

5-23-2007

# U.S. Senate Unveils Immigration Reform Package

LADB Staff

Follow this and additional works at: <https://digitalrepository.unm.edu/sourcemex>

---

## Recommended Citation

LADB Staff. "U.S. Senate Unveils Immigration Reform Package." (2007). <https://digitalrepository.unm.edu/sourcemex/5111>

This Article is brought to you for free and open access by the Latin America Digital Beat (LADB) at UNM Digital Repository. It has been accepted for inclusion in SourceMex by an authorized administrator of UNM Digital Repository. For more information, please contact [amywinter@unm.edu](mailto:amywinter@unm.edu).

## U.S. Senate Unveils Immigration Reform Package

by LADB Staff

Category/Department: Mexico

Published: 2007-05-23

The immigration-reform package recently proposed in the US Senate has elicited mixed reactions in Mexico and the US. The legislation, a compromise between key Democrats and Republicans, creates a mechanism for undocumented immigrants already residing in the US to legalize their status, provided they meet a set of strict conditions. The measure also sets severe sanctions for employers who hire undocumented immigrants, creates a limited guest-worker program, and tightens security along the US-Mexico border.

In Mexico, President Felipe Calderon's government and the Senate are taking a cautious approach to the bill, but some critics are urging the administration to condemn the measure as overly punitive. In the US, immigrant-rights organizations have denounced the bill, which they say creates unfair obstacles for immigrants. The immigration-reform package was announced in mid-May by a bipartisan group of 10 US senators, led by liberal Sen. Edward Kennedy (D-MA) and conservative Sen. Jon Kyl (R-AZ).

The initiative incorporates several proposals offered by President George W. Bush, including a plan to allow 400,000 guest workers into the country each year and various measures to reinforce security along the US-Mexico border, including constructing 370 miles of fencing on the US-Mexico border. The bill requires that the many border-security measures be in place before most provisions dealing with immigration can be triggered.

### *Migrants seeking legal status face strict requirements*

At first glance, the proposal to legalize the status of an estimated 12 million undocumented immigrants in the US appears to be a positive element of the legislation. The measure, however, carries a set of strict conditions, including stiff fines and a requirement that the head of a household return to his or her home country to apply for readmission to the US. Under this provision, any undocumented workers who entered the country before Jan. 1, 2007, would be eligible for the "Z" visa, which is renewable every four years. In exchange the immigrants would have to pay a maximum US\$5,000 fine per family, undergo a criminal background check, and learn English.

After an eight-year wait, the "Z" visa holders could apply for legal permanent residency and eventually citizenship. The measure, which must be approved in the Senate before it goes to the House, could face some opposition from Democrats in both legislative chambers. Some legislators like Rep. Xavier Becerra (D-CA) raised concerns that the legislation tends to separate families. "You will continue to have close family members separated from their loved ones because of this policy," said Becerra, a former chair of the Congressional Hispanic Caucus.

Immigrant-rights organizations echoed those concerns. "Immigrants barely have enough money on which to live and to send home to relatives in Mexico or Central America," said Cristobal Hinojosa,

a spokesperson for Houston-based Mexicanos en Accion. "Where are they going to get US\$5,000 to legalize their status?"

Some Republicans hold the opposite view, arguing that the bill amounts to granting amnesty to undocumented workers who broke US immigration laws. Sen. John Cornyn (R-TX) raised concerns that the measure repeats what he sees as the mistakes of the 1986 immigration-reform law, by which many undocumented workers were allowed to legalize their status. "I simply cannot, and will not, support any legislation that repeats the mistakes of the 1986 amnesty," said Cornyn, a member of the Senate Judiciary Committee. "We have to make a basic determination: will this bill restore respect for our laws or will it have the opposite effect, and encourage still more disregard for our immigration and border-security laws, placing us within a few years in the same untenable position we're now in?"

Cornyn was expressing the sentiments of a segment of the US public that opposes legalization of undocumented immigrants. "This is just an amnesty dressed up with some provisions to make it more appealing to skeptics," said Mark Krikorian, executive director of the Center for Immigration Studies.

Some immigration-rights advocates, however, noted that the Senate was in a difficult position and that this legislation was good considering the circumstances. "Any deal will be criticized as amnesty by people who want to kill it, and some groups will fight anything that reduces family-based categories," says Deborah Meyers, a senior policy analyst with the Migration Policy Institute. "But at the same time there are 12 million people here who would benefit now, plus millions of people in the backlogs, plus legal channels for future workers. You're talking about trade-offs for now versus later."

### *Some Democrats oppose guest-worker numbers*

Some Democrats raised concerns about the impact of the guest-worker program on domestic wages. There were also concerns that the program would create an underclass of foreign workers who would be easily subject to abuse. Sens. Jeff Bingaman (D-NM), Barbara Boxer (D-CA), and Byron Dorgan (D-ND) are among a group of Democrats seeking to reduce the number of guest workers allowed to work in the US. In an interview with The Albuquerque Tribune, Bingaman said he believes 200,000 guest workers "is about the right number."

During debate of the bill on May 22, Boxer and Dorgan took their opposition a step further by introducing an amendment to eliminate the guest-worker program from the bill altogether. The amendment was defeated 64-31. Senate Majority Leader Harry Reid (D-NV) said the original proposal remains subject to change. "I have serious concerns about some aspects of this proposal, including the structure of its temporary-worker program and undue limitations on family immigration," said Reid. "We need to improve the bill as it moves through the legislative process."

Some immigrant-rights groups like the National Council of La Raza (NCLR) said they would offer proposals to reshape the bill. "It is important that we get a good bill over the finish line," said Cecilia Munoz, NCLR vice president. The Service Employees International Union (SEIU), which represents 1.8 million workers, also wants to work with Congress to change the bill as it moves

through the Senate and later the House of Representatives. SEIU officials are especially concerned that the requirement that immigrants return home before they can apply for permanent residence is unworkable. "We are going to be evaluating every step of the way and at some point we will see what the final package looks like," said SEIU vice president Eliseo Medina.

### *Measure doomed in House without Republican support*

Depending on what changes are made to the Senate bill, the measure could gain strong support or strong opposition when it goes to the House of Representatives. Many Democrats are willing to support the bill in its current form, or with minor changes. But the Democratic leadership is leaning on President Bush to deliver a sufficient number of Republican votes to ensure passage of the legislation. "Unless the White House produces 60 or 70 Republican votes in the House, it will be difficult to pass an immigration bill similar to the Senate proposal," said Rahm Emanuel (D-IL), who chairs the House Democratic Caucus.

Many aspects of the bill would create major enforcement and logistical headaches, in part because the US Citizenship and Immigration Services agency (USCIS) has been "overburdened and pretty much dysfunctional," said Dawn Lurie, bar liaison for the American Immigration Lawyers Association. "I read this [bill] and say this is hysterical. How is it going to be implemented? It's crazy," Lurie told The Washington Post. Among other things, the Senate bill requires that the Department of Homeland Security (DHS) expand its recently improved version of a program used voluntarily by 6,000 companies to check Social Security numbers against government databases.

The program offers a tool for employers to verify the identity of a document holder through the use of digital photographs. Some critics say, however, that the program could work on a small scale but may be unmanageable if extended nationwide. Under the immigration bill, employees would face stiff fines for hiring undocumented workers or failing to keep proper employment records. The immigration bill contains several security provisions supported by the White House and congressional Republicans, such as hiring 18,000 new border patrol agents and constructing 370 miles of fence and 200 miles of vehicle barriers along the border.

The proposal to build the fence has been a major source of tension between the US and Mexican governments (see SourceMex, 2006-08-30, 2006-10-11, and 2006-11-15). The security measures also include funds for surveillance equipment and an increase in detention facilities for undocumented workers.

### *Calderon government cautious about initiative*

The Senate immigration initiative received a mixed reaction in Mexico. President Felipe Calderon's administration appeared to be taking a wait-and-see attitude, with officials initially making few statements about the bill. During a meeting with US Secretary of State Condoleezza Rice, Foreign Relations Secretary Patricia Espinosa praised the US Senate for its efforts to move forward with an immigration initiative.

In a more formal statement, the Secretaria de Relaciones Exteriores (SRE) said, "The Mexican government hopes that the different actors involved in the debate and eventual approval of this initiative take advantage of the opportunity it presents." Julio Ibarrola Suarez, a delegate for the

Instituto Nacional de Migracion, offered the same opinion to reporters in Michoacan state. "At first glance, this appears like a favorable accord," said Ibarrola. "But we have to remember that debate is just beginning and that we only have a simple agreement among two political parties."

The Mexican Senate set up a working group to monitor the immigration debate in the US Senate very closely. Among those who will take part in the process are floor leaders Manlio Fabio Beltrones of the opposition Partido Revolucionario Institucional (PRI) and Santiago Creel of the governing Partido Accion Nacional (PAN). "We agree that US legislators have the exclusive right to determine immigration reforms," said Sens. Carlos Jimenez Macias of the PRI and Ricardo Monreal of the center-left Partido de la Revolucion Democratica (PRD). "But Mexico has to be more proactive and attempt to lobby the US Congress on certain issues contained in the initiative."

Other critics were not as diplomatic. Claudio Lomnitz, a columnist for the Mexico City daily newspaper Excelsior, said there are many deficiencies in the reform package, including the high fees required for immigrants to legalize their status. "This allows the US to extort undocumented immigrants, without demanding a cent from their employers," said Lomnitz, who also criticized the new system of granting visas and the guest-worker program. "The government and Mexican society should offer their most energetic objections to this legislation," added Lomnitz.

-- End --