

Bipartisan immigrant bill called a 'lie'

Tucson rights group says legalization path in plan is too strict

By Brady McCombs

Some immigrant-rights groups are voicing opposition to a bipartisan immigration proposal that includes a temporary-worker program and a path to legalization for some illegal entrants.

Members of the Tucson-based *Coalición de Derechos Humanos* say the proposal, by U.S. Reps. Jeff Flake, R-Ariz., and Luis Guterrez, D-Ill., contains 700 pages of policing measures that perpetuate border militarization and falsely advertise a "path to citizenship."

The House bill has been labeled "Security Through Regularized Immigration and a Vibrant Economy."

Even though the STRIVE Act is more all-encompassing than an enforcement-only House bill of 2006, *Derechos Humanos* also is calling it unacceptable.

"We have to take a stand; our community must know the truth," said Isabel Garcia, co-chair of *Derechos Humanos*. "Democrats and Republicans alike, immigrants-rights lobby, stating that these bills are a road to legalization — that is a lie."

But other immigrant-rights groups call the proposal a solid starting point that needs revision. And supporters of the bill say *Derechos Humanos* and other "fringe organizations" are unwilling to make compromises necessary to reach an accord on this highly charged issue.

The proposal's path to immigrant legalization is difficult by design, but calling it a lie is inaccurate, Flake said.

According to the plan, illegal immigrants would be eligible if they could prove they had been in the United States and working since June 1, 2006; pass criminal background checks; and pay a fine. Meeting the conditions would give them a six-year conditional, non-immigrant status for themselves, their spouses and children under a new visa category.

Then they could pursue green-card status — or legal permanent residency — and eventually gain citizenship by paying more fines, undergoing background checks and medical examinations, passing English and civics requirements, paying back taxes, moving to the back of the immigration line and briefly leaving the country.

"We are committed to having a bill that is not amnesty, so obviously there are going to be conditions and requirements, because they are here illegally," Flake said.

But Ira Mehlman, a spokesman for the Federation for American Immigration Control, said his organization — which supports a crackdown on illegal immigration — opposes the STRIVE Act.

"You can call it whatever you want. . . . It's still an amnesty," Mehlman said.

One of the major concerns of *Derechos Humanos* members is that the proposal would implement the border- and interior-enforcement measures immediately, while the temporary-worker and path-to-legalization provisions would be delayed until the Department of Homeland Security secretary certifies systemic improvements in border security and document verification.

"We call this 'Sensenbrenner Lite,'" said Alexis Mazon a *Derechos Humanos* and Tucson May 1st Coalition member, referring to the sponsor of House Bill 4437, Rep. James Sensenbrenner, R-Wis. "A lot of the provisions that were in HR 4437 are in HR 1645 (the STRIVE Act). . . . It is a proposal intended to criminalize the entire immigrant population."

Border enforcement measures must be prominent in any legislation for it to gain traction with both parties in the current political climate, Flake said.

"I don't know anybody who seriously thinks that we don't need more border enforcement," Flake said.

Immigrant-rights groups must realize that enhanced border and interior enforcement will be included in any proposal, said Farrell Quinlan, spokesman for Arizona Employers for Immigration Reform, an organization that represents more than 100 companies and associations. They would be wise to support a plan that includes an accompanying guest-worker program and a path to citizenship, he said.

"The Tom Tancredos on one side and the open-border lobby on the other side — the solutions aren't going to come out of those groups," Quinlan said, referring to a Republican congressman from Colorado. "The solution is

going to come from the middle in solutions like the STRIVE Act."

Dismissal of the bipartisan proposal from either side of the issue diminishes the opportunity to get any bill passed, said Clarissa Martinez, campaign manager for the Coalition for Comprehensive Immigration Reform, a Washington, D.C.-based group that represents nearly 40 local and national immigrant-advocacy, policy, labor and religious organizations.

"The the bill presents the right architecture to deal with this issue," Martinez said. "It gives us the opportunity to begin working from a platform that is light-years ahead of where we were in the House last year."

Members of Tucson-based Border Action Network oppose certain measures of the STRIVE proposal but consider it a "good vehicle for moving the debate forward," Director Jennifer Allen said. The concerns of groups such as Derechos Humanos are understandable, but they hinder the goal of passing an immigration bill this year, she said.

Allen and Martinez said their groups are committed to fighting to keep the aspects they like in the bill and to remove the provisions they oppose.

"We can't wait anymore, and moreover, we're completely dedicated to trying to keep the things we like within the legislation and change the things we don't like," Allen said.

But Derechos Humanos leaders said settling isn't an option.

"We know it's not very popular," Garcia said. "But we know what is right, and we cannot agree to proposals that will continue the death and the devastation of our community."

Flake expects the House to take up the proposal at an immigration hearing in late May or early June.

THE PLANS

President Bush's proposal:

- Allows illegal immigrants who pass background checks to receive three-year "Z-visas" and continue working after paying \$3,500 in fines and \$3,500 for each renewal.

- Gives illegal immigrants who obtain Z-visas a chance to become legal permanent residents and become eligible for citizenship after paying up to \$10,000 in additional penalties.

- Bars Z-visa holders and temporary workers from bringing their families to the United States.

- Allows a new temporary-guest-worker program and a path to citizenship for illegal immigrants only after certain "triggers" are met, including the installation of 570 miles of fencing and vehicle barriers along the U.S.-Mexico border

The STRIVE Act:

- Provides for a temporary-guest-worker program but requires the Homeland Security secretary to certify that improvements on border surveillance and technology have been made.

- Expands criminal penalties for immigration violations and other crimes, requires more detention facilities and clarifies local law enforcement's role in immigration enforcement.

- Provides for improved employment verification, increased employer sanctions and stronger privacy and anti-discrimination provisions.

- Creates a new three-year work visa for immigrants, their spouses and children, and establishes an initial cap of 400,000 visas. It requires visa holders and their families to leave if they are unemployed for more than 60 days.

- Creates a new six-year visa and a conditional non-immigrant status for some illegal immigrants already here, and establishes requirements for earned legalization.

2006 Senate bill:

- Allowed illegal immigrants who had been in the country five years or more to remain, continue working and eventually become legal permanent residents and citizens after paying at least \$3,250 in fines and fees, plus back taxes. They also would have to learn English.

- Required illegal immigrants in the United States between two and five years to go to a point of entry at the border and file an application to return.

- Required those in the country less than two years to leave.

- Created a temporary-guest-worker program.

- Authorized 870 miles of new fencing and vehicle barriers along the U.S.-Mexico border.

Sources: Arizona Daily Star and The Associated Press

- Reporter Lourdes Medrano contributed to this article.

- Contact Brady McCombs at 520-573-4213 or bmccombs@azstarnet.com.