July 27, 2022

Honorable Nancy Pelosi
Speaker of the House
U.S. House of Representatives
Washington, DC 20515

Honorable Kevin McCarthy
House Republican Leader
U.S. House of Representatives
Washington, DC 20515

The Honorable Charles Schumer
Senate Majority Leader
U.S. Senate
Washington, D.C. 20510

The Honorable Mitch McConnell
Senate Republican Leader
U.S. Senate
Washington, D.C. 20510

Dear Madam Speaker, Leader Schumer, Leader McConnell, and Leader McCarthy:

We are writing to you about an underappreciated but vital issue for both our economy and national security interest: the need for more talented and highly skilled individuals to fill the immediate labor demand of the technology industry. Workers with advanced education and knowledge in cutting-edge technical areas, specifically in science, technology and engineering (STEM) fields, are the fuel that will propel our economy and country into the next industrial and technological era.

As Chief Human Resource Officers, our role is to maximize the ability of our respective companies to recruit, develop, and retain talent.

However, at a time when our industry is seeking to invest in building capacity for operations ranging from R&D to leading edge design and manufacturing, we face an immediate shortage of qualified workers to fill these essential positions at our companies. We know our industry has voiced concerns about the ability to find talent in the past, but this challenge has truly never been more acute. "There are currently several thousand open technical positions in the U.S. semiconductor industry. Many of these positions have been open for months or longer … companies experience challenges finding enough qualified U.S. workers with the advanced graduate-level education, skills, and expertise needed to compete in this global economy."[1]

The semiconductor industry is not alone. The U.S. artificial intelligence sector has a "significant talent shortage" and "heavily relies on foreign-born talent" for the limited supply it does have.[2]

While all the undersigned companies are committed to invest in workforce development at the federal, state, and local levels to grow our U.S.-based STEM worker pipeline, in the near-term, the U.S. educational system does not produce enough Americans with the required qualifications to meet the demand of companies, not just in the semiconductor industry, but across the technical sector. Another challenge for our industry is the inability to retain talented foreign-born individuals who graduate with master's and doctoral degrees in relevant STEM fields at U.S. higher education institutions. This is critical

[1] Semiconductor Industry Association Comments to the National Institute of Standards and Technology on "Current and Future Workforce Needs to Support a Strong Domestic Semiconductor Industry"
[2] Center for Security and Emerging Technology - Strengthening the U.S. AI Workforce

given that foreign nationals generally represent more than half of the graduate-level STEM students in the United States.[3]

To remedy this shortage, we must 1) invest more in developing qualified U.S.-born STEM students 2) create more semiconductor-specific degree programs to skill and upskill the U.S. semiconductor workforce; and 3) retain more of the highly skilled STEM foreign-born workforce, particularly graduates from U.S. universities. While the former two will require medium to long-term public investments, Congress can achieve the latter by enacting two specific policy proposals: First, exempt eligible immigrants with doctorate and master's degrees in STEM fields from annual green card country caps, which was included in the America COMPETES Act (passed by the House of Representatives); and second, allow for the recapture of unused green cards in order to reduce the current massive backlog of employer- and family-sponsored green card applicants.

A Masters/PhD exemption would remove statutory limitations to employment-based immigration to the U.S. for certain sought-after STEM talent. Doing so would help alleviate the talent shortage faced by the semiconductor industry. Bipartisan efforts in Congress to make public investments in domestic semiconductor research, design, and manufacturing is important to U.S. national security. We consider a Masters/PhD green card exemption to be the other side of the same coin: by increasing the supply of STEM talent, we will be able to maximize the return on federal investments and advance U.S. technological leadership and competitiveness.

Similarly, green card recapture, which consistently has had bipartisan support, would accelerate the reduction of the current employer-sponsored green card backlog by ensuring that all green cards made available each year under the law are put to use. In recent years, tens of thousands of green cards were left unused by the end of the fiscal year, which further adds to the already significant delays in green card applications and further denies our economy the benefits of a larger permanent highly skilled workforce. Recent action to advance green card recapture legislation as part of the FY 2023 appropriations process demonstrates how important it remains.[4]

This issue is not only a semiconductor competitiveness problem. As recognized by Congress, the United States also needs to invest in R&D in strategic industries for its national security. This is necessary to stay ahead of strategic competitors that are investing heavily in both their indigenous semiconductor industries and their STEM talent. Put simply, we must do likewise. The U.S. and its close democratic allies believe in the importance of growing our strategic industries for economic and national security reasons. We believe the U.S. must do its part to remain the global innovation leader.

For these reasons, we call on Congress to enact much-needed green card reforms this year, as part of any must-pass legislation.

Sincerely,

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[3] *See, e.g.,* Reagan Institute report - Taskforce on National Security and US Manufacturing Competitiveness p. 18

[4] "Good Immigration News On Green Cards And Afghan Parole," *Forbes*, June 27, 2022

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