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## PRACTICE AREAS

### BUSINESS

L-1 Visas

H-1B

H-1B Transfers

Visas

TN Visas (NAFTA)

Special Visas for Other Countries

Australia

Chile / Singapore E-1

E-1 Visas

E-2 Visas

PERM Labor Certification

### HOSPITALS /HEALTHCARE

H-1C Visas

H-1B Visas for Doctors

### FAMILY

Spouse / Fiancee Visas

Permanent Residence for Family  
Within U.S.

Naturalization / Citizenship

### AMNESTY

## Immigration Reform Resuscitated

Posted: July 22nd, 2010

President Barack Obama has recently stated his commitment to the revival of legislative efforts aimed at workable immigration reforms, and it appears likely that some kind of reform will occur this year in order to deter states from creating and enforcing ad hoc immigration policies, such as that of Arizona.

While polls have indicated that 55 to 60 percent of Americans believe that immigration reform should be a congressional priority now, elected representatives will have a hard time gauging public sentiment on the nitty gritty issues involved in reform.

Here is a quick look at some of the many issues that will need to be resolved in order to create significant forward progress:

1. While labor unions have pressured Congress not to endorse any temporary labor program for undocumented workers, some elected officials have noted the increasing dependence of some industries on foreign labor for seasonal or temporary jobs, as in agriculture.
2. While employers have generally favored some kind of temporary worker program for skilled and unskilled workers, they have also decried a system that leaves them with few tools and much liability for failure to hire workers with appropriate documentation. Thus, employers are pressuring Congress for a "safe harbor" method for checking worker documentation that is both quick and inexpensive.
3. To the extent that undocumented workers are given any kind of temporary or conditional legal status, constituents are pressuring Congress to insure that their contributions to the economy are recorded and taxed.
4. Law enforcement officials have expressed concerns that havens of undocumented immigrants are becoming targets for organized crime. Criminals know that these workers fear any kind of reporting to police and even the victims of crime usually will not act as witnesses now.



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Economically strapped immigrants are also targeted for gang recruitment into schemes involving fraud, identity theft, and human trafficking.

5. Millions of undocumented workers currently labor without the protections of employment law because of their fear of bringing any kind of legal action that could result in deportation. Labor protections will need to be extended to all workers to provide effective deterrence against illegal hiring.

6. There will need to be paths to legalization for the millions of undocumented workers who are in this country now, and their legalization will have to come with fair duties, responsibilities and possibly even penalties that voting constituents and legal immigrants will expect.

One thing appears sure at this time. There will not be another amnesty program because there is no way that U.S. Citizenship and Immigration Services (the "USCIS") officers can handle the influx of applications that would result, according to Professor Kris Kobach of the University of Missouri Law School.

Professor Kobach has reportedly stated that the USCIS is "already dangerously overburdened and susceptible to fraud." He added that there is no way of vetting and training contractors to handle tricky [amnesty application](#) issues.

Thus, it is time for Congress to stop kicking this can down the road, and tackle the really tough issues presented by the immigration crisis in this country.

If you are personally in need of [immigration counsel](#), you are invited to call this office at (847) 564-0712 or check out our website.