

July 1, 2013

## Senate Immigration Reform Bill Includes Measures to Address Shortage of STEM Workers

As you know, last week, the U.S. Senate passed the [Border Security, Economic Opportunity, and Immigration Modernization Act \(S.744\)](#), comprehensive bipartisan legislation to reform our immigration system. In recent months, the New England Council has actively advocated for the inclusion of several provisions in this bill that would address the shortage of highly skilled workers in the STEM fields. Through our involvement with [inSPIRE STEM USA](#), a coalition of businesses and education and immigration advocates, as well as through independent advocacy efforts, the Council has supported the inclusion of both a short term and a long term solution to the STEM worker shortage.

In the short term, the Council has supported increasing the cap on H-1B visas, allowing more foreign-born workers with advanced training and education in the STEM fields to remain in the US to fill open positions in our growing innovation economy.

In the long term, we have advocated for the creation of a STEM education fund, supported by fees from H-1B visas, that would help states enhance STEM education in order to develop a domestic pipeline of highly-skilled workers in the STEM fields.

We are pleased to share with you that both of these elements were included in the bill that passed the Senate last week. Below is a summary of the provisions in the bill as they relate to high-skill workers and STEM education.

For more information on the Council's advocacy on this issue, please visit the [Technology](#) section of our website. For more information on inSPIRE STEM USA, visit the [coalition's website](#).

As work on immigration reform now shifts to the House, the Council will continue to advocate for the inclusion of these short and long-term solutions in any comprehensive legislation that moves forward. If you have any questions or would like to be more involved in these efforts, please contact either Emily Heisig ([eheisig@newenglandcouncil.com](mailto:eheisig@newenglandcouncil.com)) or Taylor Pichette ([tpichette@newenglandcouncil.com](mailto:tpichette@newenglandcouncil.com)).

### Summary of the H-1B Visa Program Changes in S. 744

(As excerpted from a [recent AP story](#).)

- The cap on the H-1B visa program for high-skilled workers would be immediately raised from 65,000 a year to 110,000 a year, with 25,000 more set aside for people with advanced degrees in science, technology, engineering or math from a U.S. school. The cap could go as high as 180,000 a year depending on demand.

- New protections would crack down on companies that use H-1B visas to train workers in the U.S. only to ship them back overseas.
- Immigrants with certain extraordinary abilities, such as professors, researchers, multinational executives and athletes, would be exempted from existing green-card limits. So would graduates of U.S. universities with job offers and degrees in science, technology, engineering or math.
- A startup visa would be made available to foreign entrepreneurs seeking to come to the U.S. to start a company.
- A new merit visa, for a maximum of 250,000 people a year, would award points to prospective immigrants based on their education, employment, length of residence in the U.S. and other considerations. Those with the most points would earn the visas.
- The bill would eliminate the government's Diversity Visa Lottery Program, which randomly awards 55,000 visas to immigrants from countries with historically low rates of immigration to the United States, so that more visas can be awarded for employment and merit ties.

## Overview of the STEM Fund Established by S. 744:

The “STEM Education and Training Account” would be created using money generated by application fees American companies pay to petition for temporary, high-skilled workers. The money would be distributed as follows:

- 70% of the funds would be distributed to the 50 states, Washington D.C., Puerto Rico, Guam, the United States Virgin Islands, American Samoa and the Northern Mariana Islands. In most cases, the states' governor and top education official would then submit a plan to the Secretary of Education detailing how they plan to use the money to improve STEM education within their state. Once approved, the state could then use the funds to improve STEM education within their states in a variety of ways including, but not limited to, teacher training, curriculum development, and improving the availability of worker training programs. The money would be distributed to states “in an amount that bears the same relationship as the proportion the state, district, or territory received under subpart 2 of part A of title I of the Elementary and Secondary Education Act of 1965.
- 20% of the funds would expand grant programs to a variety of minority serving institutions of higher education throughout the country.
- 5% would go to workforce investment activities.
- 3% would go to American Dream Accounts.
- 2% would go to administrative expenses.