

## Comprehensive Immigration Reform: Fixing Our Broken Immigration System, Restoring the Rule of Law



### **Our nation's broken immigration system can only be fixed through comprehensive reform**

- We are a nation of laws and a nation of immigrants, but the current immigration system does justice to neither of these core values.
- To create a functioning immigration system based on the rule of law, a piecemeal approach will not work. A real solution requires a simultaneous, multi-tiered approach that:
  - Realistically and fairly addresses the millions of people here without legal status;
  - Creates workable, reality-based legal channels to meet current and future economic needs and allows for family reunification;
  - Enforces the laws with a proportionate and effective approach that protects national security and public safety while remaining true to our nation's ideals of due process and equal access to justice; and
  - Devotes the necessary resources to ensuring fair and efficient processes to administer the new system.

### **A range of penalties and proper respect for due process**

- In assessing how to address the millions currently here without legal status, we need to account for the range of profiles of the people here without legal status and recognize that the existing system gives these immigrants few if any realistic legal options.
  - There should be no amnesty, but a range of penalties allowing “the punishment to fit the crime” and making earned legalization possible for those who otherwise have played by the rules.
  - Penalties should range from fines and a lengthy probation period for those who have violated immigration laws, to deportation for those who have committed serious crimes.
- The priority in enforcement should be on protecting our national security and public safety, and we need to recognize that effective enforcement of our immigration laws and due process and judicial review are not mutually exclusive. These fundamental tenets are necessary to a functioning immigration system that will earn the respect of all Americans.

### **Funding and planning necessary to ensure the new system is implemented fairly and effectively**

- Millions of people will be looking for help right away, and many will be applying for temporary legal status in short order. For economic and security reasons, it is crucial to devote sufficient resources to ensure the government can process these applications appropriately and that people have access to essential legal assistance and other necessary services like ESL classes.
- This can be done in a revenue neutral way by using funds from the application fees, fines and penalties to fund the necessary expansion of services and resources.