

**Statement Of Senator Patrick Leahy (D-Vt.),
Chairman, Senate Judiciary Committee,
Hearing On “Comprehensive Immigration Reform”
February 13, 2013**

President Obama should be commended for making Comprehensive Immigration Reform a top priority. He followed his speech in Nevada last month with strong comments in his State of the Union speech last night. I agree with his call for real reforms that will not only address our undocumented population, but will improve legal immigration by reducing the bureaucracy and delays that hinder our job creators and strain families. His recommendations for how to tackle one of our Nation’s most pressing problems are thoughtful, realistic, and inclusive. I am particularly pleased to see that the President’s proposal includes better access to visas for victims of domestic and sexual violence, improved laws for refugees and asylum seekers, and the assurance that every family receives equal treatment under the law. The President’s leadership, the commitment of Majority Leader Reid, and the recent work of Senators are encouraging.

I look forward to seeing principles turned into legislation. Most importantly, comprehensive immigration reform must include a fair and straightforward path to citizenship for those “dreamers” and families who have made the United States their home -- the estimated 11 million undocumented people in the United States. I am troubled by any proposal that contains false promises in which citizenship is always over the next mountain. I want the pathway to be clear and the goal of citizenship attainable. It cannot be rigged by some illusive precondition. We should treat people fairly, and not have their fate determined by matters beyond their control, nor by the judgments of those who have been among the most resistant to enacting rational legislation.

This President and Secretary Napolitano have done more in the administration’s first four years to enforce immigration laws and strengthen border security than in the previous administration’s entire eight years. A Democratically-controlled Senate passed a \$600 million border security supplemental in 2010. Yet, despite all our efforts and all our progress, there are still some stuck in the past who are repeating the demands of “enforcement first.” I fear they mean “enforcement only.” To them I say that you have stalled immigration reform for too long. We have effectively done enforcement first and enforcement only. It is time to proceed to comprehensive action to finally bring families out of the shadows.

The President is right: now is the time. And in my view it is time to pass a good bill, a fair bill, a comprehensive bill. I want this Committee to complete work on such a bill over the next few months. Too many have been waiting too long for fairness.

At least since 2005, during the second term of the last Republican President, there has been broad acknowledgement that our immigration system is in dire need of improvement and reform. The Senate passed a bill in 2006, but it was thwarted by the Republican House. Again, in 2007, under the leadership of Senator Kennedy, we tried to work with President Bush to advance broad reforms. By then, almost all Senate Republicans had abandoned the effort and opted to become part of the enforcement-only crowd. I supported President Bush in his efforts then; I support President Obama’s efforts now.

I hope that we will honor those who contributed so much to building this country after coming from distant lands in search of freedom and opportunity. Few topics are more fundamental to who and what we are as a Nation than immigration. Immigration throughout our history has been an ongoing source of renewal of our spirit, our creativity and our economic strength. From the young students brought to this country by their parents seeking a better life, to the hardworking men and women who play vital roles supporting our farmers, innovating for our technology companies, or creating businesses of their own, our Nation continues to benefit from immigrants. We need to uphold the fundamental values of family, hard work, and fairness.

We all share in the benefits that immigration brings to our states, communities and businesses, and we will all share in an immigration system designed for the 21st Century. Immigration helped build our Nation and enriches our society and economy. In Vermont, immigration has promoted cultural richness through refugee resettlement and student exchange, economic development through the EB-5 Regional Center program, and tourism and trade with our friends in Canada. Foreign agricultural workers support Vermont's farmers and growers, many of whom have become a part of farm families that are woven into the fabric of Vermont's agricultural community.

The dysfunction in our system affects all of us. It affects the constituents of every Senator on this Committee, including Vermonters. The unfair and harmful policy that prohibits dairy farmers from obtaining agricultural workers through the H-2A visa program must be corrected. This policy drives workers underground and hurts farmers who are working hard to produce the food on which we all depend. It defies common sense and it is time we changed that.

We must also do better by gay and lesbian Americans who face discrimination in our immigration law. Today, Senator Susan Collins and I will introduce the Uniting American Families Act. This legislation will end the needless discrimination so many Americans face in our immigration system. Too many citizens, including Vermonters who I have come to know personally and who want nothing more than to be with their loved ones, are denied this basic human right. This policy serves no legitimate purpose and it is wrong.

Yet, I have heard some disparage fairness in our immigration law as a "social issue" that threatens their narrow view of what immigration reform means. Well, to me, the fundamental civil rights of American citizens are more than just a social issue. Any legislation that comes before the Senate Judiciary Committee should recognize the rights of all Americans, including gay and lesbian Americans who have just as much right to spousal immigration benefits as anyone else.

We know that the President has a comprehensive proposal that he has deferred sending to us at the request of Senators working to develop their own legislation. Our window of opportunity will not stay open long. If we are going to act on this issue, we must do so without delay. I hope today's hearing helps to emphasize the urgency of the situation.

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