

Striking a Balance on Immigration Proposals*by LULAC National Director of Policy and Legislation Dr. Gabriela D. Lemus*

To the country's surprise, in January President Bush proposed a new temporary worker program to match willing foreign workers with U.S. employers. The president's proposal would be open to both new prospective foreign workers and to those undocumented workers who are currently working in the U.S. His proposal included a set of principles for immigration reform based on enforcement and security: ensuring that there is a steady labor supply, while ensuring that there are enough incentives that the workers will go home after their stay in the United States. Congress was perhaps among those most surprised that the President made his announcement at the beginning of an election year and in the midst of an unstable economy.

The Devil Is in the Details

Although President Bush took an enormous political risk by raising this very important issue, there is still much work to be done. As part of his proposal, the president called for a "reasonable" increase in the number of green cards. Green card holders after five years may elect to become citizens. At this point in time, there are only 140,000 green cards available for distribution annually. The administration estimates that this program will affect all of the 7-8 million undocumented workers currently living in this country, allowing them to regularize their status temporarily. Workers would be able to apply for a three-year period to work as guest workers, with the possibility of reapplying once the 3-year period is up. However, it has not yet been decided how many times workers can re-apply, only that it is not indefinite. The workers would already have to be employed if they are currently here undocumented and have proof of employment upon application.

Senior administration officials have been very clear in their statements that there is absolutely no link between temporary worker programs and a pathway to citizenship – these are two different programs. The biggest concern among LULAC members and other Hispanic and immigrants' rights groups is

that the president's proposal is lacking in details, and that there is nothing specific regarding earned legalization for those who wish to become permanent legal residents and possibly U.S. citizens. Furthermore, there are many classes of people who do not fit into this type of program: for example, those young individuals who would benefit from the DREAM Act.

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President Bush has made it clear that his is not an amnesty proposal, but a separate track for guest-workers. It is unrealistic to assume that most of those who are working and contributing to the U.S. economy will actually ever get an opportunity to receive a green card – unless the number of green cards is increased substantially. Although the president's plan does state that workers can apply for permanent legal residency, there is a lack of clarity as to who can apply and how. The president's plan is very clear on one point, however, that the workers have to go home at the end of their program, even if they have families/children who are U.S. citizens.

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Congressional Reaction

Members of Congress have reacted with a mixture of limited approval and political cynicism to the president's immigration proposal. Yet there are several points that

almost all agree on – both Republican and Democrat. Although President Bush reopened the immigration debate that has been silent since the catastrophic events of 9/11, he regrettably raised the issue at the worst possible time – an election year in which the state of the economy and loss of jobs (3 million since he took office) will be a major issue and it is likely to become a campaign issue for most members of Congress. They are very conscious of a general public opinion that too many jobs are leaving the U.S. and that an oversupply of labor ultimately depresses wages and benefits.

On the extreme right, the president's proposals badly angered the conservative wing of the Republican Party, and some House Republicans asked the President to drop the proposal altogether. Twenty-three congressional members, led by Tom Tancredo (R-CO), demanded that the President drop his proposal, threatening him with a backlash from his conservative base because of the very high percentage of Americans who oppose any form of amnesty. In their eyes, even if the President does not describe his plan as amnesty, that is the way they see it. At a recent retreat in Philadelphia, many Republican members told the President that they regret that he raised the issue and argued that the recent drop in his support is the result of an erosion of his base because he raised it. The angry reaction stems from a perception of many in this country that the most recent wave of immigrants is not assimilating into American society in the way other groups did in the past. The only part of the Republican base that appears to strongly support Bush's proposal is the corporate sector, and on this issue, they are out of sync with other Republicans.

House Democrats took the opportunity of the president's proposal to release their immigration principles, which called for family reunification and earned legalization. Members of the Congressional Hispanic Caucus (CHC) specifically have expressed their hope that a consensus might be possible of something less comprehensive than the President's proposal. However, the members of the CHC and most Latino organizations

and Legislation

by President Bush and Congress

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placed a caveat on the President's proposal. Specifically, they are concerned that it is just a temporary worker program with no clear pathway to permanent residence or citizenship outside of the exceedingly limited green card process.

There is also a role for the Mexican government. They can do a lot to assist Congress in changing public perceptions about immigrants who come to this country to work. One area where the two governments can work together is to improve safety on the border and to secure and deal with human smuggling issues there. Mexico can also help shape U.S. public opinion by creating opportunities internally to reduce immigration flows and also by addressing the extradition controversy which is a major issue in key states like California.

LULAC Principles

In October 2003, the LULAC National Board established and passed a set of immigration and foreign worker principles in an effort to set a baseline or point of departure for negotiation.

Despite the great debate currently taking place, it is highly unlikely that any major immigration reforms will pass this year.

The three basic elements of our principles include: family reunification; reduction of backlogs; and an earned legalization mechanism for those undocumented currently living in the United States, as well as a humane standard established for the management of future flows of workers – though this latter

principle has not been clearly defined. These issue areas represent lines in the sand that LULAC, as an organization, feels should be included in any comprehensive immigration reform package.

Nevertheless, despite the great debate currently taking place, it seems unlikely that any major immigration reforms will pass this year, although some smaller pieces might stand a chance such as the DREAM Act and AGJobs. On the House side, Speaker Dennis Hastert (R-IL) has clearly indicated that he has no interest in moving an immigration bill this year. Positive momentum will have to be built on the Senate side where there are several immigration proposals in play – including Daschle-Hagel and the McCain bill that could potentially bear fruit if sufficient energy is built.

Lastly, irrespective of whether or not the

president chose to act politically, the reality is that if real immigration reform is to take place the president must build a bipartisan coalition on reforms with a balance of views and not a partisan approach. Perhaps our most difficult challenge for any type of real change is the critical need for an important education effort of U.S. public opinion. It is time that the nation understands that without immigrant workers a great many businesses in this country could not open their doors and the economy could suffer serious setbacks.

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BOOK REVIEW

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The Buenavida Dilemma:

Whether To Become Gringos

by Jose N. Uranga

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Book Review by Bryce Roman, LULAC Intern

The Buenavida Dilemma: *Whether To Become Gringos* is a fictional account of the real life Mexican-American families have already known for nearly 200 years. Mr. Uranga hits the high notes as well as the lows in this brief 156-page read guaranteed to attract all audiences. Whether you are a Hispanic or an Anglo American, you can appreciate the difficult

assimilation process the Buenavida family endures for over five generations.

The first thirty or so pages lack the characterization needed in order for the reader to become attached. However, once the reader becomes accustomed to the author's writing style, the plot demands your interest.

The Buenavida Dilemma is a good read, not profound, but very informative regarding Hispanic America's quest for civil rights; knowledge that should not be neglected or taken for granted by today's generation.

Author Jose N. Uranga is a respected retired environmental attorney presently residing in Florida. Mr. Uranga has studied at New Mexico State University, Georgetown University School of Law, and received his Masters at the University of Texas. He also worked in the Carter administration.