We thought you would like to see this press release from the Software Professionals'
Political Action Committee (SoftPac) of which Larry Richards is executive director.

Middle Class Jobs on the Immigration Chopping Block

By Larry Richards

SoftPac started in January of 1994 as a group of Austin (Texas) programmers intent on changing the immigration laws that were affecting their jobs. In October of 1994, SoftPac was formalized as a political action committee registered with the Federal Elections Commission. Since then, SoftPac has grown to become a nationwide organization with members in nine states.

SoftPac is concerned about the immigration laws that are affecting software professionals and engineers. Its main focus has been eliminating or reforming temporary work visas, since these have the most potential for abuse. As an example, SoftPac sent an application to the Department of Labor asking for permission to hire 20 foreign programmers on H-1B visas at a rate of $5 an hour and received the approved application back in just six days! When you consider the fact that foreigners working here on temporary visas are not free to seek work on the open market because "they are basically indentured to the company(ies) sponsoring their employment tenure," (as stated in a General Dynamics memo SoftPac has obtained), you can see how companies can exploit them in order to undercut U.S. workers. This is no idle threat; in November of 1994, American International Group in New Jersey (an insurance company) laid off its entire MIS department — 250 workers — and replaced them with foreign programmers brought here from India on H-1B visas. AIG did this because it is able to pay them a third less than it pays Americans. (And, under the current laws, this is perfectly legal.)

Beyond the immediate threat of these temporary work visas we are also concerned about the long term implications of allowing companies to bring foreign nationals here, train them, and then send them back home, taking the work they did here with them. This is already happening and is a serious threat to our profession. In hearings held by the U.S. Commission on Immigration Reform (at which the executive director of SoftPac testified), industry representatives explicitly stated that this was one reason they used temporary work visas!

We are also concerned with employment-based immigration. Congress increased this category of immigration in 1990 from 54,000 a year to 140,000 based on a mistaken assumption that there would soon be a shortage of software professionals and engineers. Instead, between 1990 and 1993, the number of engineering jobs declined by 135,000, while the number of unemployed computer scientists and engineers doubled from 52,000 to 104,000! And during the same period, over 50,000 computer scientists were admitted on temporary work visas! Considering the tight job market we face, SoftPac is seeking a reduction in the number of employment-based immigrants. We are also seeking to reform the way such immigrants are admitted so that we can be sure they are not displacing American workers. Right now, more than 98 percent of computer scientists who apply to immigrate are certified by the Department of Labor as filling jobs for which no American can be found! This is a rubber stamp that protects no one and costs the U.S. taxpayers $30 million a year in administrative costs alone.

We are not generally concerned with other categories of immigration. However, we would support using any decrease in employment-based immigration to add to family-based immigration. Currently an immigrant may have to wait up to three years before he can bring his wife and children to this country (or her husband, as the case may be). Redirecting some of the numbers available for employment-based immigration to this purpose would go a long way toward reducing this backlog and would benefit many of our members, who are themselves immigrants.

Our efforts to change these laws have involved contacting the media, lobbying members of Congress and the administration, and writing op-ed pieces and letters to the editor in various magazines and newspapers. For instance, SoftPac has appeared in stories in *The Wall Street Journal, EE Times, The Dallas Morning News, The Record* (Morris County, New Jersey), *The Houston Chronicle*, *The Austin American Statesman* and *The San Antonio Express*. Our members have had op-ed pieces published in *U.S. News and World Report*, the *Los Angeles Times, San Francisco Chronicle* and *The Austin American Statesman.* We have also worked with reporters from CBS's *48 Hours*, the *Kansas City Star*, and the *Daily Record* (New Jersey).

Our lobbying efforts have involved meeting with members of Congress, the administration and other influential parties. For instance, SoftPac has testified before the U.S. Commission on Immigration Reform. We have pushed for — and been successful in our efforts to have — Congressional hearings scheduled to look into this matter in both the Science and Technology committee and the Immigration and Claims

subcommittee. Our "$5 an hour application" has drawn the attention of Secretary of Labor Robert Reich. Our report on employment trends for engineers has been circulated at the National Science Founda-tion, the Department of Labor, the INS, several Washington "think tanks" and in the U.S. Congress.

We also conduct investigations of potential abuses of temporary work visas and file complaints with the Department of Labor when we find them. Currently, a "body shop" that has placed H-1B programmers at IBM is under investigation as a result of a complaint filed by SoftPac. We are also prepared to enter into class action lawsuits that involve this issue. ∎

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