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## Harder to hire foreign workers

Technology companies, including many in the Triangle, favor President Bush's push to allow companies to hire more workers from abroad for difficult-to-fill jobs

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In the heady days before the high-tech industry's crash, SAS Institute in Cary would occasionally hire talented foreign workers with advanced degrees from N.C. State.

But over the past several years, the world's largest privately held software company has just stopped trying.

"We've said, 'It's not worth it. There's no way we're going to be able to get this person,'" said Jeff Chambers, SAS' vice president of human resources.

Companies' enthusiasm has been dampened by restrictions that allow U.S. employers to bring in only 65,000 skilled foreign workers each year on H-1B visas. That limit is usually reached quickly.

The cap was as high as 195,000 several years ago, but lawmakers let the expansion expire in 2003 to give unemployed American technology workers easier access to jobs. But executives say in many cases there just aren't enough Americans with the skills to fill job openings.

SAS needs employees with graduate degrees in math, statistics and computer science.

"What we're finding and a lot of other companies are finding is there's just not enough technical talent for us," Chambers said.

That's why President Bush says the government should loosen the restrictions. In a speech in Minnesota this month, he called on Congress to raise the H-1B cap.

"I think it's a mistake not to encourage more really bright folks who can fill the jobs that are having trouble being filled in America," Bush said. If companies can't find the workers they need here, he said, they're more likely to send jobs abroad.

In 2004, Congress allowed an additional 20,000 H-1B visas for workers who have earned a master's



Anton Rukhlin, a Relativity Technologies software engineer who's from Russia, hopes to extend his visa.

Staff Photo by Corey Lowenstein

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### H-1B VISAS

H-1B visas give foreign citizens with specialized skills permission to work in the United States for three years. The worker can renew for another three-year term under the same visa, then must leave the country for a year before taking another H-1B position.

An employer must sponsor the visa, and if the worker changes jobs, the new employer must refile visa paperwork.

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degree or higher in the United States. Efforts last year to raise the general cap failed.

Even though hiring foreign workers isn't a big part of SAS' strategy, Chambers welcomes Bush's attention to the issue.

"Would we like to be able to do more? Absolutely," he said. "We don't want to rest on our laurels. We're going to have to get more aggressive as baby boomers start retiring."

Like SAS, many local companies hire H-1B workers who attended local universities and want to stay in the Triangle, said Janet Wylie, CEO of Engineous Software and chairwoman of the N.C. Technology Association.

Anton Rukhlin, 25, is one of those workers. The Russian software engineer for Relativity Technologies graduated from N.C. State University in 2004 and joined the Raleigh company. His father already worked there on an H-1B visa. Rukhlin's father recently received his permanent resident card, commonly known as a green card. Rukhlin hopes to extend his visa and eventually receive his green card, as well. "The money is better here," he said.

About a half dozen of Relativity's 30 employees in Raleigh are on H-1B visas. Relativity's software runs old computer code on today's systems. The company has 110 workers worldwide.

While the company's preference is to hire locally, American employees with the right skills can be hard to find, said Charles Dickerson, Relativity's senior vice president. When the company's consultants and contractors abroad become expert at its technology, it wants to bring them to Raleigh.

But under the current rules, the cap on foreign workers is reached within a few months of when the filing period opens in April. U.S. Citizenship and Immigration Services announced in August that employers had met the 65,000-person cap for the 2006 fiscal year that ends Sept. 30. The extra 20,000 spots for foreign U.S. graduates were filled Jan. 17.

Businesses are required to pay H-1B workers the "prevailing wage," or the average wage for U.S. workers in the same field. However, some critics claim the H-1B program allows companies to pay lower wages to foreign workers.

H-1B visas are expensive. In most cases, the fees total \$2,190 per worker for large companies and \$1,440 for companies with fewer than 25 employees.

Epic Games, known for its Unreal line of video games, has struggled to get the most talented programmers and artists because of a lack of visas.

Hiring is the company's No. 1 problem, said co-founder Mark Rein. "Epic is not cost sensitive, we're quality sensitive," he said.

Many of the skilled workers Epic and other gaming companies want are overseas and lack college degrees, adding to the difficulties. Visa preference is given to those with university training. That forces some gaming studios, especially larger ones, to set up operations elsewhere. Countries such as Canada are making it easier, Rein said, by streamlining visa rules for foreign workers in the gaming industry.

Wylie, who testified on Capitol Hill about raising visa limits in the late 1990s, praised Bush's "Competitiveness Initiative," of which the H-1B cap is a part. The initiative also calls for improving science and math education.

"I think the word 'cautious' is the appropriate word right now," said Murali Bashyam, a Raleigh immigration lawyer who assists companies that hire foreign nationals. "I think everyone is basically in a wait-and-see mode."

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