

Testimony of the Honorable Cory Gardner
Member, U.S. House of Representative
“Addressing the Immigration Status of Illegal Immigrants Brought
to the United States as Children”
Subcommittee on Immigration and Border Security
Committee on the Judiciary
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Thank you Chairman Gowdy, Ranking Member Lofgren, and the other members on this subcommittee for the opportunity to testify today. The panel is an important step to address immigration reform in a sensible and systematic manner. In my district, immigration is an incredibly important matter – for families trying to look for a better way of life or agricultural interests hoping to harvest this year’s crop.

The Immigration Reform and Control Act of 1986 proved unworkable and too-easily avoidable, and it helped result in approximately eleven million people in the United States without documentation. We need long-term, common sense legislation to fix this broken system. The House is committed to moving forward with a step-by-step process, with proper deliberation and debate surrounding each piece of reform. It is important that we do this right – proving to the American people the federal government can be trusted to build a lasting system that cannot simply be put aside because it is unworkable or the political will is simply not present to make it work.

This afternoon, I will share my views on how to move forward. I believe any immigration reform effort must begin first with border security and enforcement of the law. A strong guestworker program, accompanied by a modernized e-verify system, is critical. I will also discuss the potential reform for the very young – children – who were brought illegally into this country as minors, and possible ways to address this issue.

Many of us elected in 2010 came to Congress because we wanted to put this nation back to work. We wanted to get government out of the way in order to grow the economy so that people can find jobs and make sure there is a better tomorrow. We came to Washington to keep the American dream alive, and ensure that this great nation serves as a beacon of hope for individuals and families that want to achieve the American dream.

It has been said many times before – the United States is a nation of immigrants. Had I not been blessed to have been born in this country, I know I would have done everything I could to make sure my family had the opportunity to grow up here. We are also a nation of laws. Our current immigration laws have proven inadequate and are not being enforced. If a law is not enforced or it is ignored, then we no longer remain a nation of laws and the law becomes worth little more than the paper upon which it is written. According to *The Wall Street Journal*, between forty and

forty-two percent of the undocumented people in this country came here legally, but overstayed their visas. We need to move forward by building a new system of immigration laws that will stand strong and secure, but still allow a workable system for people that want to be a part of this great nation and healthy economy to have the opportunity to do so. I urge the House to be compassionate and fair during this process.

Border security and interior enforcement remain my top priority during this debate – it must come first. A government that cannot secure its own border is a government that is not doing its job. The same is with a government that cannot assure a legal workforce. In 1986, the American people were promised interior enforcement during immigration overhaul, but this never took place. Ignoring immigration laws for at least two decades has resulted in at least eleven million undocumented individuals throughout the nation. We can rebuild the trust of the American people by securing the borders and enforcing the laws, and making sure that no one can simply choose not to enforce the law or waive it through administrative process. Not only do strong security and enforcement measures need to exist in any reform, but there must be confirmation from a credible, outside entity that these measures have been satisfied and implemented.

Once we have secured our borders and are enforcing laws – knowing the measures are working – we may look to other reform provisions. Today, we are here to specifically discuss those amongst us who were brought to the country as young children. These individuals, for all intents and purposes, are culturally American. These are the young adults and children who grew up in the United States and go to school with our children and grandchildren, with my daughter. These children know no other nation, except for the United States.

This is an issue of fairness, decency, and compassion. Their parents made a decision to enter this country illegally and our broken system did not prevent it. They deserve to be afforded some form of legal status that recognizes that they are here through no fault of their own. It is not their fault, nor was it their decision to not follow the law. I believe Members across the aisle can unite and agree that providing these children with some sort of immigration relief is the just and fair thing to do. But it must be part of a step-by-step reform package.

Any legislation that would address these children would need to be solely for the benefit of the child, and no one else. It cannot elicit chain migration. During this process we must find the appropriate balance between compassion and justice. While these children remain innocent, we cannot reward those family members who have broken the law. However, the children do deserve to have the opportunity to continue the American dream and we, as Members of Congress, should have the compassion to provide them with this.

In 2005, I had just been appointed to the state legislature. I held one of my first town meetings on the eastern plains of Colorado in a small farm town. The government teacher of the local school brought the senior government class to attend the meeting. During the question and answer portion of the meeting a young girl stood up and introduced herself, proudly stating that

she was graduating first in her class, the valedictorian. She had gone to school with her classmates, in the same school, since kindergarten. But, she said, she was brought into this country when she was only a few months old and she was illegal. “Do you support in-state tuition for illegal aliens?” she asked.

I told her that I did not, because allowing passage of such a policy was avoiding the real problem, it was not addressing the overall need for immigration reform. We must pursue meaningful immigration reform to fix the broken nature of the process before anything like this can happen.

A month ago, on the eastern plains of Colorado, I saw this same girl. The valedictorian of her class, waiting tables. Eight years later, I once again talked about the need for immigration reform. Eight years later, nothing has happened.

This time, Congress cannot just talk about reform. We must do it.

While there will be strong disagreement about what to do, how to proceed, and what the end policy will ultimately look like, we cannot simply do nothing. We must act. And I believe we can do so in a way that, thirty years from now, future generations of this country – both immigrants and non-immigrants – can say, they did it right. It is working.

Again, I would like to thank the Committee for the opportunity to participate in today’s hearing.