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Legal immigration rules need updating

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In the absence of comprehensive immigration reform, the Bush administration is struggling to help employers cope with the nation's inadequate system for allowing legal immigrants to work in the United States.

The Express-News reported that the administration is attempting to piece together small bureaucratic changes to help employers, who are struggling to find workers for relatively low-paying jobs that most Americans avoid.

The H-2B visa program for non-farm jobs, including construction and service industry positions, leaves a lot to be desired, employers and government officials told the newspaper.

An unrealistically low limit on the number of such visas is a key part of the problem.

In 1990, the 1950s-era law was changed to allow 66,000 H-2B visas annually. That paltry number is not even close to being big enough to fill the demand in today's national economy.

The Express-News reported that half of next year's visas already have been taken, severely damaging prospects for employers to find enough workers in 2009.

In addition to the unreasonably low cap, employers have to jump through a series of expensive bureaucratic hoops to secure visas for legal immigrant workers.

Businesses must prove they have tried to recruit citizens to take jobs before they can seek approval for legal H-2B workers, the newspaper noted.

Administration officials are working to expedite the process by reducing the time required for the process to work and changing other rules that make the process excessively difficult.

In the end, Congress is the major roadblock.

An advocate for the landscaping and nursery industry told the Express-News those businesses particularly need Congress to allow previously hired workers to return even if the annual visa cap has been exceeded.

Lawmakers failed to agree on comprehensive reform despite major efforts by the administration and some members of Congress, and they have not made badly needed narrow changes to ease the pressure and allow the existing legal immigration program to serve the needs of the business community.

Major reform is clearly unobtainable before a new administration and Congress take office next year.

But the least lawmakers should do is make the small desperately needed adjustments to the existing law that will help U.S. employers now.