



Swamp Business Continues as Usual in Washington

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Although news unrelated to the Brett Kavanaugh-Christine Blasey Ford din was hard to find, last week swamp business continued as usual. And, sadly but not surprisingly, congressional American worker sellouts proceeded along an all-too-familiar path.

Last March, President Trump promised that he would never again sign a fiscally disastrous budget bill like the \$1.3 trillion one he previously signed to, according to the president, protect the nation's military and prevent a government shutdown. In remarks directed to Congress, President Trump said: "I will never sign another bill like this again. I'm not going to do it again."

Bombast aside, President Trump nevertheless recently signed a similarly massive spending bill that he called "ridiculous." The bill didn't fund his promised Southwest border wall and provided money to continue the endless Middle East conflicts. President Trump's signature does, however, keep the government open until at least December 7.

Congress approved funding for most government agencies for the next fiscal year, but delayed a vote on the more controversial DHS spending bill until December. Current DHS funding will be extended until Dec. 7, meaning the never-ending fights over E-Verify funding, a biometric entry-exit system, border security, and several troubling immigration provisions won't occur until the always-dangerous lame duck session.

Making the swamp murkier, U.S. Rep. and DHS Appropriations Subcommittee chair Kevin Yoder (R-KS) snuck in last-minute legislation hurtful to both high- and low-skilled American workers. Yoder's H.R. 392, the Fairness for High-Skilled Immigrants Act, would eliminate the long-standing requirement that no more than 7 percent of any group of employment-based immigrants could come from a single nation.

John Miano, lawyer, tech worker and co-author of *Sold Out*, called removing country caps an immigration train wreck that would be bad for all Americans. As it currently stands, more than 300,000 Indian nationals and 65,000 Chinese nationals are in line for green cards. The Cato Institute estimates that some legally present visa holders could face 150-year-long green card delays. But eliminating country caps would dramatically accelerate green card issuance to those waiting, good for immigrants and their lawyers, but bad for American workers and population stabilization advocates that want to slow chain migration.

Other goals Yoder is promoting are exemptions for H-2–returning workers from the annual 66,000 cap, potentially quadrupling the number of low-skilled H-2–guest worker visas that can be issued in FY2019. The H-2A is a nonimmigrant visa that allows employers to import low-skilled temporary workers in businesses other than agriculture, such as landscaping and forestry.

In the past, the Department of Labor found program failures, and more recently investigative journalists reported egregious examples of employers failing to comply with the visa’s requirement to hire Americans first, of wage fraud, substandard work conditions and sexual assault incidents. Yoder would also like the H-2A expanded to allow workers to remain in the U.S. year-round instead of seasonally. Continuous presence creates the probability for fathering American citizen children, and constant upward pressure on population growth.

H.R. 392 opponents face an uphill challenge. A huge lobbying effort is underway, and includes powerful and influential names: the U.S. Chamber of Commerce, the American Immigration Lawyers Association, the American Medical Association and Microsoft. Congressional expansionists are on board too.

Last year, President Trump threatened but didn’t veto the spending bill. This year, assuming President Trump wants to fulfill his campaign promise to defend American workers, he might have the opportunity to, for the first time, exercise his veto power.