

***TBLC COVID-19 MEDIA CALL:
TRUMP'S BAN ON IMMIGRANT WORKERS MOVES
TEXAS IN THE WRONG DIRECTION, BUSINESS
LEADERS SAY**

*By Julián Aguilar
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Texas-based companies need more immigrant labor, not less, business leaders argue. But that doesn't mean American workers aren't needed, too.

EL PASO — As the president of the **Texas Business Leadership Council**, **Justin Yancy** understands President Donald Trump's desire to get more Americans back in the workforce, especially in well-paying jobs.

So does Ryan Skrobarczyk, the director of legislative and regulatory affairs for the Texas Nursery and Landscape Association. That's why his organization's members must first prove they can't find American workers before turning to an immigrant workforce.

But they're both struggling to make sense of the president's latest executive action on immigration, which they say will likely stymie the economy at a time when Texas needs to see it grow.

"They [immigrants] come in and do jobs that Americans are doing as well, but with the kind of growth we need to restart the economy, we need them here [too]," **Yancy** said.

On Monday, Trump signed an executive order that freezes the issuance of several visas designated for foreign workers until the end of the year — including H1B visas for high-skilled laborers and H2B visas for seasonal, nonagricultural jobs, among several others. The restriction applies to visa applicants outside of the United States as of Monday, as well as those who didn't have a valid visa as of that date, according to the proclamation.

"Under ordinary circumstances, properly administered temporary worker programs can provide benefits to the economy," the president's proclamation states. "But under the extraordinary circumstances of the economic contraction resulting from the COVID-19 outbreak, certain nonimmigrant visa programs authorizing such employment pose an unusual threat to the employment of American workers."

There are at least 9,000 H2B visa holders in Texas, Skrobarczyk said, and most are employed in the landscaping business.

Yancy argues that the directive could actually move the economy further in the wrong direction. That's due, in part, to the support jobs that H1B visa holders help create, he said.

"Engineers, for example, for every job they have, you create, at least statistically, two more jobs," he said.

Yancy added that with the annual limit on H1B visas, which stands at 85,000, there are more Americans in high-skilled jobs than foreigners.

"Companies that have been able to weather the shutdown and that are trying to grow need to find skilled staff," he said. "And when they can't find it in the U.S., they need to have this extra tool to be able to fill those roles."

But conservative groups supportive of the president's restrictionist policies said the move is just one step toward fixing a visa system that has been fundamentally flawed for years.

"Visas granted per category in the United States lack a fundamental connection to the needs of the labor market," Elizabeth Hanke, a research fellow for labor economics at The Heritage Foundation, said in a statement. "The U.S. needs a thoughtful discussion and debate about legal immigration reform with solutions that reduce the arbitrary nature of the existing visa system."

Jason Finkelman, an Austin-based immigration attorney, rejected that argument.

"The fallacy in that argument is one, [that] there is a finite amount of jobs that we have in this country," he said. "The other issue is that my clients, they will say to me, 'Jason I would much rather hire an American person to do this science, technology, engineering or math job. I'd much rather not have to pay these thousands and thousands of dollars in fees and jump through these ridiculous hoops the president is making me go through."

"[The policy] will hurt immigrants somewhat, but what it's really going to hurt is a U.S. employer," Finkelman added. "If I am a U.S. employer, especially a big one, especially in the tech sector, you better believe I am talking to my



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counsel and saying, ‘We got to stop this because this is going to hurt my bottom line.’”

Others say the visa ban will disproportionately affect South Asian immigrants more than others — which they say falls in line with the president’s anti-immigrant agenda.

“Over 70% of H1B visa holders in the U.S. are from South Asian countries. Our community members and their families continue to be jeopardized because of these restrictions,” said Sophia Qureshi, the communications director for South Asian Americans Leading Together. “If the goal was to protect U.S. workers, they would be given PPE [personal protective equipment], sick days and health care in the midst of this deadly pandemic. From the Muslim ban to targeting a range of immigrant populations from H-1B visa holders to DACA [Deferred Action for Childhood Arrivals] recipients, this administration’s racist and anti-immigrant agenda underscores their abysmal failure in leadership.”

Since taking office, the president has made stopping unauthorized immigration one of his top priorities. But his order Monday could potentially encourage employers to hire more workers off the books and create more undocumented workers, Skrobarczyk said.

“You’re essentially punishing companies that have gone above and beyond and play by the rules and pay a very competitive wage,” he said.

Skrobarczyk added that, at least on paper, the theory behind the executive order makes sense: Texans need jobs, and reducing the number of immigrant workers should open jobs for more U.S. citizens. But he said that in practice, it’s not that simple when it comes to H2B positions because people who have been laid off tend to look for jobs in the same occupation rather than looking for temporary work in something like landscaping.

“The other thing has to do with just the nature of the work,” he said. “It is hot in this state and summers are brutal, and there is just no getting around the fact that landscaping has to be done outside. So given those two factors, I think that weighs heavily on why, year after year, we need seasonal workers that are able to or willing to work in those environments.”