

Senator Introduces Bill Creating Guest Worker Program

THE NEW YORK TIMES

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Published: February 25, 2006

WASHINGTON, Feb. 24 - The Republican chairman of the Senate Judiciary Committee unveiled draft legislation on Friday that would create a temporary guest worker program that could allow hundreds of thousands of foreigners to fill vacant jobs in the United States for periods of up to six years.

The draft circulated by the lawmaker, Senator Arlen Specter of Pennsylvania, would also authorize millions of illegal immigrants who arrived in this country before Jan. 4, 2004 to remain here indefinitely, along with their spouses and children, as long as they registered with the Department of Homeland Security, paid back taxes and remained law-abiding and employed, among other conditions.

The proposal would require employers to attest that they had tried to recruit American workers before bringing in additional foreigners from abroad and to pay prevailing wages. The plan would not place a restriction on the number of foreigners who could take part in the guest worker program. Those workers would not have the right to become permanent residents or citizens.

The bill is silent on whether illegal immigrants already in this country should be accorded that opportunity.

The legislation will serve as the blueprint for the first Congressional debate on the future of the nation's illegal immigrants since President Bush called for a guest worker plan in 2004. With his draft, Mr. Specter was striving to reconcile the warring factions within his own party and address concerns raised by business leaders, labor officials and advocates for immigrants who have battled fiercely in recent months over the shape of a proposal that would radically reshape immigration policy and the workplace.

The debate on the bill, which also includes measures to strengthen border security, is expected to begin in the Judiciary Committee next week. Any legislation that passed the Senate would have to be reconciled with a bill passed by the House in December that sought to tighten security along the nation's borders but made no provision for guest workers or legal status for illegal workers already in the United States.

"The committee must grapple with a realistic means of bringing out from the shadows the possible 11 million illegal aliens in the United States," Mr. Specter wrote in a letter to his colleagues, saying he hoped the draft would build consensus. "We are a nation of immigrants, but we are also a nation of laws."

But the proposal touched off a furor among politicians, advocates for immigrants and union leaders across the political spectrum.

Conservatives condemned it as an amnesty for lawbreakers.

"By legalizing the millions upon millions of illegal aliens in the U.S., Specter makes a mockery of our laws and crushes our already strained legal immigration system," said Representative Tom Tancredo, Republican of Colorado, who pushed for the border security bill in the House.

Advocates for immigrants said the plan failed to protect the rights of immigrant workers, who they argue deserve a clear path to citizenship. And the A.F.L.-C.I.O. warned that a guest worker program of unlimited scale would depress wages and working conditions while creating a perpetual underclass of foreign workers.

"This unprecedented program would put millions of people in a status where they don't get residency and they can't become citizens," said Angela Kelley, deputy director of the National Immigration Forum, an advocacy group in Washington. "At first blush, its a nonstarter."

Ana Avendaño, associate general counsel of the A.F.L.-C.I.O., said, "From the viewpoint of workers, this is not a good bill."

The United States Chamber of Commerce praised the draft legislation for addressing the need of many industries for immigrant workers. And Senator John Cornyn, a Texas Republican, who had introduced a more conservative immigration bill, praised Mr. Specter for taking "a serious look at a very difficult issue."

The furious response by some constituencies to the draft reflects the difficult position confronting Mr. Specter as he navigates the fault lines within his party and committee, with an eye toward a vote on the Senate floor and a conference with skeptical House Republicans, who have rejected calls to legalize illegal workers.

Jeanne A. Butterfield, executive director of the American Immigration Lawyers Association, said Mr. Specter "has a difficult path to tread."

Under Mr. Specter's proposal, the guest worker program would be open only to foreigners living outside the United States. Applicants would be sponsored by employers -- though they would be allowed to switch employers during their time here -- and would undergo background checks and medical screening. If approved, applicants would be allowed to bring their spouses and children to the United States.

Work permits would be granted for three years, after which the worker would have to return to his country for a year and apply again. The guest worker could then be authorized for a second and final work permit for three years.

Illegal immigrants who arrived in the United States after Jan. 4, 2004 could also participate in the guest worker program, but only if they returned home and applied from their countries.

Those illegal workers who arrived in this country before Jan. 4, 2004 could stay in this country indefinitely, provided that they underwent background checks and did not remain unemployed for 45 days or more.