AMERICA NEEDS LEADERSHIP ON IMMIGRATION

3 out of 4 Americans support legalizing the status of unauthorized immigrants

$775 billion revenue generated by immigrant-owned businesses

Border apprehensions at 40-year low

America must protect Central Americans and anyone fleeing persecution
America Wants Immigration Reform

With the 2016 elections fast-approaching, the debate on immigration has become increasingly political and divisive. But in truth there is overwhelming agreement among Americans that immigrants are an important part of our communities and contribute to our economic growth and security. A majority of Americans want the immigration system reformed, and they believe unauthorized immigrants should be allowed to stay permanently.

After more than two decades of legislative gridlock, Americans want leadership on immigration and workable solutions that meet our nation’s needs.

AILA supports commonsense immigration reform that includes a plan for improving the outdated legal immigration system and for legalizing the undocumented. Reform must also improve interior and border enforcement through the use of smart methods that ensure accountability, due process and meaningful access to humanitarian protection and legal relief.

AILA encourages the Administration to do everything within its legal authority to fix the system in the absence of congressional action. This includes not only President Obama’s plans to grant deferred action for “Dreamers” and their parents—through the DAPA and expanded DACA programs—but also reforms to the legal immigration system, enforcement practices, and policies to ensure our system guarantees due process and fairness.
Immigration Is Good For the Economy

In 2013, immigration added roughly 0.2 percent to U.S. gross domestic product (GDP)—or $31.4 billion.
—Economic Report of the President, 2013

In 2012, immigrant-owned businesses added more than $775 billion dollars of revenue to the GDP.
—Partnership for a New American Economy, 2012

For the economic impact of immigrants in all 50 states, as well as the District of Columbia visit the American Immigration Council’s page: http://bit.ly/1w1RQ0l
Case in Point

Mynul Khan, Founder and CEO of Minneapolis-based Field Nation, moved from Bangladesh to the United States when he was 18 to earn his Bachelor’s in Computer Science at St. Cloud State University in Minnesota. He eventually formed Field Nation, an innovative company based in Minneapolis that leverages technology to match IT and telecommunications contractors with businesses nationwide. In 2015 Field Nation’s platform delivered nearly one million small projects across U.S. and Canada, totaling about $100 million. The company employs over 100 U.S. workers. For two consecutive years the company has been on Inc. Magazine’s list of the 500 fastest-growing privately held companies in the United States. Mynul Khan’s story exemplifies the positive impact immigrants have on our nation.

Immigrants contribute to our economy. They started one-fourth of all new businesses in 2011. And **immigrant-owned small businesses employ 4.7 million people**. ... As a result, the American Action Forum estimates that immigration reform will boost per capita income by $1,700 over ten years and **reduce the federal deficit by $2.7 trillion**.

—House Speaker Paul Ryan
On average, each immigrant contributes nearly $120,000 more in taxes than he or she consumes in public benefits. ¹ Undocumented immigrants contribute significantly to state and local taxes, paying an estimated $11.64 billion a year. ² Legalization for the 11 million undocumented immigrants in the United States would add another $2.1 billion a year to state and local tax revenues. (Institute on Taxation and Economic Policy, 2016)

¹ Economic Report of the President. March 2013
² “Undocumented Immigrants State and Local Tax Contributions,” April 2015, Institute on Taxation and Economic Policy.

The Legal Immigration System Needs Reform

A quarter of a century has passed without Congress updating the number of green cards available each year. Now, families hoping to unite with close relatives and employers needing workers must wait years for a visa to become available. AILA urges Congress to act immediately to reform the legal immigration system. Both family and employment visa categories are vital to our national interest, and slots in one category should not be traded to offset increases in another category. The lack of green cards also places a severe strain on the availability of temporary, nonimmigrant visas. Reforms to the legal immigration system should address both temporary and permanent visas.
High-Skilled Immigrant Workers and Entrepreneurs

America is competing in a global economy, and America’s ability to attract high-skilled immigrant students, workers, and entrepreneurs is critical to our nation’s prosperity. Reforms should increase the number of temporary high-skill visas and provide ample opportunities for immigrant entrepreneurs to spur innovation and job creation. In addition, Congress should provide protections for workers from exploitation with job portability, robust enforcement, and other tools. AILA supports the bi-partisan I-Squared Act, S 153. Go to www.aila.org/isquared.

Family-Based Immigration

America must continue its historic tradition of protecting and strengthening families through our immigration policy. Unified families lead to stronger communities and even greater business and economic growth. AILA recommends adding more green cards and enacting other reforms to the family-based immigration system so that family members no longer wait years to reunite with their loved ones. AILA supports the Reuniting Families Act (H.R.4798). Go to www.aila.org/RFA.
Prominent leaders from both major political parties have proposed legalizing the status of unauthorized immigrants and most have rejected mass deportations as infeasible and unwise. AILA recommends that such a plan register each eligible individual and give them the opportunity to apply for a green card and ultimately citizenship, if they choose.

Legalization of Unauthorized Immigrants

U.S. Citizenship and Immigration Services (USCIS) should take immediate steps to improve the processing of immigration benefits and eliminate unacceptably long delays in adjudications. Delays by USCIS have left foreign workers in limbo as they await decisions to extend their temporary visas, with some losing the ability to renew their driver’s licenses and other benefits. To avoid delays and inefficiency, USCIS should not be asking for unnecessary or duplicative information to support benefit requests. Transparency would be dramatically improved if USCIS regularly published data about its decisions on all petitions and applications.

A majority of Republican voters said illegal immigrants should be offered a chance to win legal status according to exit polls done after the Republican primaries in South Carolina and New Hampshire.³ (CNN)

The Changing Face of Immigration at the US Border

In the past decade, border apprehensions have declined significantly—from well over a million each year to 337,117 in 2015, when apprehensions hit a 40-year low. America is witnessing a dramatic shift in who is coming to our borders and why they are coming. Fewer Mexicans are coming, while extreme violence and insecurity in Guatemala, Honduras and El Salvador is forcing more families and even young children to flee those countries. USCIS data shows that Central Americans who make it to the U.S. qualify at high rates for asylum and humanitarian protection.

End Family Detention and Protect Vulnerable Migrants

Despite the shift in immigration patterns, the President has responded to Central American asylum seekers as if they are a border security threat by employing mass detentions and a rapid removal plan designed to deter future arrivals. AILA urges the Obama Administration to treat refugees and asylum seekers with a humanitarian response. DHS should halt the use of family detention and raids and provide families and individuals arriving at our borders with meaningful access to asylum and protection.

Everyone deserves a fair day in court. But more than 4 out of 5 immigration removals are done by border agents and other officers using fast-track procedures that completely bypass immigration court. AILA calls for an end to such fast-track methods and for Congress to appropriate more substantial funding to improve the operations of the immigration court system.
In the past two decades, America has deployed unprecedented manpower, resources, and technology to our nation’s border. Even with increased focus on border security, accountability and transparency are still sorely lacking within U.S. Customs and Border Protection (CBP), now the nation’s largest law enforcement agency. CBP officers frequently fail to inform asylum seekers of their right to seek protection; they use intimidation and other coercive tactics; and they record inaccurate information about asylum screenings. CBP has even referred asylum seekers for prosecution for illegally entering the U.S. In addition to these due process concerns, CBP has yet to address widely recognized problems with its improper use of force and other abuses.

“[B]order screenings have been marked by systemic errors that ... have gone absolutely unchecked and unacknowledged by DHS. The impossibility of the interview ... is plain: Y-F was three years old at the time he was interrogated.”—AILA Amicus Brief, Matter of MRR, pointing out that a CBP screening form was clearly inaccurate because a 3-year-old child could never express an intention to come to the U.S. to work.
AILA supports the work of local law enforcement agencies to keep all members of their communities safe. AILA cautions against collaborations that compromise this primary mission by intertwining local law enforcement with the federal responsibility of immigration enforcement. Compelling local cooperation with federal immigration enforcement or punishing so-called “sanctuary cities” may compromise public safety.

In 2014, DHS acknowledged major flaws, including constitutional infirmities, with the controversial Secure Communities program, which instilled fear in immigrant communities and discouraged immigrants from reporting crimes. DHS still has not explained how ICE will correct these unconstitutional practices under the new Priority Enforcement Program (PEP) or how it will demonstrate that it has obtained probable cause when asking local law enforcement officials to detain an individual.

Immigration enforcement is a federal responsibility. ... Having state and local law enforcement take on the work of federal immigration officials has many adverse consequences [including] ... undermining] the trust and cooperation with immigrant communities that are essential elements of community oriented policing.—Dayton Police Chief Richard Biehl

The American Immigration Lawyers Association (AILA) is the national bar association of over 14,000 attorneys and law professors who practice and teach immigration law. Founded in 1946, AILA is a nonpartisan, not-for-profit organization that provides continuing legal education, publications and information, professional services, and expertise through its 39 chapters and over 50 national committees. AILA is an affiliated organization of the American Bar Association and is represented in the ABA House of Delegates. For more information about AILA, please visit our website at www.aila.org.