

SENATE PROPOSES IMMIGRATION REFORM BILL THAT MAY LEGALIZE MILLIONS OF ILLEGAL ALIENS

In June 2007 Congress decided to resume negotiations regarding the implementation of a comprehensive immigration bill that could pave the way for the legalization of over 12 million undocumented aliens.

Even before the public debate begins later this year, negotiations were already underway. Even though negotiations among Senate members have already started but a final vote on this controversial topic is not expected right away. However, there seems to be hope that some type of comprehensive immigration reform will be approved in the near future as the members of the Senate have reached a bipartisan agreement in May that could give illegal immigrants a path toward citizenship.

The proposed bill is called the Border Security and Immigration Reform of 2007 and President Bush expressed his thankfulness to the senators involved for their work and support of this bill.

If the bill is approved by Congress and ratified by the President, it would give immediate work authorization to undocumented workers who arrived in the United States before January 1, 2007. Those workers would receive a newly issued Z visa and would be placed on the path to permanent residence. The bill also contemplates the creation of a guest worker program under the terms of the new Y visa.

The bill's major provisions are explained below:

1. The number of Border Patrol agents would be doubled, a new wall would be built in the border with Mexico, and US employers who hire illegal aliens would face hefty fines.
2. There will be increased penalties for illegal entry and reentry into the United States.
3. US employers would be required to use a worksite enforcement system that relies on electronic employment verification to check the immigration status of new or current employees.
4. Guest Worker Program (Y Visa). The bill establishes a new temporary guest worker program under which 400,000 temporary workers per year would be granted a Y visa. The Y-1 visa worker would obtain permission to work in the US for two years, then they would be required to return home for one year. After that, those workers would be able to re-enter the US for an additional two year-period. This procedure could be repeated twice more if the worker spends a period of one year outside the US between each entry. The bill also states that

- anyone who fails to timely depart from the US is permanently barred from any future immigration benefits.
5. Family-based permanent residence. The bill restructures the current family-based system to a new, untested merit-based immigrant system utilizing skills such as the level of education and work experience as basis for obtaining permanent residence.
 6. Creation of new Z Visa. The Z visa would be a four-year, renewable nonimmigrant visa that will allow illegal aliens to obtain legal status in the US based on three groups of people: a. a principal or employed alien; b. the spouse or parent of that alien; and c. the minor children of that alien. Those individuals would be eligible to apply for a new Z visa if they were illegally present in the United States before January 1, 2007. Z visa workers would have to be currently employed and pay penalties in the amount of \$5,000 to be eligible for a green card based on a merit-based system. Z visa individuals would be able to apply for green cards after the family backlog is eliminated and if the worker satisfied the merit-based requirements, files for a green card in his or her home country, and pay a \$4,000 penalty fee.

The approval of this new immigration bill, however, faces many obstacles in Congress. There are unresolved issues that need to be discussed by politicians such as family reunification, education, and employment for illegal aliens while their permanent residence cases are pending.

Many politicians in Washington think the bill is too broad and it equates to a general amnesty. Other politicians, however, have expressed their discontent with the new bill stating it does not go far enough to resolve the concerns of the 12 million undocumented aliens in this country.

Hopefully, Congress will keep working around the clock to find a bipartisan deal that could be approved and sanctioned by the President. The media says that even members of President Bush's cabinet are involved in those talks. There seems to be a momentum for a welcome immigration reform bill to be approved.

Unfortunately, last year's immigration reform bill from the Senate did not go into effect as the House of Representatives passed another version that conflicted with the Senate bill. Now the Senate has devised a new bill in order to be sent to the House of Representatives for its approval.

The newly proposed bill is, however, very controversial. Everyone agrees that we must fix our ineffective immigration system by balancing the needs of families, employer, our economy, and national security. However, many people are skeptical about the long term effects of the proposed bill in the lives of all illegal aliens and future workers that may desire to come to the United States.

The proposed bill is by no means a nationwide grant of amnesty. The bill has many severe provisions that will adversely affect millions of people. For example, the family based categories have been reduced from the current five to only one. The newly proposed merit-based system has never been tested and it represents a radical change in our immigration laws. Also, the bill precludes most temporary workers under the guest worker program from applying for permanent residence.

Whatever final version of the bill Congress eventually approves, it stands a good chance of including a provision that will allow undocumented aliens to apply for permanent residence. All that is required is for Democrats, Republicans, and the White House to compromise on an orderly procedure that does not discriminate against illegal aliens, and that allows for those hard working people to obtain the means to live their lives in the United States with dignity, for themselves and their families.