

# INTERFAITH IMMIGRATION COALITION

## Interfaith Immigration Coalition Members

African American Ministers in Action  
American Friends Service Committee  
American Jewish Committee  
Bread for the World Institute  
Church World Service  
Columban Center for Advocacy & Outreach  
Disciples Justice Action Network  
(Disciples of Christ)  
The Episcopal Church  
Franciscan Action Network  
Friends Committee on National Legislation  
Hebrew Immigrant Aid Society  
Interfaith Worker Justice  
Irish Apostolate USA  
Islamic Information Center  
Jesuit Refugee Service  
Jewish Council for Public Affairs  
Leadership Conference of Women Religious  
Lutheran Immigration and Refugee Service  
Maryknoll Office for Global Concerns  
Mennonite Central Committee U.S.  
Washington Office  
Muslim Public Affairs Council  
National Advocacy Center of the Sisters of  
the Good Shepherd  
NETWORK, A Catholic Social Justice Lobby  
Pax Christi USA  
PICO National Network  
Presbyterian Church USA, Immigration  
Issues Offices  
The Religious Action Center of the Union  
for Reform Judaism  
Sisters of Mercy of the Americas  
Sojourners  
3P Human Security  
Unitarian Universalist Association of  
Congregations  
United Church of Christ, Justice and  
Witness Ministries  
United Methodist Church, General Board of  
Church and Society  
UNITED SIKHS  
World Relief

The Interfaith Immigration Coalition (IIC), a coalition of 35 national faith-based organizations, calls on the Obama Administration to seize the moment to champion legislative reform of our broken immigration system, and to promote immigrant integration and reduce harmful enforcement practices through administrative actions.

For more than a decade, the IIC has been working with hundreds of congregations, service providers, and faith leaders across the country to educate communities, oppose anti-immigrant legislation, and work toward humane immigration reform. In the past four years alone, the IIC network has organized more than a thousand prayer vigils, community forums, and rallies across the country in support of immigrants' rights. As a diverse coalition, we see this as an opportunity to raise a wide array of concerns and issues that should be considered as the President and Congress move forward with fixing our nation's broken immigration system.

## **CHAMPION LEGISLATIVE PRINCIPLES**

The IIC calls on the Administration to use all its resources, contacts, and the political capital necessary to ensure that Congress enacts legislation to:

### **Address the Causes of Migration**

People of faith have witnessed firsthand the suffering caused by extreme poverty, violent conflict, political and religious persecution, and environmental destruction that prompt individuals to leave their homes in search of a better life. U.S. foreign policy must seek smart, effective ways to help reshape financial systems that unduly burden vulnerable populations – including U.S. trade policies, international financial institutions, and local economies in sending countries – toward models that support those in need.

Our faiths compel us to seek to reduce the need for people to leave their homes in order to provide for their families. Rather than current policies which undermine sustainable livelihoods in sending countries, we should invest in environmentally sustainable economic development that preserves and defends the basic human rights of all people. These policies will provide alternatives to unauthorized immigration and reduce the need for costly border enforcement, detention, and deportation.

### **Create a Process for Undocumented Immigrants to Earn Citizenship**

Any meaningful reform of our immigration system must include a fair and generous process that allows undocumented immigrants and their families to earn lawful permanent residency with a pathway to citizenship. The workability of such a program should not be hindered by overly punitive criteria, such as mandating that immigrants leave the country or pay exorbitant fees, or by making the process conditional upon the implementation of enforcement measures. We urge the Administration to oppose legislation that would curtail the nature of citizenship or restrict access to public benefits and child tax credits.

### **Keep Families Together**

Families are the basic unit of strong communities. Today, thousands of families are separated by our broken immigration system and should be reunited. Backlogs at U.S. Citizenship and Immigration Services (USCIS) and the limited number of visas force family members to choose between being separated for extended periods of time or illegally entering the country. A fair immigration system must improve and strengthen the family

immigration process by recapturing visas lost to bureaucratic delay to reduce the current backlog; reclassifying spouses and minor children of lawful permanent residents as immediate relatives; raising the per country visa limits from seven to ten percent of total admissions to reduce long wait times for certain nationalities; eliminating unlawful presence bars for the spouse, child, or parent of U.S. citizens and lawful permanent residents; admitting surviving family members of deceased family petitioners; and eliminating the cap on the total number of family-based visas available.

### **Enact the *Development, Relief, and Education for Alien Minors (DREAM) Act***

The faith community sees the DREAM Act as vital in fixing the broken immigration system. The DREAM Act has had many iterations, and the IIC calls on Congress to enact robust and inclusive legislation that would provide a pathway to citizenship for individuals brought to the United States at age 16 or younger, are currently no older than 35 years of age, and who have graduated from high school, earned a GED in the U.S, or are currently in school. In addition to college and military service criteria, the IIC urges legislators to include volunteer service as a method by which DREAMers can maintain legal status and earn citizenship. DACA recipients should automatically qualify for any legalization process, and their time with DACA status should count toward any conditional status period under the DREAM Act.

### **Protect Workers' Rights, Including Agricultural Workers**

There is a clear need to expand legal avenues for workers to migrate to the United States in a safe, authorized, and orderly manner. It is vital that these workers' rights are fully protected, including the right to bring their families with them, travel as needed, change their place of employment, and apply for lawful permanent residency and eventually citizenship.

Enactment of AgJobs (the *Agricultural Job Opportunities, Benefits and Security Act*) would provide a legal, stable labor force by offering undocumented farmworkers the chance to earn legal status by meeting stringent work requirements and legal obligations. AgJobs would revise the H-2A agricultural guest-worker program to help employers fill critical agricultural positions that have been difficult to fill, sustaining agricultural industries while also protecting workers' rights.

As currently structured, the electronic employment verification (E-verify) program has proven detrimental to migrants, employers, and citizen employees. It leads to increased discrimination and unfair hiring and firing practices. For these reasons, and because we believe all workers benefit from the enforcement of health, safety, wage, and hour laws, as well as the right to peacefully organize, the IIC is opposed to the mandatory expansion of the E-verify program.

### **Place Humanitarian Values at the Center of Enforcement Policies**

Enforcement policies must be made to be consistent with humanitarian values and with the need to treat all individuals with respect, while allowing the United States to identify and prevent the entry of persons who commit dangerous crimes.

Over the past twenty years, the federal government has dramatically increased border fence and other infrastructure construction, border patrol presence, immigration detention, and the deportation of immigrants, without regard to cost or effectiveness. Over \$10 billion of taxpayers' money has been spent on border security. It is now time to reform the broken immigration system. To truly decrease unauthorized immigration, the United States should improve access to a fair and humane legal immigration system, increasing and improving the efficiency of ports of entry, expanding visa availability, and eliminating application backlogs.

Border security has also proven to be environmentally irresponsible on many levels. It threatens already endangered species and damages public lands and interferes with business and land owners who operate and live along the border. We have also witnessed the desecration of sacred sites and the violation of religious freedom, as well as the unnecessary anguish of community members whose loved ones have suffered or died seeking entry into the United States.

Above all else, enforcement policies must treat all individuals with respect and dignity. Citizens and migrants alike have the right to a fair and humane legal immigration system that respects the dignity of all persons, prioritizes the cohesiveness of families and communities, recognizes the economic contributions of immigrants, and upholds our moral obligations to provide refuge and welcome for the sojourner.

## **Protect Refugees and Migrant Survivors of Violence**

The IIC encourages the Administration and Congress to make life-changing improvements to the U.S. refugee resettlement program that would help refugees integrate in their new homes in the United States. Refugees have fled persecution into their home countries due to their race, nationality, religion, political opinion, or membership in a particular social group, and the United States has a rich tradition of welcoming refugees and helping them begin new lives. Bills such as the *Refugee Protection Act*, *Domestic Refugee Resettlement and Modernization Act*, and *Strengthening Refugee Resettlement Act* include positive reforms that would not only help refugees, but provide important resources to the communities that welcome them.

The *Violence Against Women Act* (VAWA) has a long history of uniting lawmakers with the common purpose of protecting survivors of domestic violence. Congress has consistently recognized the vulnerability of non-citizen survivors of violence by enacting provisions in VAWA that enhance safety for survivors and their children and provide tools for law enforcement to investigate and prosecute crimes. In 2012, the House of Representatives passed a VAWA reauthorization bill that would undermine years of protections for immigrant victims and would actually make immigrants more vulnerable, endangering many lives. The IIC applauds the Administration's strong opposition to H.R. 4970 and urges that any reauthorization of VAWA maintain and improve protections for migrant survivors, not weaken them.

## **PROMOTE COMMUNITY SAFETY, IMMIGRANT INTEGRATION AND FAMILY UNITY THROUGH ADMINISTRATIVE ACTION**

The IIC calls on the administration to ensure that its policies and practices protect the dignity and rights of all people, and asks that it:

### **End Secure Communities and 287(g) Agreements**

The Secure Communities (S-Comm) program purports to identify and remove the most dangerous criminal offenders; however, tens of thousands of hardworking families have been caught up in this dragnet deportation system. We call for an end to S-Comm because when local law enforcement administers federal immigration procedures the safety of our communities is compromised.

In accordance with the position of U.S. Department of Homeland Security (DHS) and the Department of Justice, immigration must be enforced by federal officials, and not by local law enforcement. This collaboration between Immigration and Customs Enforcement (ICE) and local police compromises community policing efforts and causes victims and witnesses to fear reporting crimes, which jeopardizes community safety. States and localities should not be required to participate in immigration enforcement programs, including the forwarding of fingerprints and other biometric information to DHS, which erode trust and cooperation between immigrant communities and law enforcement. Immigrant communities and law enforcement have warned that this makes immigrant communities vulnerable to being the targets of hate crimes. Laws that encourage racial profiling and discrimination in employment, housing, and other services lead to more widespread discrimination and profiling, feed xenophobia, and send an undeniable message to immigrant communities that they are not welcome.

We support the Administration's decision to scale back the 287(g) program, but call for an end to the program. Like S-Comm, 287(g) erodes trust between local law enforcement and the immigrant community. We applaud the DHS decision to rescind the 287g program in both Maricopa County and Alamance County in response to documentation of discriminatory policing. We urge the administration to end the entire 287(g) program and to rescind all current 287(g) agreements.

### **Increase Opposition to Anti-Immigrant State Policies**

We applaud the Department of Justice for recognizing that Arizona's SB 1070 and similar legislation in South Carolina, Georgia, Utah, Indiana and Alabama are pre-empted by federal immigration law and therefore unconstitutional. We remain concerned, however, about racial profiling as "papers please" provisions are implemented. We urge the Administration to continue to aggressively challenge the constitutionality of anti-immigrant state laws and practices.

DHS's decision to not collaborate with Arizona or Alabama in the enforcement of SB 1070 or HB 56 has been an important policy stance. However, implementation of DHS guidance has been inconsistent. We urge DHS, including ICE and Customs and Border Protection (CBP), to consistently refuse to collaborate in the deportation of individuals identified through these unconstitutional anti-immigrant state laws.

In addition, the IIC urges the Administration to promote pro-immigrant state policies that are not federally preempted, such as California's TRUST Act, which are consistent with the administration's stated policies.

#### **Utilize Prosecutorial Discretion and Restore Due Process**

While the IIC was encouraged by the case-by-case review process of prosecutorial discretion, we are disappointed with its implementation. Prosecutorial discretion has been favorably exercised in less than 19 percent of 300,000 cases reviewed over the last year. The IIC urges the Administration to more broadly and consistently utilize prosecutorial discretion to keep families together and preserve communities.

While the decision to limit workplace raids is a step in the right direction, ICE has conducted I-9 Audits at the same time as a labor dispute, potentially infringing on the labor rights established in the National Labor Relations Act. We applaud the Memorandum of Understanding (MOU) with DHS and the Department of Labor (DOL), but urge ICE and DHS to honor and implement the MOU with DOL fully and consistently.

#### **Expand Deferred Action for Childhood Arrivals (DACA)**

The IIC celebrates the Deferred Action for Childhood Arrivals (DACA) policy announced June 15<sup>th</sup> by the Administration. We recognize that this is an impermanent solution, and we continue to call for the DREAM Act to be enacted. We also urge the Administration to consider a similar process for the family members of DACA recipients and other undocumented immigrants who are not enforcement priorities.

The IIC was extremely disappointed to see the Administration exclude DACA recipients from reforms made under the Affordable Care Act (ACA). The Department of Health and Human Services' July 2010 definition of "lawfully present" for the purposes of eligibility under the ACA included individuals granted deferred action. We urge the Administration to include DACA recipients in ACA implementation. In addition, the IIC encourages the Administration to clarify that DACA recipients should not be restricted by state policies or practices from receiving drivers' licenses or access to higher education.

#### **Finalize the Proposed Rule on Provisional Unlawful Presence Waivers**

The IIC applauds the Administration's announcement of a proposed rule change to allow immediate relatives of U.S. citizens to apply for unlawful presence waivers in the United States before returning to their home countries for final visa processing. We encourage USCIS to swiftly adopt this rule to make it easier for thousands of families to remain together. We also encourage the Administration to expand eligibility criteria to immediate relatives of Lawful Permanent Residents and other priority relatives of U.S. citizens and expand and consistently apply the definition of "extreme hardship."

#### **Reform Immigration Detention and Prioritize Alternatives to Detention**

The IIC urges the administration to reexamine and fundamentally overhaul the immigration detention system. Many noncitizens held in ICE detention are refugees, asylum seekers, and survivors of torture or human trafficking. The IIC encourages the Administration to expedite the release of individuals who pose no risk to the community and expand the use of community-based alternatives to detention, which are more humane and cost effective. We call on ICE to use detention only when an individual poses a risk of flight or a threat to the community that cannot be managed, and to expand more cost-effective alternatives to detention programs. For individuals who must be held in custody, ICE standards must ensure safety, dignity, and fairness and must be enforceable.

We urge the Administration to fully implement the 2011 ICE Performance-Based Detention Standards as soon as possible at all facilities that detain immigrants, and to terminate contractual relationships with facilities that refuse to integrate these new standards. The IIC likewise recommends that the Administration review and integrate proposed Civil Immigration Detention Standards adopted by the American Bar Association's General Assembly in August of 2012 in an effort to guide the Administration's transition to a civil immigration detention system and away from the current punitive penal model.

#### **Prioritize Funding to Promote Immigrant Integration**

The IIC calls for a faithful budget that will find savings by reducing funding for immigration detention, S-Comm, the employment verification program as it currently stands, and similar enforcement programs that separate families and create fear in communities, and to redirect those resources to spending for welcoming initiatives, translation services, citizenship programs, visa adjudications, tax credits, education regarding anti-human trafficking efforts, refugee protection and resettlement, community-based alternatives to detention, the Legal Orientation Program for immigrant detainees, and direct services for immigrants, including healthcare coverage for Deferred Action for Childhood Arrivals (DACA) recipients.