

**Immigration Reform: Draft of Proposed Legislation
Helps America Address Immigration Reform Problems**
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Next to the war in Iraq and possibly proposals to overhaul the social security system, immigration reform has been the most controversial and heatedly debated topic in the U.S. for several years. After months of negotiations, a handful of Democratic and Republican senators released a 326 page Draft - For Discussion Purposes Only of a proposed "Secure Borders, Economic Opportunity and Immigration Reform Act of 2007." On Monday night (5.22.07), a Senate cloture vote passed 69-23, and the Senate is poised to move to the bill. It is now important that the legislation makes it way through Congress, as an overhaul of the immigration system is badly needed.

Opponents of the proposed bill range from strong recommendations to incarcerate all illegals and send them back home to criticism that even modest impositions on illegals seeking to gain citizenship are too harsh. While the proposed bill is far from perfect since opponents are too far apart, the draft, at least offers the nation an opportunity to try to regain control of its borders. Opponents must realize that in a process, such as this highly emotional and controversial issue, no one will get all they want but must decide in favor of a compromised version for the sake of improving what is now a completely broken system.

It is not possible to fully address the many detailed proposed provisions of this 326 page document. The purpose of this brief article is to highlight some of the requirements to assist readers to better understand the concept.

The proposed bill focuses on five main points: addresses options for immigrants already here illegally; rewrites the rules for legal immigration; changes gradually from family-based to a merit-based point scored immigration system, establishes a temporary worker program and promises increased border security.

Starting with dispelling a myth, amnesty. According to a recent White House Fact Sheet on the issue: Amnesty is the forgiveness of an offense without penalty. This proposal is not amnesty because illegal

workers must acknowledge that they broke the law, pay a \$1,000 fine, and undergo criminal background checks to obtain a Z visa granting temporary legal status.

The following are highlight provisions of the proposed bill.

Immigrants who entered the country illegally before Jan. 1: (NOTE: This is probably the most controversial portion of the proposed bill).

- Must prove that they arrived in the U.S. prior to January 1, 2007
- Could gain probationary status by declaring themselves, passing a background check, remaining employed and clear of a criminal record.
- Once on probation, they can apply for a Z visa, renewable every four years, which would allow them to live, work and travel freely for at least eight years. A Z visa requires payment of a \$1,000 fine, meeting accelerated English and civic requirements, and remaining employed.
- To obtain a green card, i.e., resident alien status, immigrants must have a Z visa, return to their home country to apply for residency, pay an additional \$4,000 fine and demonstrate merit under a proposed merit-based system. Their application would be considered after the current backlog is cleared.

Establishes a merit system that would give future immigrants points for: (NOTE: The bill changes the criteria for legal immigration from an emphasis on family ties to one that includes family relationships, but also emphasizes job skills, English language ability, education and other factors).

- The ability to speak English, the level of schooling, with additional points for training in science, math, and technology.
- A job offer in a high-demand field, work experience in the U.S., employer endorsement and family ties to the U.S.

Employers would be required to verify a worker's eligibility:

- An Employment Eligibility Verification System would verify employee photos and documents.
- The Department of Homeland Security and the Social Security Administration would share "no-match" information to find false Social Security numbers.
- Audits would serve as an additional check on employer compliance with the system.
- Stiff penalties would be imposed on employers who break the law.

The temporary worker program: The proposed bill creates a guest worker program with “Y visas” that allow up to 400,000 temporary workers to enter the country for up to three, two-year terms with a one-year stay in their home countries required between each term.

- Requires U.S. employers to advertise the job in the U.S. at a competitive wage before hiring a temporary worker.
- Provides additional labor protections for temporary worker program participants.
- Requires temporary workers who want to bring their immediate family to show that they have the financial means to support them and that they are covered by health insurance.
- Creates a separate seasonal agriculture component.

Border Security and Worksite-enforcement: (NOTE: before a temporary worker program is implemented, the following procedures must be implemented).

- Hiring 18,000 new border patrol agents.
- Erecting 200 miles of vehicle barriers and 370 miles of fencing between the U.S.-Mexico.
- Erecting 70 ground-based radar and camera towers along the southern border.
- Deploying four unmanned aerial vehicles and supporting systems.
- Ending the program in which illegal immigrants are released upon apprehension.
- Providing for the detention of up to 27,500 aliens per day on an annual basis.
- Using secure and effective identification tools to prevent unauthorized work.

Other provisions:

- Accelerated English and civic requirements, i.e., all transactions handled in English.
- Legal immigrants not permitted to “bring over” relatives outside immediate family.
- Visas for parents of U.S. citizens are capped. --Residency for siblings and adult children of U.S. citizens and green card holders are eliminated.
- The Diversity Lottery Program, which grants 50,000 green cards per year through random chance, is ended.