

Statement of

The Honorable Patrick Leahy

United States Senator
Vermont
April 1, 2004

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Senate Judiciary Committee
Subcommittee on Immigration, Border Security and Citizenship
Hearing on "Securing Our Borders Under a Temporary Guest Worker Program"
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Today's hearing features a number of distinguished witnesses and addresses what should have been a timely and important topic. At this point, however, given the President's apparent disengagement from his own guest worker proposal, any discussion of the costs and benefits of a guest worker program seems sadly beside the point.

As everyone here will remember, the President announced his principles for immigration reform to great fanfare in January. But his proposal was lacking in specifics, and he has failed over the ensuing months to define further how he would have Congress act in this area. He has ignored entreaties from both sides of the aisle - including from me - to engage himself fully in this issue and make clear what it is he would have Congress do. Instead, the Administration appears to be paralyzed by the opposition of its right-wing base and by a vocal minority in Congress.

Meanwhile, there are critical immigration matters that this Committee has not addressed. Today, I would like to highlight an issue which employers in all of our States are raising with great urgency. Many are facing an economic crisis this summer. The Bureau of Citizenship and Immigration Services recently announced that the statutory cap on the number of H-2B visas had already been reached for the current fiscal year. These visas are used for short-term workers in the tourism industry - such as restaurants and hotels - as well as for landscapers and fishing, timber, and food production firms. I have received dozens of calls from concerned businesses in Vermont who rely on H-2B workers to meet the increased customer demands that summer brings, and I am sure that Senators from other states are also getting urgent calls from their own constituents.

I have joined with Senator Kennedy and 13 other of my colleagues - including eight Republicans - in introducing S.2252, the bipartisan Save Summer Act of 2004. This bill would increase the cap for the current fiscal year by 40,000. I am disappointed that the Chairmen of the Subcommittee and the full Committee have not joined their Republican colleagues in supporting this bill. They have introduced S.2258, which provides a rather cumbersome approach to solving this problem. I fear that this bill will not accomplish its intended goal, and I would greatly prefer that we pass the Save Summer Act. One thing is clear, however: We cannot afford to delay in passing corrective legislation. Time is of the essence if we are going to help employers in my State and elsewhere serve their customers this summer. The Save Summer Act of 2004 is a necessary response to a critical and unexpected problem, and I urge the Administration and this Committee to support it.

In addition, it is long past time for the Senate to take up S.1545, the DREAM Act. This bipartisan bill passed the Committee last November. It would allow children who graduate from U.S. high schools - but who were brought to this country illegally as children - to obtain legal immigration status. The bill has 43 cosponsors in the Senate, including myself, and it is a small but important step we could take to reform our broken immigration system.

Finally, I urge the Chairman of the Subcommittee to move forward with S.1645, Senator Craig's Agricultural Job Opportunity, Benefits, and Security Act. This is a compromise bill - cosponsored by 55 Senators, including myself - that would help our farmers find willing immigrant labor, and give those laborers a path to legal status in the United States.

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