

ISSUE BRIEF

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STEM Jobs Act: Next Step for High-Skilled Immigration Reform

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Last week, the U.S. House of Representatives passed the STEM Jobs Act of 2012 (H.R. 6429). The bill, which has received bipartisan support, would allocate 55,000 visas toward high-skilled immigrants holding master's or doctoral degrees from U.S. educational institutions. The legislation would also do away with the Diversity Visa (DV) program, better known as the "green card lottery," which has been plagued by fraud and welcomes a much higher degree of low-skilled labor.

Currently, far too many immigrants educated here in the U.S. are forced to return to their home countries upon graduation. This makes little sense, particularly for science, technology, engineering, and math (STEM) workers. A STEM-educated workforce is vital to the security and prosperity of the U.S.

However, the STEM Jobs Act would also reopen and lower the wait time for the visa category that allows spouses and children of permanent legal residents to be admitted to the country while awaiting approval of their green card applications. With the majority of family chain immigrants predominantly low-skilled laborers, this provision would likely raise welfare costs and poverty. Rather than increasing the fiscal drain on American taxpayers, Congress should consider reform of the STEM visa process on its own merits.

Need for High-Skilled Immigration. American businesses are struggling to fill high-skilled employment opportunities. STEM jobs grew at over three times the pace of non-STEM jobs between 2000 and 2010 and are expected to grow almost twice as fast by 2018. Business groups have spent years urging Congress to reform the visa system in order to fill these empty positions.

Enhancing the ability of high-skilled workers to enter the U.S. would be an asset to the nation's economy as well as its indebted government. Nevertheless, only 13 percent of individuals who receive green cards receive them based on

economic considerations, whereas two-thirds of all green cards distributed have been granted for the purpose of family reunification. Further, foreign citizens who have been educated in the U.S. and are eager to contribute to the American economy are simply being sent home.

As a sovereign nation, the U.S. has the right to choose who enters its borders and comes to live and work here in order to promote its interests. To improve the U.S. economy, the U.S. should fill employment vacancies with people who are talented, U.S.-educated, and interested in working here. If the U.S. does not prioritize these high-skilled workers for visas, they will find employment elsewhere, leaving the U.S. less able to compete on the global stage.

The STEM Jobs Act. Amending the Immigration and Nationality Act, the STEM Jobs Act would make 55,000 visas available to:

- Qualified immigrants who hold doctorate degrees in STEM fields from U.S. universities and have agreed to work in the field for at least five years, or
- Where visas remain, individuals who hold master's degrees in STEM fields and bachelor's

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degrees in STEM fields or in the biological or biomedical sciences and have also agreed to work for at least five years in the field.

In both cases, applicants must have completed their STEM master's and doctorate courses while physically present in the U.S. Further, such visas may not be awarded unless the Secretary of Labor certifies that there are not sufficient numbers of American workers to fill needed STEM jobs.

While the act would increase the number of visas available to STEM workers educated in the U.S., it would not increase the overall number of immigrants admitted to the country each year. To do so, the bill would eliminate the DV program, which makes available 55,000 visas annually to randomly selected applicants from countries with a low rate of immigration into the United States. Known to be plagued by fraud and abuse, the DV program requires only that applicants:

- Have completed a high school education or the equivalent, and
- Have two years of work experience over the past five years in any occupation that requires at least two years of training or experience.

Instead of perpetuating a visa system that is weighted toward

low-skilled immigrants, the new STEM visa program would help bring in high-skilled workers in the areas of math, science, and engineering and meet the growing needs of the economy.

Included in the most recent version of the legislation, however, is a provision under which spouses and children of all permanent legal residents—not just those granted STEM visas—would be admitted to the country if their green card applications have taken over a full year to process. Previously, family members of permanent legal residents could be granted non-immigrant V visas and allowed to enter the U.S. while awaiting the approval of their green card applications after three years and if they applied on or before December 21, 2000. This provision would not only reopen the V visa category but also lower the wait to one year, effectively helping to facilitate family chain migration.

This is of particular concern given the fact that family chain migration is predominantly low-skilled. According to the most recent data available from the New Immigrant Survey, 60 percent of family chain immigrants have only a high school degree or less; 38 percent lack a high school degree. By contrast, only 10.3 percent of native-born Americans lack a high school degree.

While overall immigration represents a net fiscal positive to the government budget in the long term,

immigrants with low education levels are likely to be a fiscal drain on other taxpayers. Past Heritage research has found that that low-skilled immigrant households take in \$30,160 in benefits, education, and services, compared to the approximately \$9,000 they contribute to the economy.¹

Keeping America Free, Safe, and Prosperous. Efforts to increase visas for STEM workers educated in the U.S. and eliminate the DV program are a positive step toward making the nation's immigration system more responsive to the needs of the economy and improving the inadequate U.S. visa system. This proposal, however, should be considered on its own merits and not get bundled with other legislation to make it politically palatable.

Congress should seriously consider these sound reforms while working toward a border and immigration policy that will keep the United States free, safe, and prosperous.

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1. Robert Rector and Christine Kim, "The Fiscal Cost of Low-Skilled Immigrants to the U.S. Taxpayer," Heritage Foundation *Special Report* No. 14, May 22, 2007, <http://www.heritage.org/research/reports/2007/05/the-fiscal-cost-of-low-skill-immigrants-to-the-us-taxpayer>.