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Press Releases

Senate Deal Launches Immigration Reform Process Towards Getting a Bill Enacted This Year

Bill a Good Start, with Room for Improvement

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Washington, DC - *Today, a compromise immigration reform bill worked out over many weeks by Republican and Democratic Senators and Bush Administration officials was released at a press conference in Washington. The following is a statement by Frank Sharry, Executive Director of the National Immigration Forum, a pro-immigrant advocacy organization in Washington.*

We are pleased that the process is moving forward. The clock is ticking on whether we are going to get a bill signed by the President this year, but now we have a starting point. Failure to act guarantees more national frustration and divisiveness, deteriorating confidence that our leaders can lead, more deportations that divide families, more immigrants dying in the desert because there is no way to come legally, and greater danger that our borders and visa system will be exploited by criminals and terrorists.

It is time to get it done, get it done right, and make it work. The American people are counting on their elected leaders.

We are encouraged that the Senators' negotiations have born fruit, but the fruit is not ripe. We are confident that as this debate moves to the Senate floor, to the House of Representatives, and to a conference committee, key elements of the legislation will be improved to make the bill more workable. There remain problematic elements in the package that could undermine the purpose of the bill - eliminating illegal immigration and enhancing security.

The policy details matter and we have not seen them yet. Our understanding is that this is a huge step forward in creating a sensible but firm immigration system, reducing the population of undocumented immigrants, and reducing the incentives and disincentives that have forced so many families and workers to go around our legal immigration system rather than through it.

The earned legalization program for the estimated 12 million undocumented immigrants already here presents a realistic opportunity for them to gain legal status and make restitution. They will be able to work legally, will be protected against deportation, be able to rent apartments, change jobs, get driver's licenses and know that their family members here will see them at the end of the work day. The fines are steep, the time table lengthy, the exit/re-entry scheme superfluous, and the conditions strict, but most of those people who have been contributing to American prosperity will have an opportunity to be invited in from the shadows over the next 13 years. That a significant group of Republican Senators are joining Democrats to embrace an inclusive legalization program is remarkable. Finally, the deal includes AgJOBS and the DREAM Act, representing an enormously important breakthrough for policies that have enjoyed support for years.

Many of the people currently caught in interminably backlogged visa lines will have an opportunity to reunite with close family members already here. While an arbitrary cut off date will exclude many and should be fixed, reducing the backlog that currently stretches 22 years in some cases for legal immigration is a key element of reform. Also worth noting is that many of the troubling due process provisions in last year's Senate bill have been removed.

So the package is generous for those who are already here and those who have waited patiently to come legally. How the deal treats immigrant families and workers coming in the future is where the biggest problems lie.

At issue is whether the United States maintains our commitment to families and equality or tilts too far towards elitism through a "merit-based" points system. For four hundred years, we have welcomed some of the most ambitious and energetic people in the world to this continent regardless of income or education. For more than 40 years we have welcomed immigrants who have existing ties to the United States through employment or family connections. The radical changes to who gets to come legally to America in the future and under what conditions present perhaps the most troubling aspects of the Senate proposal. It is up to our elected leaders to call out those who feel this way and squash this miscalculated and misguided feeling.

While reuniting families on the one hand, the proposed bill cuts family immigration categories in the future. Any points system must account for family ties sufficiently or we will have departed severely from tradition and our commitment to sustaining strong families. The Senate and House must commit themselves to improve this aspect of the bill.

For workers coming in the future it falls short of a workable solution because it fails to provide a realistic path to permanency. We will know who the workers are, they will come with visas not smugglers, and they will have better labor protections than they have now working in the black market. However, without fixing the path to permanency, we will create conditions that will lead to a rapidly increasing pool of undocumented immigrants in the future or creating a pool of second class non-citizens, defeating the goals of this reform

If the new points system is constructed correctly so that people with ties to the U.S. have an advantage and people from humble origins don't have a disadvantage, there is a good chance that it could be implemented in a way that is consistent with American values.

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