



Immigration Reform Statement of Principles

The South Asian Bar Association of North America (SABA North America) serves as the umbrella organization for twenty-six (26) regional South Asian bar associations throughout the United States and Canada. The rapidly growing South Asian legal community in the United States, which includes over 6,000 attorneys and law students, has made significant contributions in public service, private practice, and academia. SABA North America was formed partially in response to the backlash against immigrants after 9/11 and remains vigilant in protecting the rights of the South Asian community. Notably, a majority of the South Asian American population in the United States is foreign-born, and a considerable sector of our bar association's members are involved in the public or private practice of immigration law. For these reasons, immigration reform is of great importance to SABA North America.

Our principles with regard to the immigration laws and policies of the United States and immigration reform are detailed below. Additional support for each statement is provided in the attached Appendices.

I. Civil rights

Immigration reform must ensure that all immigrants, temporary or permanent, are ensured fair treatment and due process.

II. Family Immigration Backlogs

Family unity is central to our American ideals, and is similarly paramount to the South Asian community. The immigration system should not divide families arbitrarily, but instead should seek to promote family unity. We do not support further limitations to the family-based categories, including the sibling category. Any changes to the immigration laws must recognize the importance of traditional avenues for family-based immigration, such as the sibling and adult children categories, which have helped reunite countless South Asians with their loved ones. We strongly advocate that spouses of Lawful Permanent Residents receive the same immigration preference as spouses of U.S. citizens and for the elimination of quotas in family-based immigration

III. Path to Citizenship for the Undocumented

We support a functional roadmap to citizenship for approximately 11 million undocumented people living in the U.S. We urge policymakers to create a streamlined process without overly burdensome requirements such as high fines for low-income communities or border security requirements that will be difficult, if not impossible, to meet. We urge that the process should be implemented fairly without bias towards religious or ethnic minorities. From past experience we

are concerned that seemingly innocuous requirements such as background checks could take months longer for South Asian males than for other groups.

We are especially concerned that individuals brought to the U.S. as children, who are in every way “American” have not received a path to citizenship. We agree with an expedited path to citizenship for these children through provisions of the DREAM Act.

IV. Labor protections

We recognize that the United States has a long tradition of supporting the dignity of labor and of each person. Accordingly we support the protection of all workers in the United States, including those who may be here temporarily. Immigrant workers should have the ability to report violations of health, safety and wage violations without fearing immigration status repercussions.

V. Business Immigration Reforms

Our current business immigration system is outmoded and outdated. We therefore support provisions that will help America attract and retain highly skilled workers and students. This includes eliminating employment-based immigration backlogs, arbitrary caps, increasing visas for countries with high backlogs, creating a streamlined process for temporary to permanent status in certain fields. We also support the following measures: eliminating or increasing the annual H-1B quota and non-discrimination against particular industries or heavy users of the H-1B visa, creating a green card for science, technology, engineering and mathematics (STEM) Masters and PhD graduates from universities in the U.S., and providing for dual intent for students.

VI. Border Security

We recognize the importance of border security to our nation’s safety and a sustainable immigration system, and support the direction of appropriate resources to support such goals. Border Security measures should also meet the needs of the communities who reside at the border and should not result in racial profiling and unchecked enforcement. We do not support an approach that emphasizes only costly border security measures and ignores other legitimate requirements for a strong, 21st Century immigration system in the United States.