



AMERICAN
IMMIGRATION
LAWYERS
ASSOCIATION

KEEPING AMERICA OPEN TO IMMIGRANTS

8 OUT OF 10 AMERICANS SUPPORT GRANTING DREAMERS
PERMANENT PROTECTION AND U.S. CITIZENSHIP

43 PERCENT OF 2017 FORTUNE 500 COMPANIES WERE CO-FOUNDED
BY AN IMMIGRANT OR A CHILD OF IMMIGRANTS

BORDER APPREHENSIONS ARE AT A **46-YEAR LOW**

AMERICANS WANT JOBS AND PROSPERITY, NOT BILLIONS WASTED
ON A BORDER WALL, MORE DETENTION BEDS, OR A MASSIVE DEPORTATION FORCE



[#AILAStandsWithImmigrants](#)

America Needs Immigration Reform

For more than two decades Congress has been unable to pass a major reform to our nation's immigration laws. Yet polling consistently shows that eight out of ten Americans want reform. American families wait years to reunite with their close relatives; main street businesses and large corporations face increasingly difficult obstacles when they hire needed foreign workers; and an estimated 11 million people have been living and working in the United States for years without legal status.

AILA calls upon Congress and the President to overcome partisan differences and enact laws that update our legal immigration system to meet the needs of our economy and ensure Americans can reunite quickly with their families. Reforms must legalize the unauthorized population which is comprised mostly of people who are contributing economically, socially, and culturally to their communities and to the nation. Reforms should also improve enforcement by ensuring the accountability of enforcement agencies and guaranteeing due process and access to humanitarian protection.

With more than 15,000 members, AILA helps individuals and businesses overcome the challenges they experience navigating our complex immigration system. As a non-partisan association, AILA stands ready to assist any administration official or lawmaker willing to work toward commonsense reform.

AILA urges lawmakers to exert more oversight authority over the administration's immigration policies. In his first year in office, the President has implemented new policies that make it harder for American businesses to remain competitive. Americans face new obstacles that further delay or block the entry of their close relatives. Collectively the President's policies constitute an "invisible wall" that is closing America's doors to people who will benefit our nation.

The administration claims it is ridding our country of terrorists and gang members, but in reality enforcement is being implemented indiscriminately and is targeting people who have lived here peacefully for years. To keep our nation safe, enforcement resources must be used wisely to prioritize those who pose a threat. Moreover, new rules are making it harder for immigration judges to render just decisions and are undermining due process and American values. Under these circumstances, it is unacceptable that the President is seeking more than \$21 billion for immigration enforcement without demonstrating how these funds will strengthen our national security.

Immigration benefits our nation and is essential to our well-being and future growth, particularly as the Baby Boomer generation continues to retire and the growth of the labor force slows. Our nation must keep its doors open to immigrants, their families, foreign travelers, international entrepreneurs and businesses to ensure our nation's continued prosperity.

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Immigration is Essential to a Strong U.S. Economy



Immigrants Build Businesses that Create Jobs and Drive the Economy

Immigrants play a critical role in driving the U.S. economy. Though immigrants account for only 13 percent of the total U.S. population, more than a quarter of new U.S. businesses are started by immigrants. In addition, almost half of Fortune 500 companies were founded or co-founded by an immigrant or the child of an immigrant, and that figure rises to more than half among the Fortune 500 Top 35. Immigration is also essential to local and regional development, as research shows that immigrants help revive declining towns with new businesses, drive workforce growth and demand for goods and services, and fill high-skilled jobs that are vital to local economies.

For more information on the economic contributions of immigrants at the state and local level, the New American Economy’s “**Map the Impact**” provides statistics and data points as to how immigrants influence the area’s tax revenue, home ownership, and spending, among other indicators. www.maptheimpact.org



DATA HIGHLIGHTS FOR TEXAS

Immigrant Residents	4,707,859
Immigrant Share of Population	16.9%
Immigrant Taxes Paid	\$32.1B
Immigrant Spending Power	\$101.2B
Immigrant Entrepreneurs	357,420
Employees at Immigrant-Owned Firms	421,942



DATA HIGHLIGHTS FOR COLORADO

Immigrant Residents	540,451
Immigrant Share of Population	9.8%
Immigrant Taxes Paid	\$3.9B
Immigrant Spending Power	\$12.1B
Immigrant Entrepreneurs	36,354
Employees at Immigrant-Owned Firms	83,794

Immigrants Pay Taxes

Undocumented immigrants contribute significantly to state and local taxes, paying an estimated \$11.74 billion a year. Legalization for the 11 million undocumented immigrants in the United States would add another \$2.1 billion a year to state and local tax revenue.

Institute on Taxation and Economic Policy, 2017 www.itep.org/immigration

The United States Benefits from Legal Immigration

The United States has long reaped the extensive benefits of our legal immigration system. Immigrants living and working in the United States based on employer sponsorship, family ties, humanitarian protection, and the Diversity Immigrant Visa Program have made our nation stronger, better, and more vibrant. Immigrants help build strong family support systems and culturally enriched communities and contribute to our shared economic growth by launching businesses, fueling entrepreneurship, driving innovation, and strengthening our labor force.

Every day, AILA members work with and represent immigrants, American families, and U.S. businesses across the nation. Our members know that immigration is vital to our economy and to our nation's future. AILA supports reforms to the legal immigration system to make it more responsive to the needs of U.S. employers and our rapidly changing economy, to allow families to be reunited more quickly and efficiently, and to offer humanitarian protections to vulnerable and compelling populations.

President Trump's Vision for the Legal Immigration System Would Harm America

Despite overwhelming evidence of the value immigrants bring to the United States, the Trump administration has proposed cutting legal immigration in half, along with other changes that would devastate our economy, keep families separated, and impede U.S. businesses growth and entrepreneurship. The proposal supported by the administration would eviscerate the family-based immigration system by prohibiting U.S. citizens from sponsoring their adult children, parents, and siblings, and preventing lawful permanent residents from reuniting with their adult unmarried children. Family unity is a fundamental American value and we all benefit when mothers, fathers, sisters, and brothers can support each other as they seek the American Dream and contribute to our shared prosperity. The administration has also endorsed proposals to terminate the Diversity Visa Program, which would disproportionately exclude immigrants from Africa, Latin America, and Asia from the U.S., and to replace our current system with a points-based system that ignores the needs of U.S. businesses while prioritizing factors such as age, education, and English language skills. Congress should reject these proposals that would cripple our economy, separate families, curtail business growth and entrepreneurship, and impede our nation's cultural diversity.



The Administration's Policies Restricting Legal Immigration are Already Harming America

Since January 2017, the Trump administration has adopted a vast array of policies and procedures that are slowing, and even stopping, legal immigration to the United States. U.S. businesses are facing unprecedented scrutiny on immigration petitions for skilled workers, including a dramatic increase in Requests for Evidence, making it harder to hire and retain foreign workers to fill critical gaps in the U.S. workforce and drive our economy forward. Families are being forced to remain separated for longer periods of time, in some cases indefinitely, as a result of the travel ban and new vetting procedures. Humanitarian benefits and programs are being eliminated or curtailed, threatening the removal of hundreds of thousands of people to countries where life has become dangerous or untenable and damaging our nation's reputation as a haven for the persecuted.

These policies, coupled with the administration's antagonism towards immigrants, have already had a negative impact. For the first three quarters of 2017, 2.3 million fewer visitors came to the U.S. as compared to same period in 2016, a 3.8 percent drop. A drop in tourism translates into billions of dollars in lost revenues, and thousands of lost U.S. jobs. Between 2016 and 2017, international student enrollments in U.S. colleges and universities fell 4 percent overall, and enrollments at the graduate level in science and engineering fell 6 percent. The number of petitions for high-skilled H-1B workers submitted by U.S. employers for fiscal year (FY) 2018 declined for the first time in five years. Policies that improve our immigration system and facilitate legal immigration would help reverse these damaging trends.

AILA's "Deconstructing the Invisible Wall" Report Details the Administration's Restrictive Immigration Policies

AILA's report "*Deconstructing the Invisible Wall: How Policy Changes by the Trump Administration are Slowing and Restricting Legal Immigration*" surveys the myriad of policy changes the Trump administration has made to the legal immigration system since January 2017. The policies and practices described in AILA's report include the travel bans and extreme vetting directives, policies slowing or stopping the admission of foreign workers and entrepreneurs to the United States, the termination and curtailment of programs for compelling populations, hurdles imposed on the naturalization of foreign-born soldiers in the U.S. military, the growing backlog and increase in processing times for immigration applications, and the decreased focus on stakeholder input and customer service by some government agencies. Taken together, these policies are slowing and restricting legal immigration to the United States, at the expense of U.S. businesses, American families, local communities, and our national economy.



www.aila.org/invisiblewall



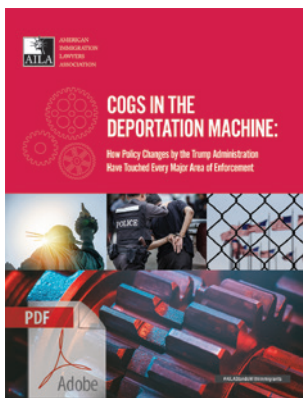
Americans Want a Solution for Undocumented Immigrants

Overwhelmingly Americans support allowing undocumented immigrants to stay permanently in the country, but the Trump administration is indiscriminately targeting people for enforcement and has eliminated programs that shield people from deportation. Even Dreamers, young people who came to the U.S. when they were children, have been detained and deported.

In September 2017, the administration announced the end of the Deferred Action for Childhood Arrivals (DACA) initiative which offered certain

Dreamers a temporary reprieve from deportation. While courts decide the fate of the program, the lives of 690,000 DACA recipients hang in the balance. The Trump administration has also rescinded Temporary Protected Status (TPS) for several countries that will render 248,000 people undocumented. Terminating TPS is a dramatic shift from the humanitarian practice of the past two decades which protected people whose home countries were struck by armed conflict or natural disasters.

Our nation urgently needs Congress to pass the Dream Act, as well as a legalization plan allowing undocumented people to register and apply for permanent legal status.



IMMIGRATION ARRESTS BY TRUMP ADMINISTRATION

	FY 2016	FY 2017	% Increase
People with Criminal Convictions	94,751	105,736	12%
People with No Criminal Convictions	15,353	37,734	146%
Total	110,104	143,470	

Source: ICE 2017

www.aila.org/deportationmachine

“We used to distinguish between border security and interior enforcement. Now we’re lumping it all under border security.”

– Former DHS Secretary Elaine Duke, January 31, 2018

“The separation of parents from their children ... defies countless international and domestic laws on child welfare, human rights, and refugees.”

– AILA December 2017 Complaint on Family Separation

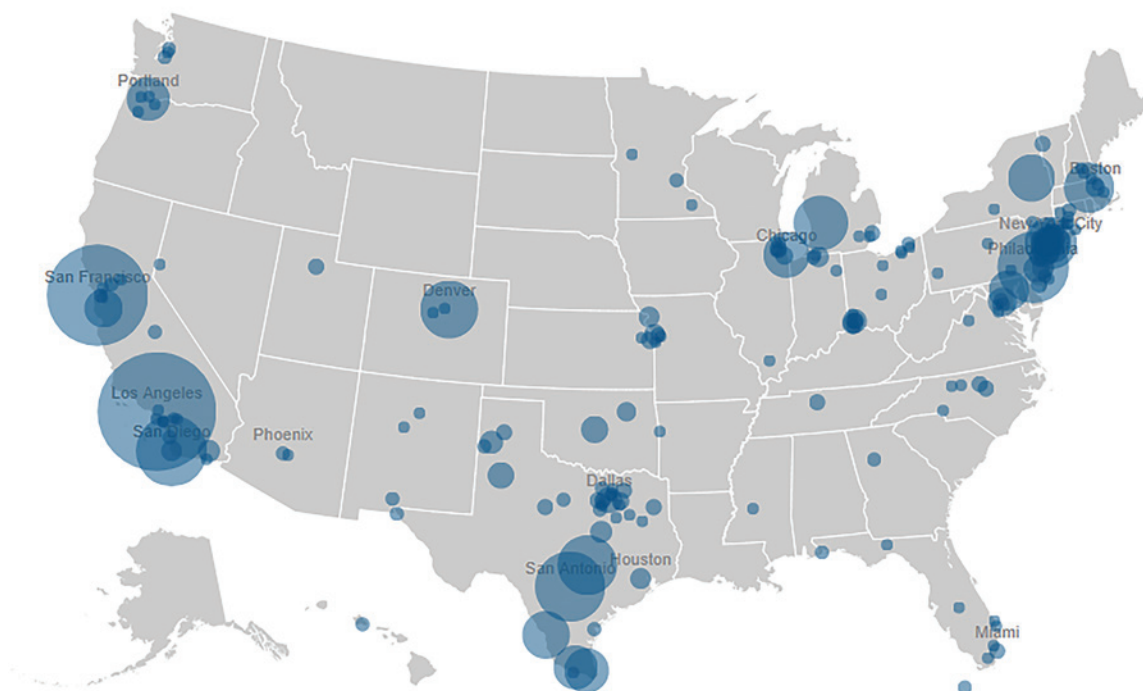
Funding the Deportation Machine is Wasteful and Destructive

AILA's report, *Cogs in the Deportation Machine* demonstrates that the administration has begun using more aggressive enforcement tactics that indiscriminately target people who pose no threat to public safety and have lived in the country for years. In FY 2017, Immigration and Customs Enforcement (ICE) apprehended almost 38,000 individuals who had no criminal convictions—more than double the number of non-criminals from the previous year. DHS is not conducting enforcement in a smart, targeted way.

ICE and Customs and Border Protection (CBP) have massive resources at their disposal with combined budgets of nearly \$20 billion—an all-time high that exceeds the combined spending on all other federal law enforcement activities. Yet the President has requested billions more to increase detention, hire more ICE and Border Patrol agents, and build a border wall.

Congress and the American public should reject these increases as excessive and unnecessary. In fact, the number of people crossing the border illegally—a key measure of illegal migration—has been declining since 2000. In FY2017, the number of apprehensions for illegal entry at the southwest border was 310,531, the lowest point in 46 years. Lawmakers from both parties have criticized these enormous increases as wasteful and unnecessary.

See AILA's map illustrating the types of enforcement actions ICE has undertaken nationwide since January 2017. www.aila.org/enforcementmap



TOTAL ENFORCEMENT ACTIONS REPORTED: 1,834

**As Of March 8, 2018*

San Francisco, CA area: 261*

Los Angeles, CA area: 322*

Philadelphia, PA area: 119*

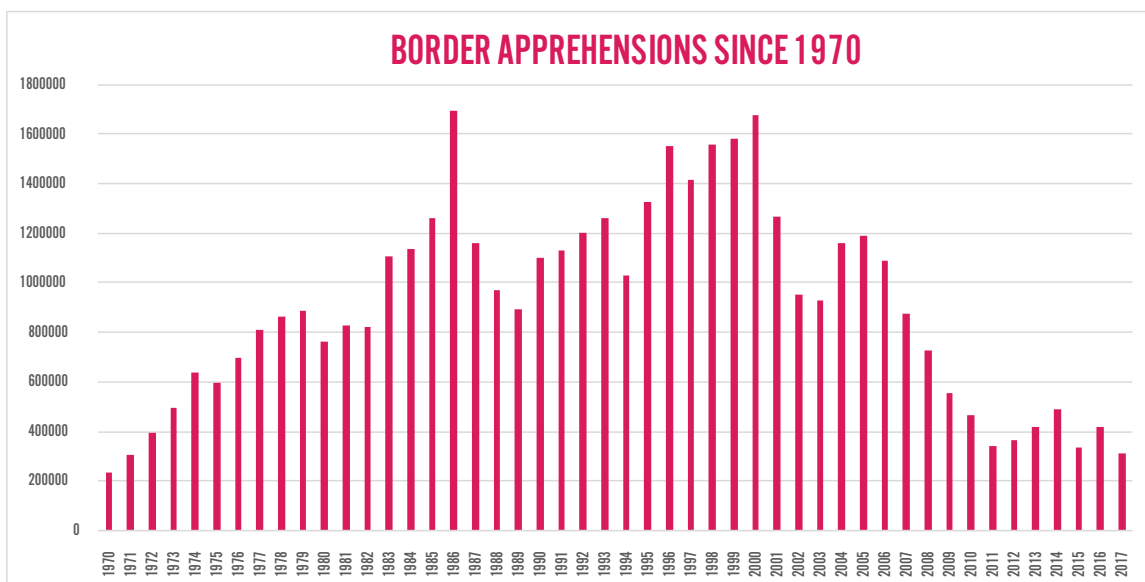
San Antonio, TX: 104*

Grand Rapids, MI: 60*

Denver, CO area: 69*

The country needs a sensible immigration enforcement plan that is based on clearly articulated goals and priorities and that is accountable to the public. Congress should increase its oversight of ICE and CBP whose personnel and operations have grown dramatically in the past decade. DHS is blurring the distinction between interior enforcement and the border, increasing the likelihood that it will target more people in the interior, rather than recent entrants.

Aside from failing to show any real, demonstrated need for additional resources, CBP continues to be the subject of complaints and lawsuits alleging misconduct and abuse. CBP has begun separating children from their families who are apprehended in border regions. Many of the families are turning themselves in to U.S. border officials and are asking for humanitarian protection. Family separation causes emotional and psychological damage and makes it harder for families to present their case for legal protection.



Source: CBP 2017



Building Trust in Immigrant Communities Makes Everyone Safer

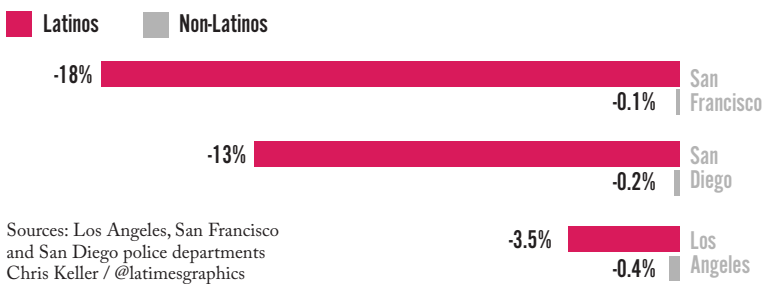
In recent decades, DHS has increasingly called upon states and localities to enforce federal immigration law, a development which has led many cities to establish policies limiting their assistance to ICE. The Trump administration has targeted states and localities with such policies, labeling them “sanctuary cities.” Even in these targeted localities, ICE receives access to local booking and detention information through FBI databases. Some localities even notify ICE when a person of interest is being released from detention. Many police chiefs and sheriffs limit their participation in immigration enforcement out of concern that such practices will result in legal liabilities and jeopardize public safety. A national survey of local police officers conducted by the Center for Investigative Reporting found that 7 out of 10 officers think “federal immigration policies are making it harder to fight crime in immigrant communities.”

Localities have also been careful not to overstep their legal authority when asked to engage in immigration enforcement. Several courts have concluded that cities may expose themselves to liability under state, federal, and constitutional law if they detain someone at ICE’s request beyond what is authorized by law. Despite these rulings, the Trump administration claims that local compliance with immigration enforcement will not expose them to liability.

Rather than re-evaluating detainer practices, ICE has increased the number of detainers issued by 65 percent from 86,026 in FY 2016 to 142,356 in FY 2017. DHS has also resorted to high pressure tactics against cities and counties that resist its approach, including threatening to deny federal funding. In March 2018, the Administration filed suit against the state of California alleging that the state’s policies restricting local law enforcement’s role in federal immigration enforcement violates the Supremacy Clause of the Constitution.

DOMESTIC VIOLENCE REPORTS DOWN AMONG LATINOS

In the first six months of 2017, Latino residents have reported fewer instances of domestic violence to police compared with the same period in 2016



“If the undocumented community is fearful of local law enforcement, then they are less likely to report crimes and if they are less likely to report crime ... then we are all more likely to be victimized.” – *Derrick Jackson, Washtenaw County, MI Sheriff’s Office*

Due Process Is a Fundamental American Value that Must Be Respected

Trump administration policies are undermining the due process provided by immigration courts. Most immigrants facing removal do not have access to the fundamental procedural safeguards of the American legal system, like representation by a lawyer or a chance to appear before a judge in court. Both are vital to ensuring that people are not wrongly deported to dangerous conditions or denied legal relief to which they are entitled.

The Executive Office for Immigration Review (EOIR) plans to impose quotas requiring judges to complete cases within a specific time. Immigration judges already have among the highest caseloads of any bench officers, but under the new plan judge's individual performance evaluations will be tied to their compliance with the quotas, putting far more pressure on judges to decide cases quickly. EOIR has also made it more difficult for judges to grant multiple continuances. The number one reason people request continuance is to find a lawyer. Someone who is trying diligently but cannot find a lawyer should not be forced to proceed in their case.

Our nation would be better served if the immigration courts were restructured as an independent system of Article I courts not directly operating under the Department of Justice (DOJ). Such a system would elevate the status and independence of the court system and would help increase efficiency and the overall quality and fairness of judicial decisions. AILA also recommends that the right to counsel paid for by government be included in any court reform. Until a comprehensive counsel program is created, existing legal orientation and access to counsel programs should be expanded.

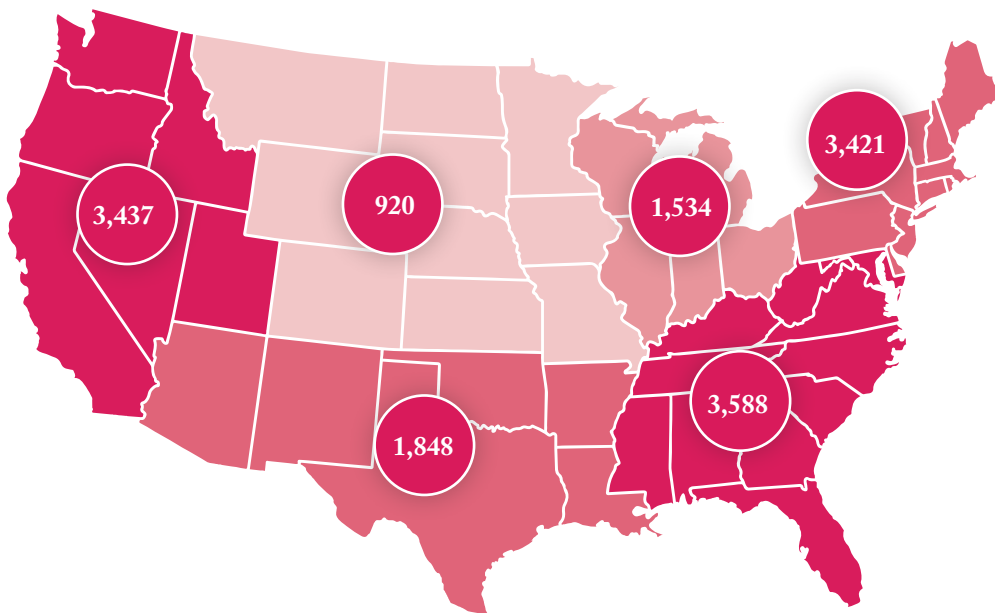
Resources: AILA's Policy Brief, *Imposing Numeric Quotas on Judges Threatens the Independence and Integrity of Courts*. www.aila.org/ijquotas

“Subjecting judges to numeric case completion goals undermines one of the core principles of our judicial system - entitlement to a fair day in court.” – *Annalisa Padilla, AILA President*

“Nationally, only 37 percent of all immigrants, and a mere 14 percent of detained immigrants, secured legal representation.”
– *Access to Counsel in Immigration Court*. www.aila.org/accesstocounsel

AILA Members are Your Local Immigration Experts

AILA has more than 15,000 attorney members across the nation and around the world who can provide expert guidance to lawmakers on immigration law and how the system affects people and businesses every day.

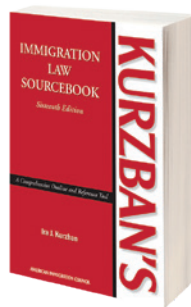


Contact Melina Roche, mroche@aila.org, to be connected with AILA members in your state or district.

Increase your immigration knowledge with these additional AILA resources available for purchase:

Immigration & Nationality Act (INA) and *Immigration Regulations (CFR)*—Primary sources with easy to follow formats

Kurzban's Immigration Law Sourcebook—One of the leading authorities on U.S. immigration Law for immigration law professionals



For detailed information, visit: agora.aila.org/m/publicationsNDA

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The American Immigration Lawyers Association (AILA) is the national bar association of over 15,000 attorneys and law professors who practice and teach immigration law. Founded in 1946, AILA is a nonpartisan, not-for-profit organization that provides continuing legal education, publications and information, professional services, and expertise through its 39 chapters and over 50 national committees. AILA is an affiliated organization of the American Bar Association and is represented in the ABA House of Delegates. For more information about AILA, please visit our website at www.aila.org.



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