IT Pros Exchange Woes at GITPRO

In focus were the pitfalls created by
the green card backlog and looming laws to
restrict hiring of H-1B visa holders

By Ritu Jha

The "Muslim ban" is not so much of a concern to many IT professionals as the many bills introduced to restrict the entry of highly skilled foreign workers.

Khanderao Khan, founder and president of the California-based Global Indian Technology Professionals Association, told India Abroad of his view during a panel discussion the organization put together Feb. 1 in Sunnyvale, Calif.

The GITPRO-led discussion, titled "US as well as India Immigration/Visa Issues," was put together to address concerns about President Donald Trump's executive order on immigration and the bills that so affronted its members.

The panel consisted of Kirti Kalra, attorney at law at Chugh LLP; K. Venkata Ramana, consul (community affairs, information and culture) in San Francisco; and Kand himself.

Kand said the new bills being introduced worried him because there were hundreds of people waiting for up to two decades to get a green card and who entered the country legally.

"Indian tech professionals are against any abuse, hence reforms against abuse are welcome. However, (they) are concerned about any biased changes in skilled immigrations," Kand said.

He said the call for an increase in minimum salary may become

problem for entry-level university graduates, especially outside the Bay Area and those who are not software professionals and so have a lower median salary anyway.

Jan. 24, U.S. Rep. Zoe Lofgren (D-Calif.) introduced a new legislation to curb the abuse of H-1B visas. The proposed High-Skilled Integrity and Fairness Act of 2017 aims to curtail abuse of the program, which has allowed replacement of American workers by outsourcing companies with H-1B workers, who get paid less.

If passed, it will raise salaries of H-1B workers from $60,000 now to $130,000.

"Who pays this much to H1B visa holders fresh from college," asked Kand.

He said that the Congresswoman was basing the newly proposed minimum salary on median income, which does not apply to newbies, and which was not relevant outside the Bay Area.

"Instead, it would be better to have a minimum salary based on expected job role and expected education and years of experience. We believe most Indian professionals fill new jobs rather than replace existing employees," he said.

Kalra told India Abroad the uncertainty generated by the Lofgren bill had resulted in a 5 percent reduction in H-1B filings this year.

He said there have been a few immigration bills floated in the past that, if approved, could have

Above, Khanderao Kand, the Founder and President of Global Indian Technology Professionals Association (GITPRO) speaking at the "US as well as India Immigration/Visa Issues" Feb. 1, in Sunnyvale California. Below, attendees at the GITPRO event in Sunnyvale.

mandated a very high minimum salary. But he does not expect them to get anywhere.

During the event, the issue of the green card backlog and of H.R. 392, the bill of Congressman Jason Chaffetz (R-Utah), introducted Jan. 10, that seeks fairer treatment of skilled immigrants.

"We are also concerned about

countrywise quota for green cards, hence we support H.R. 392," Kalra told India Abroad.

Chaffetz's proposed Fairness for High Skilled Immigrants Act replaces the current per-country caps on immigration with a first-come first-served visa system without increasing the total number of available visas.

Kand said H.R. 392 is also important because it puts professionals worldwide in the same pool for green cards.

Currently, country-based quota makes Indian and Chinese wait for almost decade before their priority date becomes current. Those from Pakistan or other countries can get it within six months.

The current system of awarding no more than 7 percent of available employment-based visas to one country is discriminatory, he said.

The bill makes no changes to the current law limiting US employers to hire foreign workers except when there are no qualified, willing, able, and available American citizens.

An identical version of this bill (H.R. 3012) passed the House during the 112th Congress with a bipartisan vote of 389 to 15. Subsequent versions of the bill were introduced in the 113th (H.R. 633) and 114th (H.R. 213) Congresses but did not receive a vote.

Prakash Ranade, a software engineer working for Fortune 100 companies, spoke of having come to the U.S. in 1998 and still looking forward to getting his green card.

He said he has to pay international tuition for his son in college and will have to do the same for his daughter, who will be going to college soon.

"We are tax-paying, law-abiding citizens. I see (my children's) future being ruined due to the green card backlog," he said.

He told India Abroad that undocumented students in California got a free education and they are considered legal residents. But that did apply to legal foreign citizens like himself. Despite owning a house and investing in Silicon Valley, his children could not get student loans and also have to spend two more years in school if they decided to study medicine, he said.

New GOP Bill Aims to Halve Green Cards Issued Annually

foreign workers were hurting the availability of jobs and good salaries for blue collar workers.

"That needs to change," he said, adding that the president and his staff broadly support his plan.

Although Cotton had argued that legal immigration should be limited to skilled workers, he was circumspect when asked if he was open to expanding the current pool of 85,000 H-1B visas issued each year. He claimed the program has been abused, and that these abuses needed to be addressed before expanding the program that brings in skilled workers.

"That said, if the evidence

demonstrates that say, software companies need PhDs with computer science degrees and they're going to pay them a wage that's in the top 1, top 5, top 10 percent of local wages, I'm open to that kind of evidence," Cotton said.

Some Democratic senators and pro-immigration advocacy groups, condemned the bill, with Democratic Senator Jeanne Shaheen of New Hampshire calling it "senseless" and a "job killer."

"This legislation sends a terrible message to the rest of the world and is unquestionably a job killer," she said. "As a nation of immigrants, this bill runs counter to our values."

South Asian Americans Leading Together (SAALT), a national South Asian American advocacy organization, vehemently opposed the bill.

"This bill is clearly part of an undisguised and coordinated attack on immigrant communities," said Lakshmi Sridaran, director, national policy and advocacy, at SAALT. "The draconian use of legislation and executive orders to criminalize and marginalize immigrant communities reveals the inherent xenophobia of this new administration."

She said that, at over 4.3 million, South Asians are the fastest-growing demographic group in the U.S., with the

majority being born abroad.

Sridaran said, "Senator Cotton's bill will make reuniting families a draining, if not impossible task, for South Asian immigrants already struggle under a woefully outdated immigration system that makes family reunification a burdensome task. We implore Congress to support and not hinder immigration, to welcome refugees, to not cripple sanctuary cities, and to adopt an accurate and long view of our country's history that sees immigrants as a fundamental aspect of American life."

But NumbersUSA, an anti-immigration organization, lauded the legislation, saying, "For several decades, immigrants no

longer have been limited to bringing in a spouse and minor children. Chain migration categories allow each immigrant (once a citizen) to petition for adult brothers and sisters, for adult sons and daughters, and for parents. Each of them can in turn do the same along with bringing their own spouses who can start whole new chains in their own families, and so forth in a never-ending pattern,"

It said, "Senator Cotton would stop all of that immigration which adds millions of workers each decade without any regard to their skills or how they would affect Americans competing in the same occupations."