

## **Statement Re: Newly Introduced Landmark Bipartisan Comprehensive Immigration Reform Legislation**

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May 12, 2005

Senators John McCain (R-AZ) and Ted Kennedy (D-MA) today introduced comprehensive immigration reform legislation that represents the most sophisticated and ambitious effort to date to fix our nation's broken immigration system. They were joined by Senators Sam Brownback (R-KS) and Joe Lieberman (D-CT). Identical legislation was introduced in the House by Representatives Jim Kolbe (R-AZ), Jeff Flake (R-AZ), and Luis Gutierrez (D-IL).

Many organizations supporting the rights of immigrants view the Secure America and Orderly Immigration Act of 2005 as the best opportunity in many years to come to enable millions of immigrants living and working in the United States to legalize their status and to provide the foundation for a more sane and sustainable regulation of future migration. The optimism derives from the fact that the Secure America and Orderly Immigration Act enjoys truly bipartisan support in Congress from its inception and also embodies many elements of the immigration reform principles enunciated by President Bush. All observers agree that meaningful improvements in our immigration system will not be possible without strong bipartisan support.

It is clear, however, that the Republican and Democratic sponsors were each forced to make significant concessions to come to agreement on a shared proposal. We applaud their willingness to step up to the plate and do so, and to take the inevitable hits from friends as well as foes that such a proposal invites.

In bold strokes, the Secure America and Orderly Immigration Act would establish:

- stricter immigration enforcement, including tighter border security and a new electronic employment verification system;
- a new temporary work visa enabling a wider range of migrants with job offers to enter the U.S. legally, thereby greatly reducing future undocumented migration;
- an improved family unification system that will reduce the heartbreaking delays experienced by immigrants seeking to rejoin their close family members in the U.S.; and
- an eventual avenue to legal status for most undocumented immigrants living and working in the U.S. (including special provisions for those who were brought here as children).

The proposal includes some innovative ideas and solutions that are likely to reframe the immigration debate. At the same time, it requires improvement in some of its core particulars.



National  
Immigration  
Law Center  
www.nilc.org

### **NATIONAL IMMIGRATION LAW CENTER**

Los Angeles (Headquarters)  
3435 Wilshire Blvd  
Suite 2850  
Los Angeles, CA 90010  
213 639-3900  
213 639-3911 fax

Washington, DC  
1101 14<sup>th</sup> Street, NW  
Suite 410  
Washington, DC 20005  
202 216-0261  
202 216-0266 fax

Oakland, CA  
405 14<sup>th</sup> Street  
Suite 1400  
Oakland, CA 94612  
510 663-8282  
510 663-2028

For example, despite some gestures to the contrary, the Secure America and Orderly Immigration Act omits important safeguards needed to protect immigrant and U.S. workers from exploitation under the new system. Increased immigration enforcement without sufficient complementary labor protections is a recipe for failure because it leaves in place the powerful incentive for bad-apple employers to bypass and abuse the system so that they can exploit immigrant and other U.S. workers. The legislation also creates a massive new employer verification database and system that raises a host of issues. Another point of contention may be the proposed increase in border enforcement without measures to alleviate the abuse and suffering in the border region that the current enforcement regime produces.

These and other shortcomings may cause reservations among organizations supporting the rights of immigrants. One hope is that any resulting disagreements among individuals and institutions that share common goals will develop into a source of strength rather than weakness in our movement.

One thing is near certain. The introduction of the Secure America and Orderly Immigration Act marks a new stage of a process that eventually will significantly rewrite our immigration laws. The specific outcome of this process remains much dependent on the economics and politics of immigration. The best way to ensure that the results are favorable to immigrants is to build the political strength of immigrant communities and for people of good will to continue to work together.

NILC will provide more detailed analysis in the days to come as the final language of the Secure America and Orderly Immigration Act becomes available. For the official press release and a summary of the bill sent out by House Democratic Leader Representative Nancy Pelosi (D-CA), please visit [www.nilc.org/immlawpolicy/CIR/index.htm](http://www.nilc.org/immlawpolicy/CIR/index.htm).

For more information, please contact Marielena Hincapié at [hincapie@nilc.org](mailto:hincapie@nilc.org) or Josh Bernstein at [bernstein@nilc-dc.org](mailto:bernstein@nilc-dc.org).

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***FOR MORE INFORMATION, CONTACT***

Josh Bernstein, NILC federal policy director | [bernstein@nilc-dc.org](mailto:bernstein@nilc-dc.org) | 202.216.0261  
Marielena Hincapié, NILC director of programs | [hincapie@nilc.org](mailto:hincapie@nilc.org) | 213.639.3900 x. 112