



A Commonsense Approach: Immigration Policy Solutions *Promoting Family Unity*

Many Americans are frustrated with our immigration policies. But research and experience show that it's not enough to focus only on the problems with our current policies. We also need to paint a picture of what the country would look like with workable, commonsense policies in place. This document identifies solutions across a spectrum of issues relating to immigrants and immigration, reflecting the importance of addressing the problems with our immigration policies as broadly as possible.

Topline Message:

America's history is one of new arrivals adapting to their new home while contributing to our economic engine and social fabric. But our current immigration laws make this difficult or impossible for many immigrant families. Many American families are of mixed immigration status, in which at least one parent is a non-citizen and one child a citizen. Millions of American children already have lost parents to deportations. To keep American families together, we need to come up with legislative solutions to protect the children of undocumented parents and to prioritize reunification for all families, including same-sex partners.

Solutions:

Increase protections for U.S. citizen children in families with mixed immigration status

- What Congress should do:**
- ✓ Enact the Child Citizen Protection Act, which would provide immigration judges with broad discretion when faced with the potential removal of a citizen child's parent.
 - ✓ Enact the HELP (Humane Enforcement and Legal Protections) for Separated Children Act, which would require states to provide foster care for children with a parent, legal guardian, or primary caregiver relative who's in detention or has been removed, and direct DHS to provide child welfare training for enforcement personnel and to ensure that immigration detention facilities take steps to preserve family unity.

- What state governments should do:**
- ✓ Create protections for the children of undocumented parents within the child welfare system, including educating workers on ensuring access to juvenile court proceedings by an immigrant parent, or his or her legal representative, who is detained and deported.
 - ✓ Follow the lead of states like California in passing legislation that allows a custodial parent under arrest, regardless of immigration status, to arrange for the care of minor children during the parent's absence.

Maximize local education resources and provide tuition equity for undocumented college students

What state and local governments should do:

- ✓ Issue unrestricted driver's licenses to Deferred Action for Childhood Arrivals (DACA) beneficiaries.
- ✓ Increase English Language Learning (ELL), VESL and similar programs.
- ✓ Support tuition equity for immigrant college students.

What DHS should do:

- ✓ Immediately halt the removal of young immigrants who would be eligible for DACA or DREAM Act protection and process requests for deferred action to such individuals on an expedited basis.

Prioritize family reunification, for both heterosexual and same-sex relationships

What Congress should do:

- ✓ Enact legislation that will create a clear roadmap to citizenship and will significantly expand the cap on family-based visas, while recapturing unused or unclaimed family visas, allowing previously separated families to reunite.
- ✓ Loosen eligibility requirements for spouses of deceased citizens or lawful permanent residents, in favor of maintaining the family unit.
- ✓ Create visa categories for same-sex partners of foreign nationals with temporary and permanent immigration status that would enable such partners to remain in the United States for a period that is coextensive with the principal visa holder.
- ✓ Repeal the Defense of Marriage Act (DOMA).
- ✓ Enact legislation that explicitly recognizes domestic violence as a basis for granting asylum

What DHS should do:

- ✓ Allow immediate family members of lawful permanent residents to regularize their status without having to leave the country by making them eligible for stateside waivers, which currently apply only to family members of U.S. citizens.
- ✓ Issue national field guidance to implement a policy that explicitly recognizes domestic violence as a basis for granting asylum.

What DOJ should do:

- ✓ Continue its policy of no longer defending Section 3 of DOMA in all court cases.

Talking Points

- ▶ How we treat new immigrants reflects our commitment to the values that define us as Americans. We believe that families should stick together, that we should look out for each other, and that hard work should be rewarded.
- ▶ We all love our children and want what's best for them. That's why immigrants come here—to make a better life. Our current immigration policies too often tear families apart, though, instead of strengthening this foundation of American values.

Examples of Social Media



Opportunity Agenda @oppagenda 20 Mar
#DOMA harms families of mixed #immigration status.



The Opportunity Agenda shared a link.
March 20

Immigrants come here to provide a better life for their children and contribute to our culture in this country, and we're all the better for having them here. Why are we allowing our flawed immigration policies to separate families?

The research cited in this document is current as of February 2013.

To read and download the complete document, visit: www.opportunityagenda.org