

Statement of

The Honorable Saxby Chambliss

United States Senator
Georgia
September 16, 2003

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Statement on H1B and L1 Visas
Judiciary Committee Hearing
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Mr. Chairman, I appreciate you holding this hearing. Professional worker visas have been in the spotlight the last few months, and I'm glad we will have a chance to focus on the H1B visa today.

We are in very difficult economic times in this country, and as a result, we need to reflect on the right approach for both American businesses and American workers. Having the critical skills and top talent from around the world is essential for our economic progress, but at the same time, we must make sure our immigration policies don't have a backlash effect of displacing American workers.

The H1B program has been valuable to our country and particularly to the high-tech industry that needs programmers and technicians to operate their businesses successfully. With the lapsing of H1B authorization this year, including the cap reverting from 195,000 to 65,000, we will have an opportunity to re-evaluate our priorities and our policies for professional worker visas.

A related issue on professional worker visas is the so-called "L1 loophole." The L1 visa allows for intra-company transfers so that our multi-national companies can bring executives, managers, and employees with specialized knowledge into the U.S. However, some companies have abused this visa by bringing in workers with only generic knowledge and then outsourcing those workers to other companies. This kind of offsite placement can, in some cases, circumvent the protections of the H1B visa when the worker is essentially performing that function of that visa. As result, American workers have been displaced, and this must stop.

I will introduce legislation tomorrow that closes the L1 loophole without inadvertent and unnecessary negative effects on business. My legislation is targeted to the specific problem, and it will end the practice of companies who are displacing American workers.

In these economic times, we must ensure that U.S. workers are given every opportunity and protection that is in the law, as well as ensure that our businesses are remain competitive worldwide. My legislation will do both.