

# THE FILIPINO EXPRESS

May 23-29, 2005

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## **New Immigration Bill Needs Our Support**

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Last week a new immigration reform bill was introduced in the Senate by Senators John McCain (R-AZ) and Edward Kennedy (D-MA) and in the House by Representatives Jim Kolbe (R-AZ), Jeff Flake (R-AZ) and Luis Gutierrez (D-IL).

The Secure America and Orderly Immigration Act of 2005 seeks to address border security issues, tremendous backlogs in family immigration and the nagging need for viable foreign workers.

Among the bill's salient features are: (a) the creation of the temporary H-5A and H-5B worker programs; (b) backlog reduction measures for family-based immigration and additional visas for employment-based immigration; (c) stronger border security measures; (d) English language and civics programs for immigrants; and (e) providing healthcare access to undocumented migrants.

Organizations such as the American Immigration Lawyers Association and the National Asian Pacific American Legal Consortium immediately expressed their support for the bill.

### *Backlog Reduction*

One of the most pressing issues for Filipino immigrants is the huge

backlog of family-based immigration cases. In many cases, US citizens and permanent residents who have sponsored their relatives in the Philippines have to wait several years, even decades before they can be reunited with their families.

To ease the backlog, the bill provides for the non-inclusion of immediate relatives in

the annual visa cap of 480,000, thereby adding more visas for family-based immigration. Per-country limits for family immigrants will also be increased.

Employment-based visas will be increased from 140,000 to 290,000 per year. The visa numbers will be redistributed and unused visa numbers are to be recaptured. Per-country limits for employment-based immigration will also be increased.

### *Foreign Workers Program*

Under the bill's H-5A visa program, foreign workers will be allowed to enter the US to fill jobs that require few skills. The bill initially provides for a 400,000 annual limit on H-5A visas, which may be subsequently increased or decreased on the basis of demand.

The H-5A will be valid for three years and will be renewable up to a maximum total stay of six years. If a worker loses his job, he can find another employer within 60 days or return home.

The bill also features an H-5B visa program that is designed to lure an estimated 11 million undocumented migrants out of the shadows by providing work and travel authorization. The H-5B visa is likewise good for a maximum total stay of six years.

Both H-5A and H-5B visa holders can eventually apply for adjustment of status to permanent residency. The employer may sponsor the H-5A worker for a green card or the worker herself may apply after four years under H-5A status, upon meeting other requirements.

### *Prospects for Reform*

The bill is by no means in its final form yet. It will undergo vigorous, if not raucous, debate. Certain provisions will be revised or deleted, some will be added.

The significance of the introduction of the bill and the sponsorship by a good number of legislators from both houses and both political parties is that Congress recognizes the need for comprehensive immigration reform.

Several legislators have already joined the authors in sponsoring the bill, namely: Senators Sam Brownback (R-KS), Lindsey Graham (R-SC), Joseph Lieberman (D-CT), and Ken Salazar (D-CO). In the House, co-sponsors include Representatives Lincoln Diaz-Balart (R-FL), Mario Diaz-Balart (R-FL), and Ileana Ros-Lehtinen (R-FL).

The White House for its part has considered immigration reform a priority in its agenda.

Hopes are up that the bill will not go the way of immigration reform bills that fizzled out somewhere along the way.

In the meantime, the public must be apprised of the realities that spurred this reform initiative.

The Filipino American community must join other immigrant organizations and consolidate its ranks to support the bill. To this end, NaFFAA, the largest national federation of Filipino American organizations, has created a committee that will spearhead efforts to drum up support for the immigration reform bill.

With such efforts under way, we have reason to hope that the Secure America and Orderly Immigration Act of 2005 will be passed into law.