

CHANGE OF POLICY ON U.S. IMMIGRANTS IS URGED BY PANEL

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Body

A Federal advisory commission will soon recommend gradually reducing legal immigration by one-third and reshuffling visa priorities to speed up the admission of spouses and young children of legal aliens, members of the panel have said.

The proposals, to be presented to Congress later this month, would make the biggest changes in more than 40 years in policies governing the selection of legal immigrants.

The panel's plan would clear up a huge backlog of visa applications from the immediate relatives of permanent resident aliens. But it would also eliminate longstanding visa preferences for siblings and adult children of United States citizens, making immigration more difficult for them.

The nine-member advisory panel, the Commission on Immigration Reform, headed by former Representative Barbara Jordan of Texas, will emphasize the importance of the nuclear family as the basic unit of immigration, members said.

Under the panel's recommendations, the immediate relatives of United States citizens -- spouses, children under the age of 21 and parents -- would still be allowed to immigrate without a waiting period or limits on the number admitted each year.

But panel members said they would recommend eliminating immigration preferences that have been granted for decades to other close relatives, including the brothers, sisters and adult children of United States citizens. In general, those relatives could not obtain visas to immigrate unless they qualified because of their job skills.

The commission's proposals are likely to be influential on Capitol Hill because Congress created the commission, appointed eight of the nine members and is seeking new ways to overcome deep disagreements on immigration policy.

Since lawmakers have not yet seen the report, there is no way to know how its recommendations will fare in Congress. But it is built on a complex set of trade-offs intended to offer something to all sides in the immigration debate. And it will no doubt further appeal to many in Congress simply because the commission and its report offer some political cover on highly contentious issues.

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Many Republican lawmakers favor new limits, but some, like Dick Armey of Texas, the House majority leader, see immigration as an engine of economic growth and oppose new restrictions.

In addition, the recommendations come at a time when many Americans are expressing concern about immigration, whether legal and illegal. In California last November, voters approved a ballot measure that would make illegal aliens ineligible for public education and most social services. Judges have delayed its enforcement while it faces legal challenges.

In addition, the House of Representatives in March approved a bill that would deny welfare, food stamps and Medicaid to legal aliens.

Some members of the immigration panel said they were reluctant to discuss its recommendations because they were still editing the report. But some suggested that public concern about illegal immigration was inevitably influencing public attitudes toward legal immigration.

One member of the panel, Bruce A. Morrison, a former Democratic member of Congress from Connecticut, said: "Current levels of legal immigration are not a problem. But in the context of substantial illegal immigration, there is a problem."

Lawrence H. Fuchs, a professor at Brandeis University who is vice chairman of the commission, said, "In the aggregate, on balance, immigrants have contributed to strengthening the United States." He deplored what he described as a public "fixation on numbers" but added, "We have to have limits because of the disproportionate impact of immigration in some places like Los Angeles."

At a closed meeting, from May 23 to 25, commission members said, they affirmed the value of legal immigration, but voted to recommend that Congress reduce it by one-third over the next few years from its average over the last three years of 830,000 a year. In the transition period, 700,000 immigrants would be admitted annually. After the transition, 550,000 would be admitted each year, and that would become the normal level of legal immigration.

As a corollary, panel members said, Congress should eliminate the large backlog of visa applications already filed on behalf of the spouses and minor children of permanent resident aliens. Congress could do that over three to eight years, they said.

An immigration expert who worked with the commission said: "Both sides of the equation are necessary. Reducing immigration without expediting the entry of immediate relatives flies in the face of human nature. It will only increase illegal migration. But expediting their entry requires the elimination of other categories in order to get the needed visa numbers."

Susan Martin, executive director of the commission, said there were 1.1 million would-be immigrants on the waiting list of spouses and minor children of legal permanent residents. About 850,000 are relatives of illegal aliens who gained legal status under an amnesty program created by Congress in 1986. Most others are overseas relatives of recent legal immigrants.

Ms. Martin said it would take at least a decade to work through the backlog under current law. Commission members said it was not in the national interest for families to be apart for so long.

The panel's major recommendations were approved by votes of 8 to 1. Commission members said they were surprised that they had achieved a bipartisan consensus. The dissenter was Warren R. Leiden, executive director of the American Immigration Lawyers Association, whose members represent legal and illegal aliens, their relatives and employers.

"This is a short-sighted proposal," Mr. Leiden said in an interview. "I would support revising the priorities for family immigration, but cannot support the commission's proposal to eliminate three of the four existing family preference categories. I also oppose the reduction of almost 30 percent in the ceiling for employment-based immigrants."

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The commission recommends that the Government levy substantial fees on employers who want to bring in foreign workers like computer scientists, engineers and health professionals. The fees are meant to discourage employers from hiring foreign workers when Americans are available. Employers willing to pay the fees could import foreign workers faster than they do now.

Mr. Leiden criticized this proposal as a tax on American businesses that use foreign workers. He said it would hinder access to the skills needed to compete in a global economy.

Another **panel** member, Harold W. Ezell, a former Western regional commissioner of the Immigration and Naturalization Service, said: "I believe immigration is good for America. But too much of a good thing can be harmful. I love certain types of candy, but if you eat too much, you'll overdose on chocolate. We've got to have balance."

Senator Alan K. Simpson, the Wyoming Republican who is chairman of the Judiciary Committee's Subcommittee on Immigration, has proposed a 25 percent reduction in legal immigration over the next five years, to provide "a breathing space." The current flow of legal **immigrants** is more than can be "comfortably absorbed," he said.

In September, the commission recommended a crackdown on illegal immigration along the border and at work sites. It said the Government should establish a computerized register of the names and Social Security numbers of all citizens and legal aliens authorized to work in the **United States**, so employers could verify the immigration status of job applicants. In February, President Clinton said he wanted to test such a system, but many civil liberties advocate, Hispanic organizations, and Chinese and Jewish groups have opposed such proposals, saying they could increase job discrimination.

The argument that illegal immigration would undermine support for legal immigration upsets many immigration lawyers. "In essence, legal **immigrants** are being made scapegoats for the inability of Congress and the Administration to control illegal immigration," said Stephen Yale-Loehr, who teaches immigration law at Cornell Law School.

The proposed **changes** come just five years after Congress authorized increases in immigration for certain groups, including highly skilled workers. The 1990 law more than doubled the number of **immigrants** who could be admitted because of job skills, to 140,000 a year from 54,000. The Jordan commission proposes reducing the number to 100,000, on the ground that no more are needed.

Commission members said they would also recommend eliminating the annual allotment of 10,000 visas for unskilled workers seeking jobs in the **United States**. The commission concluded that these **immigrants** compete directly with unskilled American workers and young people entering the labor force. In addition, **panel** members said that hundreds of thousands of welfare recipients would soon be looking for jobs if, as expected, Congress imposes tough work requirements as part of a bill to overhaul the welfare system.

Many unskilled **immigrants** work in restaurants and home-care jobs, helping people who are elderly or disabled. About 79,000 unskilled workers are on the waiting list in this category. The Government is now issuing visas to people who have been waiting five years.

Ms. Jordan, the chairwoman of the commission, is a professor at the University of Texas in Austin. The other members of the **panel**, besides Mr. Morrison, Mr. Fuchs, Mr. Leiden and Mr. Ezell, are Richard Estrada, an associate editor of the editorial page of The Dallas Morning News; Robert Charles Hill, a lawyer in Washington; Nelson Merced, a former state legislator in Massachusetts, and Michael **S.** Teitelbaum, a program officer at the Alfred P. Sloan Foundation in New York.

Graphic

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Graph: "BY THE NUMBERS: Legal Immigration" shows legal immigration in the U.S. from 1979 1994. (Source: Immigration and Naturalization Services)(pg. B7)

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