Immigration Reform

As you know, immigration reform provoked a national debate in 2006-07, with a compromise reform bill ultimately self-destructing in the Senate. What would you do as President on the difficult issue of immigration reform? How should the nation address the 12+ million undocumented immigrants who live in the United States today? Is cooperation among the nations of North America (Canada, Mexico, and the United States) necessary to address the immigration and security concerns of the United States?

We are a nation of laws and a nation of immigrants. We need comprehensive immigration reform that creates a system that is fair, consistent, compassionate, and emphasizes both maintaining the rule of law and the security of our borders while working to keep families together and putting the undocumented on an earned path to citizenship. I will not stop pushing Congress to pass comprehensive reform this year.

In the most recent immigration debate on the U.S. Senate floor, I fought to improve and pass amendments to put greater emphasis on keeping immigrant families together and to revisit a controversial new points system that never received a proper public hearing. On security, comprehensive reform has to mean gaining operational control of our borders by using better technology, improving infrastructure, and making smart choices about where we deploy resources on the Southern and Northern borders. These actions can strengthen our security while discouraging people from taking the risk of crossing the border and a dangerous desert illegally. And at the workplace, we need a simple, but mandatory electronic system that enables employers to verify the legal status of the people they hire.

We also need to bring the 12 million undocumented immigrants out of the shadows. We need to be realistic about the fact that they are here, we can't deport them, and they have become an integral part of our society. We need to give this population a chance to pay a fine, to have provisional status in the country, and to get into the back of the line for citizenship.

If President Bush cannot lead on this issue, I will, by reviving our national discussion on comprehensive reform in my first year in the White House and working diligently toward a solution rooted in pragmatism, the rule of law, and our history as a nation of immigrants.

Family Immigration

Several family immigrant categories face severe backlogs, requiring some prospective immigrants to wait years – in some cases decades – to come to the United States. Do you agree that family immigration should remain the foundation of the U.S. immigration system and, if so, what would you do to address the backlogs?

Family immigration should remain the foundation of our system. We need comprehensive immigration reform that is safe, orderly, humane, and legal, *and* that places an emphasis on families. This issue was one of the most disturbing aspects of the recent immigration bill. Along with Senator Menendez, I led the fight against the proposal to take visas away from families and put them into a new untested point system. The point system for more skilled immigrants would

not have been as offensive had it supplemented our existing visa categories. But instead it took visas from families and gave them to highly educated and skilled workers, thereby effectively moving us toward a class based immigration system.

The point system instead of family visas betrays American family values, the same values that the family-based preferences in our immigration law are designed to enforce. It gave no preference to an immigrant with a brother or sister or even a parent who is a United States citizen unless the immigrant met some minimum and arbitrary threshold on education and skills.

That's just wrong. It places a person's class status over his character and work ethic. How many of our forefathers would have measured up under this point system? How many would have been turned back at Ellis Island? I cosponsored an amendment with Senator Menendez to remove that arbitrary minimum threshold of points before family starts to count and to bump up the points for family ties. At a minimum, I suggested Congress sunset such a provision.

Deaths on the Border

In recent years, thousands of migrants have died seeking to enter the United States. Many knowledgeable observers blame the increased enforcement measures along the U.S./Mexico border over the last 15+ years for making the crossing a life-or-death proposition. Such measures have diverted immigrants away from large border cities and into remote and desolate deserts where migrants are more likely to die. What would you do to reduce the deaths along the U.S./Mexico border? Why did you vote for the Secure Fence Act in 2006, which allowed for the extension of the border fence along the U.S./Mexico border that, according to many commentators, will do little to deter undocumented immigrants while, at the same time, increase the chances that they will die during their journey?

My father came to this country from a small village in Africa because he was looking for opportunity. So when I see people who are coming across these borders, whether legally or illegally, I know that the motivation is trying to create a better life for their children and their grandchildren. That's why in the state legislature and in the U.S. Senate, I championed efforts to make sure that we could incorporate and bring people into the political process and to have access to the resources that would give them a better life. I was one of the leaders, along with several other senators, in passing comprehensive immigration reform the year before last out of the Senate and was extremely disappointed to see the House fail to act.

I agree that more fencing alone is not the answer to our immigration challenge. The Secure Fence Act sent the message that Mexico is not our friend and that immigration can be solved through enforcement alone – both points with which I strongly disagree. But I believe restoring order in the border region is necessary to winning the American people's support for full reform. It must be done as one package, but getting the border under control will have to be part of a comprehensive solution for both practical and political reasons. I can commit to you that I will support additional fencing only where it can help discourage illegal entry and dangerous

crossings over desert terrain. And I will only support additional fencing in coordination and cooperation with local communities.

I would prefer to use more manned patrols and better technology to deter illegal entry, but a large majority of Congress has agreed that some new fencing should be part of a solution. Additional fencing on the border is not a comprehensive solution, but it sometimes helps deter people from taking the risk of entering illegally. Protecting our borders is important, but it is just one step in the overall process of reforming our nation's immigration laws.

Elvira Arrellano

How would the Obama administration have dealt with the case of Elvira Arrellano, the undocumented immigrant with a U.S. citizen son who sought refuge in a church for a year to avoid deportation and, upon leaving her sanctuary, was arrested and deported to Mexico? Arellano's U.S. citizen son remains in the United States.

I've met with Elvira Arellano and her son, and I understand the challenges that they and millions of other undocumented immigrants face. Although I do not condone Ms. Arellano's defiance of the law, her plight is representative of a broken immigration system. We need comprehensive immigration reform that creates a system that is fair, consistent, compassionate, and emphasizes both maintaining the rule of law and the security of our borders while working to keep families together. I will not stop pushing Congress to pass comprehensive reform this year.

Part of this issue involves family reunification, an issue which I have fought for in the Senate, most recently working with Senator Menendez and others during the most recent debate to ensure that families were not left out of immigration reform. If President Bush cannot lead on this issue, I will, by reviving our national discussion on comprehensive reform in my first year in the White House and working diligently toward a solution rooted in pragmatism, the rule of law, and our history as a nation of immigrants.

Improving the Immigration Courts

Concern long has been expressed about the quality of the administration of the U.S. immigration laws, specifically the quality of the decisions of the immigration courts and Board of Immigration Appeals (BIA). This is a concern of some conservatives as well as liberals. Indeed, prominent federal Judge Richard Posner, a conservative law-and-economics scholar appointed by President Reagan to the federal bench, has been a vocal critic of the quality of the decisions of the immigration bureaucracy. What would you do as President to improve the quality of the decisions of the immigration courts and the BIA?

Improving the quality of the decisions of the immigration courts and the BIA is part of comprehensive reform and I will fight for it.

Local Immigration Ordinances

In 2006, the City of Hazleton, Pennsylvania passed an Illegal Immigration Reform Act, which was designed to drive undocumented immigrants out of town. Other cities have passed similar ordinances. After a trial this spring, a federal court in Lozano v. Hazleton struck down the Hazleton ordinance as infringing on the federal power to regulate immigration. Do state and local governments have any role to play in regulating immigration?

I understand the frustration at the local level with the federal government's failure to manage immigration. But managing immigration is a federal responsibility. These laws tend to lead to unintentional discrimination against Latinos and turn regular people into immigration enforcement officials. This is a national problem and it requires a national solution.

The anti-immigrant law passed by Mayor Barletta was unconstitutional and unworkable – and it underscores the need for comprehensive immigration reform so local communities do not continue to take matters into their own hands. We cannot put this off any longer. The ongoing problems with our immigration system are dividing our country, and distracting us from the work we need to do in other important areas such as health care, education, and jobs. We need to act urgently to create an immigration system that secures our borders and enforces our laws, reflects our best traditions as a nation of immigrants, and upholds the values and ideals that all Americans cherish. I have been fighting for that kind of system for several years now, and I will continue fighting for that kind of system until we pass comprehensive immigration reform once and for all.

Integration of Immigrants into U.S. Society

Many proponents of restrictionist immigration policies argue that immigrants pose a threat to national unity because they are not learning English or adapting to the "American way" of life. Yet studies show that the demand for English language instruction far outstrips supply. Moreover, our public schools are failing immigrants: the increasing segregation of Latino/as in public schools threatens the ability of our school systems to provide a means for integrating immigrant youth into U.S. society. As president, what would you do to assist immigrants to overcome the obstacles that currently hinder their efforts to more successfully adapt to life in U.S. society and become truly a part of America?

I am committed to fighting for comprehensive immigration reform during my first term as president, to reducing the Latino drop-out rate, to finally passing the DREAM Act, to providing the 47 million uninsured Americans with affordable, high-quality health care, to ending the war in Iraq, and to challenging the failed policies of the last seven years that have left many Latinos, and all Americans, behind.

I also fully support efforts to better integrate immigrants into the larger community. Along with Congressman Gutierrez, I wrote and introduced the Citizenship Promotion Act, which among other things would make the fees charged to apply for citizenship more affordable and authorize

new funds for community based organization to provide English and civics training for immigrants.

I also want to invest in early childhood education so every child enters school ready to learn. I want to reform and fund No Child Left Behind, because while the goals of that bill were noble, it has been implemented poorly and the funding got left behind. I want to empower teachers, pay them what they are worth, and work with them to improve assessments of student progress, and to reward success. I want to make college more affordable by eliminating wasteful subsidies to private student lenders and investing that money in student aid.

Specifically for the Latino community, we need to combat a dropout rate that is far too high. Educators need to be trained to identify the indicators that students may be at risk for dropping out and to intervene early. I will ensure that schools monitor the progress of students learning English and hold schools accountable for making sure these students complete school. I will also expand mentoring and tutoring to help Latino youth stay in school and encourage their parents and family to reinforce that goal. I am a supporter of transitional bilingual education to help our English language learners thrive.