

## **WORKFORCE RELATED IMMIGRATION**

The American Chemical Society (ACS) recognizes the positive contributions to the U.S. economy made by immigrants and supports immigration and work visa policies that ensure having the best-qualified and appropriately skilled workforce for the U.S. chemistry enterprise. These policies are key to maintaining the U.S. as the leader in the world economy. The U.S. has relied on immigration to drive growth since the early days of the Republic and advances in science and engineering are responsible for more than half of U.S. GDP expansion since WWII. Immigrants, particularly those with Science, Technology, Engineering and Mathematics (STEM) education and experience, made major contributions to help end the war, strengthen the U.S. university system, and provide the science and technology base for a rapidly growing U.S. economy. Studies have shown that, per capita, they start more small businesses and file more patent applications than their native-born American peers. In addition, they have had little, if any, impact on the national unemployment rates of U.S.-born workers. These immigrants are a net benefit to the U.S. economy, through the creation of new enterprises and jobs, and contribute to maintaining U.S. competitiveness in the global marketplace.

To maintain global competitiveness, the U.S. should continue to develop the domestic work force and supplement it with immigrants having STEM education and experience. A competitive, global recruiting process for U.S. universities ensures that students have access to the leading educators and thinkers from around the world as part of their post-secondary education. Hiring faculty and staff at U.S. teaching and research universities is key because they are an essential component in training the U.S. STEM workforce. These faculty and staff provide students the opportunity to participate in leading-edge research and to engage in invention and innovation at the highest level, thus attracting both talented domestic students and the world's best foreign students. This, in turn, makes U.S. citizens more competitive in the evolving global marketplace.

Foreign-born students often benefit from federal and state investment in university research while studying in the U.S. Sending their talent and future earnings to other countries greatly diminishes their potential contributions to U.S. businesses, communities, and GDP. A similar case applies to individuals who arrived in the U.S. illegally as children. This group has started to participate successfully in the economy, including after receiving additional STEM education, while under the protection of the Deferred Action for Childhood Arrivals (DACA) program. For the U.S. to realize a return on this investment, U.S.-trained scientists and engineers should receive preference in gaining legal permanent residency if they have the skills needed by employers and if they wish to remain in the U.S.

Immigration and work visa policies should be structured to ensure that the best-qualified workforce is available for the U.S. chemistry enterprise. To enable continued success in the global marketplace U.S. companies need the most appropriately skilled and innovative workers to support research, development, entrepreneurship, and commercialization of new products. These workers increase innovation and profitability for their companies, enabling further R&D investment, creating jobs, and thereby creating a virtuous cycle. Current government policies for distributing H-1B visas for temporary employment make it difficult for many companies other

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The American Chemical Society (ACS) Board of Directors Committee on Public Affairs and Public Relations adopted this statement on behalf of the Society at the recommendation of the Committees on Chemistry & Public Affairs, Economic & Professional Affairs, Education, International Activities, Science, Corporation Associates. ACS is a non-profit scientific and educational organization, chartered by Congress, with more than 150,000 chemical scientists and engineers as members. The world's largest scientific society, ACS advances the chemical enterprise, increases public awareness of chemistry, and brings its expertise to state and national matters.

than the large contracting firms servicing the IT industry to hire foreign-born workers with the needed requisite skills. Policies should enable all research and development sectors to have fair access to this labor pool. Multinational companies also need continued access to the L-1 visa for temporary, intracompany, transnational transfer of their employees in order to utilize their expertise, and to develop talent within the United States.

In addition to effective policies providing for temporary employment, companies also need coherent, thoughtful government policies that encourage permanent residency so that the most talented foreign-born workers may remain in the U.S. To prevent wage suppression or displacement of American workers, employers should be required to pay immigrant workers a competitive wage commensurate with their education and skills. Constructive immigration policies such as these balance individual opportunity with overall costs and benefits to society.

A healthy immigration system allowing entry of workers with the requisite STEM education and skills (1) enables companies and universities to hire top talent from across the globe, (2) enhances the retention of U.S. trained, foreign-born workers, providing increased return on investment, (3) fosters a vibrant and world-leading U.S. based scientific community, promoting improved competitiveness, and (4) improves the cultural fluency of U.S. companies, allowing them to be globally competitive. The ACS supports policies that balance these four principles with a need to prevent immigrants from suppressing wages or displacing American workers in jobs requiring STEM education and skill sets. In summary, ACS supports policies that:

1. Establish and maintain a portfolio of fair and flexible temporary visa options for education, training, and short-term employment
  - Continue visa programs that allow American universities to enroll foreign students, especially in graduate research programs (F-1).
  - Preserve immigration status that allows foreign nationals who graduate from U.S.-based STEM education programs to pursue temporary employment as part of the optional practical training (OPT) feature of the F-1 visa program.
  - Implement a better process for selecting H-1B visa recipients that moves away from the current “first come, first served”/lottery model toward one that more evenly matches the market demand for employees across STEM industries, especially for employees in the chemical and allied products industries.
  - Maintain visa programs that allow multi-national corporations to make intra-company, transnational transfers into the U.S (L-1).
2. Strengthen the U.S. workforce by enabling appropriately skilled foreign STEM workers to enter and remain permanently in the U.S.
  - Simplify employer-sponsored permanent residency for U.S.-educated foreign nationals who want to work in the U.S. and who have been offered employment at a competitive wage by a U.S.-based company, university, or other entity.
  - Expand opportunities for foreign nationals with STEM skills and/or experience to achieve permanent residency (EB-1).
  - Enable residents covered by DACA (Deferred Action for Childhood Arrivals) program to:
    - Receive immigration status to complete undergraduate and graduate education in STEM fields.
    - Receive immigration status for employer-sponsored, U.S.-based employment after graduation.