Immigration Reform Bill Reaches Senate Floor

By: Michael Phulwani, Esq. and David H. Nachman, Esq.

The Senate Judiciary Committee endorsed the Immigration Reform Bill which was a key step towards solving the problem that has bedeviled the nation for decades.

That was noteworthy in itself, but what was truly encouraging was that the bill was backed by three of the committee's eight Republicans. That bipartisan support bodes well when the bill reaches the Senate floor.

How to "fix" immigration has been debated for years. Then-President George W. Bush tried twice to get congressional support for a comprehensive immigration bill, but both times it was derailed. After initially ignoring the issue, President Obama is now backing legislation that incorporates many long-time reform goals.

They include bolstering border security, but also establishing a path, albeit lengthy, for the nation's estimated 11 million undocumented residents to achieve permanent resident status. Notwithstanding the anti-immigrant rhetoric in some quarters, deporting 11 million people is not going to happen, nor should it. For the most part, these individuals are contributing to society. We see them working as landscapers, dishwashers, maids and in other low-paying positions. Many have children born in this country who are American citizens.

The proposed bill, which was drafted by an equal number of Democrats and Republicans — the so-called Gang of Eight — is no blanket amnesty. Undocumented residents must have been in the country by 2011, must not have a felony conviction or more than two misdemeanors on their record and must pay a \$500 fine. That would get them provisional residency status for six years. It can then be renewed and after 10 years immigrants would be able to gain permanent resident status if they pay a fine of \$1,000 and are up to date on their taxes. Citizenship could come after that.

The bill's immediate aim is to bring the undocumented out of the shadows by permitting them to work "on the books," which also means they will pay taxes.

GOP support for the bill was almost derailed when U.S. Sen. Patrick Leahy, D-Vt., considered proposing an amendment allowing gay Americans to seek green cards or permanent resident status for their immigrant spouses. But Leahy changed plans under pressure from the White House, which feared the loss of GOP backing.

There were fears immigration reform would be stymied after the Boston Marathon bombing and because of a number of scandals plaguing the Obama administration. We're glad that isn't happening. The time has come for our nation of immigrants to enact a humane and compassionate way to deal with its latest wave of newcomers.

Mr. Rubio has said he hopes to further strengthen border security "triggers" during the Senate floor debate in June. The current bill sets up a sequence of new border measures that must be in place before illegal immigrants can gain legal status and eventually citizenship. Under the current bill, the Department of Homeland Security is directed to produce and carry out the border security plan, with as much as \$6.5 billion for technology, fencing and border agents.

Democrats in the bipartisan group made it clear they would fight to defend that pathway, a central piece in the complex equation of the bill.

"If we don't have a path to citizenship, there is no reform," Senator Charles E. Schumer of New York, a Democrat and an author of the bill, told Mr. Cruz during the debate. After the vote, Mr. Schumer, foreseeing the debate to come, said, "The only bottom line I've always had, and I think the Democrats have had, is we have to make sure the trigger is achievable and concrete."

Mr. Schumer said after the committee vote that he hoped to be "lucky enough" to get 70 votes in the Senate. Lawmakers predicted the vote would come in late June.

Gay rights advocates focused their ire on Wednesday on several Democrats on the committee who had urged Mr. Leahy not to go forward with his amendment - particularly Mr. Schumer, Richard J. Durbin of Illinois and Dianne Feinstein of California - after the bill's Republican sponsors had said the measure would cause them to bolt.

We have to wait to see what happens in the Senate.

In the Republican-controlled House, Republican leaders were leaving several options open. A bipartisan group is also working in the House and has said it will introduce a bill by early June.

There are some opponents of the bipartisan bill but even opponents of the bipartisan bill are part of a consensus among many members of Congress that the nation's immigration laws do need to be revamped. Before the vote in committee Tuesday night, both Senators John Cornyn, Republican of Texas, and Charles E. Grassley, Republican of Iowa, acknowledged as much, saying that while they could not yet support the bill, they believed it deserved a full debate on the floor.

"I believe it's important to get the bill on the floor, and we can work together to try and improve it and make it as good as it can possibly be," Mr. Cornyn said.

For more information, please feel free to contact the Immigration and Nationality Lawyers at the NPZ Law Group at 201-670-0006 or by e-mailing us at <u>info@visaserve.com</u>.