

IT Industry, Hispanics Team Up On Immigration

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by Neil Munro

Advocates for information-technology companies have allied with progressive and Hispanic groups to win a broad overhaul of immigration law, but they are also keeping open the option of pursuing a narrow set of tech-friendly legal changes in the next Congress.

"I'm happy to be part of comprehensive reform, and I'm happy to be part of a focused bill," said Brad Feld, a Colorado-based venture capitalist who is pushing to establish a Startup Visa program that would grant green cards to high-tech entrepreneurs. Feld lobbied Rep. Jared Polis, D-Colo., to add the proposal to an immigration bill drafted by Rep. Luis Gutierrez., D-Ill.

"We're all in this together" to win comprehensive change, said Dean Garfield, the president and CEO of the Information Technology Industry Council. What amounts to a unite-or-fail strategy is being employed by the IT companies and a coalition of pro-immigration groups, including the National Council of La Raza and the Center for American Progress.

But advocates for broad changes, such as conditional amnesty for illegal immigrants and liberal family reunification rules, are quietly critical of the high-tech sector's cautious role. "It is not clear how much the [tech lobbyists are] investing," said a congressional staffer working on the immigration bill. "We'd like to see them step up more, [because] they bring Republicans, conservatives, and some of the pro-business folks to the table. To get this over the finish line, we'll need folks that are invested."

For years, the computer industry has allied with progressives and Hispanic advocates in efforts to reform immigration laws. But various campaigns for comprehensive bills failed repeatedly during President George W. Bush's administration amid widespread public opposition. Few industry advocates are confident that Congress will even debate immigration this year, largely because the national unemployment rate remains at 9.7 percent.

Gutierrez has drafted the primary bill, H.R. 4321. In the Senate, Sens. Charles Schumer, D-N.Y., chairman of the Judiciary Committee's Immigration, Refugees, and Border Security Subcommittee, and Lindsey Graham, R-S.C., are writing the measure. They have released little information about their approach beyond a short March 19 op-ed in *The Washington Post* in which they said that foreign students who graduate from U.S. universities with a master's or Ph.D. in science or technology should get green cards.

That was welcome news for Amy Scott, the assistant vice president for federal relations at the Association of American Universities, who is pushing for the graduate green cards. She is co-chairwoman of Compete America, the high-tech sector's main voice in the debate.

The high-tech industry also wants additional temporary work papers, such as H-1B visas, to bring in more scientists, engineers, researchers, nurses, doctors, and entrepreneurs, as well as teachers for all education levels, said Jessica Herrera-Flanigan, a lobbyist at the

Monument Policy Group, who was hired in February to serve as co-executive director of Compete America. Overall, there were 409,619 skilled foreigners with temporary work visas in the United States in 2008, according to the U.S. Citizenship and Immigration Services.

The coalition is pushing for more employment-based green cards, which many temporary workers win after a stay of several years. But only 140,000 are made available each year, under restrictive rules that create a backlog up to 10 years long, Herrera-Flanigan said.

Hispanic groups and their allies want the immigration bill to include a path to citizenship for workers who are in the country illegally, and to make it easier for workers' family members to come here. "Compete America supports comprehensive immigration reform in its totality," Herrera-Flanigan said. "It's the political reality."

The coalition will work, advocates said, only if its members oppose any narrow bill that could undermine the common good by delivering benefits to one at the expense of the others. If the high-tech sector tried to win a bill just for itself, for example, "you would have people [in the pro-immigration coalition] who would argue against our initiative," Garfield said.

But the tech sector isn't pulling its weight, a staff member working on the comprehensive bill complained. "I do get an occasional visit ... but they don't bring the numbers here; they don't have high-level CEOs weighing in with members." The companies "tend to have a couple of lobbyists who are very good [and] who make appearances and put out press releases ... but they are at [a] much more inactive level than a lot of others" in the coalition, the staffer said.

The high-tech industry's reticence, the aide said, stands in contrast to the enthusiasm of the progressive groups assembled in the Reform Immigration for America campaign. Among its hundreds of members are immigration lawyers, Hispanic advocacy groups, unions, and religious associations.

To pass a broad bill, "we need the whole gamut -- we need the higher-skilled and the low-skilled, family groups, groups like La Raza ... everyone needs to come together," Scott said. "No one is talking about piecemeal yet. Our champions on the Hill are not talking about piecemeal, [although] that may be where we end up in November or January 2011."

Advocates for comprehensive change have been eager to showcase the high-tech sector's support and the attention it has drawn. Venture capitalist Feld's Startup Visa concept has been endorsed by Sen. John Kerry, D-Mass., (in his own bill) and Polis, both of whom also support an overall bill. Initially, such a program would bring in 2,000 foreign entrepreneurs annually, but it is just a small piece of a problem that also involves 15 million immigrants who "lack documentation," Polis said. "We can all agree our immigration system is broken and we need to fix it ... [but] we've really got to tackle the whole thing," he said.

Feld, however, said, "We're focused on a very specific proposal. I don't know how we fit in the Washington mix ... [although] the general feedback and response is supportive."

Any distance between the high-tech sector and advocates for a comprehensive bill is partially bridged by their lobbyists, who frequently have ties to both camps. Compete America's Herrera-Flanigan, for example, is a former president of the Hispanic Bar Association of the District of Columbia, and Angela Kelley, the vice president for immigration policy and advocacy at the Center for American Progress, used to work at an association of immigration lawyers now known as the American Immigration Council.

But many lobbyists for the high-tech sector say they are reluctant to get heavily involved in the immigration fight without some assurance that the measure has legs. "The calculation has to be made about the realistic chance of passage.... You're not going to call in a CEO if the bill won't pass," an industry executive said. For now, he said, "there's at least the possibility of getting to 60" votes in the Senate, especially if President Obama pushes hard for it.

For their part, Republicans are holding out the possibility of passing a narrow set of tech-related measures next year. If Republicans "gain back power, they would be much more amenable to dealing with high-skilled immigration apart from anything else," a House GOP staffer said. Rep. Lamar Smith of Texas and other GOP lawmakers say they want to shift immigration policy to favor skilled workers, rather than family reunification.

But any such shift would require solid Republican majorities in Congress and a cooperative White House, plus the ability to overcome opposition from some professional societies such as IEEE-USA and GOP-leaning grassroots that oppose much legal immigration. "I don't think [the GOP] will have a lot of success," said Rosemary Jenks, director of government relations for NumbersUSA, which is trying to reduce legal immigration; it now totals about 1 million people annually.

Immigration advocates with close ties to progressive and Hispanic groups say that Republicans likely won't be able to entice the sector to split from its Democratic allies. "This is a hard thing to break up into pieces and succeed," Kelley said. "No one has shown that to be a winning formula, [and] I expect that will be a reality beyond this year."