

Bay Area Council weighs in on immigration policy

Tom Abate, Chronicle Staff Writer

Wednesday, December 5, 2007

A Bay Area business group hopes to jump-start immigration overhaul by persuading House Speaker Nancy Pelosi and San Jose Rep. Zoe Lofgren to craft a deal: Let industry hire more guest workers from abroad, and in return industry will back measures like improving border security and helping the children of undocumented migrants obtain legal status by going to college or joining the military.

In a letter obtained by The Chronicle, the business-backed Bay Area Council warns that the failure of comprehensive immigration reform has left Northern California's high-tech, tourism and agribusiness firms unable to hire enough foreign workers under special visas called the H-1B, H-2B and H-2A, respectively.

The national gambit is a departure for the council, which normally focuses on state or regional issues, but the local business leaders think they have extra clout on immigration because Lofgren chairs a key committee and Pelosi runs the House.

"The immigration issue is bigger than tech, it's bigger than H-1B," said Robert Hoffman, a lobbyist for Oracle Corp., which belongs to the council as well as to various tech groups. "Immigration is central to all the industries in the Bay Area economy, which is why it's a high priority for the council."

Letter short on solutions

The two-page letter sent to the lawmakers doesn't explain how Pelosi and Lofgren might solve issues that stymied the Senate this summer. And immigration experts say the two leaders face opposite pressure from Democratic hard-liners who think a crackdown on undocumented workers, rather than more legal immigrants, should come first.

"There's ultimately got to be a leadership call," said Doris Meissner, a senior fellow with the nonpartisan Migration Policy Institute. She said there is some chance that the Bay Area gambit will spark discussion, but added that many in Congress resent the business community for not pushing harder on comprehensive reform.

Officially, however, Pelosi spokesman Brendan Daly welcomed the Bay Area Council letter in a carefully worded statement that did not shut the door on a partial solution.

Pelosi "has been pretty clear that there would be no H-1B or H-2A or H-2B fixes unless there is genuine action on proactive immigration reform," he said.

That statement substitutes the word "proactive" for what she and other democratic leaders had previously called "comprehensive" immigration reform, and with that shift, Pelosi signals a willingness to touch several different political nerves.

To begin with, Capitol Hill insiders say, Pelosi must contend with members of the Latino caucus who are most bitter about the collapse of the comprehensive immigration bill and most leery of cutting any deal with industry that would solve its problems - getting more foreign workers for tech firms, ski resorts and farms - without tackling any of the issues important to their constituents.

Given that the whole concept of amnesty for illegal migrants sank the Senate bill earlier this year, the Bay Area Council initiative seeks to lure Latino lawmakers into the deal by pledging something more modest - business backing of the so-called DREAM Act, a bill to help the children of undocumented workers get legal status by graduating from high school and attending college.

Whether that would be sufficient inducement to get the Latinos aboard - or excite the vehement opposition of enforcement-minded members of either party - remains to be seen.

'Noah's Ark'

But Pelosi seemed to invite some sort of new deal-making gambit in November when she spoke about what she called the "Noah's Ark" path to immigration reform. In the biblical story, male and female animals walked aboard the vessel together but this, of course, is politics, so what she envisioned was a pairing of strange bedfellows. "(In) this Noah's Ark approach, you get this, we get this, we work together to get them both."

So while Pelosi might like to get opposing factions on immigration to work together - and get high-tech and other industries more imported labor - it remains to be seen whether the political animals of Capitol Hill will line up as meekly as the beasts in the Bible.

"Right now immigration is so toxic it's hard to get any sort of compromise," said Meissner, the think tank expert.

E-mail Tom Abate at tabate@schronicle.com.