

THE NEW YORK TIMES

December 30, 2005

Bill on Illegal-Immigrant Aid Draws Fire

By RACHEL L. SWARNS

WASHINGTON, Dec. 29 - Churches, social service agencies and immigration groups across the country are rallying against a provision in the recently passed House border-security bill that would make it a federal crime to offer services or assistance to illegal immigrants.

The measure would broaden the nation's immigrant-smuggling law so that people who assist or shield illegal immigrants would be subject to prosecution. Offenders, who might include priests, nurses or social workers, could face up to five years in prison. The proposal would also allow the authorities to seize some assets of those convicted of such a crime.

Proponents of the legislation have argued that such provisions would make it harder for illegal immigrants to thrive in the United States by discouraging people from helping them. The legislation, which cleared the House this month, could also subject the spouses and colleagues of illegal workers to prosecution.

Several Republicans and Democrats in Congress say the measure appears unlikely to become law. But the legislation has touched off an outcry among groups that teach English and offer job training, medical assistance and other services to immigrants.

The United States Conference of Catholic Bishops has written to members of Congress and called on President Bush to oppose the measure publicly. In Manhattan, scores of immigrants demonstrated against the bill last week. Here in the Washington area, a coalition of immigrant-services groups is planning rallies, visits to members of Congress and a letter-writing campaign to try to prevent the immigration bill from becoming law.

"We are going to fight this legislation," said Gustavo Torres, executive director of Casa of Maryland, one of the advocacy groups rallying against the measure. "The immigrant community is very upset about this."

Mr. Torres's group offers job placement services and English classes to thousands of immigrants each year. On Wednesday, as he greeted day laborers looking for work at his center in Silver Spring, Md., Mr. Torres said he could not imagine being forced to turn away the needy because they lacked legal papers.

"We never ask for documentation," he said. "Our mission is to help anyone in need of service, regardless of their immigration status. We are proud of that."

Speaking for the Conference of Catholic Bishops, Bishop Gerald R. Barnes of San Bernardino, Calif., said the measure threatened church workers and doctors as well as ordinary citizens who provided urgent or life-saving assistance to illegal immigrants.

"Current legislation does not require humanitarian groups to ascertain the legal status of an individual prior to providing assistance," Bishop Barnes wrote this month in a letter to Congress. "The legislation would place parish, diocesan and social service program staff at risk of criminal prosecution simply for performing their jobs."

Supporters of the border-security bill say they are trying to crack down on a culture of indifference to the nation's immigration laws that has allowed 11 million illegal immigrants to live in this country.

The legislation would make it a federal crime to live in the United States illegally, which would turn millions of illegal immigrants into felons, ineligible to win any legal status. It would also stiffen the penalties for employers who hire illegal immigrants.

"This legislation aims to prevent illegal immigration and re-establish respect for our immigration laws," said Representative F. James Sensenbrenner Jr., Republican of Wisconsin, who introduced the legislation in the House.

"Those breaking the law will be held accountable," Mr. Sensenbrenner said, "whether they are smugglers cruelly trafficking in human beings, employers hiring illegal workers or alien gang members terrorizing communities."

President Bush has also praised the legislation.

"America is a nation built on the rule of law, and this bill will help us protect our borders and crack down on illegal entry into the United States," Mr. Bush said after the House passed the measure. "Securing our borders is essential to securing the homeland."

In his statement, Mr. Bush did not comment on the provision that is causing such a furor among churches and nonprofit groups. A White House spokesman referred questions about Mr. Bush's position on the matter to the Justice Department.

John Nowacki, a spokesman for the department, declined to answer questions about whether the Bush administration supported the provision.

White House officials have emphasized in recent weeks, however, that Mr. Bush still believes that any immigration legislation should include a guest worker program that would grant millions of undocumented workers the right to work temporarily in this country.

The House bill does not include a guest worker program, but the Senate is expected to consider such a plan early next year. A guest worker plan would give legal status to millions of illegal immigrants. If that were to happen, the measure outlawing assistance to illegal immigrants might be removed or end up having little effect.

But advocates for immigration said they were still deeply disheartened that Mr. Bush and members of Congress had not spoken out against the House measure.

"It's mind-boggling," said Julie Dinnerstein, deputy director for immigration policy at the New York Immigration Coalition, which sponsored last week's rally in New York.

"I think our courts should be focused on people who are doing terrible things," Ms. Dinnerstein said. "Do we need to send a bunch of priests or ministers or nurses to jail?"