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Comprehensive Reform Must Include Guestworkers

The word comprehensive is usually attached to current references to immigration reform, but the Gang of Eight's bill is stumbling over reform of guestworkers. That's the biggest bone of contention between pro-amnesty and anti-amnesty folk.

The highly paid lobbyists assigned to this issue are split. Big business interests (chanting "let the market decide") are trying to bring in as many low-paid workers as possible, while the unions want to save jobs for their members and votes for the Democrats.

H-1B visas are capped at 65,000 and supposed to be for jobs that require technical expertise (scientists, engineers, computer programmers) and be used when U.S. citizens are not available. Business welcomes the crush of applicants from Indian body shops (*i.e.*, placement agencies), and the top ten users of H-1Bs are offshore outsourcing firms.

Asians make up half of San Jose's technology workforce, according to November Census Bureau data. That's a sharp rise from ten years ago when it was about 39 percent.

Employers prefer to hire foreigners because they are paid less, can't quit, and are treated like indentured servants. Guestworkers are supposed to go back home when their visas expire, but we have no guarantee that they depart.

The wage differential is significant. In New York City, the prevailing wage for an entry-level computer systems engineer is $68,370, but is $120,037 for a fully competent worker. The foreigners are usually hired as entry-level.

The guestworker system explains why college students tell me they have been opting out of engineering, and switching to a business major. American student enrollment in graduate Science and Engineering fell 10 percent after 1993, while enrollment of foreigners rose 26 percent.

Estimates are that at least 50 percent and as many as 70 or 80 percent of our nation's agriculture workers are here illegally. Guestworker shepherds brought in from Peru to tend U.S. sheep just "disappeared" to hunt for better jobs.

According to Senator Jeff Sessions' (R-AL) "10 Questions for the Gang of Eight," the U.S. allows 700,000 guestworkers to enter our country each year. He estimates that the Gang's proposal will increase the number to over a million a year, not counting the

legalization of those now illegally in the U.S. and anticipated future immigration. Business is now demanding a large new “lesser-skilled” guestworker category to take retailing and janitorial jobs.

Economist Jared Bernstein, in his book *Crunch: Why Do I Feel So Squeezed?* accuses the guestworker program of being a power play by the business class and a disruption of the free market which actually shifts wealth to the powerful. The free market is supposed to let prices and wages rise whenever there is a shortage, but that doesn’t happen when our government artificially nullifies any shortage by bringing in more lower-paid workers.

The guestworker system is hurting black Americans, too. Yolanda Lewis, president and CEO of the Oakland-based Black Economic Council, stated bluntly, Tech companies “do not want to employ Americans. They import labor from overseas, pushing for H-1B visas. Check the job boards. They basically say, ‘H-1B Visa. Americans need not apply.’ For years, women, blacks and Latinos have been kept out of the tech job market. Now white men are being forced to train their replacements.”

H-4 visas are given to spouses of all classes of H-visa holders (H-1B, farm workers (H-2A), and non-agricultural unskilled workers (H-2B). There were 74,205 H-4s issued in 2011, and it’s been estimated that the total population of H-4s (which is not counted by the government) is roughly a quarter million.

When President Obama took an unexpected question from a woman whose engineer husband is unemployed, Obama replied, “Industry tells me that they don’t have enough highly skilled engineers.” Census Bureau data show that there are 1.8 million U.S.-born engineers under age 65 who are unemployed or not working as engineers.

Other industries are using H-1B visas for jobs for which there is obviously no shortage of Americans, such as teachers. Prince George’s County in Maryland was discovered to have 10 percent of its teaching staff working with H-1B visas, and the Muslim charter schools imported hundreds of teachers from Turkey on H-1B visas.

The House Subcommittee on Immigration Policy discovered that H-1B visas were even used to hire fashion models, dancers, chefs, photographers, and social workers. The Government Accountability Office found that the government approved more than a million H-1B visas to foreign nationals from 13 “countries of concern” (withholding the countries’ names for security reasons).

And don’t forget J-1 visas that take summer jobs which have traditionally been so important to young people, giving them an opportunity to learn the work ethic. Now summer jobs go to seasonal hiring of foreign students

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