



Immigration Reform and the Church's Voice: Understanding the Problem and Seeking Solutions

THE UNITED STATES CONFERENCE OF CATHOLIC BISHOPS'
MIGRATION AND REFUGEE SERVICES



Introduction

For decades, the Catholic Church in the United States has called for immigration reform, elevating the importance of family unity and human dignity, among other considerations. The bishops have frequently been at the forefront of these efforts. Unfortunately, immigration reform has fallen victim to a growing partisan divide. Meanwhile, millions of undocumented immigrants and their families remain vulnerable while waiting for a permanent political solution—in many cases, for decades. Given this, the Church’s consistent moral voice is essential for providing direction and promoting positive change.

In *Strangers No Longer: Together on the Journey of Hope*, the bishops of the United States and Mexico joined together to affirm the words of Pope John Paul II:

“In the Church no one is a stranger, and the Church is not foreign to anyone, anywhere. As a sacrament of unity and thus a sign and a binding force for the whole human race, the Church is the place where illegal immigrants are also recognized and accepted as brothers and sisters. It is the task of the various Dioceses actively to ensure that these people, who are obliged to live outside the safety net of civil society, may find a sense of brotherhood in the Christian community. Solidarity means taking responsibility for those in trouble.”

This responsibility takes multiple forms, from accompanying immigrants in their daily lives to advocating with civil leaders for needed improvements to the U.S. immigration system. An all-of-Church effort is required to fulfill this obligation, involving participation by individuals and institutions alike. The role of the bishops cannot be understated. Ultimately, it is necessary to work toward a comprehensive legislative reform of our immigration laws, but securing permanent legal status for long-term residents is a vital step.

“A change of attitude towards migrants and refugees is needed on the part of everyone, moving away from attitudes of defensiveness and fear, indifference and marginalization – all typical of a throwaway culture – towards attitudes based on a culture of encounter, the only culture capable of building a better, more just and fraternal world.”

- Pope Francis, 2014 World Day of Migrants and Refugees Message

Who are undocumented immigrants?

- There are approximately 11 million undocumented persons living in the United States; nearly half are in California, Texas, Florida, and New York.
- Mexican nationals account for the largest percentage of undocumented immigrants (48%), followed by Salvadorans and Guatemalans (each 7%), Indians (5%), and Hondurans (4%).
- The total number of undocumented immigrants in the United States has decreased since 2007, though the population has become more diverse. In 2007, over half of the undocumented population was from Mexico. Since 2010, the undocumented population from Mexico has fallen from 6.6 million to 4.8 million. Growth in the Asian undocumented population has slowed in recent years, particularly from China, Korea, the Philippines, and Vietnam, whose immigrant populations decreased.
- The percentage of undocumented immigrants that has lived in the United States for 15 years or more increased from 25% to 43% between 2010 and 2019.
- Approximately 59% of undocumented immigrants speak English well, very well, or as their only language.
- About 5.8 million U.S.-citizen children live with undocumented household members, with 4.9 million of these children having at least one undocumented parent. At the same time, nearly 1.7 million U.S. citizens have a spouse who is undocumented. Roughly a quarter have been married for 20 years or longer, while more than half have been married for 10 years or longer. Spouses of U.S. citizens who entered the country without inspection cannot adjust their status to become lawful permanent residents due to inadmissibility bars.
- Undocumented immigrants have an incarceration rate about one-half that of native-born Americans. Based on

Texas crime data from 2018 that identifies criminals by immigration status, undocumented immigrants had a criminal conviction rate 45% below that of native-born Americans.

- Undocumented immigrants are estimated to have contributed over \$20 billion in federal taxes in 2018, along with almost \$12 billion in state and local taxes. Approximately 5.2 million undocumented immigrants are estimated to work in essential industries, such as health care, energy, and food production. Undocumented farmworkers also make up about 50% of the farm labor workforce. An estimated 96% of those in the labor force are employed. Rather than undermining wages, recognizing the millions of undocumented workers across the country will mean native-born workers no longer have to compete with those who are frequently exploited because they lack legal status.

What are common misconceptions about undocumented immigrants?

- Some argue that providing legal status and a pathway to citizenship for undocumented immigrants would encourage unlawful immigration. However, multiple studies analyzing unlawful migration flows following passage of the Immigration Reform and Control Act in 1986 contradict this assertion or else fail to support it. Rather, the primary drivers of migration are conditions in countries from which people migrate. This is the same conclusion reached by the nonpartisan Congressional Research Service.

- Some tout the “generosity” of the U.S. immigration system, limiting their support for those immigrants who “come legally”, but one of the primary reasons people do not immigrate legally is because there are many systemic barriers that prevent them from doing so. Also, many enter legally and remain past the time they are authorized because there are insufficient visas available under the current system. Our system also contains a very limited number of permanent visas for low-wage laborers to come to the United States, but the demand for their work is much higher: as many as 300,000 undocumented people each year are absorbed into the U.S. workforce, but only about 140,000 employment-based visas total are issued in a year. Immigrants also come illegally because there is an enormous backlog that prevents them from reunifying with family members already living in the United States. Some family members might have to wait for more than a decade before their visa is processed and for reunification to occur. This is to say nothing of the numerical limits placed on the number of immigrants from any one country. Lastly, some people are fleeing persecution and seeking protection. Current policies makes it very difficult for those with limited means and lacking documentation to enter the country at designated ports of entry.

- Some believe that a legalization effort would “reward” illegal immigration. However, a majority of undocumented immigrants in the U.S. first entered the country legally and have remained beyond the period they were authorized. Meanwhile, most people seeking to enter the United States unlawfully are stopped, and those requesting asylum—at the U.S.-Mexico border or elsewhere—have





What should comprehensive immigration reform do?

In advocating for immigration reform, the USCCB has consistently upheld that changes to the U.S. immigration system should:

1. ***Ensure access to permanent legal status and a pathway to citizenship for current residents.*** Given the millions of undocumented persons already living in the United States, legalization is a crucial part of any reform. At a minimum, this should include Dreamers, Temporary Protected Status (TPS)/Deferred Enforced Departure (DED) holders, mi-

grant agricultural workers, and other undocumented essential workers.

2. ***Reaffirm and prioritize family unity and reunification.*** Any reform of the U.S. immigration system should strengthen families and maintain the long-standing emphasis on family unity. Such family-focused policies include: (1) measures that establish legal pathways and waivers that enable families to maintain unity or restore it for those families already torn apart; (2) removal of the three- and ten-year bars to lawful immigration; (3) utilizing prior, unused family-based immigration visas; and (4) mechanisms that will clear current backlogs and ensure timely family reunification.

3. ***Reform the immigration detention system.*** Immigration reform legislation should eliminate the use of detention as a method of deterrence, end the use of for-profit corporations in immigration detention, reserve detention only for individuals who are national security or public safety threats, expand and prioritize community-based alternatives to detention (ATDs), which are proven to ensure immigration compliance in a more humane way, and include other reforms that aptly protect vulnerable migrants and their families.

4. ***Evaluate and revise immigration enforcement strategies, both along the U.S.-Mexico border and within the interior, to ensure the just and humane treatment of all migrants.*** Border management should reflect broader U.S. economic and humanitarian interests and prioritize the well-being of local communities. This requires a prohibition on the use of military resources and personnel along the border, as well as the separation of local policing from interior enforcement. Additionally, reform

the legal right to do so under both domestic and international law. A disproportionate emphasis on the border or enforcement fails to acknowledge these and other factors, including the widespread obstacles to legal immigration.

How does the American public feel about undocumented immigrants and immigration reform?

In a 2021 survey by the Cato Institute, when asked which best described how they feel about immigrants in the United States, 6% said they think of immigrants primarily as “family,” 19% as “friends,” 41% as “neighbors,” 21% as “guests,” 7% as “intruders,” and 6% as “invaders.” When asked which is the better approach to illegal immigration, 56% said the better solution is simplifying the legal immigration process, while 43% thought increasing border security and building a border wall is the better approach. According to that same poll, an overall majority (55%) also favor a pathway to citizenship for undocumented immigrants currently living in the country, 18% favor legal residency without citizenship, 24% would deport all unauthorized immigrants, and 4% would do nothing. A recent survey by Public Opinion Strategies found there to be very strong support among American voters for creating a pathway to citizenship for undocumented immigrants who came to the United States as children (Dreamers), with 74% of voters in favor. The poll also revealed strong support for facilitating a legal and reliable workforce for farmers and ranchers by streamlining the agricultural guest worker program and providing earned legal status for essential undocumented agricultural workers; about 75% are in favor of this proposal. Support for each of these proposals crosses ideological lines, is consistent across gender/age groups, and is strong in every corner of the country.

legislation should require the identification and protection of vulnerable populations, such as children, as part of any interior enforcement strategy.

5. *Promote access to asylum and due process.* Immigration reform legislation should limit policies that place undue burdens on asylum and instead establish reasonable and achievable pathways to citizenship for refugees and asylum seekers. To facilitate this, universal access to legal assistance should be made available.

6. *Incorporate policies and actions that address the root causes of migration.* Political and religious persecution, environmental degradation, and economic underdevelopment and exclusion have long been factors driving people to leave their homelands. Truly comprehensive and effective immigration reform cannot occur without including policies that will mitigate the drivers of irregular migration and promote interventions that allow people to thrive in their homeland. Anti-trafficking measures and efforts to oppose transnational organized crime that respect victims should be included among these policies.

What is needed from the Church today?

1. *Consistent and steadfast participation by Church leaders:*

- By engaging with political representatives and other government officials, bishops have an opportunity to influence public policy, while also encouraging consideration for the human dimensions of immigration.
- Countering anti-immigrant rhetoric, which has grown in recent years, demonstrates the Church's commitment to a consistent life ethic and a witness to the God-given dignity of every human person.

2. *Coordination of the Church's efforts across all levels:*

- Programs at the diocesan and parish levels designed to provide accompaniment and promote integration of newcomers have been very successful. The Catholic Accompaniment and Reflection Experience (CARE) Program and the Parishes Organized to Welcome Immigrants and Refugees (POWIR) Program are two examples of such programs.
- State Catholic conferences also serve important roles in advocating with state government officials, many of



which administer programs that promote (or hinder) the integration of newcomers, as well as with senators and representatives from their respective states.

3. *Enhanced catechesis and responsive preaching:*

- As much as the Church's response is related to advocacy and a policy "problem" that needs to be addressed, it is also an issue of formation. Unfortunately, many Catholics harbor anti-immigrant sentiments or are unfamiliar with the Church's work and teachings on migration-related issues, as well as the historical challenges faced by Catholic immigrants. It is important to reevaluate how Catholics are taught about migration in school and parish settings and implement curriculum and other pedagogical methods conducive to forming Catholics so that they are more attuned to Church teaching on this subject.
- Likewise, it is also important to examine the ways in which seminarians are taught about migration-related questions as a part of their priestly formation so that they are more versed on this topic. Bishops should urge priests to speak to the migration issue in a more intentional fashion.
- It is important to approach the Church's teaching on migration in a more holistic fashion and avoid the tendency to compartmentalize it as a standalone issue. Bringing attention to the fact that the Church's moral teaching on this issue is embedded in a much broader moral framework that encompasses a range of issues in the economic, political, and social spheres might help to de-politicize migration and clarify why the Church holds the positions that it does.



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