

Merits of the bipartisan immigration reform deal

It's a welcome sign that statecraft can rise above partisan politics.

Opinion
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PROVO, UTAH - Throughout the United States, but particularly in California and the states of the Southwest, millions of foreign workers pick the crops, build houses, cook and serve in fast-food restaurants, work as janitors, and serve as nannies for American children. Most of them come from countries below America's southern border, particularly Mexico. Many of them are in the US illegally.

From time to time, US immigration agents catch some and deport them. But it is an ineffectual process because there are too few agents and some 12 million immigrants, who have broken laws to work and live in the US, where they enjoy better lives than in their original homelands. Even if they could all be found and captured, shipping them home is clearly impractical. Some have been in the country for many years, producing children who are American citizens by virtue of being born on American soil. And there is the interest of their employers, who pay them less than American workers would require, and are loath to see them go. The agricultural industry in California, for example, would come to a standstill without these low-paid workers at harvest time.

It is a messy situation that previous federal and state agencies have been unwilling or unable to solve. Border control has been laughable, but the porousness of the border today when terrorists may be seeking to infiltrate across it is not funny.

The existence of large numbers of workers in the US who have circumvented immigration laws is a huge emotional problem with many voters, and therefore a huge political problem for legislators. That is why the current efforts of a bipartisan coalition of US senators should be lauded and supported. After much labor, they have produced a draft bill that addresses both the need to effectively control the US southern border and the need to legalize the presence of foreign workers, both present and future, on American soil. If the bill or a reasonably modified version of it becomes law, it will be a major achievement and the most dramatic revision of immigration laws in decades.

The bill is being debated in the Senate, with debate in the House yet to come. President Bush, whose efforts to reform immigration laws were thwarted by the 9/11 attacks, is for it. Both the liberal New York Times and the conservative Wall Street Journal, rarely political bedfellows, see merit in it but want various aspects of it refined.

As presently drafted, the bill would first require tightening of the border. This would include some 370 miles of fencing, high-tech radar and camera towers, unmanned aerial spy vehicles, and an additional 18,000 border patrol agents. Employers of foreign workers would face strict new rules for identifying new and existing hires.

After these benchmarks had been achieved would come the new deal for workers. Between 400,000 and 600,000 "guest" workers a year could be given Y visas. These would be valid for two years at a time with a maximum of six years. But the Y visa holders would be required to go home for a year between each renewal.

Illegal workers already in the US could pay a \$1,000 fine and qualify for a Z visa renewable every four years. Then they could apply for a green card, making them permanent residents of the US, but only after a backlog of several million existing green-card applicants had been taken

care of – about an eight-year period. To pursue the path for citizenship, they would need to return to their original homelands, pay an additional fine of \$4,000, and demonstrate proficiency in the English language. Conservative critics opposing this equate it with amnesty.

A further controversial aspect of the bill is that it would drastically change existing US immigration philosophy. Presently this favors admission for family members of citizens and legal residents already in the US. The new emphasis would instead favor a points system giving preference to new arrivals with special skills best qualified to advance the US economy.

The bill may require more tweaking but already contains some remarkable compromises among liberal senators such as Edward Kennedy, conservative senators on the other side of the aisle, and the White House. It is an example of how, on difficult issues, statecraft can sometimes rise above partisan politics. That is a development to be heartily praised. It should be emulated in tackling international problems such as the war in Iraq and domestic ones such as the looming fiscal crises on Social Security and Medicare.