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Scalise: To stop 'brain drain,' the U.S. needs immigration reform

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During the debate on the North American Free Trade Agreement, Ross Perot spoke of a "giant sucking sound from the south." His dire prediction was that free trade would result in an exodus of American manufacturing jobs to Mexico. With the U.S. economy consistently running close to full employment, it is clear that Perot's worries were a bit overblown. However, we could again use his skill with a quip to create a sense of urgency among our nation's political leaders because there is a sucking sound threatening our economy and American jobs today. It's called brain drain.

The prospect of an American brain drain was not an issue when Perot, the CEO of a technology company dependent on a highly educated work force, debated the merits of NAFTA. America's outstanding universities have always attracted the best and brightest students from around the globe, especially in the physical sciences. For decades, many talented, American-educated, foreign-born professionals have chosen to stay and work for U.S. firms or start companies of their own. One need only look at our nation's patent filings for evidence of the contribution of these individuals. In 2006, 41 percent of the patents issued by the U.S. government had foreign national inventors or co-inventors.

Texas in general — and Austin in particular — gained prominence as worldwide center for high tech, including Texas Instruments, Dell, AMD, Sematech and many others. Texas held many attractions for high-tech companies for a number of reasons, including an abundance of talented engineers and scientists who studied and did research at leading Texas universities. Many of those brilliant young scientists and engineers had come to study in Texas from foreign countries. If home-grown candidates weren't available to do critical jobs in Texas' burgeoning technology companies, there were plenty of foreign-born candidates from leading universities in Texas who were. Today, however, that is not the case for all the wrong reasons.

It's not the fault of the universities. American universities continue to be a magnet for the best and brightest from around the world. Nationally, in many critical disciplines, more than 50 percent of post-graduate degrees are being awarded to foreign nationals. In Texas, the number is even higher: An estimated 75 percent of doctorates in fields such as

electrical engineering awarded by the state's top universities go to foreign nationals.

No, the fault lies with an immigration system that does not reflect reality and unfairly penalizes legal immigrants because of fears of illegal immigration.

If a foreign-born graduate of an American university chooses to stay in this country and apply what he or she has learned to drive our economy, they must largely do so by obtaining a temporary H-1B visa. On April 2, 2007, the very first day that applications for fiscal year 2008 H-1B visas were accepted, the 65,000 visas were exhausted, leaving employers unable to hire highly educated professionals for another 18 months. And this was the fourth year in a row that the cap was reached on or before the start of the fiscal year.

Most often, the goal of an employer is to allow the employee to be a permanent U.S. resident by issuing the professional a green card so that he or she can continue to contribute to American society indefinitely. Unfortunately, massive backlogs in the green card system leave some professionals waiting up to six years or more. A recent study by the Kauffman Foundation estimated that more than 1 million highly educated people are waiting for green cards, yet only 120,000 are available annually. This imbalance creates the potential for a loss of talented people educated in America. We also lose the potential for additional jobs when companies are forced to locate research and development and manufacturing centers abroad to hire highly skilled workers.

We're educating tomorrow's innovators and then sending them away to work for our competitors. That's an untenable situation. It's time for Congress to fix the broken immigration system for highly educated foreign professionals. This includes streamlining the employment-based green card system and raising the cap on H-1B visas.

What is today's sucking sound? It's a brain drain. Is it coming from the south? No, it's coming from our own inability to set politics aside and resolve a critical element of the immigration debate.