

Deals for industries, immigrants tucked in Senate bill

Fredreka Schouten, USA TODAY 10:45 p.m. EDT June 16, 2013

Story Highlights

- Under Senate immigration overhaul, retirees from Canada and other countries could stay longer in the USA
- The bill also benefits seafood processing plants and the hospitality industry
- Congress last rewrote immigration laws in 1986

WASHINGTON — Foreign retirees could live in the United States for longer periods each year if they agree to make hefty cash investments in real estate. Overseas snowboard instructors could enter the USA under visas now reserved for athletes, and beach resorts could hire more lifeguards and groundskeepers from abroad.

The massive immigration overhaul working its way through the Senate is peppered with benefits like these for specific industries and immigrant groups — even as it aims to tackle three core policy objectives: creating a path to citizenship for 11 million immigrants in this country illegally, strengthening border security and increasing enforcement of laws that guard against the employment of undocumented workers.

"This is one of the primary reasons that our immigration laws, like our tax code, are so complicated," said Rosemary Jenks, director of government relations for Numbers USA, which opposes increased immigration. "Congress treats it like a Christmas tree."

"Each time a new special interest comes through the door, they just stick on a new ornament for the special interest," she said.

Proponents of the bill, however, say the measures already in the bill reflect the need to fix many parts of a broken immigration system Congress last overhauled in 1986.

"This bill is the best chance for a lot of people to have a lot of their specific issues addressed," said Bob Sakaniwa, of the American Immigration Lawyers Association, a group advocating for the overhaul. "There's been this pent-up demand."

Even before the immigration debate began on the Senate floor last week, the overhaul included provisions long the focus of intense lobbying by an array of interests groups. For instance, the technology industry lobbied successfully to secure more visas for foreign engineers, programmers and other high-skilled workers, while the bill sets aside 10,500 visas each year for Irish immigrants.

More changes are expected during the weeks of debate ahead.

Among the measures inserted in the bill:

- A provision granting foreign retirees 55 and older a three-year, renewable visas if they invest \$500,000 in U.S. real estate. They must live in this country at least six months each year and have health insurance.

A separate measure would allow older Canadians to remain in the United States for up to eight months each year — up from six months under current law. To qualify, Canadians must own a home here or have a long-term rental agreement. They also must have health insurance and cannot work in this country.

The 70,000-member Canadian Snowbird Association lobbied Congress for years to extend the time limit, including a letter-writing campaign two years ago that targeted every lawmaker on Capitol Hill, said Evan Rachkovsky, the group's research officer.

New York Sen. Chuck Schumer, a Democrat and one of the so-called Gang of Eight senators who crafted the bill, backed the measure.

Both foreign visa measures were supported by a powerful U.S. interest: The National Association of Realtors, which spent \$41.5 million to lobby Congress last year.

Advocates say relaxing the requirements advance U.S. economic interests. Foreigners bought \$82.5 billion in real estate between March 2011 and March 2012, or nearly 5% of all sales, according to a study by the Realtors' group. Canadians accounted for nearly one-quarter of purchases by international buyers.

"The real estate industry has been through a really difficult patch," said Marcia Salkin, managing director for legislative policy with the National Association of Realtors. "This makes it easier for foreign investors to purchase property in the U.S. and have enough time here to use that property."

- A measure that would make it easier for resorts to hire foreign ski and snowboard instructors by allowing them to work in the USA under the same program used by professional athletes and entertainers.

Currently, foreign ski instructors are hired under a 10-month visa program established for seasonal employees. Visas used by foreign athletes can be renewed for up to a decade under current law. Industry officials say they've had a hard time finding certified ski instructors with the language skills to serve growing numbers of foreign visitors.

The 2012-13 ski season drew about 3.5 million foreigners to U.S. slopes, up from 3.15 million foreign skiers the previous year, said Dave Byrd, of the Colorado-based National Ski Areas Association, which lobbied for the change. The spending by foreign tourists, the groups says, sends big ripples through the economy — especially in the rural areas surrounding many ski resorts.

"If we don't have the language skills and the high certification to serve these international tourists, that's money we are leaving on the table," Byrd said.

The measure was advanced by Colorado Sen. Michael Bennet, a Democratic member of the Gang of Eight, whose state accounts for about 20% of the nation's ski visits.

Bennet spokesman Adam Bozzi said it's wrong to characterize the measure as a home-state carve-out, given the benefits it will bring to a ski industry that has a coast-to-coast presence.

"We don't look at this as a state-specific issue," Bozzi said. "It's an issue we may be more in tune to because it's an industry that's larger in our state."

- Another provision that would increase the number of foreigners who can enter the USA each year to fill non-agricultural seasonal jobs in a wide range of industries – from landscaping and seafood processing to hotels and touring carnivals.

Under current law, no more than 66,000 of these so-called H-2B visas can be granted each year. The immigration plan would temporarily boost the number of these workers in the USA by not counting returning foreign workers toward the annual cap.

In 2007, after Congress approved a similar provision in a spending bill, the number of workers entering the USA on the visa hit 129,547, State Department records show. That provision has expired.

It was one of several measures long sought by a broad consortium of businesses, known as the H-2B Workforce Coalition, which has challenged U.S. Department of Labor's recent efforts to hike wages for seasonal employees. Businesses say the wage increases threatened thin profit margins in industries where it's hard to fill jobs with American workers.

Ana Avendaño, who works on immigration policy for the AFL-CIO, calls the seasonal program a "blueprint for worker exploitation." Some workers, she said, pay high fees to recruiters to enter the program. Once in this country, the workers cannot change jobs without risking deportation. Labor successfully sought a provision to stop recruiters from collecting fees from visa holders, but "is working hard to improve" other parts of the bill, she said.

Jeff Blomsness, co-CEO of North American Midway Entertainment, said he hires about 250 to 300 foreign workers each year under the program to staff his traveling amusement parks. His employees generally come from either South Africa or Mexico and do everything from assembling rides to selling cotton candy at state and county fairs.

He said it's hard to find U.S. workers willing to take on jobs that generally last a few months each year, require them to live in mobile bunkhouses and travel non-stop. "It's not the lifestyle most people want."

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