

THE CHANCES FOR COMPREHENSIVE IMMIGRATION REFORM
FOLLOWING THE NOVEMBER ELECTIONS



by

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The November elections have come and gone. The Democrats made significant gains in both the House of Representative and in the Senate. As a result, both houses of the United States Congress are now controlled by Democrats. This is a dramatic change in the political landscape. The Democrats have promised changes in a number of areas. It remains to be seen whether comprehensive immigration reform can be passed under the new Congress which takes office in January 2007.

What is “Comprehensive Immigration Reform”?

Comprehensive immigration reform is the popular term for immigration laws which would both provide some sort of temporary, legal status to undocumented immigrants who meet certain criteria and provide greater border and interior enforcement. Late last year, the House of Representatives passed a bill that addressed only one of these issues – enforcement. That bill did not provide any way for illegal immigrants to become legal. Earlier this year, the Senate passed a bill which was much more comprehensive. While including strong enforcement measures, the Senate bill also recognized that there needs to be a way for illegal immigrants to become legal through a temporary worker program. For any law to pass, the House and the Senate would have to resolve their differences and come up with one final version. Unfortunately, the House and the senate were not able to do this. As a result, no comprehensive immigration reform has passed.

Following the November elections, is there any reason to be optimistic that comprehensive immigration reform will be passed next year?

Following the elections, there are several reasons to be optimistic that comprehensive immigration reform will be passed under the new Congress:

First, several key Republicans who strongly opposed comprehensive immigration reform lost their bids for re-election. Other Republicans seeking election and running on an anti-immigration platform lost. In North Carolina, Republican candidate Vernon Robinson (whose political campaign signs read “Secure The Border” lost in a landslide. Having strong anti-immigrationists lose can only be considered good news for immigrants.

Second, a version of comprehensive immigration reform previously passed the U.S. Senate earlier this year. The problem was in the House of Representatives where

Republicans pushed for enforcement-only legislation. The House bill did not include any possibility of legal status for illegal immigrants. The Senate (which favored comprehensive immigration reform) and the House (which was very anti-immigrant) could not resolve their differences. As a result, no comprehensive immigration legislation passed. The good thing for immigrants, however, is that the House of Representatives (which had been controlled by Republicans who tended to be more anti-immigrant than Democrats) is now in Democratic control. Democrats have been more moderate on this issue.

Third, President Bush still favors comprehensive immigration reform. It was his own Republican party which caused comprehensive immigration reform to fail to this point. Now that the Congress is controlled by Democrats, President Bush will likely look to find issues where he and the Democrats can agree on. Immigration is likely one of those issues. In response to a reporter's question about whether a Democratic Congress gave President Bush's proposal for comprehensive immigration reform a better chance of succeeding, President Bush said: "I would hope we can get something done. It's a vital issue. It's an issue that -- there's an issue where I believe we can find some common ground with the Democrats."

Let's hope the Democrats and President Bush can find that "common ground" and pass comprehensive immigration reform in the next Congress, which begins in January.

Is there any hope of immigration reform before next year?

As I indicated above, the new Congress that was voted in in November 2006 does not take over until January 2007. Until then, the current Congress (still controlled by Republicans) is working in what is called a "lame duck" session of Congress. This means that they will finish up work for this year's Congress before the next Congress takes over in January. While there is hope that the new Congress will pass comprehensive immigration reform, immigration advocates are pushing one last time for immigration reform during the "lame duck session. The lame duck session began on November 13, 2006 and will run for a couple of weeks. There is no set time for it to end. All we know is that it will finish up sometime between now and the end of December.

The American Immigration Lawyers Association (a pro-immigration group composed of over 10,000 members of which our attorneys at Long, Chang & Associates, L.L.P. are members) is pushing for two main changes in the immigration laws – (1) increased numbers of H-1B visas; and (2) increased numbers of employment-based immigrant visas in order to reduce the backlogs in employment-based green card cases.

In order to add your voice to this push, please visit our website's homepage at www.longchangoonline.com and click on the "Contact Congress" button for sample letters which you can write or e-mail to Congress and the President.

How Can I Find Out If Comprehensive Immigration Reform Is Passed?

At Long, Chang & Associates, L.L.P., we follow the immigration laws closely and update our website when significant immigration laws are passed.

Stay tuned to www.longchangoonline.com for updates on the immigration debate. If there is any significant new laws, we will post them on our website under the “Newsflash” section.

If you would like to receive our immigration newsletter (which contains articles like this one and updates on the lmost current immigration news), you can subscribe to the newsletter from our homepage. Just visit www.longchangoonline.com and click on the “Immigration Newsletter” button.

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