



THURSDAY'S DEBATE: Do high-tech firms really need imported workers?

As the new economy cruises along, technology companies say they need more qualified workers to keep the momentum going. A severe shortage, they say, is getting worse because many skilled workers allowed in six years ago on temporary H-1B visas are now being pushed out. They want Congress to extend the program and raise the number of workers allowed to about 200,000, before it adjourns next month. But critics say these firms simply want cheaper labor. Two views:

## Yes

By Scott McNealy

It's easy to feel comfortable, with the country enjoying the longest period of economic growth in its history. Easy, too, to feel good about the contributions of the high-tech industry, where I make my living. After all, America's record-setting run — the incredible job growth and productivity gains — dates back to 1995, just when the Internet was starting to hit its stride.

That's why I'm worried. It would be all too easy to screw this up.

America is clearly in the lead when it comes to high-tech prowess and inventiveness, but that lead has not been bestowed upon us as a birthright. We have to continue to earn it every day by moving faster, dreaming bigger and working harder than the competition.

This is where the casual observer might ask, "So what's stopping you? Go do your job."

## No

By John Miano

In recent years, news reports across the country have cited studies that claim there is a huge shortage of workers in the technology industry. These claims have been repeated so often that they have become "fact" to many people.

What the public does not realize is that, in most cases, the groups putting out these studies are the same ones who are lobbying to allow more foreign workers into the country. These groups contend that if they can't import more foreign programmers, the new economy may collapse.

Let's not be too hasty. Congress' General Accounting Office (GAO), which recently analyzed various studies that estimated shortages between 700,000 and 190,000, concluded that "more information is needed to characterize the (information technology) labor market and determine the extent of any shortage."

One small problem: We need more qualified workers. A lot more. And right away. We need people who dream in bits and bytes, people who have a gift for computer code and circuits.

Unfortunately, there just aren't enough of them in this country right now.

The shortage is dramatic: Hundreds of thousands of highly skilled jobs are going unfilled. The time to address this critical problem is now. The first order of business is for Congress to pass responsible legislation to raise the cap on H-1B visas for qualified foreign workers. These temporary visas allow highly skilled foreign nationals to work in this country for up to six years.

What makes the shortage even worse is that we soon will be losing valuable employees by the tens of thousands, as their temporary visas expire and their green-card applications languish in enormous processing backlogs.

In essence, we will be deporting valuable workers at a time when our growing economy needs them most. As Congress winds down toward adjournment, a stalemate would do no one any good.

People these days talk about "Internet time" — a reference to the dizzying pace of innovation and growth in the high-tech sector. But this astounding rate of technological development is no accident. It is being driven by global competition, which is both relentless and ferocious.

It makes no sense to educate and train foreign students in American universities, only to wind up sending those valuable individuals back overseas to compete against us.

Truth be told, the contributions of skilled workers born outside the United States help us create a growing number of high-paying jobs for Americans. That's especially apparent at Sun Microsystems, because two of its co-founders, Andy Bechtolsheim and Vinod Khosla, were for-

If the shortage is suspect, what do these employers really want?

They want cheap programmers from other countries. I'll start believing there is a shortage when programmer salaries start rising half as fast as CEO salaries, or when I see half as many African-Americans at work as H-1B workers.

Recently, I responded to two dozen job postings on the Web. Only one company got back to me, but said I was "overqualified." That kind of response does not suggest a desperate programmer shortage.

What should outrage Americans is the industry's solution to its mythical labor shortage: the H-1B visa program. These visas allow employers to import temporary workers in "specialty occupations" for up to six years. That sounds innocent enough, but the details should concern you. The law, for example, contains a loophole that allows employers to fire hard-working Americans and replace them with foreign workers.

I learned of the H-1B program after cleaning up the widely reported mess at American International Group (AIG), a company that fired its programming staff and replaced it with foreign workers. By using lower-paid H-1B workers, AIG expected to save millions of dollars a year. But the foreign programmers were incompetent, so the firm saved nothing.

What it did is perfectly legal. Supporters tell us H-1B can't be used for cheap labor because H-1B workers have to be paid the prevailing wage. They neglect to mention that the employer determines the prevailing wage. The government, as GAO reported, can "initiate investigations to address potential (abuse) only if narrowly restricted circumstances are met."

When you have a system designed to be abused with impunity, it generates high demand.

eign nationals.

Another great example: James Gosling, a Canadian national, developed one of our best-known technologies, the Java platform, which has revolutionized software development.

Do we really want to turn away the next Bechtolsheim, the next Khosla, the next Gosling — and with them the many jobs and technical advances their work generates?

That's exactly what is happening today — and has been happening since March 21, when we reached the current annual cap on H-1B visas.

The long-term strategy is, of course, providing better education and training for the U.S. workforce. Indeed, industry already is spending billions on education at all levels, investing in a generation of workers whose training will take years.

In the meantime, we have a large and growing gap to fill and only one way to fill it: expand the H-1B visa program.

Time is critical. Congress and the White House need to get this done before the end of the congressional session next month.

While we are stuck in neutral, our global competitors will be charging ahead.

My company, for one, will continue stretching the bounds of what is possible — using technology to improve the way people do business, communicate with one another and run their lives.

This work is going to be done. The only question is where.

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H-1B was originally limited to 65,000 visas a year, but was raised to 115,000 in 1998. Now lobbyists are demanding this be increased to 200,000.

H-1B is simply a welfare program for wealthy campaign contributors that should be ended. But despite the audits documenting abuse, calls from government officials to clean things up and the opposition of 84% of Americans to the program, Congress has refused to do anything but grovel for cash. As Rep. Tom Davis, R-Va., noted, "This (H-1B) is a very important issue for the high-tech executives who give the money."

Americans need to realize the depth to which money has corrupted Congress, and act accordingly at the ballot box Nov. 7. They also should lobby members of Congress to vote against the H-1B visa legislation.

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