

Agenda Report

April 16, 2012

TO: Honorable Mayor and City Council

THROUGH: Legislative Policy Committee (March 28, 2012)

FROM: Assistant City Manager

SUBJECT: Support for INVEST Act (HR3692)

RECOMMENDATION:

It is recommended that the City Council express formal support for the INVEST Act (HR3692) legislation and urge Congress to pass the measure into law.

LEGISLATIVE POLIYC COMMITTEE RECOMMENDATION:

On March 28, 2012, this legislation was brought to the attention of the Legislative Policy Committee. Following discussion, the Committee voted unanimously to forward this item to the full City Council for its consideration.

BACKGROUND:

On December 15, 2011, U.S. Representatives Adam Schiff (D-CA) and Charles Bass (R-NH) introduced HR 3692, the Immigration and Naturalization Investment Ventures for Engineering, Science, and Technology in America Act of 2011, also known as the "INVEST Act."

The legislation would amend the federal Immigration and Nationality Act to provide conditional permanent resident status for an "alien entrepreneur" and his or her spouse and children who: (1) is in the process of completing, or has completed, a graduate level degree in science, technology, engineering, math (STEM) or a related academic discipline from an accredited U.S. institution of higher education; (2) establishes a new commercial enterprise related to such study that meets employment and wage requirements; and (3) is admissible as an immigrant.

To qualify, the immigrant entrepreneur must start a new business relevant to the areas of study mentioned above; create no less than 5 new full-time jobs and a minimum of 90 total work months for United States citizens, aliens lawfully admitted for permanent

residence, or other immigrants lawfully authorized to be employed in the United States (other than the immigrant and the immigrant's spouse, sons, or daughters) within 5 years and provides the prevailing wage level in the area of employment for the specific occupation.

The legislation also directs the Secretary of Homeland Security (DHS) to terminate such alien's status for fraud or failure to meet immigration status requirements during the 60-month period after obtaining such status.

The measure also directs the Secretary of Homeland Security, the Secretary of Commerce, and the Secretary of Education to submit a recruitment, retainment, and investment strategic plan to Congress to attract skilled and talented foreign nationals to immigrate to the United States to create jobs and grow the economy.

According to a press release from Rep. Schiff's office, foreign students make up nearly 40 percent of the graduate student body at Caltech. The release goes on to say that "due to the lack of U.S. immigration options, many of these talented individuals are being forced to return to their country of origin at the expiration of their student visas, where they then take their entrepreneurial ideas, build on them in those foreign countries, and boost those economies instead of our own, while creating competition for American companies."

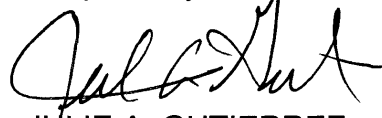
COUNCIL POLICY CONSIDERATION

Support of this bill would promote the City Council's goal of enhancing the quality of life and local economy by providing a means for graduates from Pasadena based colleges to remain in Pasadena where they can use their talents to invest and build startup companies that potentially may lead to job creation and investment in our community.

FISCAL IMPACT:

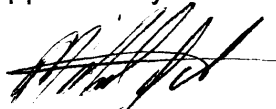
There is no fiscal impact by supporting the INVEST Act.

Respectfully submitted,



JULIE A. GUTIERREZ
Assistant City Manager

Approved by:



MICHAEL J. BECK
City Manager