

Senators Eye Higher Visa Fees

By Sara Murray
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A bipartisan group of senators is weighing higher visa fees and fines to offset the cost of overhauling immigration laws, two approaches that could spark a backlash from businesses and immigration advocates.

Certain provisions in the immigration bill, which the senators expect to unveil in early April, likely won't be cheap. The framework calls for additional border security, a system to track people when they enter and exit the U.S. on visas and improved employment-verification systems.

Those involved in the Senate discussions say there are two clear places to find revenue: Higher visa fees from businesses that want to bring highly skilled workers to the U.S. and fines on undocumented immigrants now in the country who choose to pursue legal status.

The Senate effort is expected to make more visas available to companies that want to bring skilled workers to the U.S. It now costs between \$1,575 and \$5,550 in fees to obtain the most popular of those visas, the H-1B visa, and that's before taking into account the fees companies pay lawyers to file the applications.

WSJ immigration reporter Sara Murray says negotiators have been tight-lipped as they try to hash out a deal and avoid public disputes. Key issues: figuring out the thorny details of a pathway to citizenship and setting rules for future workers.

In exchange for the government making more skilled-worker visas available, major companies such as Microsoft Corp. MSFT -0.36% have, in the past, shown a willingness to pay more—but on the condition that the added revenue be set aside to train U.S. workers for science, math, engineering and technology fields. Now, senators are contemplating higher fees to pay for immigration-law enforcement and security measures.

Raising fees to pay for the immigration bill could cause some irritation, business groups said, but it's unlikely to deter tech giants from tapping the H-1B program.

"They're not intended or designed to be flat-out revenue raisers," Bruce Mehlman, a lobbyist and executive director of the Technology CEO Council, said of the visa fees. "The goal of those programs is to make sure that our tech sector is internationally competitive."

Senators still don't know how much the bill will cost, but a failed 2007 effort to overhaul immigration laws would have added \$18 billion to the deficit over a decade, according to the nonpartisan Congressional Budget Office. The expensive components, enforcement and border security, were partly offset by additional tax revenue from immigrants. The senators working on the current overhaul, aiming to put forward a so-called revenue-neutral bill, hope to get an informal estimate from the CBO before the bill moves to committee, a Senate aide said.

The framework for legislation now being written in the Senate also calls for collecting fines from undocumented immigrants for having violated U.S. law, as well as back taxes, as a requirement for starting on the path to getting legal status and a green card.

Advocates for immigrants are wary. Frank Sharry, executive director of immigration advocacy group America's Voice, said a revenue-neutral bill shouldn't come "at the expense of low-wage immigrants who could end up getting tagged with huge fines that make it impossible to gain immigration status."

The median annual household income for unauthorized immigrants was \$36,000 in 2007, according to a study by the Pew Hispanic Center.

"You're talking about a lot of folks that are by no means wealthy," said Sen. Lindsey Graham (R., S.C.), a member of the Senate group. "But a fine, I think, is appropriate of some fashion."

Advocates for immigrants are concerned that senators might take hints from the 2007 push to overhaul immigration laws, which included fines that some said were exorbitant. In that plan, a family of four would have paid up to \$9,000 to apply for a provisional legal status. When they eventually qualified to apply for permanent legal status, they would have had to pay an additional \$4,000.

Marshall Fitz, director of immigration policy at the left-leaning Center for American Progress, said he hopes the climate around immigration has changed enough to avoid charges as high as those in the 2007 bill, which he considers punitive.

He said a much lower fine would be suitable. "Is \$250 too little? Some would argue it is," Mr. Fitz said. "I think it's a perfectly appropriate amount."

The size of the fine could also depend on when it's levied in the legalization process. If undocumented workers know they'll have to pay a hefty fine before they can apply for a green card but also have a decade to save for it, a higher fee might be appropriate, pro-immigration advocates said.

"It's a pretty tough process that we're going to put people through," said Sen. John McCain (R., Ariz.), who is part of the bipartisan Senate group. "It shouldn't be easy to become a citizen of the United States."

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