An Open Letter to the Members of the Senate Judiciary Committee
In Support of Fair and Just Immigration Reform
May 20, 2013

Dear Members of the Senate Judiciary Committee:

As we stand on the threshold of a potentially new, sweeping immigration reform bill, we write to voice our support for fair, just and humane legislation that will not only bring distressed immigrant communities “out of the shadows,” but which will stay true to the country’s values and respect for human rights and commitment to justice.

Substantial improvements must yet be made to SB 744, the Border Security, Economic Opportunity and Immigration Modernization Act. While the proposal includes some provisions that will benefit immigrant communities and future immigrants, we are extremely disappointed with both overarching themes and particular provisions that we believe will continue to undermine basic human and worker rights, foster greater racial discrimination and feed the separation and trauma of immigrant families and their communities. We fear that this bill will keep immigrants in an underclass.

We understand that this is a rare opportunity to engage sweeping immigration policies. Immigrant communities have waited years for the chance to reunite with family members, to be free from the threat of deportation after having lived, worked and raised families here for decades. They have waited for the same labor protections as their citizen co-workers and for the opportunity to become citizens and to vote.

The present proposal fails to reflect our communities’ needs and our collective concerns and aspirations for human rights, fairness and justice in U.S. immigration policy -- the promise of “equality and justice for all”. With the mark-up process underway and before the bill reaches the full Senate for consideration, we urge you to address the following:

Substantially improve the path to citizenship. This path should be inclusive, fair, and safe, without obstacles, undue burdens and lengthy waiting periods. 10 years in a provisional status is too long a wait to obtain a green card. The wait should be reasonable and humane and should not exceed five years, the same as DREAM eligible applicants. While work eligibility and ability to travel are important features of the current proposal, those on the path to citizenship should have access to healthcare and economic supports programs. This includes the removal of the five-year bar on access to vital healthcare and family economic support programs.
Access to the provisional status or green cards should not be dependent on a “secure border” or other trigger. Waivers for eligibility for legalization should be extended to those who have been detained or deported under overly harsh enforcement programs and procedures, and who may have been forcibly separated from their families in the U.S.

The filing fees, penalties and back taxes are simply too high and will surely deter many from even applying to the program. These costs must be made affordable for low income applicants. The continuous employment requirements are also unrealistic and would unfairly eliminate many people from eligibility. These changes would speed the integration of immigrant workers and their families and ease their anxieties about their progress towards a more stable existence here.

**Expand eligibility for legalization.** The more than 300,000 people with Temporary Protected Status (TPS) should be included in the legalization program. Many on TPS have lived in the U.S. for years, working and raising families. Finally, many more people will benefit from the program by moving the cut-off date to the date of enactment of the legislation.

**Maintain this country’s commitment to family reunification as the core principle of immigration policy.** We are concerned with the detrimental impact of the “shift” to merit-based immigration that will favor highly-skilled and educated immigrants and which will diminish the value and principle of family unity. We oppose the elimination of siblings and adult children from family visas. Moreover, we urge the expansion of eligibility to same sex couples. The processing of the visa “backlog” should be infused with sufficient funds to expedite and bring processing up-to-date as soon as possible.

**Continue the Diversity Visa program.** The elimination of this program will severely undermine the potential for immigration from African, Caribbean and other under-represented countries. Without this program, many will not be able to otherwise qualify for legal immigration to the U.S.

**End the prioritization and increase in border enforcement.** The continued build-up of a militarized environment along the U.S.-Mexico border has had a traumatic and discriminatory impact on communities living in the border region. Immigrant families have endured years of increased border and interior enforcement policies on the premise that these would lead to support for legalization; that price has been more than paid. Our border policy has tragically contributed to the deaths of thousands of migrant men, women and children while having no impact on the complex “root” factors that drive migration across the border. The proposal should not redefine and expand the Southwest border region, authorize the deployment of National Guard to the border, nor commit billions in taxpayer dollars for this flawed border strategy. Again, any stipulation that a measure of “border security” will be required to trigger progress and implementation of the legalization program should be removed.
End the immigration detention system. Despite some proposed reforms in the detention system, the system itself is punitive, violates human rights, and is unnecessary. The record-level number of immigrant detainees is untenable and contributes to the separation and destabilization of families and communities. We are further outraged that corporate interests have promoted the abuse-prone detention system for financial gain.

Ensure access to full labor protections, regardless of immigration or citizenship status. We urge an end, not an expansion of all employment verification programs, including E-verify, that undermine worker rights and increase employment vulnerability. Immigrants with employment visas should have job portability, rights equal to U.S. workers, and direct opportunities for permanent residency.

End the reliance on temporary worker programs as soon as possible. Business interests in securing the availability of low-cost foreign labor undermine the country’s commitment to building a stable workforce. We encourage the allocation of resources for education and training to provide greater opportunities, particularly for our youth and working people.

End, not enhance or expand deportation programs such as the Criminal Alien Program, Secure Communities and 287 (g), as well as fast-track deportations and mandatory detention. Criminal prosecutions for immigration-related conduct such as unlawful entry, driving without a license, or “identity theft” should be ended, as well as problematic immigration determinations of so-called “aggravated felonies”. These unjust programs have unfairly led to detentions, deportations and separation of families. Waivers should be provided for eligibility for the legalization program.

Restore and preserve due process rights, to ensure equality before the law for all persons, regardless of immigration or citizenship status. Individuals must have the right to present their case in court with competent representation.

Thank you for your attention and action on our concerns and recommendations.

Sincerely,

Organization Endorsers:

67 Suenos
American Friends Service Committee
American Friends Service Committee, Project Voice - Cambridge MA
Alianza Mexicana
Alliance for Global Justice
Alliance of Filipinos for Immigrant Rights and Empowerment
Amigos Multicultural Services Center
AMK
Arkansas United Community Coalition
Asian Pacific Policy & Planning Council
Astraea Lesbian Foundation for Justice
Black Alliance for Just Immigration
Canal Alliance
CASA Latina
Catholic Migrant Farmworker Network
Causa Justa - Just Cause
Centro Latino Cuzcatlan
ChangeLab
Clerics of St. Viator (Viatorian Community)
Coalicion de Derechos Humanos
Colombo Americans in Action
Creative Innovations, Inc
Democratic Socialists of America
Dominican Sisters
Dominican Sisters of Houston
DRUM - Desis Rising Up & Moving
Ecumenical Peace Institute/CALC
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Esperanza Immigrant Rights Project
Farmworker Association of Florida
Filipino Advocates for Justice
Florida Immigrant Coalition
Food Chain Workers Alliance
Franciscan on the Border
Georgia Rural Urban Summit
Grassroots Global Justice Alliance
Greater Hartford Interfaith Coalition for Equity and Justice
H.S. Power & Light Ministries - Latino Faith Initiative
Haiti Action Committee
Hawaii Immigrant Youth for Action
Highlander Research and Education Center
Hispanic American Association
Hispanic Organization for Progress and Education
Intertribal Friendship House
IRATE - Interfaith Refugee Action Team
Kentucky Interfaith Taskforce on Latin America and the Caribbean
KY Legalization with Dignity Campaign
KY May Day Coalition
Labor Movement
Latin America/Caribbean Committee of the Loretto Community
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Los Angeles Community Action Network
Mississippi Immigrant Rights Alliance (MIRA)
Movimiento Migrante Mesoamericano
National Latino Farmers & Ranchers Trade Association
National Network for Immigrant and Refugee Rights
New Jersey Civil Rights Defense Committee
No More Deaths
Oficina del Inmigrante Solidaridad e Informacion - OISI
Out4Immigration
Palomar Community College
Pax Christi USA
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Rockland Immigration Coalition
San Francisco Living Wage Coalition
Sisters of Mercy
Southeast Immigrant Rights Network
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Street Level Health Project
The Collyridian Episcopate of St. Brigid, Oregon City
The Dignity Campaign for Real Immigration Reform
Trusted Advocates
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Union de Vecinos
UNIRRI
United Cambodian Community
United Methodist Women Immigrant & Civil Rights Initiative
Wastenaw Interfaith Coalition for Immigrant Rights

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