



National Asian Pacific American Bar Association

Statement of Support for Commonsense Immigration Reform

Endorsed March 2014
Amended January 2018
Amended January 2019

WHEREAS, the National Asian Pacific American Bar Association (NAPABA) is the national association of Asian Pacific American attorneys, judges, law professors and law students, representing the interests of over 50,000 attorneys and over 80 national, state, and local Asian Pacific American bar associations; NAPABA members include solo practitioners, large firm lawyers, corporate counsel, legal service and non-profit attorneys, and lawyers serving at all levels of government; and NAPABA is committed to addressing civil rights issues confronting Asian Pacific American communities and people of color;

WHEREAS, the United States was founded by immigrants who traveled from around the world to seek a better life and contribute to the continued success of this country;

WHEREAS, the United States immigration system should uphold our nation's basic values of family unity, political and religious freedom, economic opportunity, and fairness;

WHEREAS, immigration policy and law have a dramatic impact on the Asian Pacific American community, as nearly two-thirds of the Asian Pacific American community are foreign-born, and of the estimated 11.2 million undocumented people in the country, approximately one million are of Asian origin;

WHEREAS, the United States immigration system, which has torn apart families, created long visa backlogs, and contributed to the production of high numbers of undocumented foreign nationals in the United States, is broken and in dire need of comprehensive reform;

WHEREAS, the United States needs legislation that provides a pathway to earned citizenship for undocumented immigrants currently residing within our country, who work hard and share values cherished by the United States, and who otherwise pose no threats to the national security of our nation;

WHEREAS, family reunification is a core national value and interest that must be respected in any immigration reform legislation;

WHEREAS, the United States needs to address the problems of family separation and immigration quota backlogs in both family and employment preference categories by implementing fair and efficient processes for the legal immigration system that do not sacrifice

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42 family-based immigration for employment-based immigration, as the two complements one
43 another and must work in tandem;

44 **WHEREAS**, the best interest of the United States is served by not only policies that promote
45 economic growth, but those which reflect the moral values of our nation and its people;

46 **WHEREAS**, family unity, and offering safe-haven to those persecuted and oppressed, represent
47 such important values and must be part of our overall immigration policy;

48 **WHEREAS**, our interest is further served by granting permanent status to the over 800,000
49 young Americans who came to the United States as children and who have become contributing
50 members of our the American society;

51 **WHEREAS**, President Donald Trump, in previously announcing the March 5, 2018, sunset of
52 "deferred action for childhood arrival" ("DACA"), challenged Congress to enact legislation to
53 provide a permanent solution for over 800,000 young undocumented Americans, most of whom
54 play no role in the decision to enter or remain in the United States without permission. To date
55 Congress has been unsuccessful in enacting such legislation. Enacting such legislation will lead
56 to the first opportunity in several years for Congress to reform key aspects of our immigration
57 system constructively, including legislation to create a solution for undocumented individuals;

58 **WHEREAS**, the term "chain migration" is currently being used to describe family-based
59 immigration derogatorily.

60 **WHEREAS**, foreign nationals in the United States contribute to the United States economy and
61 labor force to the benefit of the United States;

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63 **WHEREAS**, foreign nationals in the fields of science, technology, engineering, and mathematics
64 (STEM) present special opportunities to the United States in innovation and advancement, and
65 they should be permitted to fast-track their application for U.S. permanent residence;

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67 **WHEREAS**, the United States must have a system that permits workers to enter the U.S. legally
68 to meet the needs of U.S. employers in agriculture, hospitality, and other industries that are
69 subject to seasonal changes of labor need;

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71 **WHEREAS**, foreign nationals and their families should be able to apply for legal work
72 authorization work in the United States, through programs such as H-4 EADS,

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74 **WHEREAS**, the United States must require the highest standards in immigration detention
75 centers to ensure that all detainees are treated with dignity, respect, and care, and that they are
76 not subject to ridicule, abuse, or other forms of maltreatment;

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78 **WHEREAS**, food and medical attention must be provided for and not withheld as a form of
79 punishment, due process concerns must be addressed, and judicial discretion must be
80 reinstated;

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82 **WHEREAS**, the United States is in need of improved immigration strategies that will meet the
83 economic demand and realities of the 21st Century;

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85 **WHEREAS**, it is in the interest of all employers in the United States to have a reliable system by
86 which they may verify work eligibility of their workers to ensure that they can demonstrate good
87 faith compliance of hiring only eligible workers and to prevent unscrupulous employers from
88 taking advantage of undocumented workers, temporary workers, and visa holders; and
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90 **WHEREAS**, it is in the economic benefit and national interest of the United States to implement
91 commonsense immigration reform.
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93 **THEREFORE BE IT RESOLVED, that NAPABA:**
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- 95 1. Calls for full support of the creation of commonsense immigration reform legislation by
96 the Congress consistent with the provisions contained in this resolution.
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- 98 2. Calls for a fair and independent judicial process for those seeking immigration relief and
99 those in immigration proceedings.
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- 101 3. Calls for humane and compassionate execution of immigration legislation passed by
102 Congress; and fair and equitable treatment of those impacted by any immigration reform
103 legislation.
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- 105 4. Opposes the used of any politically contentious or derogatory terms when referring to
106 immigration policy.
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- 108 5. Opposes immigration reform legislation that does not include an earned path to
109 citizenship.
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- 111 6. Supports administrative relief that will address the harms caused by lack of action by
112 Congress.
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- 114 7. Opposes immigration reform legislation that imposes arbitrary numerical limits, or
115 otherwise is contrary to core American values as set forth in this resolution;
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- 117 8. Authorizes its president, board, and staff to communicate the content of this resolution to
118 its members, affiliates, other bar associations, members of Congress, the Administration,
119 the press, and others to take steps to implement this resolution, as they deem
120 necessary.
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- 122 9. Supports this resolution as a policy priority until it is withdrawn or modified by
123 subsequent resolution.