

## RELIEF FOR THE FAMILIES OF U.S. CITIZENS AND LAWFUL RESIDENTS

### OUR PERMANENT IMMIGRATION SYSTEM IS IN DIRE NEED OF SERIOUS REPAIR

Unreasonable and unnecessary backlogs for family-based visas now exist as a result of arbitrary limits, outdated information, and administrative delays.

- **Many families have been kept apart for years, even decades, while waiting for green cards to become available and be processed.** Even spouses of permanent residents must wait 7-10 years to come to the U.S. legally, while most others, including adult sons and daughters of U.S. citizens, are forced to wait between 4-23 years.
- **Bars to relief prevent immigrants who are already here from acquiring legal status even if there is an employer or family member willing to sponsor them.** Because of current ‘bars’ to relief in our immigration law, many hard-working immigrants who pay taxes, speak English, and desperately want to become full-fledged members of our community are unable to legally immigrate even if there is an employer or family member who is willing to sponsor them. For example, the “three and ten year bar” is one of the biggest obstacles preventing individuals hoping to legally immigrate through the family-based immigration system.

### LEGAL IMMIGRATION IS IN AMERICA’S BEST INTEREST

- **Legal, family-based immigration furthers America’s economic and security interests while advancing core American values.** Family immigration within a highly regulated and tightly controlled system fosters economic growth. Families tend to pool their resources to start businesses, purchase homes, and send family members to college.
- **Americans value family unity as a cornerstone of our society.** Reforming our family-based system will reunite loved ones and promote stability within families.
- **Reform will make us safer.** When the legal system keeps families separated for years and sometimes decades, it creates an incentive for family members to unlawfully enter the country or remain in the country. Creating a rationale, orderly system that comports with 21<sup>st</sup> century realities will obviate this incentive and strengthen respect for the rule of law.

### CONGRESS CAN AND MUST PROVIDE RELIEF BY ELIMINATING ARBITRARY LIMITS ON FAMILY-BASED IMMIGRATION

- **Treat spouses and minor children of lawful permanent residents as ‘immediate relatives’:** Currently, the immediate family members of lawful permanent residents are forced to wait from over 5 years to 8 years for a visa. If the spouses and minor children of legal permanent residents were included in the definition of immediate relative, fewer people would be forced to share the 226,000 visas that are left over for the rest of the family visa categories and nuclear family members would be united within a more humane time frame.

- **Allow same sex and long-term unmarried couples to use our family immigration system:** Currently, same sex and long-term unmarried partners of U.S. citizens and legal permanent residents are not considered “spouses and other immediate family members” for immigration purposes. Forcing gay, lesbian, and unmarried Americans into exile in order to stay with the person they love hurts American families, businesses, and communities. Americans should not have to choose between family and country – same sex and long-term unmarried partners should be permitted to legally immigrate to the U.S.
- **Increase the number of visas allotted for countries with high backlogs:** Under current law, there are per-country limits on the number of available visas. Because of high demand for visas and the arbitrary limits on the number of visas per country, certain countries have extremely long backlogs. An increase in the ‘per country limits,’ could significantly reduce these delays.
- **Give the government the discretion to allow hard-working immigrants who are currently barred from relief to utilize the legal immigration system.** Under current law, several bars to immigration relief including the ‘three and ten year bar’ and the ‘permanent bar’ prevent many undocumented immigrants from immigrating through the family-based system. In considering whether an undocumented immigrant with close family ties in the U.S. should be permitted to cure their unlawful status, the government should consider factors such as family and business ties. Expanding the government’s discretion to weigh the circumstances of each case will allow more deserving immigrants to reunite with their families.