking companies in their adopted countries with investment opportunities in their home countries. In so doing, they create new markets for investors and facilitate the flow of financial resources**, information, and technology to source countries (Lewis, 2011). **Migrants can also assist in the development of their home countries through direct investment.** Looking at migration from the vantage point of remittances, Lewis (2011) and Ghosh (2006) have likewise argued that the migration of skilled people should not be treated as a challenge to development but rather as a potential means to promote it. As noted, migrants who return home with new skills acquired during their time abroad have the potential to contribute significantly to the development of their countries of origin, while those who do not return may boost local economies through remittances, trade, networking, and foreign direct investment (Gibson & McKenzie, 2010)

AT Doctor Drain

1: Turn: Balaker, American University, n.d. – doctors face horrible conditions in their host countries, such as risk of contracting diseases, political persecution, and poor working conditions. For example, Kazmin, Financial Times, 2017 – 75% of doctors in India are often abused verbally and physically.

2: Turn: Padma, College of William and Mary – India empirics prove, because of brain gain, India has become one of the world's leading countries for pharmaceutical advancements.

Berhanu Balaker, January 2018 MPA, American University in Cairo, 1989 B Ed, Addis Ababa University, 1982, The Need for Public Policy Initiatives to Retain Medical Doctors in Ethiopia, <https://scholarworks.waldenu.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=5992&context=dissertation>

The central research question focused **on why Ethiopian medical doctors leave their country and what can be done to retain them. Participants** were 10 medical doctors of Ethiopian origin who live and practice medicine in the Washington, DC metropolitan area. Participants were purposively selected, and in-depth interviews and a focus group discussion were used to collect data from them. The study followed Moustakas' recommendations for phenomenological analysis, which represented a modification of the Stevick-Colaizzi-Keen method. The themes that emerged during data analysis have economic, political, professional, and personal dimensions. The findings include **low pay, lack of professional development, poor working conditions, the threat of political persecution, fear of contracting HIV, and inability to participate in health care decision-making**. Recommendations accordingly include offering pay raises and fringe benefits, creating opportunities for professional development, improving working conditions, and limiting political interference in the healthcare system. Implications for positive social change include the fact that stemming the outflow of medical doctors could help save the lives of thousands of Ethiopians threatened by preventable and curable diseases.

Padma. "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."

A2 Exploitation / Abuse

AT Body Shopping

1: Delink: Mishra, Business Standard, 2018 – new reform means that companies have to go the extra mile to prove that they have specific occupations, preventing body shopping because they cannot just be benched now.

2: Delink: Pierson, LA Times, 2017 – body shops will just shift overseas and set up headquarters there if they can't get enough H-1Bs in America, which means the quota has absolutely no effect on body shopping.

3: Delink: National Immigration Law Center – U-Visas provide the opportunity for workers who are subject to illegal exploitation to obtain a different visa to quit.

4: Delink: Congressional Research Service, 2016 – most outsourcing companies are transnational and can access L-1 visas, which makes body shopping terminally nonunique.

5: Turn: Cromwell, Brooklyn Journal of Law, 2009 – the H-1B cap is the cause of body shopping because body shops overapply for visas because they think the cap will prevent them from getting enough workers, thus giving them a surplus of H-1B workers which is why they bench them.

6: Turn: Rosenberg, Associated Press, 2015 – companies turn towards body shops when they can't get the skilled labor themselves. Affirming means you give more skilled workers to the companies that need them, driving down demand for body shops.

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.

David Pierson. "Tech industry is fine with H-1B visa reform — as long as it doesn't affect their companies." LA Times. 18 Apr. 2017. Web. 23 Apr. 2018. <<http://www.latimes.com/business/la-fi-tn-silicon-valley-visas-20170418-story.html>>

The order was met with skepticism within the tech industry, which has long argued that the U.S. economy needs to attract the best workers from across the globe, not just the best on American soil, to prosper. They say others, namely outsourcing firms based overseas, are exploiting the visa program. And they say if the administration cracks down on the tech industry's foreign hiring, it could result in just the opposite of what Trump wants.

"It is an extremely competitive and fast-moving industry," said Ayda Akalin, an immigration attorney whose clients include Silicon Valley start-ups and entrepreneurs. "If they can't find top engineers locally, and they also can't otherwise hire foreign talent through the H-1B program, then they are certainly going to look elsewhere."

That could mean a rise in outsourcing or tech companies setting up more offices in other countries such as Ireland and Canada, which are more welcoming to foreign workers, Akalin said.

National Immigration Law Center. "How the U Visa Can Protect immigrant Workers - National Immigration Law Center." *National Immigration Law Center*. n.d. Web. 24 Apr. 2018. <<https://www.nilc.org/issues/workersrights/how-the-u-visa-can-protect-immigrant-workers/>>

Unions and other worker advocates often witness, first-hand, employer exploitation and abuse of immigrants in the workplace. Abusive practices may violate collective bargaining agreements, wage and hour laws, equal employment protections, or the right of workers to engage in protected concerted activity. Sometimes, however, employer abuse of workers will rise to the level of criminal activity. In those situations, depending on the crime and other factors, workers may be eligible for a U nonimmigrant visa. This form of immigration status provides important relief and an alternative for workers in abusive environments who fear losing their existing lawful immigration status through employer retaliation or who are targeted for lack of a current lawful status and, as a result, hesitate to report criminal activity to law enforcement. With the possibility of protection and relief through a willingness to assist law enforcement, workers are more able to hold employers accountable and can feel empowered to improve their workplace conditions.

Congress created the U nonimmigrant visa in 2000 when it passed the Victims of Trafficking and Violence Protection Act. Its purpose was to encourage immigrants to report crimes to law enforcement and also to afford protection for those willing to cooperate. Congress intended that the law would protect victims of domestic and other violent crimes, but it also explicitly expressed its intent that the visa protect against qualifying workplace-related crimes.

Congressional Research Service, August 9, 2016,

https://www.everycrsreport.com/files/20160809_R43735_bfdc2db9b70d47783d7181a54bf6206939bdf99.pdf // JY

The L-1 intra-company transferee visa was established for companies that have offices abroad to transfer key personnel freely within the organization.²⁰ It is considered a visa category essential to retaining and expanding international businesses in the United States. Some, however, have raised concerns that intra-company transferees on the L-1 visa may displace U.S. workers who had been employed in those positions for these firms in the United States. Others express concern that the L-1 visa has become a substitute for the H-1B visa, noting that L-1 employees are often comparable in skills and occupations to H-1B workers, yet lack the labor market protections the law sets for hiring H-1B workers. These concerns have been raised, in particular, with respect to certain outsourcing and information technology firms that employ L-1 workers as subcontractors within the United States. A related concern is that an unchecked use of L-1 visas will foster the transfer of STEM and other high-skilled professional jobs overseas, as managers and

specialists gain experience in the United States before they transfer the operations abroad. After investigating the L-1 visa, the Department of Homeland Security Inspector General offered this assessment: "That so many foreign workers seem to qualify as possessing specialized knowledge appears to have led to the displacement of American workers, and to what is sometimes called the 'body shop' problem."²¹ Legislation to address these concerns is frequently linked with H-1B reform.²²

Courtney Cromwell. "Friend or Foe of the U.S. Labor Market: Why Congress should Raise or Eliminate the H-1B Visa Cap." Brooklyn Journal of Corporate, Financial & Commercial Law. 2009. Web. 23 Apr. 2018. <<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.**

Joyce Rosenberg. "Small business: visa quotas hinder finding skilled help." AP News. 22 Apr. 2015. Web. 23 Apr. 2018. <<https://www.apnews.com/e1aa0e15285349c1accabfceeccd9de6>>

Large companies get a disproportionate share of visas, according to a 2011 report by the Government Accountability Office, a congressional agency that audits federal spending. From 2000-09, less than 1 percent of the companies with visa approvals were able to hire nearly 30 percent of all H-1B workers, the GAO said. One reason: **Staffing companies submit thousands of applications, giving them better odds of getting approvals than smaller companies that submit only a handful.**

An immigration bill that would have increased the number of H-1B visas died in the last Congress.

Small businesses whose candidates can't get visas do have alternatives, says Peter Cappelli, a management professor at the University of Pennsylvania's Wharton School.

"A simple one is to outsource the (information technology) work to someone who has the skills needed to do it," Cappelli says.

AT Wage Exploitation

1: Delink: Campbell, Atlantic, 2016 – they only make less when they first start the job, because they are more inexperienced workers at that point. However, as they work for longer periods of time, they end up making 4% more than the average American worker.

2: Delink: Cromwell, Brooklyn Journal of Law, 2009 – companies need the H-1B desperately because they paid all the fees and they have a shortage of workers, so H-1B workers are able to leverage that when negotiating wages because there's no guarantee the company will get a replacement.

3: Turn: Congressional Research Service, 2016 – companies turn to L-1s when they can't get H-1Bs. Costa, EPI, 2010 – L-1s don't have any wage requirements and are worse than the H-1B system in terms of wage exploitation.

4: Turn: Dorantes, San Diego State University, 2016 – they earn 6x more in America than they would in India.

5: Turn: Harkinson, Mother Jones, 2013 – 97% go home. That's important because Friedman, New York Times – 4.4x more likely to go into managerial positions when they return to India. This outweighs on scope.

Alexia Fernandez **Campbell**, "Not All Immigrant Labor Is Cheap Labor" The Atlantic, November 30th 2016, <https://www.theatlantic.com/business/archive/2016/11/foreign-tech-workers-arent-cheap-labor/509096/> (ML)

Foreign students are more likely to have expertise in STEM fields than Americans, and many have been in the U.S. for years, studying at American universities. **The easiest path** for them **after graduating is** to get **a job** offer, which would require the employer **to apply for** one of coveted 85,000 **H-1B visas** issued each year through a lottery system. What gets lost in the controversy about the H-1B visa is the fact that immigrants working in STEM fields are increasingly responsible for American innovation. These immigrants are more likely to major in science and engineering than American college students, and they file twice as many U.S. patents. 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. One possibility is that it comes as people acquire more work experience in the United States. 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.

Courtney Cromwell. "Friend or Foe of the U.S. Labor Market: Why Congress should Raise or Eliminate the H-1B Visa Cap." Brooklyn Journal of Corporate, Financial & Commercial Law. 2009. Web. 23 Apr. 2018.

<https://brooklynworks.brooklaw.edu/cgi/viewcontent.cgi?referer=https://www.google.com/&httpsredir=1&article=1146&context=bjcfcl>

However, the CIS Report is misleading for a number of reasons. First, the data utilized in this report does "not reveal what employers actually pay individuals on H-1B visas."¹¹¹ The CIS Report data was taken from the LCAs filed with the Department of Labor in 2003. However, the wage data provided by employers on LCAs does not necessarily reflect what salary the H-1B holder actually receives.¹¹² Rather, the prevailing wage reported on the LCA is a "minimum requirement and is usually lower than what the H-1B visa holder actually receives,"¹¹³ making the CIS Report inherently flawed.¹¹⁴ For example, when employers complete the wage amount question on the LCA application, they may fill in the number that is the current prevailing wage as listed in the OOH, rather than the wage that they will actually pay the employee. Second, many of the other big name employers do, in fact, pay their workers "the premium wages one would expect for 'highly skilled workers.'"¹¹⁵ For example, Apple is listed as paying its H-1B workers over \$19,000 higher than the U.S. prevailing wage, with Sun Microsystems, Intuit and Qualcomm not far behind.¹¹⁶ Third, these statistics do not strengthen the argument that employers abuse the system intentionally. Rather, the real problem lies with the law's ineffectiveness in ensuring that H-1B workers are paid the prevailing wage.¹¹⁷ Finally, **various studies contradict critics' findings of abuse and find, rather, that most employers pay H-1B workers more than U.S. workers.**¹¹⁸ Such studies take into account factors such as age,¹¹⁹ the benefits H-1B workers receive, and the expenditures U.S. employers incur in obtaining the H-1B visa.¹²⁰ In addition, **even though H-1B workers are not from the United States, they "are still smart people," and "if [employers] try to fool with them," these workers can and will simply go elsewhere because of the labor demand.**¹²¹ Therefore, the assertion that U.S. employers are "taking advantage" of foreign H-1B workers is simply not reasonable.

Congressional Research Service, August 9, 2016,

https://www.everycrsreport.com/files/20160809_R43735_bfdc2db9b70d47783d7181a54bf6206939bdf99.pdf // JY

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Daniel Costa, 8-13-2010, https://www.epi.org/publication/abuses_in_the_l-1_visa_program_undermining_the_us_labor_market/ // JY

Finally, **the lack of a labor market test, minimum wage requirements, or any numerical cap on L-1 and L-2 visas allows multi-national companies to circumvent the numerical restrictions and labor**

certification and attestation required by the H-1B class of temporary work visa, which in turn can lead to the displacement and replacement of workers already in the United States, while also placing downward pressure on wages for all workers. In conclusion, the paper assesses current legislative proposals for reforming the L-visa program and offers a series of policy recommendations for its improvement.

Catalina Amuedo-Dorantes. "Settling for Academia? H-1B Visas and the Career Choices of International Students in the United States." San Diego State University. 29 Aug. 2016. Web. 23 Apr. 2018. <<http://ftp.iza.org/dp10166.pdf>>

A prolific literature has provided either direct or indirect evidence of significant reductions in the number of high skilled immigrants working in the United States when the visas became scarce (e.g. Ghosh, Mayda, Ortega 2014; Peri, Shih, Sparber 2015). The bulk of that literature focuses on the impact of visa scarcity on U.S. firms and native-born workers' outcomes; nevertheless, several papers examine the effects on H-1B holders themselves. For example, Clemens (2013) shows that **Indian programmers who come to the United States after winning the H-1B lottery earn wages six times higher than comparable workers who lose the lottery and stay in India**. More recently, Sparber (2015) shows that wages on H-1B applications from the private sector (bound by the cap) increase after the yearly cap is reached, relative to wages on H-1B applications from academic institutions (unbound by the cap). He interprets this result as evidence that **workers with an H-1B visa in the private sector are able to negotiate higher wages (at a different firm) once the competition has subdued**.

Thomas Friedman. "That Used to Be Us." Google Books. n.d. Web. 29 Apr. 2018. https://books.google.com/books/about/That_Used_to_Be_Us.html?id=ueZYkM1JWvEC

All this matters, Wadhwa writes, "because immigrants are critical to our long-term economic health. Although they represent just 12% of the U.S. population, they have started 52% of Silicon Valley's tech companies and contributed to more than 25% of U.S. global patents. They make up 24% of science and engineering workers with bachelor's degrees and 47% of those with Ph.D.s." He and two colleagues conducted a survey of 1,203 Indian and Chinese immigrants to the United States who had returned to their home countries. The vast majority were young and highly skilled, and had earned advanced degrees. Asked why they had left, 84 percent of the Chinese and 69 percent of the Indians cited professional opportunities. For the vast majority, a longing for family and friends was also a crucial element. Asked if U.S. visa issues played a role in their decisions, a third of the Indians and a fifth of the Chinese answered in the affirmative. **Most of the returnees, Wadhwa said, "seem to be thriving**. With demand for their skills growing in their home countries, they're finding corporate success. **About 10% of the Indians polled had held senior management jobs in the U.S. That number rose to 44% after they returned home**. Among the Chinese, the number rose from 9% in the U.S. to 36% in China."

Josh Harkinson. "How H-1B Visas Are Screwing Tech Workers." Mother Jones. 24 Jun. 2017. Web. 29 Apr. 2018. <https://www.motherjones.com/politics/2013/02/silicon-valley-h1b-visas-hurt-tech-workers/>

But in reality, most of today's H-1B workers don't stick around to become the next Albert Einstein or Sergey Brin. *ComputerWorld* revealed last week that the top 10 users of H-1B visas last year were all offshore outsourcing firms such as Tata and Infosys. Together these firms hired nearly half of all H-1B workers, and **less than 3 percent of them applied to become permanent residents**. "The H-1B worker learns the job and then rotates back to the home country and takes the work with him," explains Ron Hira, an immigration expert who teaches at the Rochester Institute of Technology. None other than India's former commerce secretary once dubbed the H-1B the "outsourcing visa."

AT Sexual Harassment

1: Delink: Kagan, UNLV, 2015 – U-visas solve, immigrants who are sexually harassed are able to get a visa to shield them from employer backlash and deportation.

Kagan, Michael, "Immigrant Victims, Immigrant Accusers" (2015). Scholarly Works. 902.
<http://scholars.law.unlv.edu/facpub/902>

In 2000, Congress passed the Battered Women Protection Act, which created **the new U visa system** to **address the concern that unauthorized immigrants will not cooperate with law enforcement unless they are shielded from deportation.** ⁵³ Unlike VAWA, **the U visa was designed for victims** who were not married **to** U.S. citizens or legal permanent residents. ⁵⁴ The Act's name and purpose highlighted particular concerns about **gender-based violence**, but it actually created a broader program.⁵⁵

U visas may normally **be granted for up to four years.** ⁵⁶ But **U visa holders may apply to** adjust to legal **permanent residence** after three years of continuous physical presence, if the person's "continued presence in the United States is justified on humanitarian grounds, to ensure family unity, or is otherwise in the public interest." ⁵⁷ Permanent residents may eventually apply to naturalize. ⁵ Thus, in the rhetoric of immigration reform debates, the U visa represents a potential path to citizenship for a person who otherwise would be unlawfully present in the United States.

National Immigration Law Center. "How the U Visa Can Protect immigrant Workers - National Immigration Law Center." *National Immigration Law Center*. n.d. Web. 24 Apr. 2018.
<<https://www.nilc.org/issues/workersrights/how-the-u-visa-can-protect-immigrant-workers/>>

Unions and other **worker** advocates **often witness**, first-hand, employer exploitation and **abuse of immigrants in the workplace.** **Abusive practices** may **violate** collective bargaining agreements, wage and hour **laws**, equal employment protections, or the right of workers to engage in protected concerted activity. **Sometimes**, however, **employer abuse** of workers will **rise to the level of criminal activity.** **In those situations**, depending on the crime and other factors, **workers may be eligible for a U nonimmigrant visa.** **This** form of immigration status **provides** important relief and **an alternative for workers in abusive environments who fear losing their existing lawful immigration status through employer retaliation** or who are targeted for lack of a current lawful status and, as a result, hesitate to report criminal activity to law enforcement. With the possibility of protection and relief through a willingness to assist law enforcement, workers are more able to hold employers accountable and can feel empowered to improve their workplace conditions.

Congress created the U nonimmigrant visa in 2000 when it passed the Victims of Trafficking and Violence Protection Act. Its purpose was to encourage immigrants to report crimes to law enforcement and also to afford protection for those willing to cooperate. Congress intended that **the law would protect victims of domestic and other violent crimes**, but it also explicitly expressed its intent that **the visa protect against qualifying workplace-related crimes.**

AT Threat of Deportation

1: Turn: Immigrants wouldn't be scared of being deported but if conditions are so bad in the US. By making this argument, they concede that it isn't perfect as an H-1B worker, but it's definitely preferable to being in the US.

2: Delink: Michailov, CIL – USCIS has enacted a grace period of 60 days after being terminated, giving opportunities to find another job.

Dimo R. **Michailov** [As one of the senior attorneys and the founding member of the Capitol Immigration Law Group, Mr. Michailov is at the forefront of the immigration law community.], Jan 5, 2017 [], 1-17-2017, <https://www.cilawgroup.com/news/2017/02/24/uscis-creates-60-day-grace-period-following-termination-of-employment-for-h-1bs-and-others/> // JY

USCIS Creates 60-day Grace Period Following Termination of Employment for H-1Bs (and Others) As part of a set of rule changes, collectively called "Retention of EB-1, EB-2, and EB-3 Immigrant Workers and Program Improvements Affecting High-Skilled Nonimmigrant Workers" (see our [full analysis](#)) and effective as of January 17, 2017, **USCIS introduced a very favorable and notable change to the way H-1B (and certain other work visa holders) are treated following termination of employment: a grace period of up to 60 days**. The New Rule: Post-Termination Grace Period Applicable to a Number of Visa Types The new rule introduces an up to 60-day grace period following termination of employment (by either employee or employer) for E-1, E-2, E-3, H-1B, H-1B1, L-1, O-1 or TN visa holders. The text of the relevant provision says, An alien admitted or otherwise provided status in E-1, E-2, E-3, H-1B, H-1B1, L-1, O-1 or TN classification and his or her dependents shall not be considered to have failed to maintain nonimmigrant status solely on the basis of a cessation of the employment on which the alien's classification was based, for up to 60 consecutive days or until the end of the authorized validity period, whichever is shorter, once during each authorized validity period. DHS may eliminate or shorten this 60-day period as a matter of discretion. Unless otherwise authorized under 8 CFR 274a.12, the alien may not work during such a period. **8 CFR 214.1(l)(2)**. What was the Prior USCIS Guidance and Practice? Under the prior USCIS guidance, an H-1B worker would be immediately out of status following termination of employment by either party. As a result, H-1B workers faced significant challenges in seeking to apply for an H-1B transfer or to seek some other status on an urgent basis following termination of employment, especially if such termination was sudden. As a matter of practice, USCIS used to exercise case-by-case discretion to "forgive" short gaps between ending of one H-1B employment and the filing of an H-1B transfer (or another application for status); however, this discretionary "forgiveness" of such gap in status was certainly not applied uniformly and created anxiety among applicants.

AT H-4 Housewives

1: Delink: Sohrabji, 2018 – H-4 spouses can still work despite Trump efforts to end their authorizations.

Sunita **Sohrabji** [India-West Staff Reporter], 4-11-20**18**, http://www.indiawest.com/news/global_indian/h--work-authorization-unlikely-to-be-revoked-anytime-soon/article_0b9189d0-3dbe-11e8-9625-534e49ece4e8.html // JY

H-4 visa holders, who have been on tenterhooks since the Trump administration announced last year that it intended to revoke their work authorization, can relax for now as the program will continue on for at least this year, according to a former Obama administration official who was pivotal to

developing the EAD rule. **“The Trump administration has made no secret of the fact that they want to curtail these work permits. But it’s not something you can do half-baked,”** Doug Rand, former assistant director for entrepreneurship in the Obama White House who helped implement the H-4 work authorization rule, told **India-West**. Rand, the co-founder of Boundless - <https://www.boundless.co> - a technology company that helps families navigate the immigration process, doubted that the administration would announce a new proposed rule in June, as widely anticipated. **“Their**

ambitious regulatory agenda is all behind schedule,” he said, noting that a new final rule may be introduced late this year. Last December, the Department of Homeland Security announced it was proposing a rule to strip H-4 visa holders of their legal ability to work. On Feb. 28, DHS filed a motion in the Save Jobs USA lawsuit – which contends that H-4 EADs are depriving American workers of jobs – stating it would issue the new proposed rule in June, as it needed time to determine the economic impact of terminating the program (see India-West story [here](#)). **The proposal of a new rule is step 1 in a long**

process. A 60-day public comment period would follow once the proposed rule is entered into the Federal Register. “The agency must address any novel issues before it issues a final rule,” Rand said, noting that when the Obama administration went through a similar process to authorize H-4 EADs, it received over 10,000 responses. He expects no less response for the rescission rule. **But the final rule will likely face a court challenge,** added Rand, who expects that **a district court may issue**

an injunction to prevent the new rule from being implemented. District courts have issued injunctions following many of the Trump administration’s key mandates, including the travel ban, and the proposal to end the Deferred Action for Childhood Arrivals program. In 2015, following a multi-year battle, **the Obama administration granted work authorization to certain H-4 visa holders – about 100,000 women from India – whose spouses are on track to get legal permanent residency.**

AT H-4 Domestic Abuse

1: Turn: Goel, Palgrave Pivot – India has very limited protections against domestic abuse while America has much more stringent protections. This means that there is a much higher deterrent against domestic abuse in America, providing a comparative benefit. For example, Jaiswal of PRI writes in 2017 that marital rape is not considered a crime in India and the courts are ruling to increase protection of men against domestic violence accusations.

2: Delink: Kagan, UNLV, 2015 – U-visas solve, immigrants who are sexually harassed are able to get a visa to shield them from employer backlash and deportation. Kertscher, Politico – 67% decline in domestic violence because of these.

3: Nonunique: Pande, NYT, 2015 – 76% of Indian women don't work. Conversely, Sohrabji, 2018 – H-4 spouses can work in America. This program isn't ending, as Dutt, News India, 2018 – courts would rule against Trump's law and activists are working against the law.

Kagan, Michael, "Immigrant Victims, Immigrant Accusers" (2015). Scholarly Works. 902.
<http://scholars.law.unlv.edu/facpub/902>

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Kertscher, Tom, Politifact, "Since '94 law, domestic violence down two-thirds in U.S., Democratic Rep. Gwen Moore says | PolitiFact Wisconsin", January 13, 2013, <http://www.politifact.com/wisconsin/statements/2013/jan/13/gwen-moore/94-law-domestic-violence-down-two-thirds-us-democr/>

The Violence Against Women Act contains provisions that could lead to a reduction in domestic violence -- through raising awareness of the offense as a crime, locking up violators and deterring potential offenders.

U.S. Rep. Gwen Moore said that since the Violence Against Women Act was adopted in 1994, "cases of domestic violence have fallen by 67 percent."

We rate Moore's statement Mostly True.

National Immigration Law Center. "How the U Visa Can Protect immigrant Workers - National Immigration Law Center." *National Immigration Law Center*. n.d. Web. 24 Apr. 2018. <<https://www.nilc.org/issues/workersrights/how-the-u-visa-can-protect-immigrant-workers/>>

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Sudhershnan Goel. "Domestic Violence Laws in the United States and India." Palgrave Pivot. n.d. Web. 26 Apr. 2018.

file:///Users/rjiang16/Downloads/[Sudershnan_Goel,_Barbara_A._Sims,_Ravi_Sodhi_(auth(b-ok.org)).pdf

The United States and India are both forms of democracies and consist of a variety of cultures with very different systems of beliefs and traditions. Over time, victims of domestic violence in both countries have fought for legislative relief, with the struggle for women's rights in general providing the scaffolding for those efforts. **The United States represents the pinnacle of progress and modernization; India, however, symbolizes all that is ancient and traditional as it advances forward to take its place as a major, industrialized nation. A comparative study of the domestic violence laws of these two countries can illuminate the critical issue of intimate partner violence through the lenses of two similar, yet different, societies. Whereas in the United States different ethnic groups form a somewhat cohesive community, the Indian counterpart comprises a caste-ridden society with twenty-two official languages.** The United States and India are the two largest democracies in the world. Though many perceive the cultural differences to be as profound as the geographic variations, in reality, there are many similarities between the two.¹ The parallels that can be drawn between the United States and India are particularly insightful when it comes to an analysis of domestic violence law. The

separate but convergent evolutions of the body of law designed to protect women against abuse by intimate partners can provide guidance in formulating new solutions to an old problem.

Nimisha Jaiswal. "Indian court rules that men need protection from women making unsubstantiated domestic harassment claims." Public Radio International. n.d. Web. 28 Apr. 2018. <https://www.pri.org/stories/2017-08-15/indian-court-rules-men-need-protection-women-making-unsubstantiated-domestic>

Men's rights activists scored a significant victory in India recently when the Supreme Court essentially identified them as the victims in domestic violence cases. The judges weren't making the law gender neutral, however. They stated that Indian women were filing inaccurate claims of domestic violence.

"Most of such complaints are filed in the heat of the moment over trivial issues," read the ruling. It went on to state that women were not visualizing the "implications and consequences" of registering a criminal complaint against their abusive husbands. "Uncalled for arrest may ruin the chances of settlement."

[...]

Marital rape is not recognized as a crime in India. Men charged under the Protection of Women from Domestic Violence Act can be subject to a restraining order, but they do not face jail time. The criminal law that the Supreme Court modified in its recent judgment protects a woman from "mental and physical cruelty" and harassment for dowry. It calls for immediate arrest for those accused of violating the law.

This isn't the first time the law has been questioned by the courts, however. **In 2005, a panel of the Supreme Court called women's misuse of the provision "legal terrorism."** In 2014, the court also diluted the protocol for arrests under the law, stating that it was putting "bedridden grandmothers and grandfathers of the husband" in jail. Because it relates to harassment over dowries, elderly parents of the husband also often face charges.

Many of these rulings also openly accused women of overreacting and disrespecting the sanctity of marriage and family.

Rohini Pande, NYT, 2015, <https://www.nytimes.com/2015/08/24/opinion/why-arent-indias-women-working.html>

CAMBRIDGE, Mass. — Usually, economic growth in lower-middle-income countries creates more jobs for women. But as India's economy grew at an average of 7 percent between 2004 and 2011, its female labor force participation fell by seven percentage points, to 24 percent from 31 percent. Despite rapidly increasing educational attainment for girls and declining fertility, the International Labor Organization in 2013 ranked India 11th from the bottom in the world in female labor-force participation

Sunita **Sohrabji** [India-West Staff Reporter], 4-11-20**18**, http://www.indiawest.com/news/global_indian/h--work-authorization-unlikely-to-be-revoked-anytime-soon/article_0b9189d0-3dbe-11e8-9625-534e49ece4e8.html//JY

H-4 visa holders, who have been on tenterhooks since the Trump administration announced last year that it intended to revoke their work authorization, can relax for now as the program will continue on for at least this year.

according to a former Obama administration official who was pivotal to developing the EAD rule. "The Trump administration has made no secret of the fact that they want to curtail these work permits. But it's not something you can do half-baked," Doug Rand, former assistant director for entrepreneurship in the Obama White House who helped implement the H-4 work authorization rule, told **India-West**. Rand, the co-founder of Boundless - <https://www.boundless.co> - a technology company that helps families navigate the immigration process, doubted that the administration would announce a new proposed rule in June, as widely anticipated. "Their ambitious regulatory agenda is all behind schedule," he said, noting that a new final rule may be introduced late this year. Last December, the Department of Homeland Security announced it was proposing a rule to strip H-4 visa holders of their legal ability to work. On Feb. 28, DHS filed a motion in the Save Jobs USA lawsuit - which contends that H-4 EADs are depriving American workers of jobs - stating it would issue the new proposed rule in June, as it needed time to determine the economic impact of terminating the program (see India-West story **here**). The proposal of a new rule is step 1 in a long process. A 60-day public comment period would follow once the proposed rule is entered into the Federal Register. "The agency must address any novel issues before it issues a final rule," Rand said, noting that when the Obama administration went through a similar process to authorize H-4 EADs, it received over 10,000 responses. He expects no less response for the rescission rule. **But the final rule will likely face a court challenge, added Rand, who expects that a district court may issue an injunction to prevent the new rule from being implemented.** District courts have issued injunctions following many of the Trump administration's key mandates, including the travel ban, and the proposal to end the Deferred Action for Childhood Arrivals program. In 2015, following a multi-year battle, **the Obama administration granted work authorization to certain H-4 visa holders - about 100,000 women from India - whose spouses are on track to get legal permanent residency.**

Ela Dutt. "Right to Work : Indian spouses on H4 visas rally U.S. lawmakers, Indian-Americans, to preserve work authorization gains." News India Times. 13 Apr. 2018. Web. 28 Apr. 2018. <http://www.newsindiatimes.com/right-to-work-indian-spouses-on-h4-visas-rally-u-s-lawmakers-indian-americans-to-preserve-work-authorization-gains/34859>

With the right to work at risk for over 90,000 spouses of H1B visa-holders, **activists are stepping up their campaign to save the H4 employment authorization by lobbying lawmakers and Indian-American organizations, and by raising awareness through social Social-networking.**

The clock could be ticking for their two-year reprieve after the Department of Homeland Security announced in December that it planned to terminate the H4EAD (Employment Authorization Document) program that provided a professional, economic and social lifeline for H1B spouses and families as they waited for green cards stuck in a limbo that could be decades-long

Ela Dutt. "Right to Work : Indian spouses on H4 visas rally U.S. lawmakers, Indian-Americans, to preserve work authorization gains." News India Times. 13 Apr. 2018. Web. 28 Apr. 2018. <http://www.newsindiatimes.com/right-to-work-indian-spouses-on-h4-visas-rally-u-s-lawmakers-indian-americans-to-preserve-work-authorization-gains/34859>

However, **there's a big element in favor of H4 EAD visa holders and activists – the American legal system. Rand says stakeholders could go to court to block the new rule (just as SaveJobs USA did with the original order allowing H4EAD) on grounds of personal injury or harm.** And the class could include not just the visa holders but also U.S. companies and stakeholders, Rand notes.

So H4EAD activists are looking at a long haul and possibly considerable expense if a lawsuit was to be included in the struggle.

A2 Politics

AT General Backlash

1: Delink: Any analysis they read about backlash should've already triggered because there is legislation in Congress right now proposing an increase in the quota. Insofar where backlash would occur at policy proposals and not because the legislation passes, any impact they read you is nonunique.

AT Trump/Nativist Backlash

1: Delink: There's literally no reason for Trump to backlash because any increase in the quota would have to be signed by Trump.

2: Delink: After the election, Trump literally had almost unlimited political capital controlling the House, Senate, and SCOTUS, but he still was unable to kill immigration legislation like DACA, demonstrating that Trump backlash never triggers the impacts.

3: Delink: Lapowsky, WIRED, 2017 – Trump only engages in immigration policy that makes him look like he's cracking down when he isn't, because he's afraid of business interests that would go against him.

4: Turn: If Trump increases the H-1B quota, his nativist base would backlash against him, thereby decreasing his political capital to pass policy. For example, Jenkins, TIME, 2018 – Trump's immigration plan about DACA provoked nativist backlash that rallied against him.

Issie Lapowsky. "Trump's Executive Order Won't Give Tech Clarity on H-1B Visas." WIRED. 18 Apr. 2017. Web. 25 Apr. 2018. <<https://www.wired.com/2017/04/trumps-executive-order-wont-give-tech-clarity-h-1b-visas/>>

That the Trump administration would take such a light-handed approach to high-skilled immigration reform, even as it's taken such an aggressive approach to undocumented immigration, may reflect the intra-White House rift between chief strategist Steve Bannon's nationalist faction and the business-minded, globalist faction led by Trump son-in-law Jared Kushner. Bannon has argued that the large number of immigrant CEOs in Silicon Valley undermines "civic society." **This order gives President Trump the flexibility to tell his base he's cracking down on H-1B visa abuses without actually enacting any immediate changes that might upset the business community.**

"One should not mistake PR for policy," warns Bruce Morrison, a former Democratic member of Congress and a vocal H-1B critic as a lobbyist for IT workers. Morrison notes that the administration could have directed the same departments to recommend reforms without issuing an executive order at all, but that wouldn't have garnered quite as much attention.

Nash Jenkins. "President Trump Proposed Fixing DACA and Cutting Legal Immigration. Both Sides Hate the Idea." Time. n.d. Web. 26 Apr. 2018. <http://time.com/5120633/trump-daca-plan-immigration-reaction/>

The plan also allocates \$25 billion for a wall along the country's southern border and additional security protections in the region. It would also curtail what Republicans have called "chain migration," prohibiting green cards for the siblings and parents of immigrants.

Trump’s so-called “base” — the hardline right-wingers who vehemently oppose what they call “amnesty” in immigration policy — have rallied against the plan’s accommodations to Dreamers. Breitbart News, the outlet previously helmed by former Trump advisor Steve Bannon, has jeered at “Don’s Amnesty Bonanza,” reprinting claims that the deal is “the beginning of the end of the G.O.P. majority in the House.”

AT General Republican Backlash

1: Delink: Kwong, Newsweek, 2018 – pro-business conservatives like Hatch and Flake support the H-1B system and wouldn't backlash.

2: Delink: Griffin, PRRI Research, 2018 – over 70% of Republicans support Indian/Chinese immigration, which are the two countries that the most H-1Bs come from.

Jessica Kwong, 1-26-2018, "Republicans propose increasing the annual quota of H-1B visas shortly after Trump considers limiting the program," Newsweek, <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 "1-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 H-1B 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. **Hatch in a statement said the act "will help ensure that our companies have access to the world's best and brightest and are able to fill jobs in highly technical, specialized fields for which there is a shortage of American labor," while also addressing abuses to the program to ensure it is not outsourcing jobs or undercutting American wages.**

PRRI. "Do Americans Think Too Many Immigrants Are Coming to the U.S.? It Depends on Their Country of Origin. | PRRI." PRRI. n.d. Web. 26 Apr. 2018. <<https://www.prrri.org/spotlight/do-americans-think-too-many-immigrants-are-coming-to-the-u-s-it-depends-on-their-country-of-origin/>>

Although broad public support for immigration reform has been consistent throughout this debate, views of immigrants vary widely among the public. A recent PRRI/Brookings survey found that restrictive views on immigration—i.e., viewing a group's immigration rate as too high, or believing that this group should not be allowed to come to the United States at all—vary widely by the immigrant's country of origin. **Americans' views are least restrictive with respect to** immigration from predominantly Christian (14 percent), European (16 percent), African (24

percent), and **Asian (29 percent) countries**. In contrast, they are more opposed to immigration coming from the Middle East (45 percent), predominantly Muslim countries (49 percent), and Mexico and Central America (53 percent).

AT Lobbying

1: Delink: Fang, Bemidji State University, 2012 – there are lobbyists on both sides of the quota debate that lobby vehemently against certain policies. Just because one group lobbies doesn't mean any legislation gets passed because there are lobbyists on the other side too.

2: Turn: Kerr, Harvard Business Review, 2015 – quota changes double the amount that large technology businesses lobby over the issue. Ultimately, these lobbyists outweigh any link they read you for two reasons.

A: Popper, the Verge, 2017 – pro-business lobbies pour in more money than opposition lobbies, which is why Trump hasn't been able to do anything to the H-1B system.

B: Freeman, University of Texas, 2008 – opposition lobbyists are less coordinated because they have a variety of interests that don't always converge.

Fang **Fang**. "The Politics of H-1B Visa Limits." Bemidji State University. Apr. 2012. Web. 25 Apr. 2018. <<https://www.bemidjistate.edu/academics/departments/political-science/wp-content/uploads/sites/40/2015/05/fang-thesis.pdf>>

One of Amegashie's (2004) studies indicates that **immigration policy**, to a certain degree, **is driven by lobbying activities of labor and the capital. The contest between a firm lobbying activity and a union will decide the number of immigrants**. After the number of immigrants is decided, the firm and the union are bargaining over the wages of the local workers. The author proposed that lobbying contest is an all-pay auction. **Lobbyists who put more efforts are more likely to win the certainty**. The author's findings show that the cost of lobbying activities, the reservation wage of immigrants, the size of the union and the price of a firm's products are all the elements that influence the permissible number of immigrants. (Amegashie, 2004)

William Kerr. "Globalization and Firm Lobbying." Harvard Business School. 5 Mar. 2015. Web. 25 Apr. 2018. <<https://www.frbatlanta.org/-/media/documents/news/conferences/2010/ac-remittances/prachimishra.pdf>>

Figure 3 documents the cap by year from 1990-2008. The cap was initially set at 65,000 visas until legislation in 1998 and 2000 significantly expanded the program to 195,000 visas.¹⁶ These changes expired in 2004 and the cap fell to 65,000 visas. This limit has been binding since, even despite being raised by 20,000 in 2006 through an —advanced degree] exemption. Kerr and Lincoln (2010) have found that these changes significantly influenced the pace and character of innovation in the US. Figure 4 shows descriptive evidence that **lobbying efforts for immigration issues by firms** in our sample **intensified once the H-1B cap became binding** for the private sector in 2004. The dashed line in Figure 4 represents the ratio of H-1B issuances to the numerical cap, building upon the basic series in Figure 3. Higher values of this ratio indicate a more constrained program, or greater challenges in obtaining visas, and the ratio increases sharply in 2004.¹⁷ Figure 4 demonstrates that **this increase in difficulty to obtain H-1B visas was tightly associated with an increase in the fraction of firms lobbying** for immigration issues. **This group doubles from 6%** of our sample in 2003 **to 12%** in

2004. The co-movements suggest that **firms respond quickly to shifts in the conditions that are important to them.**

Ben Popper. "While DACA attracts headlines, the tech industry pumps money into the immigration program that impacts their bottom line." The Verge. 5 Sept. 2017. Web. 25 Apr. 2018. <<https://www.theverge.com/2017/9/5/16240068/tech-silicon-valley-immigration-travel-ban-h1b-daca>>

The tech industry's public stance on H-1B has been far milder than its pushback on other immigration issues, but behind the scenes, it's **been pumping money into lobbying for the defense and expansion of this program. The total contributions eclipsed donations by traditional immigration advocates** years ago, and have not slowed down since. At the start of this year, all of tech's biggest names kept their focus on immigration lobbying constant, with Alphabet increasing its pressure. In the past, Facebook CEO Mark Zuckerberg defended H-1B by name. "Why do we offer so few H-1B visas for talented specialists that the supply runs out within days of becoming available each year, even though we know each of these jobs will create two or three more American jobs in return?" asked Zuckerberg in April 2013. These days, he is less direct. A post this May included an explicit reference to the Dreamers protected by DACA, but made no mention of H-1B. Zuckerberg now leaves explicit support for H-1B to FWD.US, an advocacy group Facebook helped to found, and continues to support it, along with Bill Gates of Microsoft and Reid Hoffman of LinkedIn. It pushed candidates during the 2016 election cycle to increase the number of H-1B visas being made available each year.

It's not that tech doesn't publicly discuss H-1B at all. Satya Nadella reportedly pressed the issue of H-1B in an off-the-record summit between tech leaders and Trump in December 2016, arguing it was a critical way to secure highly skilled talent. **On the campaign trail, President Trump promised to eliminate the program, but in April of this year, he signed an executive order that was more conservative, calling for a review and suggesting possible changes.**

Freeman, Prof of Government at the University of Texas, and Hill, PH.D. candidate at Cornell, 2k8[Gary. P, David. K, "Disaggregating Immigration Policy: The Politics of Skilled Labor Recruitment in the U.S.,]

Although **those in favor of** expanding access to **foreign labor through** either permanent residence visas or **temporary admission won the day**, they did so only after several near defeats. **The pro-immigration side enjoyed the advantages of wellheeled corporations and highly organized and effective lobbying operations with long-standing relationships on Capitol Hill. 6 Opposition was much less well situated and coordinated** but benefited from the large number of conservative Republicans in the Congress, both chambers of which the party controlled after 1994. However, the **Republicans were, themselves, badly split on immigration.**

Freeman, Prof of Government at the University of Texas, and Hill, PH.D. candidate at Cornell, 2k8[Gary. P, David. K, "Disaggregating Immigration Policy: The Politics of Skilled Labor Recruitment in the U.S.,]

Critics of the H-1B program, on the other hand, **emerge from radically different camps.** Exclusionist groups (FAIR, for example) oppose current levels of permanent immigration and oppose the H-1B program, in part, because they believe it leads to permanent immigration. Disaffected American workers in the technology sector oppose the H-1B program because it is responsible, in their view, for their economic troubles. Various demographers and academics critique the H-1B program because they question the validity of claims of a skilled worker shortage. Humanitarian and immigrant rights groups complain the H-1B program leads to the

exploitation of temporary workers. This diverse set of groups has little in common. They do not all rank H-1B reform at the top of their concerns, often disagree vehemently on what should be done and do not have common views on other immigration issues.

AT DACA

1: Delink: Freeman, University of Texas, 2008 – illegal and legal immigration aren't linked because there are different interest groups at play for the two different issues, which means backlash in one arena almost never translates to backlash in a different arena.

2: Delink: Empirics Prove – O'Brien, CNN, 2018 – the Hatch bill calling for an increase in the number of H-1Bs isn't linked at all to a DACA plan.

Freeman, Prof of Government at the University of Texas, and Hill, PH.D. candidate at Cornell, 2k8 [Gary. P, David. K, "Disaggregating Immigration Policy: The Politics of Skilled Labor Recruitment in the U.S.,]

While there is significant overlap between the general or broad politics of immigration policy and the specific politics of skilled migration, the issues are to a considerable extent handled separately and the disaggregation of the immigration policy process seems likely to continue if not accelerate. The overlap is evident in the importance of key lawmakers and certain broadly focused immigration lobby groups involved in almost all immigration questions. But it is also clear that, even given the logrolling that was necessary to build the left-right coalition in 1990 and to hold it together thereafter, some coalition members have narrowly construed interests. Associations representing high-tech firms are not likely to expend political capital on refugee issues, for example; nor do they evince much interest in undocumented farm workers. Political convenience may suggest occasional alliances behind a more comprehensive immigration agenda but they are otherwise likely to keep their attention on issues closer to home. The trend toward the disaggregation of immigration policy making has been evident at least since SCIRP issued its findings in 1981 and IRCA passed in 1986 but the watershed event may have been the splitting of the Simpson bill in 1998. By separating the discussion of legal and illegal immigration policy, this tactic allowed restriction-minded legislators to support tough measures at the border and to later vote to open the tap for H-1Bs. The emergence of security as a key element in immigration policy since the attacks of September 2001 increases the tendency to separate consideration of border controls and undocumented immigration from other issues.

Sara Ashley O'brien. "H-1B reform bill seeks to expand annual quota." CNNMoney. 25 Jan. 2018. Web. 26 Apr. 2018. <<http://money.cnn.com/2018/01/25/technology/hatch-flake-h1b-bill/index.html>>

"I-Squared is an opportunity to do the right thing for all the right reasons," he said in a statement.

Tahmina Watson, of Watson Immigration Law, agreed that I-Squared appears to address the country's business and economic demands. "The bill should garner bipartisan support and satisfy the White House with their concerns about the H-1B visa," she told CNNMoney.

The measure is unlikely to be attached to a bill to protect "Dreamers" -- undocumented immigrants brought to the U.S. as children. Lawmakers are trying to keep those DACA negotiations more narrow than visa reform, and even that compromise is facing long odds in a divided Washington.

A2 Tradeoffs

AT Backlogging

1: Delink: Sataline, Foreign Policy, 2017 – massive backlog is caused by the cap of how many green cards can come from certain countries. That’s why Economic Times, 2018 – current wait period for Indians is up to 70 years long.

2: Turn: Marder, 2018 – the USCIS is funded by the application fees associated to visas. This means that affirming would only solve backlogging because it would increase the funds necessary for the USCIS to sift through the paperwork.

Sataline, Suzanne. “Trump Has Started a Brain Drain Back to India.” Foreign Policy. FP, 22 September 2017. Web. Accessed 23 March 2018. <

<http://foreignpolicy.com/2017/09/22/trump-has-started-a-brain-drain-back-to-india/>>

“Some people are moving out of the country, taking valuable skills with them,” Renison says. “Some people are choosing not to come. If this persists, were going to lose a lot of the foreign students we educate.”

The system was barely functioning as it was. Applications for work visas already were so clogged in the federal bureaucracy that in recent years even Ivy League graduates couldn’t be certain of receiving one. Getting a work visa hasn’t guaranteed stability, as Sahay, the data architect,

knows. Employers can sponsor immigrants’ green cards, or permanent visas, but the approvals process is backlogged. The federal government places caps for green cards on each country each year. Indians seeking permanent residency say it’s routine for them to linger in line for a decade or more. Up to 2 million Indian workers here and abroad may be waiting in a green card backlog that could take a decade or more to clear if there are no changes to the system, says David Bier, an immigration policy analyst at the Cato Institute think tank.

Those concerns may add to the shortage of highly skilled technology workers in the United States, just as Canada or Singapore vie for those same people. Every other startup company, says Vish Mishra, an investor with Clearstone Venture Partners, a venture capital firm in Silicon Valley, has operations based overseas or recruits workers in India, Eastern Europe, Canada or Israel. “You’re not going to have, all of a sudden, 200,000 [American] people filling the gap that exists. What are businesses going to do? Businesses have to import talent,” he says.

Economic Times. India Times, 20 March 2018. Web. Accessed 25 April 2018.

<<https://economictimes.indiatimes.com/nri/visa-and-immigration/indian-professionals-hold-rally-to-end-green-card-backlog-in-us/articleshow/63376365.cms>>

Indian-Americans, most of whom are highly skilled and come to the US mainly on H-1B work visas are the worst sufferers of the current immigration system which imposes a seven per cent per-country quota on allotment of green cards or permanent legal residency.

As a result, **the current wait period for Indian skilled immigrants for green card can be as long as 70 years.**

Marder, Lexology, 2-8-2018, <https://www.lexology.com/library/detail.aspx?g=2b35bcab-f720-4759-82b2-1609ae143773> // JY

Should Congress fail to agree upon a new budget, the US government will once again shutdown on February 8, 2018. Like the government shutdown last month, a potential subsequent shutdown will affect the following immigration services: USCIS will continue to operate as usual as it is funded by user/application fees (as opposed to government funding). However, there will likely be delays in overall processing. All US Department of Labor (DOL) functions, as well as access to any online DOL portals, will be suspended. This means that there will be no filings or adjudications of any Labor Condition Applications (LCAs), Prevailing Wage Determinations (PWDs) and PERMs (ETA 9089 Permanent Labor Certification). The DOL will issue pending certifications after it resumes operations. US consulates abroad will continue to process visa applications, but applicants should be prepared for significant delays. Customs and Border Patrol (CBP) may or may not process TN or L-1 applications, this will depend on the instructions they receive from the federal government.

AT EB-5s

1: Delink: Singer, Brookings, 2018 – immigrants would need \$500,000 of investment to even get the visa, limiting the propensity for them to get this visa.

2: Turn: Semotiuk, Forbes, 2017 - EB-5 Allocation has loopholes that allow for investment to only go to rich areas that don't need it, which A. takes out their link and B. perpetuates income inequality.

3: Turn: Chen, the Nation, 2017 – the EB-5 program only gentrifies neighborhoods and displaces poor communities that originally lived there.

Audrey Singer And Camille Galdes. "Improving the EB-5 Investor Visa Program: International Financing for U.S. Regional Economic Development." Brookings. 30 Nov. - 001. Web. 26 Apr. 2018. <<https://www.brookings.edu/research/improving-the-eb-5-investor-visa-program-international-financing-for-u-s-regional-economic-development/>>

Difficulties in accessing traditional domestic financing brought on by the Great Recession, along with a rise in the number of wealthy investors in developing countries, have led to a recent spike in interest in the EB-5 Immigrant Investor visa program. Through this federal visa program administered by U.S. Citizenship and Immigration Services (USCIS), **immigrant investors may eventually secure permanent residency for themselves and their immediate family by investing at least \$500,000 in a U.S. business and creating or preserving 10 full-time jobs.** The majority of EB-5 visas are currently administered through EB-5 regional centers, entities that pool investments and are authorized to develop projects across a large swath of America's metropolitan regions and rural areas. The focus of this paper is on the regional center program.

Andy J. Semotiuk, Forbes, "Looking Into The Crystal Ball At The EB-5 Investor Immigration Program And Trump's Raise Act", August 8, 2017, <https://www.forbes.com/sites/andyjsemotiuk/2017/08/08/looking-into-the-crystal-ball-at-the-eb-5-investor-immigration-program-and-trumps-raise-act/#229321cb22af>

The EB-5 visa program, while serving as a vehicle of investment into under-served and underemployed parts of the country, has not been without its fair share of scandals and abuses. Those scandals and abuses are part of the reason last year senators Grassley (R-Iowa) and Leahy (D-Vermont) proposed amendments to the program which did not pass, and why Grassley and Feinstein (D-California) proposed legislation in February to end the program. The EB-5 visa program was first introduced in 1990, with the intent of issuing 10,000 investors green cards in exchange for their investing money in the USA. The sum was set at \$1,000,000. Two years later, a type of investment possibility was added to the visas involving regional centers that could initiate investment projects, allowing individuals to invest \$500,000, not a million, so long as the money was going towards impoverished parts of the U.S., where the employment rate was at least 150% of the national average. Unfortunately, **the way in which an area is determined to be suitable for a EB-5 regional center had a few loopholes, leading to some of the more recent scandalous abuses** of the program, such as the fact that money from the EB-5 program has gone to fund prime properties in Manhattan and Beverly Hills, or more recently in Florida, than the poor and impoverished areas that this type of investment was supposed to improve. These scandals only really started appearing after the great recession of 2007-2008, when money for real estate investment became tight, and developers had to look for new sources of financing. Suddenly, **pooled investments in regional centers became attractive sources of low interest financing.** The vast majority (over 80%) of the people receiving these visas come from China, leading the program to be characterized as a scam to bring in wealthy Chinese. And as developers became aware of the possibilities, what can only be described as **gerrymandering of the approvable areas, so-called "Targeted Employment Areas" (TEAs) where EB-5 regional centers can be established began.** This was possible because **states are put in charge of designating regional centers, with the only requirement being that the centers be situated adjacent to low income census districts.** So **a regional center would be established by taking the desired upscale location** a developer wants to build a hotel, for instance, **and then snaking out a region,** census district by district,

until it reached poorer census districts, and adding them to the regional area until the average unemployment reached desired levels. The poorer districts in the regional area would **receive none of the investment**, as it would all be pooled towards the upscale development.

Michelle Chen, 2017, "Trump's Special Back Door for Wealthy Immigrants | The Nation", <https://www.thenation.com/article/trumps-special-backdoor-for-wealthy-immigrants/>
As CityLab reported earlier this year, these regions are often easy to "gerrymander" by rigging Census-tract counts, so that an investor can claim his 20-story glass-and-steel office tower is helping to "develop" the East Harlem neighborhood with which it happens to share a tract. Cities fish for foreign investors by bending the data in EB-5 applications, and the USCIS is co-opted as an indirect agent of exorbitant real-estate deals dressed up as "job creation" on paper. Such shovel-ready foreign-funded stimulus has lately taken the forms of a Waldorf Astoria hotel in Beverly Hills, and a skyscraper hotel at 1 Park Row that bills itself as "your perfect refuge in the middle of Manhattan."
But while the logic of the program, to allow immigrants to invest in US economic growth, may seem like a win-win for visa holders and cash-strapped towns and cities, the program's loopholes seem to be sprinkling white elephants on the landscape with no sign of sustainable job creation. And, ironically, the flood of immigrant investment is helping displace poor immigrant communities that have been strafed by housing gentrification.

AT EB-2/3s

1: Delink: Peerally Law – long waitlists for EB-2s means that a shift to EB-2s is impossible.

2: Delink: SGM Law Group – companies don't like sponsoring EB-2s and EB-3s because workers could quit working for them at any time.

Peerally, Shah. "4 Ways to Deal with the Waiting on Your EB2 Immigrant Visa if You Are from India." Peerally Law. Peerally Law, n.d. Web. Accessed 25 April 2018. <<https://www.peerallylaw.com/4-ways-to-deal-waiting-on-your-eb2-immigrant-visa-if-you-are-from-india/>>

Some time back, the State Department released an EB Demand Data report which shows a sudden unprecedented growth in EB2-India cases since the year 2007. This is about 33 times more, than normal, compared to the number of EB2-India cases that are pending in 2012 as compared to 2007. Comparatively, EB3-India has had a pretty modest growth.

Close on its heels is **the news bulletin from November 2012** which brings a fresh dose of disappointment for Indian nationals waiting on their EB2 immigrant visa, all over again. **The EB2-India list almost refuses to move and remains stuck in 2007.** While most Indians keep wondering, how these dates are arrived at, since it mostly appears to be random and often an endless and never ending wait. Though there is probably a system to the whole functioning and maybe the USCIS and the DOL are actually working at the vast data that they seem to be more and more frequently off late. Indians though do appreciate transparency in the system, while having to deal with waiting on your **EB2 immigrant visa**.

One cannot but wonder at the reason for the surge in EB3 candidates. The reasoning though might be that many have been for many years now, been making fresh petitions under EB2 because many of the EB3 candidates who are now in senior positions in their professions for have been promoted to an EB2-level position and might have got their Masters degrees. If they add some other qualifications along with that it makes them eligible to apply under the EB2 category.

"From H1B to Green Card Process | EB2 or EB3 Visa." SGM Law Group. Law Offices of Shilpa Malik, 15 December 2016. Web. Accessed 25 April 2018. <<http://www.immi-usa.com/from-h1b-to-green-card-process-eb2-or-eb3-visa/>>

Determining when to ask your employer to sponsor you for a green card involves the right timing. However, in many cases, if you wait too long or postpone the process you may confront additional and unwanted delays.

On the other hand, **employers may hesitate with this request because often times foreign workers leave their place of work after receiving approval for their green card. EB2 and EB3 visas are quite popular options for green cards.**

AT L-1s

1: Delink: Murthy Law, 2012 – L-1s had to have worked for the company abroad for 3 years.

2: Mitigate: Doran, NBER, 2014 – only 15% of L-1s could replace an H-1B worker.

Murthy, 20 Feb 2012, "", <https://www.murthy.com/2012/02/20/l-1-h1b-visas-a-comparison/>

L-1 Available Only to Multinational Companies *There are a number of differences between the L-1 and H1B visa programs. An L-1 must be an intra-company transferee. This is defined as an employee who worked with the company abroad for one continuous year in the last three years.* If the company is not multinational, or the individual has not worked for the company abroad, this option is eliminated. Some U.S.-based companies considering opening foreign branches may benefit sufficiently from the ability to use the L-1 once the foreign branch becomes a viable option. The same holds true for foreign companies considering establishing operations in the United States.

Doran, Nov 14., <http://www.nber.org/papers/w20668.pdf> // ASC

If a firm is denied an H-1B, it has a number of alternatives to hiring no one. Other than hiring U.S. citizens or permanent residents, firms can hire foreigners on other visas, including L-1 temporary work visas, Optional Practical Training (OPT) extensions of F-1 student visas, or H-1Bs not subject to the cap. L-1s allow multinational firms to bring a worker at a foreign branch to the U.S. temporarily. *Visa lottery losers would likely not resort to bringing the same worker to the U.S. on an L-1, since a firm would have typically applied for an L-1 rather than an H-1B if the L-1 were feasible (as the L-1 is typically considered more advantageous to the firm than the H-1B). Only 15 percent of lottery participants are multinationals, further limiting the importance of the L-1 in our context.* In FY2006 and FY2007, OPT extensions allowed F-1s to extend their stays in the U.S. for only 12 months, also limiting the degree of substitutability with an H-1B.

A/T AFF

Overview – Rollback PTX DA

1: Framing: Freeman, University of Texas, 2008 – any benefit they read will get killed within a few years because of political backlash by interest groups because the quota is so controversial, which means that you prioritize reform now because that actually has momentum and isn't as controversial.

Freeman, Prof of Government at the University of Texas, **and Hill**, PH.D. candidate at Cornell, **2k8** [Gary. P, David. K, "Disaggregating Immigration Policy: The Politics of Skilled Labor Recruitment in the U.S.]

Too much opposition developed around H-1Bs to justify fitting the politics of temporary skilled non-immigrant visas into the client category, where it certainly belonged when the H visa category was invented in 1952 and, in 1990, when the H-1B was hived off. **These programs seem increasingly to be perceived by most actors as redistributive and, hence, produce a robust form of interest group politics. Organizations on both sides clearly identified themselves as winners and losers,** depending on the outcomes adopted by Congress. Those groups advocating expanded recruitment of temporary workers won the day but **those on the losing side were loud and made themselves heard. The outcome in Congress was often in doubt** and, on both occasions when the H-1B caps were lifted, **the change was temporary.** The losers lacked strong allies apart from the trade union federations, which were not well-established in high-tech industries and feared alienating their newest and fastest growing constituency among undocumented immigrants. Unemployed technology workers proved difficult to organize; angry web sites were a good way to let off steam but had little political payoff. Democrats in Congress were more sympathetic to the plight of native workers than Republicans but they lost control of both chambers of Congress and the White House in the period under review. Given their weak organizational base, the anti-H-1B groups relied on entrepreneurs to organize the losers-**FAIR, targeted campaigns to defeat immigration liberals and politicians like Tom Tancredo and Lamar Smith.**

A2 Economics

AT Shortage

1: Delink: Millsap, Hill, 2017 – no shortage or wages would be increasing and companies would be stealing the workers of other companies.

2: Delink: Wright, EMSI, 2017 – gap is being closed, as the number of STEM graduates has increased by 43%.

3: Delink: CIS, 2018 – 6.3 million STEM workers who are underemployed, demonstrating that there isn't a shortage.

Adam **Millsap**, 2-10-20**17**, [//JY](http://thehill.com/blogs/pundits-blog/economy-budget/318927-slow-wage-growth-due-to-tepid-productivity-gains)

In short, while wage growth signals a tight labor market in certain industries, like information services, **there doesn't appear to be an economy-wide, skilled-labor shortage putting strong upward pressure on wages.**

There are other reasons to doubt the worker-shortage story. For example, **if skilled manufacturing workers were relatively scarce, we would expect firms to be luring away competitors'**

workers. Yet the amount of voluntary quits in the manufacturing sector is still below its pre-

recession level. Economy-wide, the hiring rate and job turnover rate have been relatively constant since September 2014, and the number of job openings appears to have stabilized at around 5.4 million. Thus, it appears employers are not in any hurry to fill their remaining open positions, or at least they are not yet willing to pay the wages necessary to do so. Slow worker productivity growth may also be impacting hiring. In 2016, productivity only increased by 0.2 percent, the smallest annual gain over the last five years. Over the last two quarters of 2016, productivity growth improved, but even the most recent annualized increase of 1.1 percent lags the 2.6 percent average annual increase from 2000 to 2007.

Wright, Joshua. "The Rise Of STEM Majors And The Decline Of Humanities Degrees." Emsi. N. p., 2017. Web. 21 Mar. 2018. <http://www.economicmodeling.com/2017/09/01/stem-majors-accelerating-every-state-just-humanities-degrees-declining/>.

In 2009-2010, nearly as many recession-shaken students at four-year colleges and universities graduated with humanities degrees as STEM degrees. **Since the Great Recession, the number of STEM majors in bachelor's degree-and-above programs has mushroomed, going from 388,000 graduates in 2009-10 to 550,000 in 2015-16—43% growth.** And degrees in the humanities, programs like philosophy and foreign languages? They've declined -0.4%. Emsi studied recently released data on college degree output from the National Center for Education Statistics and found that the share of STEM degrees rose rapidly from 2009-10 to 2015-16 in almost every state. This acceleration came at the same time the share of humanities majors—after trending at a similar output level as STEM majors in the years preceding the recession (*see below chart*)—took a hit in several states.

"Is There A STEM Worker Shortage?." CIS.org. N. p., 2018. Web. 14 Apr. 2018.
<https://cis.org/There-STEM-Worker-Shortage>.

“The right side of Table 1 reports the number of individuals with STEM degrees who are unemployed and those who are out of the labor market — not working or looking for work. **If we add together those who are unemployed and those who are entirely out of the labor market (under age 65) to those with STEM degrees that work outside of STEM occupations, there are 6.3 million native-born Americans with STEM degrees not working at STEM jobs.** This would seem to be a huge supply of potential STEM workers for the industry to draw upon. This is especially true given that the total number of people (immigrant and native) working in STEM occupations is only 5.3 million.”²⁰

AT Creates Jobs

1: Delink: Millsap, Hill, 2017 – no shortage or wages would be increasing and companies would be stealing the workers of other companies. That’s problematic, because Matloff, UC Davis, 2003 – same job creating effect would’ve occurred had they just hired the American workers who didn’t get a job.

2: Turn: Bound, NBER, 2017 – H-1B workers take domestic jobs from American workers, concluding that absent this immigration, 10.8% increase in employment.

3: Turn: Orttung, USA Today, 2017 – H-1Bs only allow companies to transition to an offshoring engagement, where H-1B workers learn the systems and processes in America then go back and teach overseas workers, finding that this outsourcing kills 95% of jobs at the firm.

4: Weighing:

A: We short-circuit, because body shops provide a cheap alternative to labor that companies will exploit to avoid hiring Americans to cut labor costs.

B: Goodsell, Brigham Young University, 2007 – solving body shopping means we can import more H-1B workers to companies that actually need them to do things like create jobs.

Adam Millsap, 2-10-2017, <http://thehill.com/blogs/pundits-blog/economy-budget/318927-slow-wage-growth-due-to-tepid-productivity-gains//JY>

In short, while wage growth signals a tight labor market in certain industries, like information services, **there doesn't appear to be an economy-wide, skilled-labor shortage putting strong upward pressure on wages.**

There are other reasons to doubt the worker-shortage story. For example, **if skilled manufacturing workers were relatively scarce, we would expect firms to be luring away competitors'**

workers. Yet the amount of voluntary quits in the manufacturing sector is still below its pre-

recession level. Economy-wide, the hiring rate and job turnover rate have been relatively constant since September 2014, and the number of job openings appears to have stabilized at around 5.4 million. Thus, it appears employers are not in any hurry to fill their remaining open positions, or at least they are not yet willing to pay the wages necessary to do so. Slow worker productivity growth may also be impacting hiring. In 2016, productivity only increased by 0.2 percent, the smallest annual gain over the last five years. Over the last two quarters of 2016, productivity growth improved, but even the most recent annualized increase of 1.1 percent lags the 2.6 percent average annual increase from 2000 to 2007.

Matloff, 2003, <http://heather.cs.ucdavis.edu/Mich.pdf>

The first claim is an obvious fallacy. **The employers could fill those positions with Americans (U.S. citizens and permanent residents) instead of H-1Bs and still get the job-generating effect.** But the second claim, though also misleading, is more subtle. The industry lobbyists cite a 1999 study by a UC

Berkeley urban planning professor, AnnaLee Saxenian, showing data on Asian immigrant entrepreneurship in Silicon Valley.³⁰⁵ However, **Saxenian's data show that the rate of immigrant entrepreneurship is no higher than,** and in fact is likely less than, **immigrant representation in the workforce.** She finds that the Asian immigrants comprised 21 percent of the scientists and engineers in the technical workforce in 1990, but founded only 19 percent of new businesses during 1985–1989. By the year 2000, the Asianimmigrant proportion of the technical workforce had grown to 37 percent,³⁰⁶ while their proportion of new business lagged behind at 29 percent, according to Saxenian's data. It must also be pointed out that these firms may not employ many programmers and engineers anyway. For instance, according to Saxenian, 36% of the Chinese-owned firms are in the business of "Computer Wholesaling," meaning that they are simply assemblers of commodity PCs, with no engineering or programming work being done.³⁰⁷

Bound, NBER, 2017, "UNDERSTANDING THE ECONOMIC IMPACT OF THE H-1B PROGRAM ON THE U.S."

How this restriction affects the stock of US computer scientists in our model can be seen in Figures 4b-4c. Over this period there is an increase in the total number of computer scientists when we allow for immigration, but **the number of US computer scientists actually decreases with respect to the closed economy every year as the number of immigrants increases.** In 2001, **the number of US computer scientists was between 6.1%-10.8% lower under the open than in the closed economy** (Table 5). These numbers imply that for every 100 foreign CS workers that enter the US, between 33 to 61 native CS workers are crowded out from computer science to other college graduate occupations.

Orttung, USA Today, 2017, <https://www.usatoday.com/story/tech/columnist/2017/04/20/h-1b-visas-innovation-driver-or-job-killer/100336618/>

Having workers onsite is essential at the beginning of an offshoring engagement. Typically these are guest workers with H-1B visas. But as **these workers gather information about systems and processes in the U.S., their firms gradually transition 60%-95% of the work overseas.** Lower labor costs offshore mean savings for U.S. clients and higher profits for outsourcers.

AT Drives Innovation

1: Delink: Wu, Harvard, 2017 – most H-1Bs go to industries and firms where patenting and innovation doesn't occur. That's why Economic Policy Institute, 2015 – companies with H-1Bs weren't more innovative than those without H-1Bs.

2: Delink: Doran, University of Notre Dame, 2016 – H-1Bs only displace American workers who would've innovated the same amount as them, which means their impact is terminally nonunique.

3: Turn: Furtado, San Diego State University, 2016 – public research institutions don't have a cap, while the private sector does. This means that immigrants who would have gone into the private sector ultimately decide to go into the public sector instead in fear of losing the lottery, quantifying that the cap increased employment in academic and research-oriented jobs by 51%.

Public sector innovation outweighs for two reasons.

A: Mazzucato, LA Times, 2015 – the private sector doesn't want to engage in high risk innovation because of a fear of profits, preventing them from developing things like pharmaceuticals that would help the people, concluding that 75% of new pharmaceutical drugs are developed by research institutions like the NIH while companies only focus on developing their own drugs further.

B: ITIF, 2011 – private companies don't want to research broadly because most broad research would leak to competitors who can use the research to outcompete them.

Andy Wu, "Skilled Immigration and Firm-Level Innovation: The U.S. H-1B Lottery", Harvard University, 15. Feb. 2017. https://mackinstitute.wharton.upenn.edu/wp-content/uploads/2017/03/FP0185_WP_Feb2017.pdf

Abstract: The growth of the global technology industry drives the migration of skilled labor towards countries like the United States that can utilize it, but the U.S. limits the immigration of skilled workers that are employed domestically by U.S. firms. Proponents argue that skilled immigration allows firms to access technical skills that unavailable domestically and promote innovation, but there is little evidence of whether this firm-level effect exists. We evaluate the impact of skilled immigration on innovation in U.S. firms by exploiting a random lottery in the H-1B visa program, which allows us to estimate precise causal effects of marginal skilled immigration on firm-level innovation as measured by patenting productivity. Our set of empirical models compare firms that applied for the same number of lottery-subject immigrants but won different numbers of immigrants because of the lottery. Our results suggest that **winning an H-1B immigrant does not significantly increase patent applications or grants at the firm level.** Consistent with our main empirical findings, further analysis of the composition of participating immigrants and employers suggests that **the current utilization of the H-1B program is not conducive to generating firm-level innovation; we find pervasive use of the program in industries, occupations, and firms where patenting is low.**

Economic Policy Institute, "H-1B Visas Do Not Create Jobs or Improve Conditions for U.S. Workers," 5-18-2015, [<https://www.epi.org/blog/h-1b-visas-do-not-create-jobs-or-improve-conditions-for-u-s-workers/>]

Two types of businesses were studied, those that applied for and received visas through the H-1B random "lottery" (because more employers want H-1Bs than are annually available, the government has to allocate them via lottery), and those that applied but failed in the lottery. **If the H-1B visa raised wages, led to job creation, or spurred innovation, the companies that were awarded the visas should do better on each of those counts. In fact, they did not. On the contrary, over the eight years following the hiring of an H-1B worker, U.S. workers were displaced, wages were lowered, and there was no positive effect on innovation.**

As the authors write: "We demonstrate that H-1Bs given to a firm on average do not raise the firm's patenting and/or other employment, contrary to firms' frequent claims. Overall our results are more consistent with the second [i.e., the critics'] narrative, in which **H-1Bs replace other workers to some extent, are paid less than alternative workers, and increase the firm's profits (despite little, if any, effect on firm patenting).**"

Kirk Doran, University of Notre Dame, 2016, "The Effects of High-Skilled Immigration Policy on Firms: Evidence from Visa Lotteries", 003-pdf

Our paper finds that **new H-1Bs crowd out other workers associated with similar observable levels of innovation**, which is important for understanding the labor market for high-skilled technical workers in the U.S., and for understanding the effects of these individual workers on firms. This finding stands in contrast to firms' claims that they face a shortage of workers with unique skills that are only available through the H-1B program. As is typical of settings with randomized variation that allow estimation of causal effects, we estimate marginal, not general equilibrium, effects that are local to a specific sample. In particular, we isolate the effect of additional H-1B visas allocated to a given firm on outcomes at that firm (holding constant H-1Bs given to other firms), allowing us to address the first narrative above that helps justify the program.⁷ As such, our findings are compatible with the possibility that an aggregate increase in H-1Bs raises firm or aggregate employment and/or innovation, as found in previous studies cited above.⁸ **If extra H-1Bs do have large positive effects on aggregate employment or innovation, then our results suggest this is not occurring because an extra H-1B visa at a given firm increases the levels of these outcomes at the firm.**

Delia Furtado. "Settling for Academia? H-1B Visas and the Career Choices of International Students in the United States." San Diego State University. 29 Aug. 2016. Web. 26 Apr. 2018. <<http://ftp.iza.org/dp10166.pdf>>

In 2004, the reinstated lower H-1B visa cap became binding. Suddenly, **it became significantly harder** for most foreigners **to secure** legal **employment in the** for-profit **private sector**. There were, nonetheless, some exceptions. Under the American Competitiveness in the 21st Century Act of 2000 (AC21), **non-profit institutions of higher education, along with other non-profit and government research institutions, 2 were excluded from the cap.** ³ In addition, free trade agreements allowed citizens from five countries (Canada, Mexico, Chile, Singapore and Australia) to apply for close H-1B visa substitutes (Sparber and Kato 2010; Shih 2015).⁴ We examine if international students graduating on or after 2004 became relatively more likely to pursue an academic career if they were from a country without an H-1B substitute visa, than if they were from one of the five countries with other work visas available.

[...]

In our paper, instead of examining the responsiveness of career trajectories to economic conditions at the time of graduation, we explore international students' responsiveness to H-1B visa scarcity at the time of the survey. However, given that graduating in recessions has been found to have long run implications, it is not unreasonable to expect that graduating when visas are scarce also has long run implications.

[...]

Table 3 presents some preliminary results using a number of model specifications that progressively add controls. In the first column, we show that adding the individual-level controls does not significantly change the difference-in-difference estimate from Table 2. Further incorporating region of residence fixed-effects does not have a substantial impact either. However, adding field of degree fixed effects reduces our estimated coefficient by about 13 percent. This may suggest that our estimated impacts are partially driven by changes in college major choices that are unrelated to visa policy. Alternatively, it may also be the case that students respond to visa scarcity by majoring in fields that are more employable in the academic sector. To be most conservative, in the last column, we show results from a model including field-specific time trends; thereby addressing any unobserved time-varying field characteristics that could potentially be driving employment choices, such as field-specific federal grants or state support to universities and research projects. Doing so further reduces the estimate by 22 percent. Overall, the results from the most complete model specification suggest that **the H-1B visa cap raised the employment likelihood of H-1B dependent foreigners in academic and research oriented jobs by 8.6 percentage points (51 percent).**¹¹

[...]

Next, we examine the possibility that, **faced with scarce visa opportunities, immigrants who might otherwise pursue careers within the private sector opt, instead, for jobs within academia where visas are unrestricted.** The NSCG asks respondents whether they are working in a field outside the one in which they earned their highest degree.¹² Therefore, we can easily assess if, following the reinstatement of the visa caps, immigrants working in academia became more likely to be working in a field outside of their degree than their counterparts in the private sector. The last columns of Table 8 show that, while foreign-born graduates in the private sector are much more likely to work outside of their field than those working in academia, those immigrants impacted by the visa restrictions were no more likely to work outside of their field than those who were not impacted if they managed to acquire jobs in the private sector. In contrast, **within academia, immigrants affected by the visa cap were more likely to work outside of their field.** A potential demand side explanation of this result is that academic institutions became less particular when making job offers. However, that seems unlikely given that policy change did not directly affect their ability to hire candidates regardless of country of origin. A more likely explanation is that **high ability job-seekers from H-1B dependent countries became more likely to accept job offers within academia for jobs that were not perfect fits for their level of expertise.** If these candidates were of sufficiently high ability, academic institutions would have been willing to hire them despite their degrees being in different fields.

Mazzucato, LA Times, 2015, <http://www.latimes.com/opinion/op-ed/la-oe-1027-mazzucato-big-pharma-prices-20151027-story.html>

Big Pharma, while of course contributing to innovation, **has increasingly decommitted itself from the high-risk side of research and development**, often **letting** small biotech companies and **the NIH do most of the hard work.** Indeed, roughly **75% of** so-called **new molecular entities with priority rating** (the most innovative drugs) **trace their existence to NIH funding**, while companies spend more on "me too" drugs (slight variations of existing ones.)

ITIF. "University Research Funding: The United States is Behind and Falling." Information Technology & Innovation Foundation. May 2011. Web. 26 Apr. 2018.
<<http://www.itif.org/files/2011-university-research-funding.pdf>>

Research performed outside the private sector is essential to the U.S. innovation system. Even with robust corporate R&D investment, **the private sector alone does not provide the level of innovative activity that society needs, because firms do not capture all of the benefits of innovation.** A plethora of studies have found that the rate of return to society from corporate R&D and innovation activities is at least twice the estimated returns that a company itself receives.¹⁰ For example, Tewksbury, Crandall and Crane examine the rate of return from twenty prominent innovations and find a median private rate of return of 27 percent but a median social rate of return of a whopping 99 percent, almost four times higher.¹¹ Nordhaus estimates that inventors capture just 4 percent of the total social gains from their innovations; the rest spill over to other companies and to society as a whole.¹²

Recently, universities have taken on an even greater role in the American innovation system. Over the last three decades, **many large corporations have shut down or repurposed central research laboratories that used to conduct R&D.** For example, since its founding in 1925, Bell Labs (until 1995, a subsidiary of AT&T) made seminal scientific discoveries, created powerful new technologies, and built the world's most advanced and reliable telecommunications networks. Because so much of these results spilled over to other firms (not just AT&T) and industries, the incentive to perform this kind of foundational, generic research was based on the fact that AT&T had significant market power and was a regulated monopoly. But **with the introduction of competition to the telecommunications industry in the 1980s and 1990s, Bell Labs was restructured to focus more on incremental technology improvements with shorter-term payoffs. This is reflective of an overall shift in corporate R&D, with companies in the United States expanding their investments in laterstage applied research and development much more quickly than their investments in basic, early-stage research.** In other words, **the private sector under-invests in innovation and thus, without public investment, the rates of economic growth, job creation and living standard improvement are all lower than their potential.** The university system, therefore, plays a key role in filling in this gap in order to provide innovation at the social optimum.¹³ From 1991 to 2008, basic research as a share of total corporate R&D funding conducted in the United States fell by 3.2 percentage points, while applied research fell by 3.7 percentage points. In contrast, development's share increased by 6.9 percentage points.¹⁴

This shift to shorter-term, less fundamental R&D risks a shrinking of the knowledge pool from which firms draw the ideas and information necessary to conduct later-stage R&D and to bring innovations to the market. As U.S. companies have shifted their R&D activities upstream, **universities have taken on a larger role in the innovation system. Today, universities perform 56 percent of all basic research,** compared to 38 percent in 1960.¹⁵ Moreover, **universities are increasingly passing on these results to the private sector:** Between 1991 and 2009, the number of patent applications filed by universities increased from 14 per institution to 68 per institution; licensing income increased from \$1.9 million per institution to \$13 million per institution; and **new start-ups formed as a result of university research increased from 212 in 1994 to 685 in 2009.**¹⁶

Overall, **university research has large impacts on U.S. economic growth.** In terms of its impact on product and process development in U.S. firms, **Mansfield finds the social rate of return from investment in academic research to be at least 40 percent.**¹⁷ And a study by the Science Coalition found that **"companies spun out of research universities have a far greater success rate than other companies."**¹⁸ Indeed, university research gave the United States breakthrough companies such as Google, Medtronic and iRobot.

AT Prevents Offshoring

1: Matloff, HuffPo – face to face interaction is key for these large companies so they will never offshore high-skilled labor.

Norm **Matloff**, Contributor, 2-3-20**17**, https://www.huffingtonpost.com/entry/trump-h-1b_us_5890d86ce4b0522c7d3d84af//JY

The industry lobbyists' ace-in-the-hole argument is that if they can't hire more H-1Bs, they'll ship the work overseas. But for projects on which H-1Bs are hired in the U.S., face-to-face interaction (between themselves and their American coworkers) is crucial. That is why employers bring H-1Bs to the U.S. in the first place rather than sending the work abroad, where the wages are even cheaper.

Aside from the reduced wages and reduced job opportunities H-1B and EB inflict on American workers, there is a broader impact that is far worse. We should of course support facilitating the immigration of "the best and the brightest." But research performed at the University of Michigan and Rutgers University, as well as my own work for the Economic Policy Institute, shows that the former foreign students now in the U.S. workforce tend to be weaker than their American peers. On a per capita basis, the former foreign students in computer science file fewer patents, are less likely to work in research and development and have degrees from less selective U.S. universities.

A2 Specific Occupations

AT Doctors (General)

1: Delink: Carroll, NYT, 2016 – the problem is that doctors in America aren't allocated properly, creating shortages in some areas and surpluses in other areas.

2: Delink: Gottlieb, NYT, 2013 – technological advancements in the medical field mean that doctors are needed less, solving back for the shortage they discuss.

3: Delink: Frankel, Huffington Post, 2016 – switching from a J-1 medical training visa to an H-1B isn't counted towards the cap.

4: Turn: Raveesh, International Journal of Humanities – brain drain has killed Indian healthcare as all the trained medical professionals leave. Bhowmick, IndiaSpend, 2012 – 64% shortage of doctors. Baptiste, Nation, 2014 – if the Indian doctors stayed, they'd lobby for public healthcare in India, which is the root cause of Indians dying. Quartz, 2014 – 600 million in India have no healthcare

Aaron E. Carroll. "A Doctor Shortage? Let's Take a Closer Look." *New York Times*. 8 Nov. 2016. Web. 15 Apr. 2018. <<https://www.nytimes.com/2016/11/08/upshot/a-doctor-shortage-lets-take-a-closer-look.html>>

And we fail to recognize that what **we really have is a distribution problem. Parts of this country have lots of doctors, perhaps too many.** These are mostly in cities, especially in cities where it seems desirable to live. The problem is made worse by the ways we reimburse for care. Medicare, for instance, pays more to doctors who live in places that are more expensive. The argument for this is that the cost of living is higher, so reimbursements must be, too. But that also means that doctors can earn more in places where they already might want to live. A result is that **many rural areas, and less popular cities, experience more of a doctor shortage than others.**

Scott **Gottlieb** And Ezekiel J. Emanuel. "Opinion | No, There Won't Be a Doctor Shortage." *New York Times*. 5 Dec. 2013. Web. 15 Apr. 2018. <<https://www.nytimes.com/2013/12/05/opinion/no-there-wont-be-a-doctor-shortage.html>>

Innovations, such as sensors that enable remote monitoring of disease and more timely interventions, can help pre-empt the need for inpatient treatment. Drugs and devices can also obviate the need for more costly treatments. **Minimally invasive procedures, like laparoscopic surgeries, can be done more quickly with faster recovery times and fewer physicians.** An average patient stay in the hospital is about two days or less following a stent but about seven days following a coronary bypass operation. Research on radiation treatments for breast cancer

suggests that 15 treatments can be just as effective as the traditional 30 treatments. Likewise, one larger dose of radiation can be as good at relieving pain from bone metastases as five to 10 separate, smaller treatments. There's every reason to **expect the pace of these timesaving medical innovations to continue.**

Frankel, Judy. "Insourcing: American Lose Jobs to H-1B Visa Workers." Huffington Post. Huffington Post, 26 July 2016. Web. Accessed 18 April 2018. <https://www.huffingtonpost.com/judy-frankel/insourcing-american-lose-_b_11173074.html>

In 2015, the number of visas issued to all immigrants crossing the borders legally was almost 11 million, according to statistics collected at Foreign Service Posts.

Supposedly, the government has set a cap of 85,000 new H-1B's each year for the entire country. But many workers come in using other types of visas such as:

OPT: Optional Practical Training

F-1: student

B-1: business

J-1: exchange visitor

CPT: (Curricular Practical Training) interns who are recruited later

Q: Special Disney-invented visa for workers who are "authentic to the Epcot experience"

Workers then switch to an H-1B. Switches are not recorded as part of the 85,000 cap and there are no checks and balances in place to reign in visa clearances.

The Department of State, who issues worker visas, reports figures for all 16 different types of work-eligible visas, showing that 70 million have been issued since 2007.

When the Government Accountability Office studied the H-1B visa program in 2011, they reported reasons why the numbers of guest workers are impossible to track:

(S **Raveesh**, International Journal of Humanities and Social Science Innovation; 2:5; "Brain Drain: Socio-Economic Impact on Indian

Society"; <https://pdfs.semanticscholar.org/8c12/e36683b9429372ac8329d954c1cc2a176251.pdf>)

IV. PROBLEM OF BRAIN DRAIN IN INDIA

Thus brain drain is a direct loss, of trained experts in many fields, to the under-developed and poor countries. On the other hand, it is a net gain to the advanced countries. According to a UNO report, every year thousands of experts are migrating from backward countries to advanced countries like USA, UK, Canada, Germany etc. The **under-developed countries are spending millions of rupees on the training of these experts. But the advanced countries are utilizing their services without spending any money on their training.** Every year, thousands of highly talented doctors, engineers, scientists and other intellectuals leave India and migrate to foreign countries. They generally go to U.S.A, UK, Canada, West Germany, etc for monetary gains and facilities for higher research.

US is the biggest gainer from the loss of India due to brain drain.

In 2010, India with an estimated stock of 11.4 million emigrants was the second emigration country in the world, behind Mexico (11.9 million)¹. In absolute terms, India is among the countries which lose most highly-skilled workers to foreign markets. In 2000, India was, for example, the first sending country of physicians with 57,383 or 9.9% of the total number of physicians trained in the country going abroad. India and the Philippines supply most foreign-trained doctors and nurses to the OECD, notably to English-speaking countries. **The emigration of health professionals has negative effects on India, especially in rural areas where the density of doctors is lower than in urban areas.** Despite increasing internal demand, **India still has a very low density of doctors (0.6 per thousand people in 2004) compared**

with 3 in the us and 2 in Canada. Compared with other large origin countries, India records higher expatriation rate of doctors: 8%; while the expatriation rate of, say, Chinese doctors is about 1%. This does not prevent, of course, India from having a large and powerful modern health sector; as in other countries, the migration of health professionals may coexist with a dynamic urban sector and the inequitable social distribution of medical resources at the country level.

Most of the students who go abroad for higher studies do not return to India. After seeing, the affluent life of foreign countries they lose all interest in their own country. Many Indians are teaching at various US Universities and other Institutions of higher learning. Some of them are placed on quite lucrative and high posts. There is another attraction of leading a higher standard of living in foreign countries, because the technical experts and intellectuals, are give special facilities there. In foreign countries, there is the advantage that while learning a person can also earn his own living. The stipends in foreign countries are sufficient enough. A frugal Indian Student living there can also save something to send home. There is no doubt that India is having vast natural and man power resources. **If both these resources are put to the maximum utilization astounding advancement can be achieved in all fields. These technical and other talented reasons whom we lose every year, can greatly help in the development of our natural resources.** The government must take speedy steps to attract back home these talented sons of India who are living abroad. These experts can surely help in making India a great power in the world.

Sourjya Bhowmick. "Rural India Faces 60% Shortage of Doctors." IndiaSpend. 5 Oct. 2012. Web. 15 Apr. 2018. <<http://www.indiaspend.com/sectors/rural-india-faces-60-shortage-of-doctors>>

IndiaSpend's Sourjya Bhowmick looks at the [rural health statistics in India](#) (as on 2011), and the situation is worrying in rural health infrastructure as well. While Himachal Pradesh, with the highest rural population density, has the best health infrastructure, Madhya Pradesh has the highest number of health centres without doctors. And **rural India has a shortage of over 12,300 specialist doctors (around 64%), vacancy for 3,880 doctors and a shortfall of 9,814 health centres.**

Nathalie Baptiste. "Brain Drain and the Politics of Immigration." The Nation. 26 Feb. 2014. Web. 19 Apr. 2018. <<https://www.thenation.com/article/brain-drain-and-politics-immigration/>>

In India, home to the [large majority](#) of H-1B visa recipients, many medical students opt to study abroad because of rising costs and limited capacity at their public institutions.

The medical brain drain in India not only reduces the number of doctors available for care, but it also removes the people needed to push for healthcare reforms.

Considered the [most privatized health system](#) in the world, **India's public health system is made up of mainly rural health centers that lack basic infrastructure, medicines and staff. India spends only 0.9 percent of its GDP on healthcare, which promotes a large private healthcare industry that remains**

inaccessible to the poor. The wealthy [can afford to be treated](#) at a state-of-the-art hospital for a stomach ache, while the poor must walk long miles to receive treatment for sicknesses and sometimes discover that the medicine they need is unavailable. The shortage of doctors is staggering: there are [only six doctors](#) for every 10,000 patients. People in need of medical attention may spend days waiting in line for tests or drugs because there are simply [not enough doctors](#) and nurses available to tend to their medical needs.

Quartz. "How India can overcome the doctor shortage and exorbitant costs of healthcare." Quartz. 22 Sept. 2014. Web. 15 Apr. 2018. <<https://qz.com/269392/how-india-can-overcome-the-doctor-shortage-and-exorbitant-costs-of-healthcare/>>

India continues to struggle with providing basic medical care for its citizens. After two decades of strong economic growth, life expectancy in India falls short of most developed and developing

nations; **the infant mortality rate is three times higher than China's and seven times higher than the U.S.**

A primary cause of this national struggle is accessibility. It is estimated that **600 million people in India are with little or no access to healthcare, many of them in rural locations.** The cost of care is also keeping citizens from getting proper treatment, or any treatment at all. Rising private healthcare costs and a lack of quality, affordable alternatives are forcing high out-of-pocket expenses that exacerbate the problem. India's healthcare system has been described as being on "life support," with distinct gaps in equitable access and affordability crossing all regions and communities. Innovation at hospitals and new government programs, though, are showing promise that care will be more freely available and future generations will be leading longer, healthier lives.

AT Doctors (Rural)

1: Delink: USCIS, 2017 – doctors for the Conrad 30 program to help rural areas have premium processing and have an advantage for the quota.

2: Delink: Murthy Law – doctors for the Conrad 30 program don't count towards the H-1B quota.

USCIS. "USCIS to Resume H-1B Premium Processing for Physicians under the Conrad 30 Waiver Program." USCIS. 23 June 2017. Web. 15 Apr. 2018. <<https://www.uscis.gov/news/news-releases/uscis-resume-h-1b-premium-processing-physicians-under-conrad-30-waiver-program>>

U.S. Citizenship and Immigration Services announced today that starting Monday, June 26, the agency will resume premium processing for all H-1B petitions filed for medical doctors under the [Conrad 30 Waiver program](#), as well as [interested government agency](#) waivers. **The Conrad 30 program allows certain medical doctors to stay in the United States on a temporary visa after completing their medical training to work in rural and urban areas that have shortage of physicians.**

"This program improves health care access for Americans living in underserved areas, and we are pleased to resume premium processing for these petitions," said USCIS Acting Director James McCament.

Murthy Law Firm. "H1B Cap Exemptions for Physicians - Murthy Law Firm | U.S Immigration Law." Murthy Law Firm | U.S Immigration Law. 25 Jan. 2018. Web. 15 Apr. 2018. <<https://www.murthy.com/2018/01/25/h1b-cap-exemptions-for-physicians/>>

Physicians who do not wish to comply with the two-year HRR may be able to obtain waivers forgiving the requirement. Such J-1 physicians are not eligible for the most common waiver of the HRR – a waiver based on no objection by the home country government. **They typically, therefore, utilize an interested government agency (IGA) waiver, such as the Conrad 30 waiver program.**

Most IGA waivers, including the Conrad 30 program, permit J-1 physicians to receive waivers of the HRR if they agree to practice for three years in a geographic area in the United States that is medically underserved. If the physician obtains a waiver to the HRR based on completion of the three-year service requirement, **that individual becomes permanently exempt from the H1B cap.**

AT Teachers

1: Delink: Ujifasa, Edweek, 2018 – Trump is cutting education spending right now. Problematically, Willmsen, Seattle Times, 2009 – when education spending cuts occur, schools hire the teachers that have gotten fired from other schools, not H-1B teachers.

2: Turn: Genzer, Marketplace, 2013 – teachers are forced into contracts by recruiting companies used by school districts where they have to pay salaries back to come to America, creating cycles of financial instability because they don't even make much to begin with.

Ujifasa, Andrew. "Trump Seeks to Cut Education Budget by 5 Percent, Expand School Choice Push." Edweek. Edweek, 12 February 2018. Web. Accessed 11 April 2018.

http://blogs.edweek.org/edweek/campaign-k-12/2018/02/trump_education_budget_2019_5_percent_cut_school_choice_push.html

President Donald Trump is seeking a roughly 5 percent cut to the U.S. Department of Education's budget for fiscal 2019 in a proposal that also mirrors his spending plan from last year by seeking to eliminate a major teacher-focused grant and to expand school choice.

Trump's proposed budget, released Monday, would provide the Education Department with \$63.2 billion in discretionary aid, a \$3.6 billion cut—or 5.3 percent— from current spending levels, for the budget year starting Oct. 1. That's actually less of a cut than what the president sought for fiscal 2018, when he proposed slashing \$9.2 billion—or 13.5 percent—from the department.

In order to achieve those proposed spending cuts, the president copied two major education cuts he proposed last year: the elimination of Title II teacher grants and the 21st Century Community Learning Centers. Those two cuts combined would come to about \$3.1 billion from current levels. Overall, 39 discretionary programs would be cut, eliminated, or "streamlined."

"Decades of investments and billions of dollars in spending have shown that an increase in funding does not guarantee high-quality education," the Office of Management and Budget states in the budget document. "While the budget reduces the overall federal role in education, the budget makes strategic investments to support and empower families and improve access to postsecondary education, ensuring a future of prosperity for all Americans."

Willmsen, Christine and Lornet Turnbull. "Washington Public Schools Hire Some Foreign Teachers by Using H-1B Visas." Seattle Times. The Seattle Times, 28 June 2009. Web. Accessed 11 April 2018. <https://www.seattletimes.com/seattle-news/washington-public-schools-hire-some-foreign-teachers-by-using-h-1b-visas/>

Schools have had mixed results with the visa workers. Some districts have not renewed the visas for certain teachers, while others decided to keep these workers long-term by helping them get permanent residency with employer-sponsored green cards.

Faced with laying off hundreds of teachers and staff this summer, Washington public-school officials may find it harder to support hiring new foreign workers.

Lori Simmons, employment director for Federal Way Public Schools, said "in this kind of climate" she doubted her district would hire an H-1B teacher.

"Districts all up and down the I-5 corridor are laying off teachers, and so we have experienced teachers looking for jobs," she said. Each year, the U.S. government issues at least 85,000 visas to foreign professional workers who have at least a four-year degree. The process begins with an employer petitioning on a worker's behalf for a visa, which is valid for three years and can be renewed for

another three. Ultimately, most workers hope an employer will sponsor them for the coveted green card that allows them to work permanently in the U.S.

Obtaining the temporary work visas may be more difficult before long. At a time when so many people are out of work, members of Congress have introduced a bill that would force employers to seek out U.S. residents first before employing H-1B workers.

Due to limited budgets, school districts such as Seattle and Federal Way recruit teachers and recent college graduates with teaching degrees from within the state. Other districts send recruiters to job fairs across the country.

Marshall-Genzer, Nancy. "H-1B Visa Dream a Nightmare for Some Foreign Teachers."

Marketplace. Marketplace, 1 July 2013. Web. Accessed 11 April 2018.

<<https://www.marketplace.org/2013/07/01/economy/h-1b-visa-dream-nightmare-some-foreign-teachers>>

The immigration [reform bill that passed the Senate](#) would almost double the number of H-1B visas. These temporary work visas allow employers to hire foreigners for jobs they say are hard to fill, like tech jobs and positions teaching math and science. But the visas aren't a magic bullet and can be a nightmare for workers like Ingrid Cruz.

Cruz teaches robotics in East Baton Rouge, Louisiana. She was teacher of the year in 2010, and again this year. Cruz is from the Philippines and came to the U.S. on an H-1B visa. She makes teaching teens look effortless. But her start in East Baton Rouge in 2007 was anything but easy.

"Every day, every day my first year as soon as the bell rings and the students step out, I'd be in my closet crying," she says.

Crying over all the money she lost coming to the U.S. Cruz got her Louisiana teaching job through a Filipino recruiting agency hired by the school district. The recruiters charged a fee for every step in the process. Cruz says she ended up paying them \$12,000 to \$15,000 -- including 20 percent of her first year's salary.

"I'm here, working very hard and struggling with the adjustment and somebody else is getting my money," Cruz thought.

Foreign teachers working in other parts of the U.S. have had similar problems. Arnedo Valera is an immigration lawyer. He helped some Filipino teachers in Prince George's County, Maryland. Valera says the agency that recruited those teachers charged all kinds of fees.

"There are instances where the recruitment company gets a fee from the school and, at the same time, collects money from the employee," he says.

The teachers ended up paying federal immigration fees and attorneys fees. Valera says the employer is supposed to cover those expenses. But the school districts say the law isn't clear.

AT Renewables

1: Union of Concerned Scientists, 2017 – biggest barrier to renewables is the cost of building technology, not a lack of skilled labor.

2: Union of Concerned Scientists, 2017 – renewables are at a disadvantage because of the government, creating an alternative barrier to success.

“Barriers to Renewable Energy Technologies.” Union of Concerned Scientists, 20 December 2017. <https://www.ucsusa.org/clean-energy/renewable-energy/barriers-to-renewable-energy#.WuNwm4jwZPY>

The most obvious and widely publicized barrier to renewable energy is cost—specifically, capital costs, or the upfront expense of building and installing solar and wind farms. Like most renewables, solar and wind are exceedingly cheap to operate—their “fuel” is free, and maintenance is minimal—so **the bulk of the expense comes from building the technology. The average cost in 2017 to install solar systems ranged from a little over \$2,000 per kilowatt** (kilowatts are a measure of power capacity) **for large-scale systems to almost \$3,700 for residential systems. A new natural gas plant might have costs around \$1,000/kW.** Wind comes in around \$1,200 to \$1,700/kw. **Higher construction costs might make financial institutions more likely to perceive renewables as risky**, lending money at higher rates and making it harder for utilities or developers to justify the investment. For natural gas and other fossil fuel power plants, the cost of fuel may be passed onto the consumer, lowering the risk associated with the initial investment (though increasing the risk of erratic electric bills).

“Barriers to Renewable Energy Technologies.” Union of Concerned Scientists, 20 December 2017. <https://www.ucsusa.org/clean-energy/renewable-energy/barriers-to-renewable-energy#.WuNwm4jwZPY>

You don’t tend to see multi-billion dollar industries without also seeing outsized political influence—and the fossil fuel industry is no exception. Oil Change International estimates that **the United States spends \$37.5 billion on subsidies for fossil fuels every year.** Through direct subsidies, tax breaks, and other incentives and loopholes, **US taxpayers help fund the industry’s research and development, mining, drilling, and electricity generation.** While **subsidies** have likely increased domestic production, they’ve also diverted capital from more productive activities (such as energy efficiency) and **constrained the growth of renewable energy** (solar and wind **enjoy fewer subsidies and, generally, receive much less preferential political treatment**). For decades, the fossil fuel industry has used its influence to spread false or misleading information about climate change—a strong motivation for choosing low-carbon energy sources like wind or solar (in addition to the economic reasons). Industry leaders knew about the risks of global warming as early as the 1970s, but recognized that dealing with global warming meant using fewer fossil fuels. They went on to finance—and continue to fund—climate disinformation campaigns, aimed at sowing doubt about climate change and renewable energy. Their efforts were successful. Despite widespread scientific consensus, climate action is now a partisan issue in the US congress, complicating efforts to move from fossil fuels to clean energy. The disconnect between science and policy means that the price we pay for coal and gas isn’t representative of the true cost of fossil fuels (ie, it doesn’t reflect the enormous costs of global warming and other externalities). This in turn means that **renewables aren’t entering an equal playing field: they’re competing with industries that we subsidize both directly (via government incentives) and indirectly (by not punishing polluters).**

<https://www.forbes.com/sites/jamesconca/2017/05/30/why-do-federal-subsidies-make-renewable-energy-so-costly/#6c67a572128c>

[Subsidies] actually increase the cost. However, **this cost is transferred from the ratepayer to the taxpayer, and so goes unnoticed by most Americans.** Using the per-kWh subsidy numbers from EIA and UT in the figure above, **each kWh of solar produced in 2010 [cost] received 88¢, more than ten times the actual cost of any other energy source.** These subsidies have to be added to the retail cost of that energy to determine total costs since that's what was actually spent to produce it. **So in 2010 and 2011, solar cost about 100¢ per kWh, and in 2013 and 2014, solar cost about 80¢ per kWh.** Even after the ARRA funds were depleted after 2013, the cost of solar is still double what is usually given as its cost. **For comparison, nuclear energy cost between 4¢ and 5¢ per kWh to produce over this time period.** Remember, though, the cost to produce energy is not the same as the price charged for it. Price is set by the region and the market, and has add-ons for transmission, grid maintenance and other non-production costs. Subsidies decrease the price while increasing the cost. Although wind received more total subsidies, wind received much less subsidies per kWh produced than solar as it produced much more energy. However, it is nonetheless significant for 2010 and 2013 and about 50 times that of nuclear and fossil fuels, allowing wholesale prices for wind and solar to become negative, unfairly undercutting nuclear, hydro and coal prices. These **subsidies for wind and solar will likely continue under the Trump Administration. Red States receive more of these subsidies than Blue States, so Congress is unlikely to kill them.** In fact, in 2015 Congress extended the renewable tax credits to 2021.

A2 Helps Other Countries

AT Brain Gain

- 1: Delink: Bhattacharya, Quartz, 2018 – they'll just go to other countries, nonuniquing the impact.
- 2: Delink: Ali – when H-1B workers' visas expire, they go to other developed countries like Australia, not back to their home country. That's why Torres, 2010 – only 1,000 go back to India each year while 45,000 leave. Ultimately, Breinbauer, FIW, 2007 – effects of Brain Circulation are super limited and can rarely be observed.
- 3: Turn: Baptiste, Nation, 2014 – creates a cycle where people leave, leaving India with a lack of infrastructure and a poor tax base, driving others to leave as well.
- 4: Turn: Raveesh, International Journal of Humanities – brain drain has killed Indian healthcare as all the trained medical professionals leave. Bhowmick, IndiaSpend, 2012 – 64% shortage of doctors. Baptiste, Nation, 2014 – if the Indian doctors stayed, they'd lobby for public healthcare in India, which is the root cause of Indians dying. Quartz, 2014 – 600 million in India have no healthcare. Brain Gain doesn't apply because India needs reform to bring healthcare to other areas, not technology which the cities already have.

Ananya Bhattacharya. "Indian techies look to Canada as the American Dream turns into an H-1B nightmare." Quartz. 27 Feb. 2018. Web. 18 Apr. 2018. <<https://qz.com/1215625/the-h-1b-nightmare-has-turned-indian-techies-onto-the-canadian-dream/>>

"Look, these are talented and in-demand people. **If they decide the US isn't a welcoming place, they'll go to Canada, China, or Europe instead.**" Richard Burke, CEO of global immigration management platform Envoy, told Quartz. "**Talent is mobile,** and US lawmakers need to understand that this country isn't the only option for the world's skilled workforce."

[...]

"**Canada's** flexible immigration policies, cultural diversity, democratic values, career opportunities, and large communities of the Indian diaspora **lure** **thousands of Indians to apply for a permanent residency visa.**" Poorvi Chothani, managing partner at immigration law firm LawQuest, said. **The cost of living in Canadian cities is also comparatively more affordable** than Silicon Valley and perks like free healthcare are a big draw.

Syed Ali. "Migration, Incorporation, and Change in an Interconnected World." Google Books. n.d. Web. 23 Apr. 2018. <https://books.google.com/books/about/Migration_Incorporation_and_Change_in_an.html?id=PnwcBgAAQBAJ>

Even though Xiang conducted his research among Indian computer programmers in Australia, thoughts of America loomed large. (Remember our discussion of culture of migration in Chapter 1?) Most of his contacts in Australia either had gone to, or wished to go to the United States, which today, like a century ago, is still the numerically most popular migrant destination. To get to the United States, many workers took circuitous routes, often going to the Persian Gulf, South Africa, Singapore, Malaysia, or Canada to then try their luck to get an H1-B to the United States with the eventual hope of the golden ticket, the prized American green card. **Many who had gone to the United States returned to Australia when they realized their H1-B visas would not easily convert to a green card, and it was much easier to get permanent residency in Australia.** For these Indians, being an expatriate was fine, but being a migrant with permanent residency was much better. Expatriate status, that is, working on a temporary visa, means you will have to go back to live in India at some point. Permanent residency (with the eventual likelihood of citizenship, if one so chooses) on the other hand means you don't have to go back, and if you do, you do so on your own time frame and your own terms.

Torres, M.A and Wittchen, U. (2010). Brain Drain across the Globe: Country Case Studies.

India experienced for decades the loss of the cream of the country's management and engineering talents. The UN Development Programme report of 2001 estimated that 100,000 Indian professionals left the country every year to take up jobs in the United States (UNDP, 2001). What is particularly striking is the rapid tenfold growth of H1-B visa holders coming from India to the US in the 1989–99 period. The increased stock of Indian H1-B visa holders is particularly spectacular in the ICT sector. At the end of the 1990s, the **USA contained around 30% of the Indian software labour force.** Many of these workers had been educated in Indian institutions, subsidized with public money, but then drained to the US due to lack of suitable opportunities and working conditions at home. In 2000, **while more than 45,000 highly qualified Indians depart India each year, it happened that some 1,500 returned from the United States.** There were numerous media communications describing enthusiastically successful returns of Indian entrepreneurs from the United States, who established subsidiaries or even entire companies in India, but **the statistics revealed that only a small portion of the skilled migrants actually returned** at the very beginning of twenty-first century. However, majority of the Indian diaspora maintained remote links, becoming drivers of knowledge and capital flows to India. The Indian government has contributed to the emergence of these links through legislative and tax rules that encourage remittances and investment from Indians residing abroad.

Andreas Breinbauer. "Brain Drain - Brain Circulation or... What Else Happens or Should Happen to the Brains Some Aspects of Qualified Person Mobility/Migration." FIW. June 2007. Web. 22 Apr. 2018. <file:///Users/rjiang16/Downloads/Brain_Drain_-_Brain_Circulation_or_What_Else_Happe.pdf>

Reflecting on the literature and the poor statistical data, we can state that most of the postcommunist countries, especially in SEE, are in the migration transition phases 1 and maybe 2 (see above). **Brain Circulation in the sense that HQ who have spent some years abroad then return can rarely be observed.** To outline the movements in detail, much more research needs to be done on different forms of HQ mobility, concerning both the statistical data supply and the theoretical background. Unless one exactly understands what actually happens with the Brains, one cannot delineate suitable policy measures, what should happen with the Brains. At any rate, it must be taken into consideration with regard to the R&D sector that not only the quantity but also the quality of the migrants matters. If all above conditions are reasonably fulfilled, **the pull factors such as higher salaries, better working conditions, better opportunities to develop and – in research – the attractiveness of the centers of excellence are striking.** In the case of South East Europe, further differentiation between nations and regions has to be done. **Some initiatives to alleviate Brain Drain have been undertaken** in the past few years, with hopeful prospects. It seems clear, however, that **all strategies to regain the talents or profit from their knowledge and experience will fail if** human rights, democracy, **economic and political development do not ameliorate at home.** Without increased awareness among the decision-makers, even the least cost-intensive possibility of profiting from the intellectuals abroad – the diaspora option – will fail.

(S **Raveesh**, International Journal of Humanities and Social Science Innovation; 2:5; "Brain Drain: Socio-Economic Impact on Indian

Society”; <https://pdfs.semanticscholar.org/8c12/e36683b9429372ac8329d954c1cc2a176251.pdf>)

IV. PROBLEM OF BRAIN DRAIN IN INDIA

Thus brain drain is a direct loss, of trained experts in many fields, to the under-developed and poor countries. On the other hand, it is a net gain to the advanced countries. According to a UNO report, every year thousands of experts are migrating from backward countries to advanced countries like USA, UK, Canada, Germany etc. The **under-developed countries are spending millions of rupees on the training of these experts. But the advanced countries are utilizing their services without spending any money on their training.** Every year, thousands of highly talented doctors, engineers, scientists and other intellectuals leave India and migrate to foreign countries. They generally go to U.S.A, UK, Canada, West Germany, etc for monetary gains and facilities for higher research.

US is the biggest gainer from the loss of India due to brain drain.

In 2010, India with an estimated stock of 11.4 million emigrants was the second emigration country in the world, behind Mexico (11.9 million)¹. In absolute terms, India is among the countries which lose most highly-skilled workers to foreign markets. In 2000, India was, for example, the first sending country of physicians with 57,383 or 9.9% of the total number of physicians trained in the country going abroad. India and the Philippines supply most foreign-trained doctors and nurses to the OECD, notably to English-speaking countries. **The emigration of health professionals has negative effects on India, especially in rural areas where the density of doctors is lower than in urban areas.** Despite increasing internal demand, **India still has a very low density of doctors (0.6 per thousand people in 2004) compared with 3 in the us** and 2 in Canada. Compared with other large origin countries, India records higher expatriation rate of doctors: 8%; while the expatriation rate of, say, Chinese doctors is about 1%. This does not prevent, of course, India from having a large and powerful modern health sector; as in other countries, the migration of health professionals may coexist with a dynamic urban sector and the inequitable social distribution of medical resources at the country level.

Most of the students who go abroad for higher studies do not return to India. After seeing, the affluent life of foreign countries they lose all interest in their own country. Many Indians are teaching at various US Universities and other Institutions of higher learning. Some of them are placed on quite lucrative and high posts. There is another attraction of leading a higher standard of living in foreign countries, because the technical experts and intellectuals, are give special facilities there. In foreign countries, there is the advantage that while learning a person can also earn his own living. The stipends in foreign countries are sufficient enough. A frugal Indian Student living there can also save something to send home. There is no doubt that India is having vast natural and man power resources. **If both these resources are put to the maximum utilization astounding advancement can be achieved in all fields. These technical and other talented reasons whom we lose every year, can greatly help in the development of our natural resources.** The government must take speedy steps to attract back home these talented sons of India who are living abroad. These experts can surely help in making India a great power in the world.

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Nathalie Baptiste. "Brain Drain and the Politics of Immigration." The Nation. 26 Feb. 2014. Web. 19 Apr. 2018. <<https://www.thenation.com/article/brain-drain-and-politics-immigration/>>

In India, home to the [large majority](#) of H-1B visa recipients, many medical students opt to study abroad because of rising costs and limited capacity at their public institutions.

The medical brain drain in India not only reduces the number of doctors available for care, but it also removes [the people needed](#) to push for healthcare reforms.

Considered the [most privatized health system](#) in the world, **India's public health system is made up of mainly rural health centers that lack basic infrastructure, medicines and staff. India spends only 0.9 percent of its GDP on healthcare, which promotes a large private healthcare industry that [remains](#)**

inaccessible to the poor. The wealthy [can afford to be treated](#) at a state-of-the-art hospital for a stomach ache, while the poor must walk long miles to receive treatment for sicknesses and sometimes discover that the medicine they need is unavailable. The shortage of doctors is staggering: there are [only six doctors](#) for every 10,000 patients. People in need of medical attention may spend days waiting in line for tests or drugs because there are simply [not enough doctors](#) and nurses available to tend to their medical needs.

Quartz. "How India can overcome the doctor shortage and exorbitant costs of healthcare."

Quartz. 22 Sept. 2014. Web. 15 Apr. 2018. <<https://qz.com/269392/how-india-can-overcome-the-doctor-shortage-and-exorbitant-costs-of-healthcare/>>

India continues to struggle with providing basic medical care for its citizens. After two decades of strong economic growth, life expectancy in India falls short of most developed and developing nations; **the infant mortality rate is three times higher than China's and seven times higher than the U.S.**

A primary cause of this national struggle is accessibility. It is estimated that **600 million people in India are with little or no access to healthcare, many of them in rural locations.** The cost of care is also keeping citizens from getting proper treatment, or any treatment at all. Rising private healthcare costs and a lack of quality, affordable alternatives are forcing high out-of-pocket expenses that exacerbate the problem. India's healthcare system has been described as being on "[life support](#)," with distinct gaps in equitable access and affordability crossing all regions and communities. Innovation at hospitals and new government programs, though, are showing promise that care will be more freely available and future generations will be leading longer, healthier lives.

AT Remittances

- 1: Delink: Bhattacharya, Quartz, 2018 – they'll just go to other countries, nonuniquing the impact.
- 2: Turn: Morales, UMich, 2017 – only send 4% of money back. Comparatively, all their money would be in India's economy if they stayed.
- 3: Turn: Tumbe, India Institute of Management, 2011 – remittances only go to wealthy individuals who were able to fund their children through higher education, which A. means they don't help those who actually need money and B. only perpetuate income inequality.
- 4: Turn: Economist, 2014 – influx of foreign currency enters country, driving up money supply and raising prices of goods. Nisar, Zagreb International Review, 2013 – 1% increase in remittances increases inflation by 0.78%. Kakwani, University of New South Wales, 2007 – 1% increase in prices increases the number of people in poverty by 1.44%. This is because Talukdar, Texas Tech, 2012 – forced to spend more on basic needs like food.
- 5: Turn: European University Institute, 2013 – remittances mean the government decreases social spending for those individuals because they think the remittances will lift them out of poverty, quantifying that receiving remittances decreases public spending by 18%.

Ananya Bhattacharya. "Indian techies look to Canada as the American Dream turns into an H-1B nightmare." Quartz. 27 Feb. 2018. Web. 18 Apr. 2018. <<https://qz.com/1215625/the-h-1b-nightmare-has-turned-indian-techies-onto-the-canadian-dream/>>

"Look, these are talented and in-demand people. **If they decide the US isn't a welcoming place, they'll go to Canada, China, or Europe instead.**" Richard Burke, CEO of global immigration management platform Envoy, told Quartz. **"Talent is mobile,** and US lawmakers need to understand that this country isn't the only option for the world's skilled workforce."

[...]

"Canada's flexible immigration policies, cultural diversity, democratic values, career opportunities, and large communities of the Indian diaspora **lure thousands of Indians to apply for a permanent residency visa,**" Poorvi Chothani, managing partner at immigration law firm LawQuest, said. **The cost of living in Canadian cities is also comparatively more affordable** than Silicon Valley and perks like free healthcare are a big draw.

Nicolas Morales. "The IT Boom and Other Unintended Consequences of Chasing the American Dream." University of Michigan. Apr. 2017. Web. 18 Apr. 2018.

<http://conference.iza.org/conference_files/AMM_2017/morales_n25089.pdf>

We use the World Bank's bilateral remittance flows data for 2010 **to get a measure of the total remittance flows between the US and India**. As this data does not tell us remittances by occupation group, we use data from the American Communities Survey to estimate what fraction of the total wage bill of Indian migrants accrues to Indian CS migrants. With the help of this rescaling we can roughly estimate **the fraction of income remitted**, which **is 3.82% in 2010**.

Chinmay Tumble. "Remittances in India." India Institute of Management Bangalore. 2011. Web. 22 Apr. 2018.

<https://iimb.ac.in/research/sites/default/files/Chinmay%20Tumble_Remittances%20in%20India%20Facts%20and%20Issues.pdf>

Migrants' remittances, an age old phenomenon, have assumed great importance over the last decade in development studies. With increasing international and internal migration, they are considered to be an 'important and stable source of external development finance' for households in source regions (Ratha 2003), reducing transient poverty and at times even structural poverty (Kapur 2004). At the same time, **remittances** can also lead to financial dependency, divert attention from productive investments and due to the self-selection nature of migration, **increase inequality in source regions**.

Chinmay Tumble. "Remittances in India." India Institute of Management Bangalore. 2011. Web. 22 Apr. 2018.

<https://iimb.ac.in/research/sites/default/files/Chinmay%20Tumble_Remittances%20in%20India%20Facts%20and%20Issues.pdf>

This paper attempts to address that gap. The estimates are important for a number of reasons. First, it shows the extent to which some States are dependent on remittances. For example, we show that while the Indian economy on the whole is not dependent on international remittances, Kerala, Punjab and Goa are among the most remittance-dependent economies of 4 the world. Second, **it enables calculation of the share of remittances that flow to certain States or certain type of households**. We show that **the top 25% of households receive nearly 50% of the domestic remittances**. Third, though domestic remittances are an integral part of the campaign to enhance 'financial inclusion,' limited information has restricted discussion on the same. In this paper, we estimate the domestic remittance market to be around \$ 10 billion of which less than 30% is covered by formal sector remitters as against 75% in China.

Javed Iqbal. "The Nexus between Foreign Remittances and Inflation." Pakistan Journal of Social Sciences. 2013. Web. 15 Apr. 2018.

<<https://pdfs.semanticscholar.org/f88d/adf7fe70189d0305f6d7fcd3380120b6ad70.pdf>>

This increase in the remittances is expected to have multitude of effects in the economy. Since remittances bring an increase in personal income, improving the living standard of the recipients, eventually increasing the demand for consumption goods, and thus boosting up the economic activity and demand for money. (Cáceres and Saca, 2006) in this way remittances has an indirect effect on the macroeconomic variables like inflation. **The**

increase in the consumption pattern with **no increase in the real economic growth** of the recipient country lifts up the prices of the commodities, causing upward pressure on the inflation rate.

Anum Nisar. "An Analysis of Relationship between Remittances and Inflation in Pakistan." Zagreb International Review of Economics & Business. 2013. Web. 15 Apr. 2018. <file:///Users/rjiang16/Downloads/02_Nisar.pdf>

The results suggest that 1 percent increase in remittance will cause 0.78 percent increase in overall inflation. The magnitude of this effect of remittances is highest for food inflation (0.84)

and lowest for housing and construction inflation (0.64). This is because most of the migrant households belong to low or lower middle income brackets. This class in majority of the cases is the victim of malnutrition. With the increase in family income through the inflow of remittances these households immediately increase their expenditures on food. Once the basic needs are satisfied people strive to improve their standard of living. After the attainment of a reasonable standard of living people are interested in investing in real estate. Thus the demand for housing increases and consequently the price level increases (Balderas & Hiriyana (2005)). The coefficient is significant at 1 percent level of significance in all models. The results indicate that overall inflation, food inflation and footwear & textile inflation have shown approximately same magnitude of change in response to 1 percent increase in money supply .i.e. 0.40 percent. However, housing and construction inflation is relatively less responsive to changes in money supply as 1 percent increase in money supply causes housing inflation to increase by 0.30 percent. All coefficients are significant at 1 percent level of significance showing the strength of relationship between money supply and different categories of inflation. This result is in accordance with the findings of Qayyum (2006), Kemal (2006) and Grauwe & Magdalena (2005). Qayyum (2006) reported in his study that there is a positive association between money growth and inflation. Kemal (2006) reinforced the findings of Qayyum (2006) and reported that inflation is a monetary phenomenon in Pakistan. The effect of money supply is positive and is highest on food inflation and is lowest on housing and construction inflation because in this case the mechanism of transmission is indirect and involves the role of interest rate.

Nanak Kakwani. "Measuring the impact of price changes on poverty." University of New South Wales School of Economics. 10 September 2007. Web. 15 Apr. 2018. <file:///Users/rjiang16/Downloads/son2008.pdf>

First, we calculated the price elasticity of poverty for the three FGT poverty measures, i.e. the head-count ratio, the poverty gap ratio and the severity of poverty. We obtained estimates for all the 51 commodity groups but present the aggregated estimates for only seven broad categories of consumption in Table 1. Table 1 also shows the estimates of pro-poor price index. For instance, the price elasticity of food for the head-count ratio is 0.42, suggesting that if food prices increase by 1%, the head-count ratio will increase by 0.42%. Similarly, if non-food prices increase by 1%, the head-count poverty measure will increase by 1.02%. **If all prices increase by 1%, the rise in the head-count ratio will be 1.44%.**

Shahidur Talukdar. "The Effect of Inflation on Poverty in Developing Countries." Texas Tech University. Aug. 2012. Web. 15 Apr. 2018. <<https://ttu-ir.tdl.org/ttu-ir/bitstream/handle/2346/46939/TALUKDAR-THESIS.pdf?sequence=1>>

Cardoso (1992) studied the effect of inflation on poverty between 1970 and 1990 in the Latin American countries. She argued that **Inflation increases poverty in two ways.** First, **the inflation tax can reduce disposable real income.** Second, if nominal **wages increase less than the price of goods consumed by wage earners, workers' real income will decline.** She found evidence that in Latin America, inflation affected the poor through inflation tax but the effect was very small. Higher rates of inflation had resulted in higher inflation taxes but unless the inflation was extremely high (above 100%) this increase in inflation tax was less than 1%. However, she showed that the **main effect of inflation on poverty was manifested through real wages.** She found that accelerating inflation reduces real wages and increases poverty. According to her results, **real wages fall by 14 percent when inflation doubles.**

The Economist. "What Dutch disease is, and why it's bad." The Economist. 5 Nov. 2014. Web. 17 Apr. 2018. <<https://www.economist.com/blogs/economist-explains/2014/11/economist-explains-2>>

Since that article, economists have proposed other Dutch-disease effects. A well-known paper, published five years later, identified other means by which commodity booms cause economic trouble. Let us assume that a country's currency is fixed. **Extra foreign currency enters the country, is converted into local currency, and is spent on goods that cannot be traded across borders** (construction, certain services and so forth). As **foreign currency is changed into local currency, the money supply rises: extra domestic demand pushes up domestic prices**. That, in the jargon, results in an appreciation of the "real" exchange rate: **a unit of foreign currency now buys fewer services in the domestic economy than it did before**. The country loses competitiveness.

European University Institute. "The Development and Side Effects of Remittances in the CIS Countries and Georgia: The Case of Georgia." CARIM East. 2013. Web. 17 Apr. 2018. <<http://www.carim-east.eu/media/CARIM-East-RR-2013-29.pdf>>

Remittances may create a "public moral hazard" because recipient households are able to resolve their immediate problems, at least partially, with the help of transferred resources, **which in turn encourages the state to divert its attention to other priorities**. It has been shown that in a poorly governed countries remittances have a negative impact on public spending for education and health (Hubert Ebeke, 2012). It is not possible to observe directly whether or not a "public moral hazard" exists in Georgia because we are not able to observe how government would have behaved in the absence of remittances. We can, though, still speculate on possible links.

[...]

As with most of this report, on the basis of available evidence only associative conclusions can be made on the links between remittances and "public moral hazard." Figure 19 shows that **there is a moderate but negative correlation between the levels of remittance recipients and the levels of social assistance beneficiaries** across the Georgian regions. The correlative analysis also suggests that the higher number of TSA recipients is associated with the lower GDP per capita rates in the listed regions, but the share of remittance recipients is not significantly linked to per capita economic output in these territorial units. This might suggest that **remittances serve as a social safety net for those individuals who are not the poorest but who would be in need of targeted social assistance without remittances**. On the other hand, micro-level data in table 5 shows how receiving remittance relates to the probability of receiving public benefits in Georgia. Linear probability models control for age, gender, education and the employment status of respondents, while independent variables is respondents' households receiving government benefits. **As can be seen, the association between the two is negative in all types of settlements**, but this relationship reaches statistical significance only when remittances constitute the prime source of household income. This effect is particularly strong in Tbilisi where **remittances reduce the chances of receiving public benefits by 18 percent**. Table 5 also presents regression coefficients which exclude retirement-age population, thus isolating the effect of old-age pensions. Although the statistical significance of the results decrease, the direction of the relationship persists: **having remittances in a household mean that it is less like that the household will receive public benefits**. This is again particularly true for Tbilisi.

A2 Other Visas

AT L-1 Visas

1: Delink: Murthy Law, 2012 – L-1s had to have worked for the company abroad for 3 years.

2: Mitigate: Doran, NBER, 2014 – only 15% of L-1s could replace an H-1B worker.

3: Turn: Goodsell, Brigham Young University, 2007 – body shopping is illegal under L-1s.

Murthy, 20 Feb 2012, "", <https://www.murthy.com/2012/02/20/l-1-h1b-visas-a-comparison/>

L-1 Available Only to Multinational Companies **There are a number of differences between the L-1 and H1B visa programs. An L-1 must be an intra-company transferee. This is defined as an employee who worked with the company abroad for one continuous year in the last three years.** If the company is not multinational, or the individual has not worked for the company abroad, this option is eliminated. Some U.S.-based companies considering opening foreign branches may benefit sufficiently from the ability to use the L-1 once the foreign branch becomes a viable option. The same holds true for foreign companies considering establishing operations in the United States.

Doran, Nov 14., <http://www.nber.org/papers/w20668.pdf> // ASC

If a firm is denied an H-1B, it has a number of alternatives to hiring no one. Other than hiring U.S. citizens or permanent residents, firms can hire foreigners on other visas, including L-1 temporary work visas, Optional Practical Training (OPT) extensions of F-1 student visas, or H-1Bs not subject to the cap. L-1s allow multinational firms to bring a worker at a foreign branch to the U.S. temporarily. **Visa lottery losers would likely not resort to bringing the same worker to the U.S. on an L-1, since a firm would have typically applied for an L-1 rather than an H-1B if the L-1 were feasible (as the L-1 is typically considered more advantageous to the firm than the H-1B). Only 15 percent of lottery participants are multinationals, further limiting the importance of the L-1 in our context.** In FY2006 and FY2007, OPT extensions allowed F-1s to extend their stays in the U.S. for only 12 months, also limiting the degree of substitutability with an H-1B.

Todd Goodsell. "On the Continued Need for H-1B Reform: A Partial, Statutory Suggestion to Protect Foreign and U.S. Workers." Brigham Young University. 1 Mar. 2007. Web. 26 Apr. 2018. <https://digitalcommons.law.byu.edu/cgi/viewcontent.cgi?article=1380&context=jpl>

The H-1B visa is just one component of the United States' immigration policy. Recently, **Congress voted to reform** a similar scheme, **the L-1 visa program**.¹¹² The L-1 visa shares much in common with the H-1B visa, both good and bad. Because of the many parallels between the two visa programs, the statutory solution to L-1 bodyshopping also provides an ideal model for reforming the current H1B system. The L-category visa has existed since the 1970s, when the Immigration and Nationality Act was amended, but it was overhauled by the Immigration Act of 1990,¹¹³ the same act that created the H-1B visa.¹¹⁴ The visa differs from the H-1B, in that the L-1 requires the visa applicant to be a current employee of the sponsoring company.¹¹⁵ The L1 visa allows a foreign worker employed by an overseas company to enter the country for one year, "in order to continue to render his services to the same employer or a subsidiary or affiliate thereof in a capacity that is managerial, executive, or involves specialized knowledge."¹¹⁶ An H1B applicant, in contrast, is hired by the sponsoring company to work in the U.S. once the visa has been approved.¹¹⁷ Like the H-1B visa, the L-1 visa is mostly used for computer and IT positions and virtually all applications are approved.¹¹⁸ Further, both programs have been criticized for allowing bodyshopping to negatively influence American employment.¹¹⁹ L-1 visa holders represent just a small percentage of temporary workers in the United States technology industry.¹²⁰ For example, during fiscal year 2002, the ratio of H-1B visa holders to L-1B workers was twenty to one.¹²¹ Even though L-1 visas represent a fraction of all foreign tech workers, **Congress amended the L-1 visa scheme to prevent bodyshopping.** Faced with the rise of foreign companies in the United States and concerns of transplanted foreign competitors forcing American workers out of their jobs, Congress added the following language to the text of the Immigration and Nationality Act: (F) An alien who will serve in a capacity involving specialized knowledge with respect to an employer for purposes of section 101(a)(15)(L) and will be stationed primarily at the worksite of an employer other than the petitioning employer or its affiliate, subsidiary, or parent shall not be eligible for classification under

section 101(a)(15)(L) if— (i) the alien will be controlled and supervised principally by such unaffiliated employer; or (ii) the placement of the alien at the worksite of the unaffiliated employer is essentially an arrangement to provide labor for hire for the unaffiliated employer, rather than a placement in connection with the provision of a product or service for which specialized knowledge specific to the petitioning employer is necessary. 8 U.S.C. § 1184(c)(2)(F). Thus, **under the current reform, workers entering the United States on an L-1 visa must remain employed by the sponsoring company and cannot be contracted out to other companies.** With the addition of this language, **Congress eliminated the L-1 bodyshopping loophole.**

A2 Education

AT Foreign Students

1: Turn: Anderson, Washington Post, 2016 – foreign students crowd out domestic students because they pay higher tuitions so private universities prefer them.

Anderson of the Washington Post 2016,

Anderson, Nick. "Surge in Foreign Students May Be Crowding Americans Out of Elite Colleges." The Washington Post. The Washington Post, 21 December 2016. Web. Accessed 18 April 2018. <https://www.washingtonpost.com/local/education/surge-in-foreign-students-might-be-crowding-americans-out-of-elite-colleges/2016/12/21/78d4b65c-b59d-11e6-a677-b608fbb3aaf6_story.html?utm_term=.4b4cd16b5d6e>

International growth has fostered an increasingly cosmopolitan culture on campuses across the country, with academic benefits for domestic and foreign students alike. It gives colleges an additional path toward ethnic and racial diversity, opening doors to students from Africa, Asia, Latin America and Europe. But it also injects pressure into the admissions scramble that U.S. high school seniors are starting to experience this month as schools release early-admission decisions. **Charles Deacon, dean of admissions at Georgetown University, said he is concerned that international enrollment could be nearing an unacceptable level at some schools by potentially crowding out qualified U.S. students.**

"We're in a global world," Deacon said. "There certainly is an argument for the presence of foreign nationals at U.S. universities. But is there a tipping point where this is too many? That is an issue we have to reckon with." **The international share of freshmen at Georgetown rose from 3 percent in 2004 to 11 percent in 2014,** on par with Yale. **During that time, Georgetown's admission rate fell 5 points, to 17 percent.** Deacon said those numbers are reasonable for a university in the nation's capital with a school of foreign service and a global profile.

[...]

The foreign influx has helped offset **stagnation in the annual supply** of graduates from U.S. high schools. Public universities often use international recruiting to help balance budgets when states cut funding for higher education. At the University of California at Berkeley, federal data shows the foreign share of freshmen in 2014 — 13 percent — was four times higher than in 2004.

Many tuition-dependent private colleges have similar motives, seeking to fill seats with students who can pay full or nearly full price.

But the calculus is different for top-ranked private schools with an abundance of qualified applicants. For these schools, going global often appears to be more of a strategic choice than a financial necessity. Some give international students significant financial aid.

Federal data on "nonresident aliens" shows the international share of freshmen doubled at Duke University, from 5 percent in 2004 to 10 percent in 2014. The share also doubled at Brown University, to 12 percent, and Columbia University, to 15 percent. It quadrupled at Claremont McKenna College, to 20 percent.

The only Ivy League schools with single-digit international shares in 2014 were Dartmouth College (8 percent) and Cornell University (9 percent). The share at highly ranked Stanford University was 8 percent.

At the 50 schools that U.S. News and World Report ranks as top-25 national universities or liberal arts colleges, **the number of freshman seats in those schools grew** 14 percent from 2004 to 2014, to about 65,000. **The number of freshmen who were foreigners more than doubled, to about 6,900.**

Admission rates, meanwhile, plummeted, meaning that it is far more difficult for applicants to gain acceptance. About a dozen schools routinely reject at least 90 percent of applicants, a threshold rarely reached a decade ago. Stanford, the most selective, now turns down 19 of every 20 students seeking admission.

For U.S. applicants, the increase in foreign competition adds another layer of difficulty. They're now up against a growing pool of the world's best students.

The University of Chicago recently set a goal for international enrollment of 15 percent. The foreign share of its freshmen in 2014 was 11 percent, up from 9 percent in 2004. The university's admission rate plunged in that time, federal data shows, from 40 percent to 9 percent.