
Clark Hill Update on Immigration Reform Progress

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On Friday, January 24, 2014, Clark Hill joined current and former government officials as well as business and civic leaders to participate in a discussion on the economic impetus for supporting the legislative passage of Immigration Reform. Organized by the U.S. Chamber of Commerce, Republicans for Immigration Reform, and Partnership for A New America, the event sought to provide state, local, and private sector perspectives to the continuing debate over immigration reform.

Current Michigan Governor Rick Snyder, Former New York City Mayor Michael R. Bloomberg, Former U.S. Secretary of Commerce Carlos M. Gutierrez, and U.S. Chamber of Commerce Senior Vice President Randy Johnson underscored the importance of Immigration Reform for the U.S. economy. Emphasizing the key role immigrants play in spurring innovation, increasing job creation, and contributing to diversity, all three speakers agreed Immigration Reform is an important component of developing a successful 21st century economic strategy for the U.S. The development of policies which will attract highly-skilled workers, allow the U.S. to retain foreign born university graduates, provide for sufficient workers to harvest our nation's food supply, and offer a system of legalization for the undocumented were cited as key priorities. Governor Snyder's innovative proposal to attract 50,000 highly-skilled immigrants to Detroit over the next five years was also discussed.

On Thursday, January 30, 2014, Speaker of the House John Boehner (R-Ohio) and House Republicans released a document entitled "Standards for Immigration Reform," which outlines their plan for enacting immigration reform this year. While this statement of principles echoes President Obama's objective to pass substantive immigration reform in 2014, the document indicates that House Republicans "will not go to a conference" with the Senate immigration bill passed last year by the bipartisan "Gang of 8." Rather, House Republicans propose passing legislation on an issue-by-issue basis instead of undertaking a comprehensive immigration reform bill.

The statement of principles emphasizes border security and enforcement of existing immigration laws as the first step in the immigration reform process. House Republicans call for "a zero tolerance policy for those who cross the border illegally or overstay their visas" after immigration reform is passed. In addition, the document proposes the implementation of a biometric entry-exit visa tracking mechanism as well as a fully electronic employment verification system for the completion of Form I-9 by employers. The Standards put forth by Speaker Boehner characterize these reforms as matters of national security.

Additionally, House Republicans indicated a desire to limit family-based immigration and instead provide greater opportunity and flexibility for employment-based immigration. In particular, the Standards seek to remedy the fact that many American-educated foreign nationals are forced to leave the United States upon completion of their studies due to visa unavailability. Therefore, the Standards advocate for an increase in visas and "green cards" for such individuals as a means of improving the American economy. However, the focus of reform is not only on highly-skilled workers. The statement of principles also calls for an overhaul of the laws providing legal status to temporary workers in the agricultural industry and evinces a desire to shape employment-based immigration law to "address the economic needs of the country."

Finally, the House Republican statement addresses the issue of individuals who are currently in the United States illegally. The document sets forth stringent conditions for becoming a lawful resident, which would require individuals "to admit their culpability, pass rigorous background checks, pay significant fines and back taxes, develop proficiency in English and American civics, and be able to support themselves and their families (without access to public benefits)." In contrast to this strict approach, the Standards for Immigration Reform offer reprieve to individuals who were brought illegally to the United States as children. According to House Republicans, "those who meet certain eligibility standards, and serve honorably in our military or attain a college degree" will be provided a path to legal residence and citizenship.

Although substantive immigration reform is still on the horizon, both sides of the aisle have expressed a strong desire to enact legislation on the issue in 2014. Clark Hill will continue to monitor developments in this area in order to best serve the interests of our clients.

The full text of the Standards for Immigration Reform is available [here](#).