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Visa delay adds uncertainty for CT immigrant-entrepreneurs

BY **MATT PILON**

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PHOTO | STEVE LASCHEVER

Murtha Cullina's Dana Bucin says some of her clients were dismayed by a recently delayed visa program for entrepreneurs.

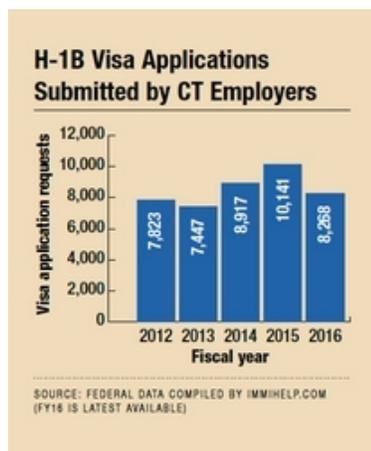
Getting a work visa in the United States can be difficult, and the federal government this month put up another roadblock for hopeful immigrants.

The so-called International Entrepreneurs program, created under an executive order from former President Barack Obama, is now postponed until next March.

An estimated 3,000 immigrant-entrepreneurs — including some in Connecticut — were preparing to apply for the new visa program before it was abruptly delayed this month, a week before the application window was supposed to open.

For some, it might have been their first U.S. work visa following college graduation. For others, it was seen as one of a limited number of options for staying in the country once their H-1B visas, which can last up to six years, expired.

The worker-immigration debate is important to Connecticut, where employers requested nearly 8,300 skilled worker visas in fiscal year 2016. Meantime, immigrant-owned businesses in the state earned \$1.1 billion in



revenue in 2014, while immigrant households paid \$1.8 billion in state and local taxes that same year, according to New American Economy.

The International Entrepreneurs program would have provided accepted applicants with two years — known as "parole" status — to work to grow their businesses in the U.S. To qualify, applicants would have to raise \$250,000 in venture capital financing or \$100,000 in government grants, or show that their company would create "significant public benefit."

In the past, immigration officials have typically only granted such parole status on humanitarian grounds.

Hartford immigration attorney Dana Bucin said the program's delay didn't happen in a vacuum, and it signals another step toward a more protectionist immigration stance.

The delay came in the wake of a travel ban President Donald Trump proposed earlier this year that seeks to restrict visas for travelers from six

Middle Eastern majority-Muslim countries and another executive order that called for a review of the country's largest worker visa program for skilled workers, known as H-1B.

Bucin, who said she had more than a dozen clients excited about the International Entrepreneurs program, said government is shooting itself in the foot.

"There are highly talented folks from U.S. colleges and universities who are very much in demand and they are forced to figure out some other avenue," said Bucin, who chairs Murtha Cullina's immigration practice. "You're shrinking the [talent] pipeline. This is not good."

Bucin said skilled immigrants could choose to move to Canada, which in March revised its own skilled-worker visa program to allow for application processing in 20 business days. In the U.S., H-1B visas can take months to clear.

Hopes dashed

For one Greater Hartford immigrant-entrepreneur, the program delay announced July 10 struck a blow.

"I was astounded, frustrated, incredulous," said the woman, who has been in the U.S. legally for the past 12 years but requested her identity be withheld because she was concerned public statements could impact a separate visa application that's pending. If she is unable to secure an extended visa status by a certain point, she may have to leave the country.

She has worked in the nonprofit sector and earned two graduate degrees from UConn, where she later worked with STEM entrepreneurs.

She wants to build a company that teaches business skills to university scientists and guides the development of new startups.

She still hopes the International Entrepreneurs program will move forward next year, but in the meantime she is weighing her options.

"Right now I'm on a very thin rope," she said.

One option could be to apply for an investor visa known as an E-2, which would require a substantial investment of her own money (likely \$40,000 or more) into a company.

Though she'd rather build her own business, she said she has an offer to become a part owner in a manufacturing company.

Another option would be a move north, though she would lose the Connecticut network she has built up over the years.

"People like me have options, very real options," she said. "I look at Canada, which is saying 'come here,' and I say 'why am I doing this?'"

H-1B

The delay of the International Entrepreneurs program comes after another year of high demand for H-1B visas.

Congress has long allotted 85,000 H-1B visas per year (20,000 of which are specifically for workers with advanced degrees), and for the past five years, applications have maxed out within just four days.

Immigration officials received just under 200,000 applications in the recent April application cycle. Though demand remains high, that was a dip from 233,000 applications last year.

Some suspect Trump's executive orders played a role in the declining applications.

"I certainly think it had to do with skepticism about the future of the program in general," said Adam Mocchiolo, an immigration attorney with Pullman & Comley in Bridgeport.

Connecticut IT and professional services firms — East Hartford's Cyient, Glastonbury's GSS Infotech and Danbury's Genpact — were the largest H-1B visa applicants in the state in fiscal 2016.

In addition, for companies that sponsor H-1B prospects, the costs can add up. Mocchiolo said each application costs several thousand dollars, plus legal fees. If a sponsoring company has not done well in the annual H-1B lottery, they may scale back their efforts.

Both Mocchiolo and Bucin said the true impact of the executive orders may not be felt until next year or the year after, since employers are able to temporarily hire immigrant college graduates as they pursue a longer-term visa.

Colleges, too, will likely see the impact over the next few years, said Bucin, who gives immigration presentations to area students.

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