

All Point Bulletin

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New visa requirements throw monkey wrench into the works of local companies

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Local businesses are feeling the drag from another round of federal regulations that make Point Roberts a little more inaccessible, this time for seasonal workers.

On May 1, business owners met with local Customs and Border Protection (CBP) port director Omar Longoria and Karla Moran, a supervisory immigration officer with U.S. Citizenship and Immigration Services (CIS). The meeting reviewed changes in the process business owners use to get a permit to hire a Canadian worker. “They told us they were getting caught up. We’ve been doing our own little thing over here in our own little corner of the world and we’ve been doing it wrong,” said chamber of commerce president Heather McPhee.

Longoria said the change was a leftover from the shuffling of responsibilities that came with the formation of the Department of Homeland Security (DHS). DHS amalgamated customs and immigration functions under one umbrella, while separating inspections into CBP and visa or citizenship examinations into CIS. “That’s just where the authority should be,” he said, not in the hands of local CBP inspector. “CBP has assumed this responsibility for years but technically it was not our role.”

Until now permits for the visas for temporary unskilled workers were submitted and reviewed at the local port. “You usually got an answer in days,” said golf course manager Kyle German. The local review was limited to this class of visa. The new process involves filing paperwork with three different state and federal agencies and could involve months of processing.

“It’s just going to be difficult,” McPhee said “It’s already difficult and this will make it more difficult.”

Brewster’s restaurant owner Joan Roberts will be the first to have to renew visas for her summer workers and she is struggling through the process. “The biggest issue is that there doesn’t seem to be a coordinated process with three governmental entities involved,” she said.

Roberts has already done hours of research beyond reviewing the 65 page PowerPoint presentation Moran provided. “I’m putting together a step by step procedure,” she said. “There’s no point in everyone having to do the research over.” She said there may be some benefits to the new rules, including longer visa terms and the possibility of workers staying on the Point for the term of their visa.

Roberts said the biggest blow was the processing time. “Before we still had to jump through the hoops but because it was done locally it took weeks not months,” she said. “If someone leaves now it would be hard to replace them.”

“It’s like the new Food and Drug Administration (FDA) rules,” that require businesses to file with the FDA every time they bring food across the border, Roberts said. The FDA rules required another time consuming bureaucratic process if she wanted to buy vegetables or fish in Canada and eliminated the possibility of picking up something fresh on a whim. “We can still get things here and we’ll still be able to get people. It’s just going to take more time and more work.”

In an attempt to get U.S. workers, Roberts said she not only advertises locally but has put up an ad for dishwashers, waitstaff, cooks and busboys on the Bellingham Craigslist. She had 20 hits in days but when she laid out the hour-plus trip each way and the need for two border crossings, passport or NEXUS in hand, she got “thanks but no thanks” from every one.

Canadian workers are needed, especially in the busy summer months, because there is not a sufficient local workforce and workers won't come from the mainland. “When the sun comes out we need workers and we need them now,” German said. His workforce goes from a low of 17 in winter to 45 plus in the summer. “I understand where they're coming from that they need everyone on the same page and it doesn't matter where you are,” he said of the new procedures. “But it sure would be nice if it did matter where we are. Point Roberts is such a cool little place and could be so much more.”

Several business owners said they felt local management was willing to come up with a more workable solution if they had a nod from superiors. “I will promote their ideas and put them in touch with the people who can help them,” Longoria said. “We will abide by whatever recommendations or policies put forward by CIS.” One winner in the recent policy shifts has been the local fire department, which can now get visitor visas for firefighters when they had to get temporary worker visas beforehand, as they are classified as an essential service and do not receive salaries. “There is no charge for the department and we can apply as many times as we want,” said chief Nick Kiniski.

Congressman Rick Larsen said his staff would work with federal agencies to try and make sure more workable solutions are arrived at. “I recognize the unique nature of Point Roberts and remain committed to working with folks in the community to find solutions to these problems,” he said. “On these issues, I have reached out to appropriate U.S. and Canadian officials and will continue to work on behalf of those who live and work in Point Roberts.”

Larsen's staff is also addressing the issue of growing limits on residents bringing goods purchased on the mainland through Canada and back to the Point.