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LEGAL IMMIGRATION PROGRAMS DRAW MORE SCRUTINY IN CONGRESS

By Siobhan Hughes
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Congress has sparred over granting temporary work visas to seasonal workers, clashed over putting on hold a program to resettle Syrian and Iraqi refugees, and fought over how many visas to give Afghans who helped the government during the long U.S. war in their country.

In the 2016 election year, illegal immigration has been at the forefront because Republican presidential nominee Donald Trump has made building a wall along the Mexican border his signature issue. But the variety of parallel skirmishes taking place on the Senate floor and in committee rooms and closed-door negotiations provide a window into the degree to which not just illegal immigration but by-the-books, legal immigration is itself a political flashpoint.

The question of where Congress stands on legal immigration – and whether campaign-trail rhetoric aimed at illegal immigrants will carry over into an anti-immigrant mood writ large – is in focus this week partly because of a United Nations summit on refugees that began on Monday. But even before the meeting, in which world leaders agreed to negotiate in 2018 a global pact to share the burden of housing and educating refugees, Congress was enmeshed in the issue.

Immigration policy in recent years has become intertwined with the passage of routine bills to keep the government funded. Congress as soon as this week is expected to pass an interim spending bill that will delay until the end of the year, when it is expected to take up an omnibus spending bill, a fight over how many people to admit to the U.S. and under what conditions.

Even a program that grants permanent resident status to foreigners who invest at least \$500,000 in projects that will create U.S. jobs has been caught up in the mix. Sens. Charles Grassley (R., Iowa) and Pat Leahy (D., Vt.), say the program, with a key provision that is due to expire at the end of the month, needs to be reformed. Last week, Sen. John Cornyn (R., Texas) told reporters that he expected the EB-5 program to be renewed through the interim spending bill. But on Monday, he suggested efforts to renew the program through the spending bill had stalled.

“It hasn’t been resolved, so we’ll probably have to kick that over to the omnibus to resolve it,” he told a reporter.

The forces driving the battles are fears about economic and national security, pitted against demand by employers for certain kinds of labor and a desire among some lawmakers to live up to America’s reputation as a nation of immigrants.

Sen. John McCain (R., Ariz.) this summer accused a Republican colleague of signing the death warrants of Afghans by blocking a vote on an amendment to extend a program granting special visas to interpreters who helped the U.S. military. Sen. Jeff Sessions (R., Ala.) and Sen. Thom Tillis (R., N.C.) traded barbs over allowing seafood-processing,

landscaping and resort workers to come back for temporary work without upsetting annual limits on visas for seasonal work. More recently, Rep. Jim Jordan (R., Ohio), the chairman of the conservative-leaning House Freedom Caucus, floated a proposal under which his group would vote for an interim government spending measure so long as it included language to put on hold a program to resettle Syrian refugees.

"Are we seeing a significant diminution of support for legal immigration? That's what I'm afraid of because of the way Trump and Trump's support could legitimize it," said Tamar Jacoby, president of ImmigrationWorks USA, an advocacy group that represents businesses.

Each fight over the various immigration programs draws support and opposition from various factions in Congress, but the people who follow the programs most closely detect subtle changes in political attitudes.

The most obvious shift involves attitudes toward programs that provide a legal status to people from the Middle East and Afghanistan. A program that grants special visas to Afghans who have helped the U.S. during the war in Afghanistan, sometimes putting their own lives in danger, is a case in point. The State Department says that it has applications from more than 13,000 Afghans for such visas, but only 1,962 visas available as of Monday unless Congress provides more. Congress also must extend the program, which is due to expire Dec. 31, if Afghans who have signed up more recently to aid the U.S. are to benefit from the program.

"There was a lot more resistance this year than we've ever seen before – we've always been able to work out a compromise and this time we weren't," said Sen. Jeanne Shaheen (D., N.H.), who along with Mr. McCain was earlier this year blocked in an attempt to renew and add 2,500 visas to the program.

"Donald Trump's anti-immigrant rhetoric has had a negative effect on the views of many voters about the contributions that immigrants have historically made," she said.

Jennifer Quigley, a refugee advocate at the organization Human Rights First, said that such programs used to routinely draw support from both sides of the aisle. But she said that attitudes changed after the Paris and San Bernardino, Calif., terrorist attacks, and she worried that the bombs planted over the weekend in New York, followed by the capture of an Afghanistan-born American citizen in connection with the bombs, would drive up opposition to immigration even further.

"This automatic gut reaction to ban refugees – that to us is, that's not the reaction to have," said Ms. Quigley. "You don't want to bar children thinking that 20 years from now, maybe they will turn out to be radicalized as adults and do horrible things."

Businesses that seek to import labor say that the opposition hasn't been nearly as great when it comes to immigrants brought into the country to perform specific jobs. Last year, Congress passed a year-end spending bill that had the effect of lifting the cap on visas granted to seasonal workers, in spite of opposition from House conservatives. But businesses also note that Mr. Sessions, who is now a top adviser to Mr. Trump, has become a powerful voice of opposition.

"There are still members who because they understand economic reality in their states know they can't find enough Americans who want certain jobs," said Ms. Jacoby. But, she said, "it used to be Jeff Sessions having opinions about legal immigration and he was pretty much alone. Now it's Jeff Sessions standing next to the Republican nominee with the

apparent support of a lot of voters – so we are seeing that those people have some new momentum.”