

**SENATE JUDICIARY COMMITTEE PASSES COMPREHENSIVE  
IMMIGRATION REFORM BILL**



by  
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On Monday, March 27, 2006, the U.S. Senate Judiciary Committee passed a comprehensive immigration reform bill known as the Comprehensive Immigration Reform Act of 2006. Among its most significant provisions, the Judiciary Committee's bill provides a temporary worker program and a path to citizenship for illegal aliens. This immigration reform bill will now be debated by the entire U.S. Senate over the next two weeks before it can become law. If it becomes law, this proposal would revolutionize the immigration system and give a path toward legalization for the estimated 11 million illegal aliens already in the United States.

The immigration bill passed by the U.S. Senate Judiciary Committee is a comprehensive approach to immigration reform in that it addresses the three major aspects of the U.S. immigration system: border security, interior enforcement of laws against the hiring of unauthorized workers and a temporary worker program with a path toward citizenship.

The fact that the Senate Judiciary Committee was able to produce such a comprehensive immigration reform bill is amazing considering the pressure it was under to produce a bill. In December 2005, the U.S. House of Representatives passed an enforcement-only proposal. That proposal threatened to criminalize all illegal aliens and provided only for border security and interior enforcement measures. It did not include any temporary worker program or path to citizenship for illegal aliens.

The Judiciary Committee's program had eight major sections. At [www.longchangonline.com](http://www.longchangonline.com) we have summarized the major provisions under each of these provisions. This article will focus on the earned legalization provisions which would allow illegal aliens who meet certain criteria to obtain a green card in the United States without leaving the country.

**What is "earned legalization"?**

The basic idea behind an "earned legalization" or "earned adjustment" program is that illegal aliens should be able to "earn" the right to obtain a green card by meeting certain criteria – working for a certain period of time, paying taxes, paying a fine, learning English, having a clean criminal record, passing security and medical checks, etc. Those in favor of such a program characterize it as a green card program that an illegal alien can earn based on his or her hard work. Those against such a provision call it an amnesty

whereby illegal aliens are given a green card for breaking the law (coming to the United States illegally and working illegally).

**What does an illegal alien have to do in order to get the green card under the Judiciary Committee's proposal?**

The "earned legalization" or earned adjustment provisions are part of the much larger immigration reform bill passed by the Senate Judiciary Committee provides that illegal aliens can apply for a green card while remaining in the United States if they meet the following criteria:

1. Must have been working in the United States as of May 2005;
2. Obtain a 6-year temporary work visa and continue working during that 6-year period (cannot be out of work for more than 45 days);
3. Pay back taxes;
4. Pay \$1,000 fine;
5. Pass criminal background checks;
6. Prove the ability to speak English
7. Must go to the "back of the line" (cannot obtain the green card until all those individuals already in line for the green card at the time of filing are processed.)

The key provision is that these individuals can file for the green card and wait for the green card in the United States. As a result, even though they must go to the back of the line, that line is in the United States.

In addition, the spouse and unmarried children under age 21 can qualify as derivatives under this earned legalization program.

**Will this "earned legalization" program become law?**

Nobody knows for sure but the fact this program was passed by the Senate Judiciary Committee is a positive first step. It is the starting point for debate in the full Senate and is significant insofar as most Democrats and many key Republicans support it. It has bi-partisan support. As it is debated in the Senate, changes could be made to the program.

At [www.longchangonline.com](http://www.longchangonline.com), we will track the progress of this important legislation and provide up-to-date analysis as the proposal moves forward in the U.S. Congress.

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