

# High-tech Foreign Workers Could Hurt U.S. Security

by Richard Estrada

*[Editor's note: As this issue of The Social Contract goes to press the President has threatened to veto H1-B as it is formulated, and the House Republican leadership is attempting to strike a compromise that responds to the demands from Silicon Valley.]*

DALLAS, TEXAS

**I**t may still come to be known popularly as the High-Tech Trojan Horse Act of 1998.

The Senate's recent decision to hike by 30,000 the number of six-year visas for specialized workers from abroad over the next four months may actually be another ticking immigration time bomb left on the nation's doorstep by Congress.

And hope that the House would heed concerns that more foreign workers in certain skilled and professional fields would displace U.S. workers began to evaporate after the House immigration subcommittee approved a companion measure expanding the "H1-B" immigration program. In raising the cap on these particular newcomers from 65,000 to 95,000,

immigration subcommittees led by Sen. Spencer Abraham (R-Mich) and Rep. Lamar Smith (R-Texas), have cast aside mounting evidence that alleged high-tech worker shortages are spurious.

As powerful as the story of the betrayal of the American high-tech worker is, it may yet be upstaged by the possible betrayal of the American nation. Ironically, the special-interest bill so vigorously sought by high-tech magnates such as Bill Gates of Microsoft is doing precisely what Republicans on Capitol Hill are saying President did in his China policy: elevating business interests over national security.

Alarmed at late-breaking news reports that India's nuclear program might benefit from Indian workers who gain sensitive information and know-how while employed in U.S. high-tech industries, Abraham quickly moved to defuse the issue. An Abraham spokesman says the legislation would require the attorney general to deny any petition for H1-B workers "for any employer that has knowledge or reasonable cause to know that the employee is providing material assistance for the development of nuclear weapons in India or any other country." Critics recently raised questions in this regard about the Tata Group, which allegedly has links to the Indian government and that country's

nuclear program. Tata, which provides U.S. employers with Indian workers, denies any wrongdoing.

The new twist in the debate emphasizes the pitfalls of accepting false arguments based on erroneous information. In recent months, the most reliable reviews of high-tech labor shortage claims made by information technology lobbyists have concluded that no shortage exists. The General Accounting Office strongly criticized the methodology employed by the Information Technology Association of America, just as it debunked Department of Commerce claims based on that study.

As usual, there is a kicker to the story. It is unfolding at a time when high-tech firms in the Silicon Valley are *laying off* workers, software firms nationwide are hiring no more than 20 percent of applicants, and many employers are openly contemptuous of retraining previously laid-off American workers.

Last week the annual cap of 65,000 visas for specialized workers was attained for the first time since 1990. Yet, primed to do the bidding of powerful special-interest groups, the politicians on Capitol Hill forget that the reason caps were imposed in the first place was to oblige employers to live within limits and begin doing more for

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the education, training and retraining of U.S. workers.

According to labor economist Vernon M. Briggs, Jr. of Cornell University, legislators and employers see imported workers as units of production. Because of that perspective, they assume the workers in question will act

in a prescribed manner. They don't foresee that some will want to stay permanently, just as they fail to see that some of those who return home may use their skills in ways inimical to U.S. national security. "They forget that the foreign workers are people," says Briggs.

What a curious turnabout. Because even as academics such as Briggs point out how the importation of foreign labor works in practice, supposedly practical-minded politicians on Capitol Hill are preferring to emphasize how the immigration system works in theory. **TSC**

# On My Way Out of California

*From the Internet: a job-seeker's true experience*

## Author's name withheld\*

Since my layoff (42 of us were cut in one day) on July 1, I, of course, have been searching for new work. The well-publicized downturn in the semiconductor industry finally took its toll on the company. Yesterday's interview at a Milpitas chip company had quite an effect on me. All the engineers there are foreigners from East Asia. I believe the interview I had (for an engineering position) was an exercise in futility, an act of going through the motions.

One of the interviewers asked me how I would feel about being isolated culturally at the company. "Many of us speak Chinese to each other. We're all from the Orient." I said

something PC. The company is small and having some difficulties, so I wouldn't be interested in working for them anyway. I think the interview was just for the purpose of using me as proof that they 'searched' for an American while really wanting to hire a Chinese H-1B worker.

The three Chinese interviewers were nice and intelligent people, but very foreign, and the interviews were rather uncomfortable and awkward. We neither connected well nor had much in common. I answered their technical questions well. During my days, I've been spending many hours in the library, preparing for these interviews. This all boils down to culture and nationality, not technical matters. I wish our congressmen could understand that.

A similar situation happened at a Fremont chip company where 3 of the 4 interviewers were Indian. The one Caucasian fellow asked me how I would feel

working in an all-Asian environment. I discussed this with my father, and he feels those were inappropriate questions for an interview, akin to outright discrimination against me. And the recent interview with a Sunnyvale chip company was similar: an all foreign-born Asian company, with all the interviewers being Asian. I had a thorough tour of the company so I know this. One of the interviewers was almost incomprehensible with his thick accent and poor English. I was thinking "Why do I have to put up with this in my own country? Why is *he* the one with the power over *me*?"

As of now, I'm in a state of shock over the situation. It really hit me after Friday's interview. I drove home in a trance, my mouth dry and open. The radio was on, but I didn't hear anything. After driving into my driveway in Fremont, I didn't exit the car for five minutes. I just sat there, stunned.

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\* The experiences reviewed here are factual but the names of companies at which he interviewed could not be used.