

AMENDED IN ASSEMBLY JUNE 29, 2015

AMENDED IN ASSEMBLY MAY 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**Assembly Joint Resolution**

**No. 12**

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**Introduced by Assembly Members Eduardo Garcia, Brown, and  
Roger Hernández**

**(Coauthors: Assembly Members Chiu, Cristina Garcia, Gonzalez,  
~~and Rendon~~ *Rendon, Alejo, Atkins, Bloom, Bonilla, Bonta,  
Calderon, Campos, Chau, Chu, Cooley, Cooper, Daly, Dodd,  
Eggman, Frazier, Gatto, Gipson, Gomez, Gordon, Gray, Holden,  
Irwin, Jones-Sawyer, Levine, Lopez, McCarty, Medina, Mullin,  
Nazarian, Quirk, Ridley-Thomas, Rodriguez, Salas, Santiago,  
Mark Stone, Thurmond, Ting, Weber, Williams, and Wood*)**

March 24, 2015

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Assembly Joint Resolution No. 12—Relative to the H-1B Visa program.

LEGISLATIVE COUNSEL'S DIGEST

AJR 12, as amended, Eduardo Garcia. H-1B Visa program: investigation of misuse.

This measure would urge the United States Department of Labor and the Congress of the United States to investigate alleged misuse of the H1-B Visa program.

Fiscal committee: no.

- 1 WHEREAS, The H-1B Visa program allows businesses to
- 2 temporarily hire highly skilled foreign workers with specialized

1 knowledge where a qualified United States worker cannot be found;  
2 and

3 WHEREAS, The H-1B Visa program was never intended to be  
4 used as a catalyst for laying off United States' workers and  
5 replacing them with H-1B workers; and

6 WHEREAS, The granting of H-1B Visas should never result in  
7 the creation of a virtual pipeline for outsourcing United States  
8 workforce jobs; and

9 WHEREAS, California's average unemployment rate in January  
10 2015 was 6.9 percent with Imperial County's unemployment rate  
11 being 20.6 percent; and

12 WHEREAS, Some companies are misusing the federal H-1B  
13 Visa program, including the documented misuse by one California  
14 public utility to replace 400 California workers; and

15 WHEREAS, Senate Bill No. 477 (Chapter 711 of the Statutes  
16 of 2014) seeks to end the exploitation of foreign, temporary,  
17 nonimmigrant workers brought to California under various federal  
18 work visa programs; and

19 WHEREAS, Displaced American workers are being exploited  
20 through the misapplication of the H-1B Visa program; now,  
21 therefore, be it

22 *Resolved by the Assembly and the Senate of the State of*  
23 *California, jointly,* That the Legislature respectfully urges the  
24 United States Department of Labor and the Congress of the United  
25 States to investigate this alleged misuse of the H1-B Visa program;  
26 and be it further

27 *Resolved,* That any company that has engaged in this improper  
28 practice is urged to immediately cease the practice of replacing  
29 California employees with foreign workers under this, or any other,  
30 program; and be it further

31 *Resolved,* That the Chief Clerk of the Assembly transmit copies  
32 of this resolution to the President and Vice President of the United  
33 States, the Speaker of the House of Representatives, the Minority  
34 Leader of the House of Representatives, the Majority Leader of  
35 the Senate, the Minority Leader of the Senate, and each Senator  
36 and Representative from California in the Congress of the United  
37 States.

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