

IMMIGRATION REFORM IN THE 111TH CONGRESS

Principles of Immigration Reform

As the Administration and Congress prepare to begin debating immigration reform, we urge that the following principles guide our policymakers:

Immigration reform must promote economic opportunity. We must renew our commitment to helping all low-income Americans improve their job prospects and move up the economic ladder towards the American Dream. Opponents of reform try to pit the needs of native-born workers against immigrants, but our vision of reform is that a rising tide lifts all boats. Immigrants and citizens working shoulder to shoulder, with the same labor protections, access to programs and services, due process, and faith in a system that works for them and their families, is our vision for a stronger America.

Immigration reform must be comprehensive. Comprehensive immigration reform would recommit our country to being both a nation of immigrants and a nation of laws. Unless we reform the broken immigration system as a whole, we will fail to solve the problems at hand. The necessary components of reform include: (1) improving the economic situation of all workers in the United States; (2) legalizing the status of undocumented immigrants working and living in the United States; (3) reforming visa programs to keep families together, protecting workers' rights, and ensuring that future immigration is regulated and controlled rather than illegal and chaotic; (4) implementing smart, effective enforcement measures targeted at the worst violators of immigration and labor laws; (5) prioritizing immigrant integration into our communities and country; and (6) respecting the due process rights of all in the United States.

Long-term reform requires long term solutions. We acknowledge that the factors shaping immigration are not just domestic, and that the issue transcends our borders. As such, how we as a country approach our relationships with other nations matters. We must deal with the domestic aspect of this issue, and work in partnership with other countries over time to develop long-term strategies that improve the economic conditions in regions that supply large numbers of economic migrants. Responsible and accountable approaches in this regard, coupled with improving skills and opportunities for our domestic workforce, will improve the economic outlook for all our communities.

A reform package that works for all communities and families in America should include the following:

A rational and humane approach to the undocumented population. We must address the more than twelve million undocumented immigrants living in this country by creating a rigorous registration process that leads to lawful permanent resident status and eventual citizenship. Undocumented immigrants working and living in the United States must be counted through a registration program that includes reasonable submission to background checks, paying an appropriate fine, paying taxes, and studying English. Undocumented immigrants who satisfy those requirements must be permitted to apply for lawful permanent status leading to citizenship.

Protect U.S. and immigrant workers. Immigration reform is a component of building real economic security, contributing to a shared prosperity agenda that maintains and improves wages and working conditions in the United States and in other countries. Specifically, we must protect all workers' right to organize and bargain collectively, and provide occupational safety and health and anti-discrimination protections to workers regardless of whether they were born in the United States or abroad. This will ensure that immigration policies do not depress wages and working conditions or create incentives for unscrupulous employers to operate outside the legal system. Additionally, any employment verification system should determine employment authorization accurately and efficiently while protecting workers and good-faith employers. The system should minimize workplace disruptions, prevent discrimination and contain sufficient due process and privacy protections.

Allocate sufficient visas to close unlawful migration channels. One of the great failures of our current employment-based immigration system is that the level of legal immigration is set arbitrarily by Congress—as a product of political compromise—without regard to real labor market needs. This failure has contributed to the development of an unregulated, but highly integrated North American labor market. The resulting extra-legal migration channels have created a shadow economy that has allowed unscrupulous employers to manipulate the system to the detriment of workers and reputable employers alike. In order to close these unlawful migration channels, the allocation of employment visas to such workers should be depoliticized and placed in the hands of an independent commission that can assess labor shortages and determine the number and characteristics of foreign workers to be admitted, with Congress' approval.

Enhance our nation's security and safety. A sensible enforcement strategy will keep America safe, protect due process and human rights, make the most effective use of the tools and policies already available in a fair and reasonable manner, and be fiscally responsible. Such a strategy would prioritize enforcement actions to target genuine threats, including the prosecution and removal of violent individuals who pose a threat to public safety; the prosecution of unscrupulous employers who are exploiting vulnerable workers to enhance their competitive advantage; the elimination of trafficking and drug smuggling operations that profit from human exploitation; and the prevention of exploitation of the immigration system by those who seek to do the country harm. This strategy, however, must be coupled with vigorous enforcement of civil rights and labor and employment laws. While the use of detention may be necessary in some cases, it should be used as a last resort, and Congress and the Administration must ensure that all detainees are treated safely and humanely by mandating the creation of enforceable detention standards. An effective and sensible immigration enforcement strategy should not include continued use of local law enforcement agencies to enforce federal immigration law, indiscriminate worksite and neighborhood immigration raids, and blanket detention policies.

Establish a strategic border enforcement policy that reflects American values. A border strategy that prioritizes the safety and security of border communities, and consults with these communities in the process, is the best way to ensure that our border policies protect our national security. We must create comprehensive border solutions that balance enforcement with economic development and human and civil rights along the border. Border enforcement requires clear accountability mechanisms, such as a Border Enforcement Review Commission to

ensure that the rights of border residents and immigrants are protected and that enforcement measures are fiscally responsible.

Keep American families together. Our outdated family immigration channels, which keep close family members separated for decades, must be reformed to restore our commitment to promoting family unity. Those stuck in endless “backlogs” should have their admission expedited, and those admitted on work visas should be able to keep their nuclear families intact.

Promote immigrant integration. The federal government must help new immigrants learn our language and laws, ensure equal opportunity for immigrants to participate in programs and services, and support state and local governments’ efforts to help integrate these new Americans. The continued decline in funding for English and civics classes undermines the important goal of immigrant integration.

Protect fundamental rights for all. The Constitution guarantees due process for all people in this country. Our government, however, has not fulfilled that guarantee in its treatment of immigrants. Congress must restore basic civil liberties for all individuals in this country and renew our commitment to core American values of fairness and justice.