

**"One of the best con jobs ever done on the American public and political systems."**

- Former Labor Secretary Ray Marshall, describing the H-1B program<sup>1</sup>

The H-1B visa program expands the pool of young (less-expensive) workers<sup>2</sup> with (mostly) basic skills<sup>3</sup> and legally displaces Americans<sup>4</sup> (often experienced workers over age 35) with guest workers who earn less in wages and are often tied to the employers who hold their visas.<sup>5</sup>

- According to the Department of Labor: "H-1B workers may be hired even when a qualified U.S. worker wants the job, and a U.S. worker can be displaced from the job in favor of the foreign worker."<sup>6</sup>
- The majority of H-1B workers are paid "entry level" wages.<sup>7</sup>
- Just three months after the H-1B program was created in the Immigration Act of 1990, *60 Minutes* reported on how the program was already undercutting Americans' wages and job opportunities. *60 Minutes* ran a follow up story in 2017 and found that nothing had improved.<sup>8</sup>
- 81.7% of approved H-1B petitions in FY2023 were for workers 39 years old and younger.<sup>9</sup>

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<sup>1</sup> Jerry Kammer, "Former Labor Secretary Ray Marshall on H-1B, Stapling a Green Card to Diplomas, and IRCA," Center for Immigration Studies, December 10, 2016, <https://cis.org/Kammer/Former-Labor-Secretary-Ray-Marshall-H1B-Stapling-Green-Card-Diplomas-and-IRCA>

<sup>2</sup> Norm Matloff, "The H-1B/Age Connection: So Simple to Explain, So Hard to Understand," Upon Closer Inspection, April 4, 2015, <https://normsaysno.wordpress.com/2015/04/04/the-h-1bage-connection-so-simple-to-explain-so-hard-to-understand/>

<sup>3</sup> Elizabeth Jacobs, "To Get the 'Best and Brightest' H-1B Workers, the U.S. Must Reform the Program," Center for Immigration Studies, January 10, 2025, <https://cis.org/Jacobs/Get-Best-and-Brightest-H1B-Workers-US-Must-Reform-Program>

<sup>4</sup> Julia Preston, "Last Task After Disney Layoffs: Train Foreign Replacements," *New York Times*, June 3, 2015, <https://www.nytimes.com/2015/06/04/us/last-task-after-layoff-at-disney-train-foreign-replacements.html>

<sup>5</sup> Norman Matloff, "How the H-1B System Undercuts American Workers," *Compact Magazine*, January 3, 2025, <https://www.compactmag.com/article/no-there-arent-good-h-1b-visas/>. See also:

<sup>6</sup> U.S. Department of Labor Strategic Plan 2006 - 2007, <https://www.scribd.com/document/1628441/Department-of-Labor-strat-plan-2006-2011>

<sup>7</sup> Daniel Costa and Ron Hira, "H-1B visas and prevailing wage levels," Economic Policy Institute, May 4, 2020, <https://www.epi.org/publication/h-1b-visas-and-prevailing-wage-levels/>

<sup>8</sup> Ron Hira and Bharath Gopaldaswamy, "Reforming US' High-Skilled Guestworker Program," Atlantic Council, January 2019, <https://www.atlanticcouncil.org/publications/reports/reforming-us-high-skilled-immigration-program>

<sup>9</sup> U.S. Citizenship and Immigration Services, "Characteristics of H-1B Specialty Occupation Workers FY2023," March 6, 2024, [https://www.uscis.gov/sites/default/files/document/reports/OLA\\_Signed\\_H-1B\\_Characteristics\\_Congressional\\_Report\\_FY2023.pdf](https://www.uscis.gov/sites/default/files/document/reports/OLA_Signed_H-1B_Characteristics_Congressional_Report_FY2023.pdf)

The "dual intent" of the program allows employers to sponsor H-1B workers for green cards, which extends the period the worker is tied to the employer<sup>10</sup> and creates long backlogs of foreign "guest" workers with hopes of permanent resettlement in the United States.<sup>11</sup>

- H-1B workers are effectively immobile once employers sponsor them for green cards. Changing jobs or even getting a promotion would start the entire process (which often takes years) over again.<sup>12</sup>
- The lack of mobility costs the H-1B worker an estimated 25% in wages.<sup>13</sup>

There is no shortage of American workers.

- Fewer than half of STEM graduates find careers in STEM fields.<sup>14</sup> A Census Bureau study estimated that "less than a third (28%) of STEM-educated workers [are] actually working in a STEM job."<sup>15</sup>
- There is no evidence of wage increases that would indicate a labor shortage.<sup>16</sup>
- The top 30 H-1B employers hired 34,000 H-1B workers and laid off 84,000 employees from 2022-2023.<sup>17</sup>

Lower labor costs is the primary goal of the H-1B program.

- The National Science Foundation pushed for a program to lure more foreign doctoral students with the lure of a green card in order to "hold down the level of PhD salaries" one year before the H-1B program was created to do just that.<sup>18</sup>

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<sup>10</sup> David North, "Silicon Valley Insider Tells the Unpleasant Truth about the H-1B Program," Center for Immigration Studies, Aug 7, 2016, <https://cis.org/North/Silicon-Valley-Insider-Tells-Unpleasant-Truth-about-H1B-Program>

<sup>11</sup> John Miano, "Solving the H-1B Green Card Backlog: It's Easy If You Try," Center for Immigration Studies, March 21, 2017, <https://cis.org/miano/solving-h1b-green-card-backlog-easy-if-you-try>

<sup>12</sup> Matloff, "How the H-1B System Undercuts American Workers."

<sup>13</sup> Ibid.

<sup>14</sup> Jack Grove, "Few STEM graduates pursue jobs or careers in related fields," *Times Higher Education*, Feb 9, 2024, <https://www.insidehighered.com/news/global/2024/02/09/few-stem-graduates-pursue-jobs-or-careers-related-fields>

<sup>15</sup> Jennifer Cheeseman Day and Anthony Martinez, "STEM Majors Earned More Than Other STEM Workers," Census Bureau, 2021, <https://www.census.gov/library/stories/2021/06/does-majoring-in-stem-lead-to-stem-job-after-graduation.html>

<sup>16</sup> Steven A. Camarota and Jason Richwine, "New Wage Data Show No STEM Worker 'Shortage'" Center for Immigration Studies, Aug 30, 2024, <https://cis.org/Camarota/New-Wage-Data-Show-No-STEM-Worker-Shortage>

<sup>17</sup> Daniel Costa and Ron Hira, "Tech and outsourcing companies continue to exploit the H-1B visa program at a time of mass layoffs," Economic Policy Institute, April 11, 2023, <https://www.epi.org/blog/tech-and-outsourcing-companies-continue-to-exploit-the-h-1b-visa-program-at-a-time-of-mass-layoffs-the-top-30-h-1b-employers-hired-34000-new-h-1b-workers-in-2022-and-laid-off-at-least-85000-workers/>

<sup>18</sup> Matloff, "How the H-1B System Undercuts American Workers."