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## THOSE 'GUEST WORKERS' OF THE NBA AND NHL

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Millions of basketball and hockey fans gathered in arenas, sports bars and living rooms this week to watch the NBA and NHL playoff finals. Plenty of remarkable athletic talent has been on display—much of it developed in other countries. With Congress debating immigration reform, it's worth keeping in mind that when Manu Ginóbili, the Argentinian basketball player of Italian descent, feathers in a shot for the San Antonio Spurs, or when Tuukka Rask, the Finnish goalie, makes a miraculous save for the Boston Bruins, you're watching high-skill foreign-born workers in action.

Of the 32 players on the Boston Bruins roster, 27 were born outside the United States, leaving five native-born Americans. Naturally enough, more than half the team—18 players—hails from Canada, hockey's world headquarters. Other Bruin players come from across Europe: Mr. Rask, the Finn, has teammates from Latvia, Sweden, Slovakia, Germany, Kazakhstan and the Czech Republic.

Of the opposing Chicago Blackhawks' 27 skaters, 13 are Canadian-born. There are as many Swedish Blackhawks (five) as there are American-born members of the team. Four others come from Eastern Europe.

San Antonio guard Tony Parker, of France, drives against Miami Heat's LeBron James, left, during Game 5 in the NBA Finals on Sunday.

The number of international athletes in the NBA is also growing—from a handful 20 years ago to a record-tying 84 foreign players on NBA rosters at the start of the current season, nearly one in five players. The San Antonio Spurs reached the NBA finals with eight foreign players on their 15-man roster, the highest international presence in the league. In addition to Manu Ginóbili, the Spurs roster includes leading scorer Tony Parker, a Belgian-born French citizen, and teammates from France, New Zealand, Australia, Brazil and Canada. The Miami Heat, with one foreign-born player (Canadian center Joel Anthony), come in below the league average of three.

One way to think of these international players is to call them guest workers. Most foreigners playing professional sports in the U.S. are here on O-1 or P-1 visas, special classifications—work permits, really—reserved for athletes of "extraordinary ability" and those who have contracts with professional teams. Other special visas are available for international athletes taking part in tournaments, such as golfers playing in the Masters or tennis players in the U.S. Open.

The U.S. immigration system makes it easy for sports stars to work in America, but the system makes it hard for star scientists, would-be entrepreneurs and others to show their stuff here. Imagine if the current or proposed visa and immigration rules for determining who can come to the U.S. to work applied to athletes.

First there would be a low cap on the number of foreign players allowed into the country each year, one well below what the market demands. The total number of foreign players might be limited to a dozen a year, across all sports, with no team allowed more than one.

But first the players would be told wait years, even a decade, before joining their teams. Teams would have to prove that they advertised the position and tried to hire an American first, but couldn't find one. This is essentially how the H1-B visa system for high-skill immigrants works.

Oh, and there would be limits on how many players could come from any one country, and each country would be given the same number of slots in the name of fairness. Too bad for the NHL: That would mean 10 slots for hockey players from Canada, 10 from Tanzania and 10 from the Philippines. But at least everyone would get an equal chance. That's how current caps on employment visas work, with no country allowed more than 7% of the total. It's a system that treats China and Chad the same.

Once the handful of foreign athletes were playing in the U.S., they'd be ineligible for free agency and prevented from switching teams. That's how current laws govern employer-based visas, barring some foreign professionals from going to work for employers other than their original sponsor. If the Miami Heat wanted to hog even more NBA talent and set their sights on the Spurs' Tony Parker over the summer, they'd be out of luck.

Sports fans wouldn't tolerate such a system because it would result in inferior teams. Team owners also wouldn't tolerate it, because it would be bad for business and bad for local economies. Fans want their hometown team to sign the best players, regardless of where in the world they once called home.

Congress should apply the same principle to immigration that is so readily accepted in sports: Encourage the best talent in the world to come to America—scientists, technologists, aspiring entrepreneurs and others who want to contribute to the U.S. economy. They shouldn't have to be able to hit reliably from three-point range to get in the door.