

## Toward Immigration Reform

By J. Kevin Appleby

As the 110th U.S. Congress convened, with great expectations of bipartisan cooperation, one of the top items on its ambitious legislative agenda was immigration. For several years the nation has debated the controversial issue, with all sides in agreement that the immigration system should be reformed. The question is, how? The United States bishops have engaged aggressively in this debate, arguing that any just solution must legalize the status of undocumented persons already in the United States and also create legal avenues for migrant workers to enter the country safely.

During the 109th Congress, the House of Representatives passed an enforcement-only proposal that the Senate and the American public ultimately rejected. The new Congress now has an opportunity to heed the bishops' recommendation. This will not be easy. Opponents of comprehensive immigration reform still argue vociferously against anything that looks like an amnesty, and some labor unions contend that any temporary worker program would undermine U.S. workers. Moreover, stringent, even harsh, enforcement measures may have to be included in any immigration bill to secure sufficient votes for passage. Immigration reform legislation could be determined by a small number of votes won in local congressional districts.

The Catholic community, led by the bishops, is in a position to make the difference on this important social issue, as it encourages elected officials to move toward a just solution. Without the Catholic voice and involvement in the debate, it is unlikely that a comprehensive and just bill can be enacted this year.

### The Bishops' Position

In their pastoral letter *Strangers No Longer: Together on the Journey of Hope* (2003) the bishops outlined a plan that included the following elements:

- An “earned” legalization for undocumented persons in the United States, regardless of country of origin;
- A worker program that allows foreign-born workers to enter and work in the United States safely and legally and that provides a living wage and adequate workplace protections;
- Reform of the immigration system to permit families to reunite in a timely and dignified manner;
- Restoration of due process protections lost in the 1996 immigration legislation;
- Policies addressing the root causes of migration, such as global economic inequities.

Some critics have argued that the plan rewards illegal behavior and reflects an “open border” philosophy, but such a position is unfounded. The bishops’ plan represents an appropriate policy response to an immoral status quo. It is a humane way of integrating a population that contributes to our economy while living on the margins of society.

*Earned legalization.* The centerpiece is the earned legalization program, or “path to citizenship,” for approximately 12 million undocumented residents. Proposals in Congress require at least six years of employment, the payment of a fine and any back taxes owed, and English instruction—all before workers (and their families) can become eligible for permanent residency. Those eligible would then have to go to the end of the application line, behind all who are already waiting. It would ultimately take 11 to 13 years for an eligible individual to become a U.S. citizen. Such a program is hardly a “giveaway,” which is how Webster’s dictionary defines amnesty.

An earned legalization policy could achieve several objectives. By giving legal status to undocumented workers, it would stabilize the workforce in many industries and increase wages for all those workers. By ensuring that undocumented parents are not removed from their U.S. citizen children, it could promote family unity. By requiring the undocumented population to come out of the shadows and identify themselves to the government, it would enhance national security.

*Worker program.* The bishops’ plan would permit foreign-born workers to enter and work in this country safely and legally. Prior to the publication of *Strangers No Longer*, the U.S. bishops had opposed “guest worker” programs because of their checkered history of leading to worker abuse. In modifying their position, the bishops acknowledge that an undocumented workforce is itself a “guest worker” program, but without labor protections or oversight. To avoid past abuses, the bishops urge the inclusion of living-wage levels, workplace and family-unity protections, plus safeguards against the displacement of U.S. workers. Such a program, appropriately constructed and enforced, would allow safe, legal migration, while enabling law enforcement to better monitor who enters the country.

*Family reunification.* Family unity remains the cornerstone of the bishops’ plan. They support an increase in family visas to ensure timely reunification and the restoration of due process protections to prevent separating families.

*Root causes.* The plan encourages, as the ultimate antidote to illegal immigration, the uprooting of the causes of migration, such as global poverty. A universal institution with intimate knowledge of such causes, the church makes this argument with authority. Only through sustainable economic development in sending countries will migrants have the option to return to or remain in their homelands and live in dignity. In an ideal world, the bishops write, migration would be driven by choice, not necessity.

These components taken together uphold the rule of law. The bishops’ reform plan protects human life and human dignity, supports family unity and enhances national security. In short, it serves the common good. Law enforcement officials could focus on

persons who truly threaten public safety: those who traffic in drugs and human beings, smugglers and potential terrorists.

### **The Catholic Message**

The bishops' involvement in the immigration debate is based on the evidence that migrants who come here suffer exploitation, family separation, abuse and even death. Without job opportunities in their country of origin and with too few visas for many to enter the United States legally, migrants routinely make a long, dangerous journey to secure employment; they become vulnerable to the unforgiving, sometimes deadly, environment of the American desert and also to unscrupulous employers. The United States and sending countries, especially Mexico, benefit from this underground system by receiving taxes (United States) and remittances (Mexico) without providing migrant laborers legal protection or safe passage. Yet ultimately, the bishops argue, immigration is not only an economic, legal and social issue, but a humanitarian and moral one. From this premise several salient "catholic" messages arise that pertain positively to the immigration debate:

*Congress must act because human dignity and human life are at stake.* Congress cannot wait to reform the immigration system, because human beings are suffering. Catholic social service programs, hospitals, schools and parishes witness this human suffering each day, as families are separated, workers are exploited, and immigrant families mourn their dead loved ones. Since 1994, the year the federal government initiated a series of border enforcement initiatives, close to 3,000 migrants—men, women and children—have died in the American desert.

*Since migrants are not criminals but persons seeking work to support their families, they should not be dehumanized.* The immigration debate's harsh rhetoric makes scapegoats of immigrants and brands them "illegals." The Catholic voice reminds all of the human side of the issue, that migrants are just like us—they work hard, love and support their families, worship God and want a chance at the American dream. This message counters the anti-immigrant attacks often heard on talk radio, cable television and, sadly, even in the halls of Congress.

*Families must remain together.* Across the nation, families are being separated; often one or more parents are deported while children who are U.S. citizens remain. The recent raids of meatpacking plants in several states demonstrate the devastating effects on families. Catholic parishes and individuals have helped support families affected by such raids.

*Our nation should no longer accept the labor of millions of persons without providing them legal protections.* A growing number of industries need the labor of undocumented immigrants. Failing to acknowledge their contributions or provide them legal status creates a permanent underclass of workers without rights. The Catholic Church has a long history of opposing such systemic injustice.

*Comprehensive immigration reform is the only humane solution to the problem of illegal immigration.* A bill consistent with the bishops' principles would replace illegality with legality and allow immigrants and their families to live in dignity and contribute to their communities without fear. These goals are "catholic," because they focus on basic human rights and the human dignity of the person. They hold special power because they speak on behalf of the migrant, the least among us. And they are credible because the Catholic Church in the United States is itself an immigrant community, rooted in the immigrant experience.

### **Winning in the Trenches**

The immigration reform debate will not be won in Washington, D.C., but in states and localities. While elected officials are guided by their individual political philosophies, they are also persuaded by their constituents. To date, those opposed to comprehensive immigration reform have effectively voiced their position, flooding congressional offices with letters, e-mail messages and phone calls. Catholics in favor of reform could reverse this trend by participating in the Justice for Immigrants campaign ([www.justiceforimmigrants.org](http://www.justiceforimmigrants.org)). Launched by the U.S. bishops in 2005, the campaign is designed to educate Catholics about immigration and to build grass-roots support for comprehensive immigration reform legislation. Campaign representatives, active in over 100 dioceses, can assist Catholics who wish to contact their elected officials. Information updates and action alerts are frequently posted on the Web site.

With a nonpartisan message based on moral principles, Catholics can influence members of both parties, particularly Catholic elected officials. With 24 Catholics in the U.S. Senate and 134 in the U.S. House of Representatives, Catholic members of Congress will play a decisive role in the immigration debate. The difference between victory and defeat may well depend on whether Catholics across the United States can move their fellow Catholics in Congress.

Immigration reform is one of the most pressing domestic issues in the nation today. The future of millions of persons and their families is at stake. Congress is poised to act, but the outcome is uncertain. Such a moment comes once in every generation. The Catholic voice could win justice for immigrants in 2007. As a faith community called to "welcome the stranger," we cannot let this moment pass.

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