

Competitiveness and Comprehensive Reform

What It Is

Reform of U.S. immigration law is essential to our nation's competitiveness. The technology infusion and high productivity that dominate the advanced manufacturing landscape demand a smart and sustainable manufacturing workforce.

What It Means For Manufacturers

Employers need to know there will be people available—at all skill levels—for employment today. Manufacturers support a comprehensive approach to reforming our broken immigration system. Access to talented individuals with a high-quality education and advanced skills is critical to manufacturers' capacity for innovation and business success. It is imperative that Congress approve thoughtful solutions to the immigration problem that exists today such as:

- High-skilled visa reforms, including increasing green cards, temporary visas and improving existing programs
- Creation of a program for essential workers that are not categorized and highly-skilled
- A secure compliance system to ensure employers have confidence they are hiring legal workers
- A sensible plan of addressing the estimated 12 million undocumented workers in the United States, including a process to earn citizenship
- A border security plan that allows for free trade of goods and improved public safety

Employment-Based Visas

What It Is

Each year the H-1B and Green Card applications reach beyond their capped limits. The employment-based visa cap should be increased and allow for unused visas to “roll over” from year to year. The employment-based green card system should be streamlined to keep foreign-born talent within the United States and a legal system should be developed to hire essential employees that are not included in the current visa definitions. The legal immigration system, both permanent and temporary, should be improved and simplified to reflect the needs of employers.

What It Means For Manufacturers

The limited number of visas currently available is stifling innovation and forcing companies to either not hire or not promote talented individuals that are essential to the growth of their company. Immigration reform should include fundamental changes in the method of determining the number of employment-based visas. In addition, there is not a structured legal system to address the needs of employers who want to hire the essential foreign-born employees who do not fit into the current definitions of visas. The number of available visas and green cards should emphasize market demands.

Compliance and Enforcement

What It Is

Abuse of the legal immigration system should be addressed in a manner that allows for the appropriate punishment of bad actors without structurally damaging programs used responsibly by compliant companies. Compliance and enforcement mechanisms should appropriately focus on those who abuse the system.

What It Means To Manufacturers

A federal verification system should pre-empt state laws regarding verification and limit employer liability. Manufacturers need a reliable, accurate, and efficient employment eligibility verification system that also provides fair enforcement of the laws.

Executive Action

What It Is

On November 20, 2014, President Obama announced a series of executive actions to address certain issues within the current immigration system in the absence of congressional action. His stated goals were:

1. Expansion of the Deferred Action for Childhood Arrivals (DACA) program
2. Creation of a deferred action programs for parents of U.S. citizens and lawful permanent residents
3. Modernize, improve and clarify immigrant and nonimmigrant programs to grow our economy and create jobs
4. Promote the naturalization process and;
5. Allow for provisional waivers of unlawful presence

What It Means For Manufacturers

Congressional action is needed to make structural changes to federal immigration statutes. However, in some instances, the President does have limited authority to make administrative changes to how the laws are executed. Under the executive action announced by the President the administration plans to do the following:

- Work with the Department of State to modify the Visa Bulletin system
- Provide clarity on adjustment portability to remove unnecessary restrictions on natural career progression and job mobility
- Streamline entrepreneurial visas
- Work to extend and expand Optional Practical Training and;
- Review and consider other relief options

As well as finalize regulatory processes already under way such as:

- Issue guidance on L-1 adjudications to create more consistency and;
- Finalize the H-4, spousal work authorization regulation