INTERNATIONAL FEDERATION OF
PROFESSIONAL & TECHNICAL ENGINEERS
AFL-CIO & CLC

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GREGORY J. JUNEMANN
President

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January 13, 2017

Hon. Robert Goodlatte, Chairman
Judiciary Committee
U.S. House of Representatives
2138 Rayburn Office Building
Washington, DC 20515

Hon. John Conyers, Ranking Member
Judiciary Committee
U.S. House of Representatives
2142 Rayburn Office Building
Washington, DC 20515

Dear Chairman Goodlatte and Ranking Member Conyers,

As President of the International Federation of Professional and Technical Engineers (IFPTE), I am writing regarding the recently introduced *Protect and Grow American Jobs Act* (HR 170). While IFPTE appreciates the efforts of the sponsors of this bill to address the problems within the H-1B visa program, this legislation falls well short of providing the many necessary reforms to protect both U.S. and H-1B workers. Therefore, IFPTE recommends you oppose this bill.

Long before the well-publicized press accounts in 2015 about hundreds of Disney and Southern Cal Edison workers being fired and replaced with lower paid H-1B workers, countless other U.S. and permanent resident workers over many years have suffered the very same indignity. This legislation seeks to address this injustice by requiring H-1B dependent employers to pay H-1B visa holders at least $100,000 a year, versus the current $60,000 requirement. While we appreciate the good faith effort of this legislation, simply raising the wage requirement while ignoring the many other problems associated with the H-1B program will not prevent employers from firing U.S. workers.

In order to protect U.S. workers from being displaced, and to protect H-1B workers from being indentured servants, there needs to be a comprehensive fix to the entire program. For example, an H-1B worker's ability to stay in the United States is dependent on them remaining employed. Yet, H-1B workers have little to no ability to change jobs, as their employers hold their visas, essentially tying them to a single employer throughout the duration of the visa. They have very weak job mobility and are unable to self-petition for a green card at the expiration of their visa. While employers can petition for a green card for the H-1B worker, they only do so ten percent of the time. In most cases the H-1B worker is sent back home after six years and replaced with another H-1B worker.

Unfortunately, under the legislation H-1B dependent employers would still be permitted to fire U.S. and permanent resident workers, replace them with H-1B workers, and even force them to train their replacements, as was the case at both Disney and Southern Cal Edison. The legislation also does not require employers to attempt to hire American workers before hiring H-1B workers. When it comes to wages, this legislation is silent on requiring H-1B employers to pay visa holders the actual market wage. For example, the average pay for those Southern Cal Edison workers who were laid off was over $110,000 annually, well above the minimum $100,000 requirement called for in HR 170.

HR 170 will not prevent the displacement of U.S. workers, and it ignores the many critical reforms needed to truly fix the flawed H-1B visa program. Therefore, IFPTE urges you to oppose it.

Thank you for your consideration. Should you have any questions please contact IFPTE Legislative Director Matt Biggs at (202) 239-4880.

Sincerely,

Gregory J. Junemann,
President

Cc: Members of the House of Representatives