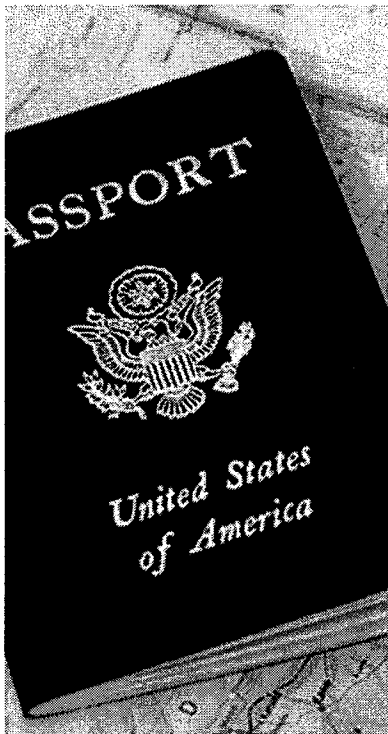


**Greenberg  
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## **The World of Immigration: A College and University Perspective**

October 17, 2006

2006 CACUBO Annual Meeting

## THE IMMIGRATION ROLLER COASTER RIDE OF 2006

- Debate in Congress- what is the focus?
  - Border security
  - Guest worker program
  - Over 12-18 million undocumented immigrants
- Congress recessed on September 30, 2006
  - Members returned to their home states to campaign for the upcoming November elections
  - Challenging to pass meaningful legislation on issues like immigration in the middle of politically charged election months
  - Security issues at the top of everyone's agenda

- Post Election Challenge-passing legislation during the lame duck session
  - What is a "lame duck" session?
- The important thing to remember is these Members, are NOT swayed by political pressures- they have lost their seats-they are not coming back

- So what is still on the table you ask?
  - Two major things
    - The Spector - Sensenbrenner talks
      - Senator Spector and Representative Sensenbrenner are two Republicans still hoping for immigration reform, but time is not on their side
      - The GOLD CARD guest worker program
        - » 01/4/04 is the magic date-undocumented immigrants entering before this date would be eligible
        - » Renewable every two years, complete background check

- **The Hutchinson- Pence plan is the alternative**
  - Limited to CAFTA and NAFTA countries
  - Department of Labor cap on guest workers
  - Three phases and very slow progression
  - *Phase One: First prove the border is secure and then review after TWO years before moving on to the second phase*
  - *Phase Two: SAFE-Secured Authorized Foreign Employee visa program*
    - » Unauthorized/Undocumented workers depart the U.S.
    - » Apply for the program at Ellis island centers operated by private employment agencies
    - » The worker will then re-enter the U.S. for a 2 year period renewable for up to 12 yrs

- And it goes on...
  - *Phase Three: Employment Verification*
    - » 2 years from the date of the bill, all employers in the country will need to verify through a tamperproof biometric system (ID card based) the status and work authorization of all new workers
    - » Not the best plan in the world, but better than those enforcement only bills calling for a retroactive reverification of our entire workforce through a new employment eligibility system-this means current and new employees
- **ENFORCEMENT EITHER WAY**
  - Whether or not we get a guest worker program we will have stricter enforcement legislation you can count on that
  - I-9 Compliance for universities is more important than ever before
    - Now is the time to perform internal audits and “clean your house”

- What is the Latest on the F-1?
  - Department of State Cable and Visa Issuance
    - May 6, 2006 Cable
      - Student's intent to depart the United States: focus on immediate and near-term intent. It is the nature of the category to require extended periods of time for completion of studies.
      - Recent guidance extended the period during which student visas may be issued to 120 days before the program start date.

