Troubling questions

by The San Diego Union-Tribune

As they say, the devil is in the details. That is certainly the case with the immigration compromise being debated in the Senate.

It's strange. Usually, the closer one looks at legislation, the clearer it becomes. Not with this compromise. In this case, the closer you look, the more questions arise.

We should say up front that we still welcome this bill as a good start. Americans have spent the last seven years thirsty for a solution to our immigration problem. In that time, all we've been offered are heated rhetoric and unreasonable demands. Everyone agrees there is a problem, and yet few offer realistic solutions. And when a solution does come along, the extremes on the right and the left can't wait to blast away at it without offering an alternative.

And yet it is those of us who see promise in the bill who have to be most committed to addressing the questions it raises and patching up holes in the fabric. Take the language about so-called border enforcement "triggers" that would get the whole thing moving. Now it turns out that the triggers wouldn't apply to the legalization plan for the estimated 12 million illegal immigrants now in the country. The triggers would only apply to the hundreds of thousands of additional guest workers.

Those workers who are already here would almost immediately be granted temporary legal status and the chance to make their status permanent within eight years. The immigrants wouldn't have to pay back taxes, either, despite earlier claims that this requirement would be in the mix. They would have to learn English, but that requirement wouldn't take effect until after the eight-year probationary period.

There is another bizarre provision in the section dealing with guest workers. It requires workers to come in for two-year stints and then return to their home country for one year before they could reapply for another two-year stint. The idea must be to prevent workers from putting down roots. Good luck with that. The world doesn't work that way. Workers aren't going to leave, especially if they start a family here. And employers are going to hate this rule as well, since they would have to train these workers only to lose them after two years and then go out and find replacements.

Lastly, there are questions about the tamper-proof biometric card that would be issued to guest workers. Ideally, such a card should go to every worker in America, whether they are immigrants or native born. It's hard to see the point otherwise. Under the Senate bill, you'd have a few hundred thousand guest workers caring around these cards. So what? There may be hundreds of thousands of others who aren't eligible still moving through the economy. The idea of the identification was to give employers a helping hand as to who is eligible to work and who isn't. Limiting the card to guest workers isn't much help.

There is much work to be done. And a good amount of confusion to clear up. Senators need to make that a priority. Instead of trying to kill this provision or strike down that one, they should invest their energy in trying to take a good legislative effort and making it much, much better.

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