



# Hill Notes

## February 2007



### Comprehensive Immigration Reform

Our nation is currently experiencing an immigration crisis. Since 1990, the number of undocumented persons in the country has almost tripled, from approximately 4 million to an estimated 11 million persons today. From 300,000 to 500,000 new arrivals enter each year and reside in the United States without documentation. The large majority work in vital industries, such as agriculture, construction, and service. At the same time, the U.S. government has spent nearly 27 billion dollars since 1993 to secure the U.S.-Mexico border. During that period, the number of Border Patrol agents has tripled, and, tragically, close to 3000 migrants have died in the deserts of the American Southwest.

In their 2003 pastoral letter, *Strangers No Longer: Together on the Journey of Hope*, the U.S. Catholic bishops called for a series of reforms to the broken U.S. immigration system, including 1). policies to address the root causes of migration, such as global poverty; 2). reform of our legal immigration system, including an earned legalization program, a future worker program with appropriate worker protections, and reductions in waiting times in family-based immigration categories; and 3). restoration of due process for immigrants.

**Do the U.S. bishops support any particular legislation to repair our broken immigration system?** During the 109<sup>th</sup> Congress, the USCCB supported the Secure America and Orderly Immigration Act of 2005 (S. 1033, H.R. 2330), introduced by Senator John McCain (R-Az.) and Senator Edward M. Kennedy (D-Mass.) in the U.S. Senate (co-sponsors) and Representatives Jim Kolbe (R-Az.), Jeff Flake (R-Az.), and Luis Gutierrez (co-sponsors) in the House of Representatives. The legislation included many of the elements outlined by the U.S. bishops, including an earned legalization program, a temporary worker program with worker protections, and reductions in backlogs for family-based visa categories. Comprehensive immigration reform legislation has not been introduced in the 110<sup>th</sup> Congress.

**Do the U.S. bishops oppose any immigration legislation which has been introduced in Congress?** Yes. The U.S. bishops strongly opposed H.R. 4437, the Border Protection, Anti-Terrorism, and Illegal Immigration Protection Act of 2005, introduced by Representative James Sensenbrenner (R-Wis.) and Representative Peter King (R-NY) during the 109<sup>th</sup> Congress. The USCCB would oppose any enforcement-only legislation in the 110<sup>th</sup> Congress.

**Why is the Catholic Church involved in the immigration issue?** There are several reasons the Catholic Church is involved in the immigration debate. The gospels of the Old and New Testament, as well as encyclicals of the Popes, form the basis of the Church position. In Matthew, Jesus calls upon us to “welcome the stranger,” for “what you do to the least of my brethren, you do unto me.” (Mt. 25-35, 40). The Church also is involved in the issue because many of the Catholic faithful are immigrants who need the support and assistance of the Church. Finally, the U.S. bishops believe that our current immigration system contributes to the human suffering of migrants and seek to point out the moral consequences of a broken system.

**Does the Catholic Church believe in “open borders?”** No, Church teaching supports the right of sovereign nations to control their borders. Enforcement of our borders, however, should include the protection of the basic human rights and dignity of the migrant and not place lives at risk.

**Does the Catholic Church support illegal immigration?** No. The Catholic Church does not support or encourage illegal immigration because 1) it is contrary to federal law and 2) it is not good either for society because of the presence of a large population living outside the legal structure or the migrant, who is subjected to abuse, exploitation, and death in the desert. Instead, the Church is advocating to change a broken law so that

undocumented persons can obtain legal status in our country and enter the United States legally to work and support their families.

**What enforcement measures would the USCCB support?** The USCCB supports immigration enforcement which secures our border and minimizes the risk of loss of life to migrants. A reform of our legal immigration system will help reduce the need for increased resources for enforcement because it will allow migrants to enter legally and not clandestinely across the border. A legalization program would bring immigrants “out of the shadows” to identify themselves to the government.

**Will a new legalization program simply lead to more illegal immigration?** No, not if the new program contains all the appropriate elements and is implemented properly. In 1986, Congress passed the Immigration Reform and Control Act of 1986, which legalized the undocumented population in this nation. However, that legislation did not address “future flows” of immigrants by making changes to the employment-based and family-based immigration systems. The creation of a temporary worker program with protections and more family reunification visas will help stem illegal immigration by providing legal avenues for migration. Moreover, the U.S. bishops have advocated for policies to address the root causes of migration, including sustainable economic development and fair trade and economic policies which take into account the plight of low-skilled workers. Only policies which address global economic inequities will provide the long-term solution to forced migration.

**Is not an “earned legalization” another term for “amnesty?” Does not an “amnesty” reward illegal behavior and penalize those who are waiting in line legally?** No, an “earned legalization” is much different than an “amnesty.” Amnesty is a giveaway or forgiving of a debt. For example, the 1986 IRCA legislation can be considered an amnesty because it provided legal permanent resident (LPR) status to undocumented migrants simply by virtue of their presence in the United States. An “earned legalization” requires undocumented workers to “earn” permanent status by working over a six-year period before qualifying for LPR status. It also requires the payment of a fine and English language capability. Thus, illegal behavior is not rewarded with a “free pass,”—those here outside the law would be required to participate in an earned legalization program for up to six years. Moreover, S. 1033/H.R. 2330 would streamline the family reunification system and other employment categories so that those waiting in line will receive LPR status before those in the earned legalization program. Under this scenario, undocumented workers would not “jump the line” over those who have played by the rules.

**Would an influx of foreign workers, including those currently in the United States, take jobs away from U.S. workers?** Studies show that immigrant workers work in jobs in industries that do not attract sufficient U.S. workers. The Department of Labor has predicted that the U.S. will experience a labor shortage in many “unskilled job categories” by as early as 2008. For example, over 80 percent of agricultural workers are foreign-born while the majority of laborers in the meatpacking and poultry industries are foreign-born. Over one-third of all dishwashers, janitors, maids, and cooks are foreign-born. Further, S. 1033/H.R. 2330 does not increase immigration in the employment area, but merely *legalizes* it, since immigrants are already working and entering without documentation. By legalizing the undocumented workforce, wages for all workers increase because the undocumented are better able to organize and assert their rights in the workplace. After the IRCA legalization in 1986, for example, real wages for the immigrant population increased by 14 percent.

**What about public resources? Does not increased immigration place stress on public resources?** First of all, federal law bars undocumented immigrants from receiving any federal means-tested benefits and the large majority of legal immigrants are barred from such benefits for five years after their arrival. Undocumented immigrants are eligible for educational services for children and emergency health-care services. Studies find that after an immigrant works for a year there is a net benefit to the state and national economy because of taxes, Social Security taxes, and the “sweat equity” that immigrants contribute to the economy. Foreign workers and their families also contribute to the economy through their purchasing power, which adds billions to the economy each year.

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