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Demand for H-1B visas exceeds limit LOTTERY WILL DETERMINE WHICH REQUESTS FROM EMPLOYERS ARE ACCEPTED

By Michele R. Marcucci
MediaNews
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The scramble for tech-worker visas ended Tuesday as immigration officials announced they hit the cap for next year's H-1B visas Monday, the first day companies could apply for them.

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Representatives of the U.S. Citizenship and Immigration Services said the agency had received a record 150,000 applications as of late Monday afternoon for the 65,000 visas available for the 2008 federal fiscal year, which starts Oct. 1. Immigration officials decided to accept all the applications received both Monday and Tuesday, and will place them in a computer-generated lottery to determine who will receive the visas, which are for architects, engineers, computer programmers and other skilled workers.

It's unclear whether an additional 20,000 visas set aside for workers with a master's degree or higher are gone, too.

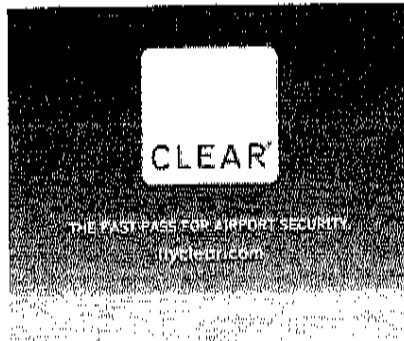
The lottery will not take place for several weeks, according to the immigration agency. And that has businesses and the attorneys representing them waiting anxiously to find out whether they can make planned hires.

San Francisco attorney Gail Schaham Gordon, who said last week that she'd be working through Saturday to get her clients' applications out, said all of her applications made it in on time. "However, as you can imagine, I have some very nervous clients right now," she said.

Robert Hoffman, Oracle's vice president of government and public affairs and co-chair of Complete America, a coalition of businesses, universities and others

pushing for reform for the program, was dismayed the cap was hit so quickly.

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"A significant number of exceptionally skilled individuals who will be graduating this year from U.S. colleges and universities will be shut out of the U.S. job market, and not for a lack of jobs but for a lack of visas," he said.

Hoffman said Oracle filed H-1B applications, but the company doesn't know yet how many will be accepted.

Hoffman said the quick closing of the H-1B visa window signifies the system for bringing in foreign workers has hit an "absurd" level of dysfunction. He, Gordon and others said it heightens the urgency for immigration reform.

They are pushing Congress to increase or remove the cap for the employer-sponsored visas and also for green cards for the workers.

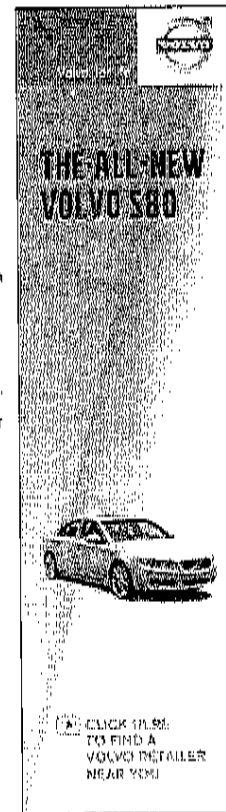
An immigration-reform bill introduced last month in the House of Representatives could nearly triple the number of green cards for visa holders.

The White House also has issued an immigration-reform proposal, which would issue employment visas based on a point system reflecting the U.S. economy's needs. But it's unclear how that would change the number of H-1Bs, said Bob Shtankiw, associate director of advocacy at the American Immigration Lawyers Association.

Opponents of the program have contended that the system is abused by companies, some seeking to hire cheap foreign labor at the expense of American workers.

A bill introduced last week by Sens. Dick Durbin, D-Ill., and Chuck Grassley, R-Iowa, would crack down on the use of H-1Bs, requiring companies to increase efforts to hire American workers before bringing in foreign labor and issuing additional restrictions on the use of the visas.

Contact Michele R. Marcucci at mmarcucci@santacruzmercurynews.com or (510) 208-6434.



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