

What's Next for Immigration Reform

Programs for low-skilled and agricultural workers continue to be debated.

By [Rebecca Kaplan](#)

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With Congress back in session this week, working groups in the House and Senate will be putting the finishing touches on their immigration bills in hopes of releasing draft legislation in the coming weeks.

For the bipartisan House working group, returning to Washington is especially important since the members prefer to meet face to face. To the best of their aides' knowledge, members of the group haven't participated in conference calls over the break, leaving negotiations to their staff.

That means several issues are outstanding, including a deal on a guest-worker program reached by the AFL-CIO and the U.S. Chamber of Commerce as Congress was heading out of town two weeks ago. The House group had not delegated negotiations on that issue to the two groups, as the bipartisan Senate group did, but it could still adopt the business and labor plan.

There's also no final deal on agricultural workers, who would gain legal status through a different route than other immigrants in the country illegally. A coalition of growers, including the American Farm Bureau, was set to negotiate through the weekend with the United Farm Workers on a visa program for the Senate. The groups are currently arguing over wages and the number of visas in the program, the same issue that plagued the AFL-CIO and Chamber of Commerce. The House is not directly involved in these talks but could adopt the program if a solution is reached.

The House plan will likely contain a special pathway to citizenship for illegal immigrants brought to the country as children and for those who have served in the military. People who don't fall into those categories will likely have a range of options to pursue legal status that reflect the various pathways offered by the current legal immigration system. That will help satisfy a Republican imperative that the vast majority of illegal immigrants have no special path to becoming a citizen.

Republican Rep. Raul Labrador of Idaho, who is part of the working group, outlined his views [in an op-ed](#) that ran over the recess break in *The Los Angeles Times*. In order to gain legal status, he wrote, "the undocumented must come out of the shadows, register and undergo thorough background checks. They must pay all taxes owed, and pay a fine. They must know English and remain employed and not become a financial burden to American taxpayers. Those who have committed serious crimes or who do not willingly come forward will not be eligible for the program."

A stamp of approval from Labrador, who has close ties with many of the young, conservative members of the House and 15 years of experience in immigration law, will be key. He is also the only Republican member of the group with a seat on the House Judiciary Immigration Subcommittee. He stressed the need for border security, an area where the House bill is expected to be further to the right than the Senate's. And his concern with ensuring that newly legalized immigrants don't become a financial burden on American taxpayers reflects the likelihood that the House bill will have longer waiting times until those immigrants can access U.S. entitlement programs.

Aides with knowledge of the talks caution that individual aspects of the deal aren't necessarily finalized until the members sign off on the entire bill. The same is true of strategy: The lawmakers are drafting a comprehensive bill, but no decisions will be made about how to best shepherd it through the contentious House until there is a final product to consider.

With those major issues left unsettled, there's almost no chance the bipartisan House group finishes its work and unveils a bill this week, even though aides insist they are close. In addition to Labrador, the members of the group, who still decline to publicly identify themselves, include Democratic Reps. Xavier Becerra and Zoe Lofgren of California; Luis Gutierrez, D-Ill.; John Yarmuth, D-Ky.; Mario Diaz-Balart, R-Fla.; and Republican Reps. John Carter and Sam Johnson of Texas.

Both Democratic and Republican members of the working group have begun informal conversations with other members of their party to gauge levels of support and potential concerns.

The House group has been able to fly under the radar because outside groups have focused most of their attention on the Senate, where details of the plan are more concrete. Most groups also believe that passage of a bill in the Senate is the best strategy to nudge the more cautious House to action.

"We still believe that a strong bipartisan vote in the Senate is our best House strategy," said Frank Sharry, the founder and executive director of the pro-immigration group America's Voice.

The converse is true for opponents of comprehensive reform, who believe that the House will never take up reform if it fails in the Senate.

"There is very little question in my mind anyway that if the Senate fails to pass [comprehensive reform] that the House will not," said Rosemary Jenks, the director of government affairs for NumbersUSA, which seeks to limit immigration levels. "There's definitely a sense that it's more urgent to make sure that it does not pass in the Senate for us because there really is no indication that the House is going to move soon on any kind of big bill."

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