

## Senate Judiciary Committee Chairman's Mark The "Gold Card" Proposal for Undocumented Workers

*Just recently, Senator Arlen Specter (R-PA) introduced draft legislation to serve as the basis for Senate Judiciary Committee action in the coming weeks. Fortunately, Senator Specter has made it clear his "Chairman's Mark" is a draft, and he himself does not support every provision in it. This is good news because one of the provisions contained within the draft legislation is deeply disturbing. To deal with the 11 million or so undocumented immigrants in the U.S. the Chairman's Mark proposes to allow many, but certainly not all, of the undocumented in the U.S. to become permanent second-class workers without a meaningful path to citizenship -- ironically earning this status is being marketed as gaining a "gold card."*

**If we intend to solve the problem of illegal immigration, we must deal realistically with the 11 million people here illegally.** It is neither realistic nor desirable to round up and deport 11 million people established in jobs, families, and communities throughout America. As part of comprehensive reform that strengthens border and workplace enforcement, we must find a way for immigrants to come out of the shadows, become known to the government, and get on the right side of the law. This can be done without granting amnesty. The *Secure America* bill, for example, accomplishes this through a 6-year process by which immigrants here illegally pay fines, pay back taxes, wait in line, study English, and pass security screenings in order to earn permanent residence and a path to citizenship.

**Work forever, citizenship never.** The Specter draft proposal before the Senate Judiciary Committee proposes permanent non-citizenship legal status – a so-called "gold card" – for a certain portion of the current population of 11 million or so undocumented immigrants. Established immigrants here without papers would have to come forward, plead guilty to a crime, waive all future rights to appeal immigration rulings, and never be unemployed for more than 45 days to remain in an eternal temporary status. *Few initial applicants for work permission will be eligible for any form of permanent residence and citizenship.* After more than 200 years of American immigration anchored in citizenship, with all of the rights and responsibilities that come with full membership, it would be unwise and un-American to begin to consign mostly Latino workers and families to, in effect, a permanent sub-class of second class non-citizens.

**You could join us as a citizen...in 60 to 100 years!** The bill does make a very modest increase in green cards, which bestow permanent residency and an eventual path to citizenship. This will permit a small number of these hard-working immigrants to eventually become legal residents and citizens. But, estimates on how long it would take for most to get a green card under this scheme range from 60-100 years. Most will never achieve this goal. The proposal essentially says to immigrants "yes we want your labor; yes we think you are good enough to take care of our children, elderly parents and sick, to pick and prepare our food and build our houses; but we do not want you to become one of us."

**Work hard, don't complain, or get deported.** Under the proposal, workers who lose a job, take time off to have a child, care for a sick relative, or retire – all while being supported financially by family members – will be sent home to countries they left long ago. The proposal says that those with so-called "gold cards" will be required to leave the country if at any time they are without employment for more than 45 days. In addition, the worker's job portability under this bill is severely limited. This will end up tying workers to a certain level of work and a certain range of employers, which will result in the kind of exploitation and abuse a properly-structured earned path to citizenship would eliminate.

**Are we to mimic France?** In America, immigrants become citizens and their children are brought up to believe they too can be President. In France and other European countries, many immigrants are denied full citizenship and access to social mobility. Do we really want to embark on a radical departure from our nation's tradition of embracing hardworking immigrants who, in turn, become fully participating members of American society, adopt American values, language, loyalty, and commitment to our country?