

What Immigration Reform Advocates *Don't* Like About The New Senate Bill

[Benjy Sarlin](#) April 18, 2013, 6:58 AM 2126

Immigration supporters are cautiously optimistic about the “Gang of 8” reform bill, but there’s still a long list of complaints they want to address before it gets to final passage. On Wednesday, activists and lobbyists wasted no time in voicing their concerns, from anger over LGBT protections to fears that the path to citizenship will leave too many people stuck in the middle.

Immigration advocates are encouraged that the bill provides a relatively clear criteria for legalizing the undocumented population and a mechanism that, in theory, would allow many of them to become citizens within the next 10-15 years. But there are still some worries that various restrictions will leave out too many people along the way.

One long-running concern is the border trigger. If Congress mucks with funding or a future secretary of homeland security is less immigrant friendly than the current occupant, it could potentially delay the naturalization process.

Then there’s the cost. There’s a \$500 fine as part of the initial legalization process that some groups worry could be prohibitive for struggling families with multiple members who qualify, especially when paired with legal costs and other potential fees.

“The reality is these are low-wage immigrant workers, many of whom don’t have continuous work, so it’s very expensive if you talk about 500 dollars in the beginning plus the assessed fees by the Department of Homeland Security,” Angelica Salas, executive director of the Coalition for Humane Immigrant Rights of Los Angeles, told reporters.

Another sticking point: provisions regarding the green card process that would require some immigrants who apply after a 10-year waiting period to demonstrate they held a job regularly and prove that they won’t be a “public charge,” possibly by showing their income is above the poverty line.

“A lot of low-wage workers, even with work authorization, given today’s economic constraints and levels of employment, may not be able to show they maintained regular employment,” Marielena Hincapié, executive director of the National Immigration Law Center, told TPM on Wednesday. “And that means they may not be able to continue onto the next stage.”

Another complaint isn’t about language in the bill itself, per se, but it’s still going to be a big issue in the coming weeks that the White House is going to have to address. Immigrant rights activists have long argued that the administration should halt or dramatically scale back deportation proceedings, since Congress is considering a bill that would grant many of the same individuals legal status if passed. On Wednesday, AFL-CIO president Richard Trumka joined the fight.

“When the war’s about to end, doesn’t it make more sense to reach a ceasefire than to extend needless suffering?” he said in a conference call with reporters.

Many activists were also disappointed that the bill did not include language that would allow gay couples to [sponsor their spouses or partners](#) for a visa, something that up to this point has been prohibited by the Defense of Marriage Act. Gay rights and immigration advocacy groups think they have a good chance of including those provisions later in an amendment, so expect this fight to become more prominent in the run-up to a vote. Even if they don’t get what they want, the Supreme Court is considering whether DOMA is constitutional; and if it strikes the law down, that decision could accomplish much of advocates’ goal.

“LGBT immigrants have historically being denied fair access to our immigration system, and this is our chance to be included in what could be a once in a generation overhaul of our immigration system,” Felipe Sousa-Rodriguez, co-director of gay rights group GetEQUAL, said in a statement.

Family reunification is another issue that could prove contentious. While the bill makes it easier for permanent residents to bring over their spouses and children from abroad, it gets rid of the ability to sponsor a sibling for a visa. A number of religious groups and immigrant rights groups want to expand family visas without cutting them elsewhere.

Then there are the pro-reform business groups. The AFL-CIO and Chamber of Commerce reached a deal on a guest worker program after months of intense talks, but some individual industries, mainly construction, are unhappy with restrictions on the number of guest workers they can bring in and at what wages.

“The program is puny — less than half the size it needs to be, perhaps less than a third — and skewed by additional quotas within quotas that restrict the supply of workers to particular industries, including construction,” Tamar Jacoby, executive director of the pro-business ImmigrationWorks USA said in a statement. Nonetheless, she called the bill “a solid framework for Congress to build on in coming months.”

<http://tpmdc.talkingpointsmemo.com/2013/04/immigration-advocates-outline-their-wish-list-for-a-final-bill.php>