

Table 1: Comparison of major immigration legislation introduced in the 109th US Congress (2006)

Guest worker provisions							
Sponsor (Political Party-State)	Bush proposal (for comparison)	Kennedy (D-MA)–McCain (R-AZ) (S.1033)	Cornyn (R-TX) -Kyle (R-AZ) (S.1438)	Tancredo (R-CO) (H.R. 3333)	Hagel (R-NE) (S.1916-1919)	Specter (R-PA) (Chairman’s Mark)	Jackson-Lee (D-TX) (H.R. 2092)
Guest Worker Program	Yes	Yes	Yes	Yes	Yes	Yes	No
Conditions for Participation	Visa required; portable	Visa required; portable	Visa required; portable	Visa required; portability not specified	Visa required; portable after 3 months	Visa required; portable	—
Type of Workers	Not sector specific	Not sector specific	Not sector specific	Not sector specific	Not sector specific	Not sector specific	—
Maximum length of participation in program	6 years	6 years	6 years	Unspecified	4 years	6 years	—
Program provides path to Legal Residency	Conditional through existing channels	Conditional after 4 years, anytime with employer sponsorship	No	No	Conditional after 3 years	Conditional on employer sponsorship	Yes
Enforcement provisions							
Employer Penalties	—	Doubles the penalties under the Immigration and Nationality Act (INA)	Doubles the penalties under the INA	\$5,000 for paperwork violation, \$10,000 for substantive violation, \$25,000 for pattern of offenses	Doubles the penalties under the INA	Doubles the penalties under the INA	Establishes immigration status-related intimidation as an unfair labor practice
Border Enforcement	—	Requires DHS to develop a national strategy for border security	Increases by 10,000 the number of Border Patrol agents over 5 years	Allows the military to be deployed at or near the border to assist in enforcement	Increases customs and border personnel by 2,500 over 5 years	Requires DHS Secretary to develop a national strategy for border security	—
Local & State (L/S) Enforcement	—	—	Requires L/S authorities to report immigration violations to DHS	Denies Federal funding to L/S authorities that do not report immigration violations to DHS	Reimburses states for costs of immigration law enforcement	Reimburses states for costs of immigration law enforcement	Allows L/S authorities to decide whether or not to participate in immigration law enforcement
Detention Facilities	—	—	Adds 10,000 beds for ICE	—	Adds 10,000 beds for ICE each year FY 2006-2010	Adds 10,000 beds for ICE each year FY 2006-2010	—
Expedited Removal	—	—	Expands to entire southern border	Expands to entire southern border	Expands to entire southern border	Expands to entire southern border	—