



10 February 2006

The Honorable Tim Pawlenty
State of Minnesota
130 State Capitol
75 MLK, Jr. Blvd.
St. Paul, MN 55155

Dear Governor Pawlenty:

I am writing in response to a press release issued by your office on January 12, 2006 titled "Governor Pawlenty Proposes to Encourage Legal Immigration." As President of the Institute of Electrical and Electronics Engineers – USA, I applaud you for your efforts to reform America's permanent immigration system for highly skilled foreign workers. Your efforts to help non-citizens become full Americans are admirable. Moreover, your proposals on permanent immigration will immediately help to attract and keep skilled workers in your state, enriching all of Minnesota in the process.

IEEE-USA has long been an advocate for reforming our nation's immigration policies to help skilled foreign workers become American citizens. Throughout our history, new Americans have played a central role in technological development. IEEE-USA expects that immigrants will continue to play this role in the future, especially in high-tech industries. We look forward to helping you convince Congress to enact legislation furthering our common goal.

On the other hand, I am concerned about the second part of your proposal, that involving H-1B visas. There is a very clear and important distinction between immigration visas and H-1B visas. Immigration visas give non-Americans the right to live and work in the U.S. on an equal legal basis as American citizens, with a few limitations. H-1B visas do not. The visas confer no residency rights, meaning most visa users must return to their home country after a few years. They also offer no path to citizenship. H-1B workers can apply for a green card, but receive no preferential access to legal residency, which is why most H-1B workers do not stay in the U.S. more than 6 years. If you are looking for a way to increase the number of skilled workers in Minnesota over the long-term, H-1B visas cannot help.

Worse, unlike immigration visas, H-1B visas do not belong to the workers who use them – they belong to the companies those people work for. The companies retain an absolute right to withdraw the visas at any time and for any reason. Since H-1B workers need the visas to legally stay in this country, the threat of losing one's visa creates an opportunity for those workers to be exploited, an opportunity that far too many companies have chosen to seize.

I suggest that, if you want to attract the most talented and best educated workers from around the world to Minnesota, subjecting them to such a program will do nothing to sell them on the benefits of living in America, primarily because the H-1B visa specifically denies them most of those benefits.

H-1B visas not only place foreign workers at risk, they also harm the career prospects of American workers. Contrary to the original intent of the visa program, most companies that wish to use an H-1B visa are not required to make any effort to find, recruit, train or hire American workers before turning to the visas. In fact, companies can hire workers with H-1B visas even if qualified Americans have already applied for the position. Plus, a requirement that companies must pay H-1B workers the prevailing American wage has proven to be ineffective. A recent study found that H-1B computer workers made on average \$13,000 less than comparable American workers.

The H-1B visa program allows companies to replace American workers with low-paid foreign workers, and then doesn't even let the foreign workers become citizens! This program is a bad deal for high-tech workers, a bad deal for skilled foreigners and a bad deal for Minnesota. I urge you to reconsider your support for the H-1B temporary work visa program. The attached list of reports and studies should help you reach an informed decision on the program.

IEEE-USA strongly supports your efforts to help skilled immigrants become legal residents, and ultimately citizens. Your proposals are a sensible, fair and effective way to increase the number of skilled workers in Minnesota and in the United States.

I would welcome a chance to have a delegation of our members discuss ways to strengthen the engineering workforce in Minnesota with you.

IEEE-USA advances the public good and promotes the careers and public policy interests of more than 220,000 engineers, scientists and allied professionals who are U.S. members of the IEEE. IEEE-USA is part of the IEEE, the world's largest technical professional society with 360,000 members in 150 countries, including over 4,200 in Minnesota. We can be found at <http://www.ieeeusa.org>.

Thank you for your time.

Sincerely,

A handwritten signature in black ink that reads "Ralph W Wyndrum Jr." The signature is written in a cursive style and is positioned to the left of a vertical red line.

Ralph Wyndrum, Jr.
President, IEEE-USA

RWW/vo:mcs

Enclosure