

News & Insights

Tech after Trump: What a Biden win will mean for Asia

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President-elect is expected to be more strategic on China and immigration issues

Friendlier policies for foreign talent?

Closer to home, Biden could roll back some of the recent immigration policies that have made it more difficult for America's big tech companies to hire and keep foreign talent.

Of particular importance is the H-1B work visa program used primarily by Silicon Valley tech companies to bring in high-skilled immigrants. The majority of H-1B visas are awarded to Chinese and Indian nationals but in June the U.S. suspended the issuance of these and other work visas. This was followed by major rule changes announced last month, raising the requirements for H-1B applicants.

The Trump administration's unfriendly stance toward immigration has driven a growing number of tech workers to leave the country, willingly or unwillingly.

"We are not living in the 1920s anymore. It's a global economy, and we have to be competitive," said Diane Hernandez, an immigration attorney at law firm Hall Estill.

Biden will "not make it more difficult" for tech companies to hire foreign talent, Hernandez said, as the priority will be on helping U.S. tech companies remain globally competitive. However, she also expects his administration will make some changes to employment-based immigration policies, including the H-1B program, in the next four years.

"Biden tends to be a little more on the conservative or [moderate] side when it comes to employment-based immigration issues," Hernandez added.

Attorneys

- Diane L. Hernandez

Practices

- Employment-Based Immigration and Compliance