

Questions and Answers on Fair and Secure Immigration Reform

Q: Is this amnesty?

No, amnesty rewards the undocumented population with an automatic path to citizenship. President Bush is calling on Congress to develop legislation that will offer temporary worker status to undocumented men and women now employed in the United States and to those in foreign countries who have been offered employment here. The legal status would expire after 3 years (with the ability to be renewed). Temporary workers then must return home or apply for a green card under existing law, unlike the blanket amnesty that was enacted in 1986. It would discourage future illegal entry by providing incentives such as the ability to go home to visit family without concern, and enhanced workplace enforcement against those who violate the immigration laws. The President is also committed to working with other nations to allow foreign workers to receive credit in their nations' retirement systems for time worked in the U.S., and supports the creation of tax-preferred savings accounts they can collect when they return to their native countries.

Q: Will immigrants who participate in this program be eligible for citizenship?

The President's proposal would not put temporary workers on the path to a green card, which permits holders to apply for citizenship after 5 years. However, it would not preclude a participant from obtaining green card status through the existing process as long as they are not given an unfair advantage over people who have followed legal procedures from the start. Men and women working in America on a temporary basis will have to get in line behind those who are already waiting.

Q: How will you determine that a job cannot be filled by an American?

The President has continually said that he wants every American who wants a job to have one. Employers would have to make every reasonable effort to find an American to fill a job before extending job offers to foreign workers. Currently, there are several visa programs that permit foreign workers to be temporarily employed in the U.S. These programs discourage U.S.-based companies from moving operations overseas.

Q: What will happen to employers who have been illegally hiring foreign workers?

Enforcement against companies that break the law and hire illegal workers will increase. The President's proposal would force these employers to treat all their employees with the same humane and compassionate treatment under the law already afforded American workers.

Q: If unemployment rises, will this program be suspended?

One of the goals of the temporary worker program is to fill jobs in the U.S. that are not being filled by American workers. Employers would have to make every reasonable effort to first fill any job with an American before offering one to a foreign worker, including during an economic downturn.

Q: Would this proposal create a new enforcement burden?

It is in the interest of the Nation, and each community, to identify foreign visitors and immigrants and make clear the nature of their intentions. By creating a legal temporary worker program for those who are not currently known to the U.S. government, we are eliminating another vulnerability, which is particularly apparent during this period of heightened alert. All participants would be issued a temporary worker card that will allow them to travel back and forth between their home and the U.S. without fear of being denied re-entry into the country.

Q: How does the Federal Government maintain credibility in threatening future law enforcement?

President Bush has significantly expanded the Border Patrol, with more than 1,000 new agents on the borders and over \$500 million in additional funding over the last two years. The President is committed to enforcing our nation's laws and protecting our border, while at the same time solving the crisis of the underclass of laborers – undocumented, unseen and vulnerable to exploitation.

Q: Will the family members of aliens participating in the temporary worker program be able to live in the U.S. with the principal worker?

Yes. The concept of family unity is consistent with other temporary visa categories already in existence. The principal worker is required to prove that he or she can support family members during their stay in the U.S. Family members will not be authorized to work unless they join the program themselves.

Q: If this program does not allow the worker to remain permanently in the United States, what incentive would an undocumented worker have to come forward?

The worker will be able to live and work legally and openly, which brings improved working conditions, the ability to travel to the home country, and the opportunity to negotiate salary and benefits, receive training, and to move to another employer participating in the program. When immigrants are witness to or victimized by crime, they won't be afraid to call the police, or seek recourse in the legal system.

Q: Will the federal government be able to implement such a large-scale immigration program and also enforce the immigration laws?

While the details of the program will be worked out during discussions with Congress, we envision that the temporary worker program will simplify employers' hiring of foreign workers and contain sufficient protections to protect the American workforce. We anticipate that the program would include: a website that would list available jobs and authorized workers; a simple process for employers to establish that they have been unable to find American workers; the requirement that the employer report when foreign workers enter and leave their employ; and strong audit and penalty provisions to ensure that both employers and workers are following the rules.

Q: Why doesn't the President simply endorse one of the many proposed bills in Congress addressing this issue?

The President looks forward to working with Congress to develop legislation that incorporates the best ideas for the American worker and our foreign visitors. Through these principles, President Bush outlined the best course to the end goal of opportunity, security, safety, compassion, jobs and growth.