

Statement of

The Honorable Russ Feingold

United States Senator
Wisconsin
March 2, 2006

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Senate Committee on the Judiciary
Executive Business Meeting
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Thank you, Mr. Chairman. While I think it's safe to say that there is consensus here that our current immigration system is broken, I understand that we have different visions as to how to improve it. I would like to take this opportunity to touch on some of the components that I view as critical to this debate, and that I believe must be part of the bill that the Committee ultimately reports to the full Senate.

I strongly support efforts to curb illegal immigration and to prevent terrorists from entering our country to do harm. We can and must bolster our efforts at the borders, and I am pleased that the Chairman's mark contains strong provisions in this area. But it would be fiscally irresponsible to devote more and more federal dollars to border security without also creating a realistic immigration system to allow people who legitimately want to come to this country to go through legal channels to do so. If we focus exclusively on enforcement, our immigration system will remain broken, and I fear we will have wasted federal dollars. Improving our border security alone will not stem the tide of people who are willing to risk everything, even their lives, in order to enter this country. We need to improve security at our borders and create a system in which law-abiding non-citizens can enter the country legally to work when there is truly a need for their labor. We will all be better off if we create a realistic immigration system that recognizes our country's need for these workers, that allows them to come into the country legally, and that ensures our government knows who is already here.

Today, millions of undocumented workers contribute to our communities and economy, in Wisconsin and across the country. Let's be perfectly clear: Not one member of this Committee has suggested giving undocumented aliens blanket amnesty. I and others on this Committee do recognize, however, that a comprehensive proposal must include provisions that will bring the estimated 11 million undocumented aliens currently living in the United States out of the shadows. I think Senator McCain and Senator Kennedy's bill provides a model for the type of earned legalization program that we should include as part of this bill. Their proposal would require undocumented aliens to show work history, satisfy background checks, pay fines, fulfill English language and civics requirements, and wait at the back of the line in order to obtain permanent status. In other words, people who, once here, work hard and play by the rules would be able to earn a path to permanent status.

We also need a foreign worker program that allows employers to turn to foreign labor but only when they cannot find American workers to do the job. Our laws should acknowledge the reality that American businesses need access to foreign workers for jobs they cannot fill with American workers. In my home state I have heard from many business owners, including a number whose businesses go back for generations, about the need for Congress to fix our broken immigration system because they cannot find American workers. These hard-working American business owners desperately want to play by the rules, and cannot fathom why Congress has dragged its feet on this issue for so long. Whether it's tourism, or farming, or landscaping, our businesses will continue to suffer if we fail to enact meaningful, comprehensive, long-term immigration reform.

At the same time, any new temporary worker program must include strong labor protections to ensure that foreign labor does not adversely affect wages and working conditions for U.S. workers. We must not create a second class of workers subject to lower wages and fewer workplace protections. That would hurt all workers because it drives down

wages for everyone. Foreign workers who have paid their dues should be treated fairly and deserve the protections of all working Americans. And if we permit these workers to enter the country legally, our border agents can focus their efforts on terrorists and others who pose a serious threat to this nation.

It is crucial that the Senate pass meaningful, pragmatic comprehensive immigration reform. This is a complex issue, and I am sure I join my colleagues in thanking you, Mr. Chairman, for your leadership in holding hearings and ensuring that legislation on this issue goes through the appropriate Committee channels. I commend my colleagues for their efforts on this issue, I look forward to working with them, and I urge the President to work with Congress to enact realistic immigration reform.