

# Senate Floor Debate Must Maintain Spirit of Compromise

## And Adhere to Certain Principles to Ensure A Workable System

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**Washington D.C.** – Today, the long-awaited opportunity to reform the country’s dysfunctional immigration system moves one step closer to reality as the full Senate begins consideration of [S. 744, the Border Security, Economic Opportunity and Immigration Modernization Act](#) [1]. The Senate Judiciary Committee set a high standard for civility and transparency during its markup of the bill last month, and we urge the full Senate to continue in this vein. The bill that emerged from committee offers a workable plan that takes a balanced approach to immigration reform. Evidence, rather than grandstanding and rhetoric, should drive the debate on the Senate floor. Common sense and good policy can trump political one-upmanship, as long as Senators keep the following principles in mind.

- **A closed border does not facilitate a robust immigration system.** Piling on additional border-enforcement measures that are grounded more in politics than effective law enforcement is a waste of resources, and ignores the fact that ending illegal immigration requires a balance of enforcement measures, new immigration programs for future labor needs, and a working E-Verify system. Also, while there is a need for secure borders, there is also a need for further streamlining and efficiently facilitating the daily cross-border flows of people, goods, and services important to the critical economic relationships between the United States and Mexico and Canada.
- **Triggers must be reasonable, not designed to derail legalization.** The legalization provisions of the bill should not be held hostage to border triggers that set unrealistic goals or impose overly burdensome procedures. Such triggers unnecessarily hold up the important process of bringing millions of undocumented individuals out of the shadows. Border security and legalization go hand in hand. We should not delay identifying and documenting those who reside in our country.
- **Legalizing more than 11 million undocumented immigrants is an economic, social, and moral imperative.** Making the process simple, straightforward, and fair means no unnecessary requirements, reasonable application procedures, realistic time frames, and strong family protections. Efforts to undermine or weaken the current proposal or to prevent these individuals from becoming lawful permanent residents, thus creating a permanent underclass with no opportunity for citizenship, would be a mistake of historic proportions.
- **Immigrants must have the opportunity to fairly present their cases.** A fair and just immigration system includes ensuring access to counsel for immigrants unable to represent themselves, limits on detention, and proportionate penalties for immigration violations. The temptation to continue to make immigration laws “tougher” without any moderation or respect for case-by-case decision-making must be avoided. For more than 20 years, Congress’s solution to immigration problems has been to layer on more punitive measures, ultimately creating a system that is often unbalanced and unfair. S. 744 attempts to restore some of the fundamental principles of fairness, due process, and proportional punishment that are the hallmark of the American judicial system.
- **The Department of Homeland Security (DHS) should have discretion to use its resources wisely.** We need smart security measures that actually work, not high-priced, politically driven strategies that don’t. DHS must be given the discretion to deploy resources and implement border-security policies that are based on sound, effective law-enforcement strategies and not political theater. In order to achieve maximum effectiveness, DHS must have discretion to develop strategies that are tailored to the current border challenges and employ cutting-edge technology.

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- **The United States needs a workable, efficient, and flexible immigration system that responds to the rapidly changing demands of a 21st century economy, technologies, and migration patterns.** People live and work and innovate in ways that are different than they were 20 years ago, and yet our immigration system continues to operate on a series of static quotas and rigid requirements that ignore advances in every sector of our economy and the way we live today. We can protect the wages and working conditions of all workers without sacrificing business opportunities.
- For many years we have said that we must fix our immigration system. Today marks **the next step in the process of creating an immigration system that can change and grow with the needs of our nation.**

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