



Senate Passes Bingaman-Feinstein Amendment to
Limit Guest Worker Program
May 16, 2006

Washington, DC – *The U.S. Senate today passed an amendment by Senators Jeff Bingaman (D-N.M.) and Dianne Feinstein (D-Calif.) to limit the H-2C guest worker visa program included in the immigration bill now on the Senate floor from 325,000 to 200,000. It would also eliminate the annual escalator for the visa program.*

The amendment was approved by voice vote after an effort to table it failed by an 18-79 vote. Following are Senator Feinstein's remarks, as delivered on the Floor of the Senate:

I thank the Chair. Mr. President, I'd like to speak as a member of the Judiciary Committee.

I think one of the things that we really need to understand about this bill is that it is a very large bill. It is 640 pages long. It contains a multitude of programs.

Through the visa programs, the non-immigrant visas, it brings in large numbers of people.

I think, when we were in Judiciary, we didn't realize the extent to which large numbers of people are brought in on some of these visas.

We were working to a march. We had to get the bill done.

I'm happy to cosponsor this amendment with Senator Bingaman. The amendment does two things:

First, it lowers the annual numerical cap of H-2C guest worker visas from 325,000 – and there are a myriad of guest worker visas, but this one is the H-2C – to 200,000 people.

And it eliminates the annual escalator.

In my view, all annual escalators in this bill should be eliminated because they bring in too many people over a relatively short period of time.

This bill has the potential, as I said, to bring in millions of guest workers over the years. This means that over six years – the length of an alien's stay in the United States in this one temporary visa category – could be 1.2 million workers in the United States.

Under the current proposal, let's say you start at 325,000 guest workers in the first year and you:

- Add the 10% escalator: The 10% escalator would yield 2.7 million people.
- The 15% escalator would take it 3.2 million people.
- And if you had the 20% escalator it would take it up to 3.807 million people.

It's simply too many.

So the current bill doubles, and even triples, the number of foreign guest workers that could enter the United States over the six years of our amendment.

I would hope that this amendment would pass.

And I would hope that we could eliminate (other) escalators in these visa programs.

The H1-B visa escalator, for instance, would have a total of 3.67 million people over the next 10 years.

We increase the H1-B visas from 65,000 to 115,000. Then we put in a 20% escalator each year if the number of visas reached the 115,000, and they will. And therefore the next year you add 20%, and if that's reached you add another 20.

So it compounds in this matter to a tune of a total of 3.6 million people.

I am very concerned about this.

In closing, I hope that the Bingaman amendment would be successful. Again it does two things:

- It reduces the base amount from 325,000 to 200,000; and
- It eliminates this escalator.

It seems to me that 200,000 guest workers a year are ample.

There are other visa programs, there's AGJOBS, there's earned adjustment. It all adds up to millions and millions of people.

So, I strongly support the Bingaman amendment and I urge my colleagues to vote yes on that amendment.

I thank the Chair and I yield the floor.