



Department of Justice, Peace and Human Development Office of Domestic Social Development

IMMIGRATION REFORM

February 2013

ISSUE

According to the Pew Hispanic Center, there are currently 11.2 million undocumented persons residing in the United States. Many have entered the United States to find work; others come to join family. They work in important industries, including agriculture, service, and construction, and contribute their toil and taxes to our economy. Because of their undocumented status, these workers often experience exploitation in the workplace and other forms of discrimination. In order to enter the United States, many cross the border with unscrupulous smugglers in dangerous conditions. Since 1998, more than 7,000 persons have perished in the deserts of the American Southwest. During the same period, the U.S. government has spent nearly \$150 billion on immigration enforcement, tripling the number of Border Patrol agents and constructing nearly 700 miles of border fencing. Despite this spending, the number of undocumented persons has risen 50 percent and the number of persons dying in the desert each year has tripled. Clearly, a more comprehensive approach to the immigration crisis in our nation is needed.

BACKGROUND

Because of the results of the 2012 elections, in which President Obama won a significant portion of Hispanic and Asian voters, immigration reform has moved to the center of the national debate. In January, a group of eight bi-partisan Senators introduced a “Bipartisan Framework for Immigration Reform,” which included a path to citizenship and other important reforms to the legal immigration system. President Obama also announced his own plan for immigration reform.

It is likely that the U.S. Senate will take up immigration reform legislation in the near future, with the Senate Judiciary Committee considering legislation in March and April and the full Senate taking up a bill in May and June. The House of Representatives will most likely consider immigration legislation after the Senate has completed its work.

USCCB POSITION

In January 2003, the U.S. Catholic bishops outlined principles for comprehensive immigration reform in their pastoral statement, *Strangers No Longer: Together on the Journey of Hope*. The bishops stated that any just immigration reform proposal should address the root causes of migration and should include the following elements:

- 1) Broad-based legalization of the undocumented, including a path to citizenship;
- 2) Future worker program with appropriate protections for both U.S. and foreign workers;
- 3) Changes to the family-based immigration system to reduce waiting times for family reunification;
- 4) Restoration of due process for immigrants;
- 5) Policies which address the root causes of migration, such as economic disparities.

A Path to Citizenship: A legalization program with an earned path to citizenship would require undocumented workers to work for several years, take English courses, and pay a fine in order to participate in the program. Such a program would help stabilize the workforce, promote family unity, and bring a large population “out of the shadows,” as members of their communities.

Future Flow Worker Program: A worker program to permit foreign-born workers to enter the country safely and legally would help reduce illegal immigration and the loss of life in the American desert. Any program should include workplace protections, living wage levels, safeguards against the displacement of U.S. workers, and family unity.

Family-based immigration reform: It currently takes years for family members to be reunited through the family-based legal immigration system. This leads to family breakdown and, in some cases, illegal immigration. Changes in the family-based immigration should be made to increase the number of family visas available and reduce family reunification waiting times.

Restoration of due process rights: Restore due process rights taken away by the 1996 Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA), particularly the elimination of three and ten year bars and the use of judicial discretion in deportation proceedings.

Addressing Root Causes: Congress should examine the root causes of migration, such as wage inequities and the lack of job opportunities in sending countries, and seek long-term solutions in areas of development, debt, and trade. The antidote to the problem of illegal immigration is sustainable economic development in sending countries. In an ideal world, migration should be driven by choice, not necessity.

Enforcement: By replacing illegal migration with legal migration, law enforcement will be better able to focus upon those who truly threaten public safety: drug and human traffickers, smugglers, and would-be terrorists. Any enforcement measures must be targeted, proportional, and humane.

Special Populations. Refugees, asylum-seekers, and unaccompanied children should receive special protection. The one-year filing deadline on asylum claims should be lifted.

ACTION

- Contact your Senators and Representatives and ask them to support a comprehensive immigration reform bill consistent with the principles outlined by the U.S. bishops.
- Look for more information on the *Justice for Immigrants* website:

www.justiceforimmigrants.org