

Statement of

The Honorable Patrick Leahy

United States Senator
Vermont
February 12, 2004

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Subcommittee on Immigration, Border Security and Citizenship
Hearing on "Evaluating a Temporary Guest Worker Proposal"
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Today's hearing offers an opportunity to review the President's proposal to create a temporary worker program. Since the President's speech last month on his guest worker proposal, we have heard many questions and concerns from our constituents, from advocates for humane immigration policies, from labor unions, and from Hispanic Americans. I share many of the concerns these groups have raised, and I fear that the President's proposal is more about election-year politics than about creating a more rational and fair immigration policy.

As an initial matter, we do not even have a specific White House policy to review. I wrote to the President on January 23, pointing out the opposition that had already developed among Republicans in Congress to his ideas on immigration, and urging him to submit an actual legislative proposal to Congress to help change the dynamic that had developed since his speech. I have not yet received a response to my letter, and if the President will not send legislation to the Congress, it begs the question of whether he is really serious about getting a bill passed this year. Indeed, without a specific proposal, the President has failed to address some of the difficult questions that any temporary worker proposal raises - for example, under what circumstances, if any, can temporary workers change their employer without losing their legal status?

The Washington Times reported on Tuesday that Senator Kyl agrees that the President "needs to tell the public more specifically what he has in mind." I hope he would agree that the White House should demonstrate its seriousness about the proposal by submitting a bill.

The President's budget proposal deepened my concerns about his commitment to this issue. The budget included a nearly \$100 million cut in the budget for the Bureau of Citizenship and Immigration Services (CIS), despite the fact that the CIS workload would increase exponentially if Congress created the sort of unlimited temporary worker program the President has advocated. Indeed, this budget is woefully insignificant even to accomplish the President's existing goal of cutting the backlog in processing legal immigration applications in half by 2006. And the budget proposal is farcical if the President believes that we should create a huge temporary worker program this year.

There are actual bills already before this Committee that are more deserving of our attention than the President's ill-defined proposal. Senator Hagel and Senator Daschle introduced a

comprehensive immigration reform bill a few weeks ago that includes both a temporary worker program and an opportunity for participants in the program to gain legal status - an opportunity that the President has opposed, but which would seem to be crucial to any attempt to convince people who are here illegally to come forward. We will hear today from Senator Hagel, as well as from Senator McCain and Senator Craig about their own immigration proposals.

In addition, there are more-limited measures that the President should endorse and the Congress should pass without further delay. First, the Senate should take up S.1545, the DREAM Act, a Hatch-Durbin bill that this Committee has passed, which would provide legal status to some undocumented immigrants who were brought here as children, and which would allow states to offer them in-state tuition. Second, this Committee should take up S.1645, the AgJOBS bill, which Senator Craig and Senator Kennedy have introduced with widespread bipartisan support. Their bill would make it easier for agricultural employers to find workers, and for workers who are here illegally to earn legalization through their important contributions to the U.S. economy. I am pleased to be a cosponsor of both bills and urge the Committee and the Senate to act on them promptly.

Our nation cannot continue to ignore the fact there are 8 million to 12 million undocumented aliens within our borders. I hope that the President's commitment to this issue goes beyond the political calendar, and that this Committee and this Senate will proceed with a consideration of the significant bills already before us.

I would like to submit for the record an article written by Representatives John Conyers and Sheila Jackson Lee entitled "'Harvest of Shame' Again?" The article appeared in the February 2, 2004, edition of Legal Times, and it compares the President's guest worker proposal to the discredited bracero program that brought in Mexican farm laborers from 1942 to 1964 - lessons that we cannot afford to ignore as we consider these policy changes.

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