



**Department of Migration and Refugee Services
Office of Migration Policy & Public Affairs**

**Background on Immigration Reform
February 2021**

*“So then you are no longer strangers and sojourners, but you are fellow citizens with the holy ones and members of the household of God’ (Eph 2:19). It is not just about migrants: it is about building the city of God and man.”
–Pope Francis, 105th World Day of Migrants and Refugees (2019)*

Why is immigration reform important?

An estimated [10.5 million undocumented immigrants](#) live in the United States and could be deported because of their lack of legal status. These individuals and their families have lived in the United States many years, participate in the workforce, and contribute to local society. However, they are at risk of mistreatment from local and federal law enforcement – including racial profiling – and exploitation by their employers, primarily due to their undocumented status. Immigration reform would include a legalization process that would provide protections for these vulnerable individuals and their families.

While the existing immigration system is majority family-based with procedures that help reunite and keep families together, currently immediate family members of legal permanent residents often must wait ten years or longer to legally join their loved ones in the U.S. In recent years, there have been efforts to dismantle the family-based immigration system which the Catholic Church opposes. It is critical to maintain an emphasis on family unity in the immigration system and craft legislation that will protect and strengthen family-based immigration.

What should immigration reform legislation include?

In the 2003 pastoral statement [Strangers No Longer: Together on the Journey of Hope](#), the U.S. Catholic Bishops outlined principles for immigration reform and highlighted the need for systemic reforms. To this end, the USCCB has consistently advocated for immigration reform legislation that should include the following points:

1. *Ensure access to permanent legal status and a path to citizenship for current residents.* Given the millions of hardworking, undocumented migrants already living in the United States—some for many years—legalization provisions are needed. These should cover Deferred Action for Childhood Arrivals (DACA) recipients and their parents, Temporary Protected Status (TPS) holders, farmworkers, and essential workers.
2. *Reaffirm and prioritize family unity and reunification.* Any legislation should contain language that strengthens families and maintains the long-standing family unity emphasis in immigration law. Such family-focused policies include: (1) measures that establish legal pathways and waivers that enable families to maintain unity or restore it for those families already torn apart, (2) removal of the three- and ten-year bars to lawful immigration, (3) utilize prior unused family-based immigration visas, and (4) mechanisms that will clear current backlogs and ensure timely family reunification.

3. *Reform the immigration detention system.* Immigration reform legislation should eliminate the use of detention as a method of deterrence, end the use of for-profit corporations in immigration detention, reserve detention only for individuals who are national security or public safety threats, expand community-based alternatives to detention (ATDs) which ensure immigration compliance in a humane way, and include other reforms that will protect vulnerable migrants and their families.

4. *Evaluate and revise immigration enforcement strategies, both along the U.S.-Mexico border and within the interior, to ensure the just and humane treatment of all migrants.* Border management should reflect broader U.S. economic and humanitarian interests and prioritize the wellbeing of local communities. This requires a prohibition on the use of military resources and personnel along the border, as well as the separation of local policing from interior enforcement. Additionally, reform legislation should require the identification and protection of vulnerable populations—such as children—as part of any interior enforcement strategy.

5. *Promote access to asylum and due process.* Immigration reform legislation should limit policies that place undue burdens on asylum and instead establish reasonable and achievable pathways to citizenship for refugees and asylum seekers. To facilitate this, universal access to *pro bono* legal programs must be supported.

6. *Adopt policies that address the root causes of migration.* Political and religious persecution, environmental degradation, and economic underdevelopment and exclusion have long been factors driving people to leave their homelands. It is important to consider including policies that will mitigate factors that drive irregular immigration and promote interventions that will allow people to thrive in their homeland.

The importance of a legislative solution

For many years, Congress has failed to meaningfully address immigration reform through legislation. This has contributed to the tendency to have immigration policies decided by the Executive Branch, leading to inconsistent approaches as one administration transitions into another. This is untenable and must end. Immigration reform legislation would reintroduce consistency and modernize our existing immigration system.

ACTION REQUESTED:

Engage your elected officials to support bipartisan immigration reform that gives a path to citizenship to the undocumented, addresses root causes, protects farmworkers, upholds the rule of law, and restores due process for asylum seekers.

RESOURCES: Visit www.usccb.org/committees/migration/migrants-refugees-and-travelers and contact Todd Scribner, Department of Migration and Refugee Services, tscribner@usccb.org.