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H-1B LOTTERY REDUX: CONTINUING IMMIGRATION POLICY CHAOS

WASHINGTON, DC – The American Immigration Lawyers Association (AILA) welcomes today's announcement by USCIS of an interim final rule that tries to make the "lottery" process for obtaining scarce H-1B numbers more equitable. More importantly, however, AILA calls on Congress to enact legislation to fix the broken H-1B system as well as to provide new legal avenues for employers to fill legitimate labor needs.

"Once again, the U.S. government is stymied in providing businesses with the legal tools needed to address the economy's demand for skilled workers to compete in our global marketplace," said Kathleen Campbell Walker, President of AILA.

Walker added, "It is embarrassing that there is even a need for the processes announced today. Providing for visas based on a lottery, rather than on the needs of the economy, is no way to run an immigration policy. A recent study by the National Foundation for American Policy shows that every new H-1B employee hired increases a technology company's hiring by five to seven new jobs. Now is the time when Congress should be acting to upgrade the engines driving our economy, not slow them down."

The H-1B nonimmigrant visa category allows U.S. employers to augment the existing labor force with highly skilled international workers, such as research scientists, to provide expertise to American companies for temporary periods. H-1B workers are admitted to the United States for an initial period of three years, which may be extended for an additional three years. An H-1B worker must be paid the higher of the actual or prevailing wage for the specialty occupation in the area of intended employment. The H-1B visa is utilized by U.S. businesses and other organizations to employ international workers in specialty occupations that require specialized expertise. Typical H-1B occupations include scientists, architects, engineers, systems analysts, accountants, doctors, primary and secondary teachers, and college professors.

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The American Immigration Lawyers Association is the national association of immigration lawyers established to promote justice, advocate for fair and reasonable immigration law and policy, advance the quality of immigration and nationality law and practice, and enhance the professional development of its members. For more information call George Tzamaras at 202-216-2410 or Annie Wilson at 202-216-2435