

## Necessary Elements for Just Comprehensive Immigration Reform

### Element 1: Path to Citizenship

**Background:** Currently, an estimated eleven million undocumented individuals<sup>1</sup> are living within the United States. While these individuals participate in the workforce and contribute to local society, they are subject to mistreatment from local law enforcement and harassment by their employers, in large part due to their lack of legal status. Recent state-level immigration laws, such as the measures enacted in Alabama and Arizona<sup>2</sup> have intensified state and local law enforcement policing efforts in an attempt to further intimidate and isolate these already vulnerable individuals.

Proposals for a path to citizenship were outlined in the Comprehensive Immigration Reforms of 2006 and 2007, but these were narrowly-tailored and did not become law. The 2006 Senate bill, S.2611, passed the Senate and did create a path to citizenship framework- proposing a three-tiered path to citizenship based primarily on the number of years that undocumented immigrants have been living in the United States, giving individuals who had been living in the U.S. for five or more years, the ability to apply for citizenship by working, paying fines and back taxes; however it failed to become law. The 2007 Comprehensive Immigration Reform Act, proposed an opportunity for permanent residency for immigrant workers, through the Z visa, but no path to citizenship.

The 2006 and 2007 failed federal comprehensive legislative immigration overhaul attempts coupled with increasingly draconian state-level laws, highlight the current need for federal immigration reform which identifies a comprehensive and attainable right to citizenship and outlines these protections in a clear manner.

**Issue:** Immigration opponents argue that all individuals currently living illegally in the U.S. should be deported. Other advocates propose immigration reform that would allow the 11 million undocumented to achieve legal status but not citizenship. Lastly, there are those who advocate that these individuals be granted a path to citizenship, including the USCCB. The Bipartisan Senate Framework makes a path to citizenship contingent upon border security.

**Position of the U.S. Conference of Catholic Bishops:** The USCCB supports immigration measures which provide for a path to citizenship. *Strangers No Longer: Together on the Journey of Hope*, the U.S. Catholic Bishops' pastoral statement outlining principles for immigration reform highlighted the need for any meaningful immigration reform proposal to include a broad-based legalization of the undocumented. Additionally, the USCCB supports a path to citizenship because it believes immigration reform that does not provide the undocumented with the possibility of citizenship will create a perpetual underclass within the United States. Without citizenship, the currently undocumented could face stigmatization and social and economic discrimination. Most importantly, they would not be able to participate in activities such as voting in national elections, which constitute meaningful civic and political involvement, and "places them at a permanent political disadvantage."<sup>3</sup>

For this reason, the USCCB advocates for immigration reform that includes a path to citizenship for the maximum number of undocumented individuals, is clear and attainable in its requirements, is not contingent upon further border security.

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<sup>1</sup> Jeffrey Passel and D'Vera Cohn, Unauthorized Immigrants: 11.1 Million in 2011, Pew Research Hispanic Center, December 6, 2012 available at <http://www.pewhispanic.org/2012/12/06/unauthorized-immigrants-11-1-million-in-2011/#center>.

<sup>2</sup> See Beason-Hammon Alabama Taxpayer and Citizen Protection Act, "HB 56" and Support Our Law Enforcement and Safe Neighborhoods Act, Arizona S.B. 1070, respectively.

<sup>3</sup> Plyler v. Doe, 457 U.S.202, 233-4 (1982) (Blackmun, concurring)