

AILA Urges Support of Comprehensive Reform, but Not At the Expense of Fundamental Principles

AILA InfoNet Doc. No. 07051769 (posted May 17, 2007).

WASHINGTON DC, – A group of Democratic and Republican Senators announced today that their backroom negotiations over immigration reform have produced a "grand bargain." The American Immigration Lawyers Association ("AILA") has emphatically supported the need to fix our broken immigration system by balancing the needs of families, employers, our economy, and our national security to make legality the norm in our country. Unfortunately, it appears that desperate times may have resulted in a cobbling of compromises, which is no grand bargain to the thousands of employers and families who will lose a voice in a hazily outlined process. AILA cannot support such a bargain.

AILA looks forward to being able to review the proposal in detail to be able to try to ascertain its true short and long term impact. In general, AILA would be opposed to a system that: (1) eliminates four out of five family-based green card categories; (2) replaces our current employment-based immigration system with a radical, untested "merit-based" point system that basically eliminates consideration of employers' needs while at the same time eliminating labor market protections for U.S. workers; (3) fails to recalibrate current green card levels to meet the demands of our economy at both ends of the skill spectrum; and (4) bars most temporary workers from any path to permanent residence.

Any final bargain containing these four unacceptable elements would reorient our immigration system from one grounded in familial and employment relationships to one disconnected from direct ties to the U.S. and the U.S. economy. No longer would U.S. citizens be permitted to sponsor their adult children for permanent residence and no longer would employers be permitted to sponsor immigrants for actual jobs that need to be filled. Combined with the creation of a large, churning pool of "guest workers" who cannot lay down roots in the U.S., this point system raises the specter of a new tide of immigrants lacking the infrastructure and opportunity to effectively assimilate into this country.

"This is nothing short of high-risk, large-scale social experimentation. By untethering the system from its moorings to employer and family relationships, we threaten to dissolve the social fabric that binds immigrant communities," announced Carlina Tapia-Ruano, President of AILA. "Moreover, by restricting the ability of new 'guest workers' to bring their families with them or transition to permanent status, we are creating a dynamic that will generate the next group of illegal residents."

In highlighting these concerns, it would be irresponsible to lightly dismiss the historic gains notched on the positive side of this bargain: (1) an opportunity for 12 million, hard-working undocumented people in this country to earn permanent residence; (2) significant reductions in the hopelessly backlogged family categories (albeit with some arbitrary limitations built in); (3) the DREAM Act; and (4) AgJOBS. These are enormously important policy objectives, ones that AILA has pursued aggressively for many years. AILA agrees that any reasoned and rationale compromise would include such provisions. But the cost of fixing the serious problems created by our broken system should not be the creation of a totally new immigration process cutting families and business out of the process and the imposition of

unworkable provisions that will potentially lead to even bigger social and economic problems in the future.

AILA cannot support any final bill that contains these dangerous, untested, and economically destabilizing features. We hope that as debate proceeds on a compromise, Congress will heed the will of the American people and reform our system in a way that embraces the immigration principles upon which this country has flourished for more than two centuries. AILA will work diligently to engage Senators and Representatives on both sides of the aisle to vigorously address the concerns set forth above and to pass real and workable comprehensive immigration reform this year.

###

The American Immigration Lawyers Association is the national association of immigration lawyers established to promote justice, advocate for fair and reasonable immigration law and policy, advance the quality of immigration and nationality law and practice, and enhance the professional development of its members.