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Fair Laws, Effective Enforcement, Stronger Communities:

A Balanced Vision for Immigration Reform

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Overview

This paper outlines a framework for Congress to build an immigration system that is orderly, effective, humane and aligned with the nation's long-term interests.[1] Specifically, it identifies four central pillars that address long-standing structural weaknesses to create a durable immigration framework that is worthy of support of the U.S. Latino community and the larger American public and bring lasting stability and prosperity to our country:

- Earned pathways to citizenship for long-term residents, including Dreamers.
- Legal immigration channels that support economic growth, family unity, innovation, workforce needs and orderly migration.
- Interior enforcement that is targeted, proportional and accountable.
- Border security and asylum processing that is effective, fair and humane.

1 *See UnidosUS and Immigration: A Values-Based Vision* (Washington, DC: UnidosUS, 2026), at 4.

Introduction

While 80% of the nearly 70 million Hispanics in the United States are American citizens and more than two-thirds are native-born, Latinos are the largest segment of the U.S. foreign-born population.[2] Even though 59% of the 23 million Hispanic foreign-born are lawful residents,[3] they live, work, and worship side-by-side with unauthorized immigrants.[4] Similarly, about 5 million U.S. citizen Latinos live in a family with at least one undocumented family member.[5] U.S. Latinos, regardless of immigration status, are profoundly and disproportionately touched by the nation's immigration system.[6] Thus, for decades, we have advocated for bipartisan solutions to the nation's broken immigration system. We have consistently supported comprehensive immigration reform that strengthens border management, modernizes legal immigration pathways, protects civil rights and due process, promotes economic growth, preserves family unity, and provides earned pathways to citizenship for long-term residents.

Our support for reform is rooted in the recognition that immigration has long been a source of American strength. Immigrants help power the nation's economy, fill critical workforce needs, start businesses, contribute to innovation, support local communities, and help sustain the country's long-term demographic and economic vitality. Immigration is also central to the American story — renewing communities, enriching the nation's culture, and helping the United States remain a dynamic, innovative, and globally competitive society.

The immigration debate at the national level today takes place in a substantially different environment than the ones that shaped previous reform efforts. Over the past decade, the national conversation has shifted dramatically toward enforcement. The two Trump administrations have advanced an increasingly expansive vision of immigration enforcement characterized by mass deportation policies, virtually unconstrained enforcement, expanded detention, diminished oversight, and the erosion of long-standing legal, policy, and programmatic guardrails.

At the same time, the Trump administration and many policymakers have devoted comparatively little attention to addressing the underlying structural deficiencies that have plagued the immigration system for decades. In fact, even as enforcement efforts have expanded beyond any modern precedent, administration policies have increasingly undermined the legal immigration system itself — making it more difficult for individuals to immigrate through lawful channels and stripping legal status from populations that had previously been authorized to live and work in the United States. Despite having the authority and responsibility to check the administration's approach, Congress has bankrolled these efforts and done nothing to change the system in ways that are necessary to solve its more foundational problems.

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2 *See* UnidosUS, *Prosperity for All: A Latino Policy Resource for the 119th Congress* (Washington, DC: UnidosUS, 2025), at 4, 28.

3 The term "lawful residents" refers broadly to immigrants legally authorized to live in the United States, including lawful permanent residents, refugees, asylees, and certain others granted lawful status or residence under federal immigration law. *See* Jeffrey S. Passel and Jens Manuel Krogstad, *U.S. Unauthorized Immigrant Population Reached a Record 14 Million in 2023* (Washington, DC: Pew Research Center, August 21, 2025), at 30; *see also* Gabriela Piña and Gracie Martinez, *Key facts about U.S. Latinos* (Washington, DC: Pew Research Center, October 22, 2025), at 7.

4 The term "unauthorized immigrant" is commonly used by researchers, policy analysts, and federal immigration data agencies to refer to immigrants living in the United States without full lawful status. It is generally used interchangeably with "undocumented immigrant," though it can include people with temporary or precarious protections from deportation, such as asylum applicants, parolees, TPS holders, and DACA recipients. *See* Passel and Krogstad, *supra* note 3, at 3.

5 *See* UnidosUS, *Prosperity for All*, *supra* note 2, at 28.

6 *See generally*, Piña and Martinez, *supra* note 3; *see also* UnidosUS, *Prosperity for All*, *supra* note 2.

The experience of the Biden administration highlights a different reality: effective border management matters. Unprecedented large-scale migration flows exposed weaknesses in the nation's border, asylum, and immigration adjudication systems and demonstrated the significant humanitarian, operational, and political consequences that can result when those systems are not adequately resourced or managed. Together, these developments underscore two important truths: Enforcement is a necessary component of a functioning immigration system, but executive action and enforcement alone cannot solve the nation's immigration challenges. Congress must act to create a durable system that establishes orderly legal pathways, responds effectively to labor market needs, upholds humanitarian obligations, and recognizes the important role immigration plays in the nation's economic competitiveness and long-term growth.[7]

Both President Biden and President Trump have lost majority support of the American people on immigration.[8] Part of the reason the public keeps getting things they don't want from Democratic and Republican administrations is that immigration policy is set almost entirely by temporary and shifting executive actions. For this to stop, Congress must act.

Throughout changing political environments, our position has remained grounded in a simple principle: The United States has both the right and the responsibility to enforce its immigration laws, but it must do so in a manner consistent with American values and long-term national interests.[9] Large and growing majorities of the American public, including a large majority of the Latino community, have come to recognize the limitations and dangers of a mass deportation agenda and agree with our principles.[10] In fact, Latino voters prioritize a path to citizenship over mass deportation by a wide margin of 53% to 13%.[11] Most Americans support immigration enforcement and secure borders but reject policies that seek to remove millions of long-settled, law-abiding immigrants; separate families; destabilize

7 *See* Neera Tanden and Debu Gandhi, *A New Immigration System to Safeguard America's Security, Expand Economic Growth, and Make Us Stronger* (Washington, DC: Center for American Progress, July 2025), at 2.

8 *See* Sarah Pierce, "Creating Immigration Policy that Addresses the Trust Deficit: A New Public Trust Agenda," memorandum (Washington, DC: Third Way, December 4, 2025), at 2; *see also* Sarah Pierce, "How Democrats Can Rebuild the Public's Trust in Immigration Enforcement," memorandum (Washington, DC: Third Way, April 23, 2026), at 2-3; Blas Nuñez-Neto, *No More Back Doors: Recapturing the Public's Trust on Immigration* (Searchlight Institute, March 2026), at 16.

9 *See* American Immigration Lawyers Association, "Policy Brief: Americans Want Safe Communities, Not a Dangerous and Costly Deportation Agenda" (Washington, DC: American Immigration Lawyers Association, March 11, 2026) at 4-5; *see also* UnidosUS, *A Border Policy Framework That Is Firm, Fair, and Free of Cruelty* (Washington, DC: UnidosUS, January 2025), at 1; American Immigration Council, *Restoring Credibility and Humanity: A New Framework for Immigration Enforcement* (Washington, DC: American Immigration Council, May 2026), at 8.

10 *See generally* American Immigration Council, *Restoring Credibility and Humanity*, *supra* note 9; *see also* BSP Research and Shaw & Company Research, *UnidosUS Bipartisan Poll of Hispanic Voters: Road to the Midterms* (Washington, DC: UnidosUS, May 27, 2026), at Slides 3, 17, 19.

11 *See* UnidosUS, *Prosperity for All*, *supra* note 2 at 27; 29; *see also* BSP Research and Shaw & Company Research, *supra* note 10, at Slide 17.

communities; and impose enormous economic and fiscal costs.[12] They also recognize that mass deportation is depriving the nation of workers, taxpayers, entrepreneurs, caregivers, and community members who contribute to the social and economic fabric of their neighborhoods and communities.[13] Yet, while opposition to indiscriminate mass deportation has become increasingly widespread, relatively few policymakers and institutions have articulated a clear alternative vision of an enduring system that is responsive to public concerns.[14]

This paper is intended to help fill that gap. It outlines a framework for building an immigration system that is orderly, effective, fair, accountable and aligned with the nation's long-term interests. The goal is not to return to the deeply flawed status quo that existed before the current debate over mass deportations. Rather, it is to guide Congress on how to address the long-standing structural weaknesses that have accumulated over decades and to build a durable immigration framework that is worthy of the support of the U.S. Latino community and American public and brings lasting stability and public confidence to our immigration policy.

Moving from a system in crisis to one that works efficiently and effectively requires congressional action and legislation that is comprehensive and built on four mutually reinforcing pillars[15]:

- Earned pathway to citizenship for long-term residents, including Dreamers[16].
- Legal immigration channels that support economic growth, family unity, innovation, workforce needs and orderly migration[17].
- Interior enforcement that is targeted, proportional and accountable[18].
- Border security and asylum processing that is effective, fair and humane.[19]

Together, these pillars would create a system that is orderly and effective and restores public confidence, as described below.

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12 *See* Brian Nienaber, Celinda Lake, David Mermin, Emily Garner, and Connor Olio, *Survey of Latino Voters on Immigration and Border Management* (Washington, DC: Lake Research Partners and The Tarrance Group for UnidosUS, June 2024), at Slide 18; *see also* UnidosUS, *Prosperity for All*, *supra* note 2, at 27.

13 *See* American Immigration Lawyers Association, *A Better Way on Immigration: Principles for America's Future* (Washington, DC: American Immigration Lawyers Association, June 2026), at 2; *see also* Felicia Escobar Carrillo, "Immigration Pathways for the Future," in *The Immigration Blueprints: A Roadmap to Modernize U.S. Immigration* (Washington, DC: Hyphen, December 2025), at 19; BSP Research and Shaw & Company Research, *Road to the Midterms*, *supra* note 10, at Slide 17.

14 *See* Pierce, "Creating Immigration Policy", *supra* note 8, at 1-2; *see generally*, Nuñez-Neto, *No More Back Doors*, *supra* note 8.

15 *See UnidosUS and Immigration: A Values-Based Vision*, *supra* note 1, at 7.

16 *See* BSP Research and Shaw & Company Research, *Road to the Midterms*, *supra* note 10, at Slide 17 (Latinos top immigration priority at 53%).

17 *See id.* at Slide 17 (30% support prioritizing family and employment-based visas).

18 *See id.* at Slide 17 (reflecting 37% support for due process, 35% support on humane detention, and 31% support on sensitive locations).

19 *See id.* at Slide 17 (reflecting 50% support for border security and anti-trafficking enforcement: 33% enforcement on human smugglers and drug traffickers and 17% on increasing border security).

Earned Pathway to Citizenship

No immigration system can function effectively if it ignores the status of the millions of people already living and working in the United States without authorization. Any serious effort to reform the immigration system must address this population in a practical, lawful and forward-looking manner. Millions of undocumented immigrants have lived in the United States for years or even decades, establishing families, careers, businesses and deep roots in their communities. Many live in mixed-status households that include U.S. citizen spouses, children, parents and siblings. Attempting to remove every undocumented immigrant through mass deportation would require enormous expenditures of taxpayer resources, disrupt communities and industries across the country, and divert enforcement attention away from genuine public safety and national security threats.[20]

Legalization reflects a core American value: Those who have built their lives here and demonstrated a commitment to this country have the opportunity to fully participate in its civic life. Earned citizenship can make official what has long been true for millions of long-settled immigrants: They are already part of the communities they call home.[21] An earned pathway to legal status and citizenship recognizes both the importance of the rule of law and the practical and historical realities underlying the current immigration system.[22] It should include eligibility requirements established by Congress, including background checks and payment of applicable taxes and fees, and provide eligible individuals the opportunity to obtain legal status and ultimately pursue citizenship.[23]

The United States faces major demographic and workforce pressures, including an aging population, lower birth rates and persistent labor shortages in critical industries. Immigration has long strengthened the workforce, fueled innovation, supported family and community stability, and expanded the tax base. Legalization also benefits U.S. workers, businesses and communities by creating a more stable labor force, reducing labor market disruptions, encouraging entrepreneurship and investment, and generating additional tax revenue. Bringing individuals out of the shadows allows employers and workers alike to operate within a transparent legal framework, strengthening both labor standards and economic growth. At the same time, it enables law enforcement and government agencies to focus limited resources on individuals who pose genuine public safety or national security risks rather than on long-settled members of American communities.[24]

Ultimately, a pathway to citizenship is not separate from effective immigration enforcement; it is an essential component of it. If the goal is to identify and remove the relatively small number of individuals who pose serious threats to public safety or national security, it is neither practical nor prudent to treat every undocumented immigrant as an

20 *See* UnidosUS, *Prosperity for All*, *supra* note 2, at 27-28.

21 *See UnidosUS and Immigration: A Values-Based Vision*, *supra* note 1, at 4-5.

22 See UnidosUS, *Prosperity for All*, *supra* note 2, at 29.

23 *See* Nuñez-Neto, *No More Back Doors*, *supra* note 8, at 13.

24 *See* American Immigration Council, *Restoring Credibility and Humanity*, *supra* note 9, at 9; *see also* Claire Trickler-McNulty, "Interior Enforcement and Alternatives to Detention and Removal," in *The Immigration Blueprints: A Roadmap to Modernize U.S. Immigration* (Washington, DC: Hyphen, December 2025), at 9.

enforcement priority. Legalization allows the government to distinguish between those who have demonstrated a commitment to contributing to American society and those who warrant enforcement attention. By providing a rigorous process through which eligible individuals can come forward, undergo vetting, and obtain legal status, an earned pathway reduces the size of the unauthorized population, improves compliance with immigration laws, and allows enforcement agencies to focus on the cases that matter most. In this way, legalization advances both accountability and security while creating a stronger, more stable foundation for the nation's immigration system.[25]

Policy Recommendations:

Earned Pathway to Citizenship: The system should provide a clear and achievable pathway to permanent status and citizenship for long-term residents with strong ties to the United States. Eligibility criteria may include length of residence, work, studies, caregiving history, tax compliance, community integration, English and_or civics requirements, and background and security checks. Any graduated pathway should still provide permanent legal stability and a real opportunity to become a U.S. citizen through earned citizenship.[26]

Dreamers: Dreamers, including DACA recipients, should be an urgent, explicit priority. Brought to the United States as children, they have grown up in American communities and relied on a lawful federal process to work, study, serve and build families here. Targeting DACA recipients or leaving Dreamers in prolonged uncertainty undermines the rule of law, family stability, workforce continuity and public confidence. A permanent legislative solution for Dreamers should be an essential first step toward broader legalization.[27]

Family Unity and Stability: Legalization policy should prioritize family unity and limit disruption to mixed-status families, including households with U.S. citizen children. [28] Military service members, veterans, and their immediate family members should receive heightened protection from removal and a clear path to permanent status and citizenship, especially when any conduct related to an immigration consequence is tied to service-related trauma, disability, or PTSD and does not present a current public safety threat.[29]

Immigration Probation and Off-Ramps: For people who do not qualify for permanent legal status but pose little public safety or national security risk, the system should provide structured off-ramps. These programs should emphasize compliance over punishment by allowing participants to work lawfully, pay taxes, stay with their families, meet reporting requirements, and eventually qualify for permanent status after satisfying clear benchmarks.[30]

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25 *See* Tanden and Gandhi, *A New Immigration System to Safeguard America's Security*, *supra* note 7, at 12.

26 *See* Nuñez-Neto, *No More Back Doors*, *supra* note 8 at 12; *see also* Tanden and Gandhi, *A New Immigration System*, *supra* note 7, at 12; American Immigration Lawyers Association, *A Better Way on Immigration*, *supra* note 13, at 4; *See* UnidosUS, *Prosperity for All*, *supra* note 2, at 29; United States Conference of Catholic Bishops, Department of Migration and Refugee Services, *Catholic Elements of Immigration Reform* (Washington, DC: USCCB, January 2025), at 2; BSP Research and Shaw & Company Research, *Road to the Midterms*, *supra* note 10, at Slide 17 (Latinos top immigration priority at 53%).

27 *See* United States Conference of Catholic Bishops, *Catholic Elements of Immigration Reform*, *supra* note 26, at 2; *see also* Nienaber, *et al.*, *Survey of Latino Voters on Immigration and Border Management*, *supra* note 12, at slide 12; UnidosUS, *Prosperity for All*, *supra* note 2, at 29; Tanden and Gandhi, *A New Immigration System*, *supra* note 7, at 12; BSP Research and Shaw & Company Research, *Road to the Midterms*, *supra* note 10, at Slide 17 (Latinos top immigration priority at 53%).

28 *See* United States Conference of Catholic Bishops, *Catholic Elements of Immigration Reform*, *supra* note 26, at 2; *see also* Escobar Carrillo, "Immigration Pathways for the Future", *supra* note 13, at 20; Tanden and Gandhi, *A New Immigration System*, *supra* note 7, at 10.

29 *See* American Immigration Council, *Restoring Credibility and Humanity*, *supra* note 9, at 40.

30 *See* Trickler-McNulty, "Interior Enforcement and Alternatives to Detention and Removal", *supra* note 24, at 10; *see also* American Immigration Council, *Restoring Credibility and Humanity*, *supra* note 9, at 41.

Modern legal immigration channels framework

One of the most significant weaknesses in the current immigration system is that legal immigration pathways have not kept pace with the nation's economic and demographic needs. Many visa categories are governed by outdated rules and numerical limits that were established decades ago and no longer reflect today's labor market, family reunification needs, or global realities.

Expanding and modernizing legal immigration pathways benefits both immigrants and the broader public. More efficient legal pathways reduce incentives for unauthorized migration by creating realistic, orderly alternatives for people who have legitimate reasons to come to the United States. Employers gain access to workers needed in industries ranging from health care and agriculture to technology and construction. Families can reunite more quickly, reducing yearslong separations that place significant emotional and financial burdens on U.S. citizens and lawful residents.

Immigration has long been a source of economic growth and innovation. Immigrants start businesses, create jobs, pay taxes, strengthen local communities and contribute to the nation's long-term competitiveness.[31] A modern legal immigration system helps ensure that the United States remains economically dynamic while providing clear, lawful and predictable processes for migration.

At the same time, immigration enforcement policies can have significant economic consequences for U.S. citizens and communities. Broad, indiscriminate enforcement actions can disrupt industries that rely on immigrant labor, including agriculture, construction, health care, hospitality, and food processing, leading to workforce shortages, reduced productivity, and higher costs for businesses and consumers.[32] Employers may face increased recruitment and training expenses when experienced workers are removed, while local economies can suffer from reduced consumer spending and business activity. Families and communities also bear economic costs when wage earners are detained or deported, affecting housing stability, educational outcomes, and local tax revenues. By contrast, an enforcement system that is targeted, predictable and aligned with clear priorities helps preserve economic stability while allowing the government to focus its resources on genuine public safety and national security concerns. Such an approach supports both the rule of law and the economic well-being of American workers, businesses and communities.

31 *See* Escobar Carrillo, "Immigration Pathways for the Future", *supra* note 13, at 19.

32 *See* UnidosUS, *Prosperity for All*, *supra* note 2, at 27, 29; *see also* American Immigration Lawyers Association, "Policy Brief: Americans Want Safe Communities", *supra* note 9, at 3.

Policy Recommendations:

Modern and Flexible Legal Immigration System: Legal immigration should align with labor market realities and needs, family unity, and national economic priorities. Reforms should expand pathways for essential workers, students, entrepreneurs, caregivers, and workers in critical industries; improve portability and worker mobility; and create state, local, regional, and sector-based sponsorship and pathways where data show workforce needs.[33] These pathways should serve both future immigrants and eligible people already living and working in the United States.[34]

Family-Based Immigration and Backlog Reduction: Family unity should remain a cornerstone of the system. Legislative reforms should reduce decadeslong family visa backlogs, preserve core family categories, and ensure that U.S. citizens and lawful permanent residents petitioning for family members are not forced into excessive waitlists that make reunification effectively impossible.[35]

Worker and Humanitarian Protections and Labor Market Integrity: A functioning immigration system should ensure that workers, regardless of status, are protected by preventing labor exploitation, strengthening wage and workplace protections, protecting whistleblowers who report abuse, ensuring fair competition among employers, and modernizing employment verification in ways that protect civil rights and due process.[36] Workers must also be able to report abuse and participate in labor investigations without fear of retaliation or removal, including through stronger U, T, and related humanitarian visa protections and new worker-protection pathways.[37]

Reducing Irregular Migration Through Legal Pathways: Expanding lawful migration pathways, including regional processing, family-based routes, worker pathways, refugee resettlement, and pre-arrival screening, can reduce pressure on the border and promote more orderly migration.[38]

Efficient and Predictable Processing: Immigration benefit agencies should operate efficiently and predictably for families, workers, employers, and communities. Reforms should reduce visa and benefits backlogs, expand digital modernization, provide interim work authorization where appropriate, improve customer service, and establish clear timelines and accountability standards.[39]

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33 *See* Escobar Carrillo, "Immigration Pathways for the Future", *supra* note 13, at 19-21; *see also* Tanden and Gandhi, *A New Immigration System*, *supra* note 7, at 10; UnidosUS, *A Border Policy Framework*, *supra* note 9, at 3; Andrea R. Flores, *A Better Way Forward: A New Approach to Regional Migration and Border Security* (Washington, DC: FWD.us, 2024), at 23-24; BSP Research and Shaw & Company Research, *Road to the Midterms*, *supra* note 10, at Slide 17 (30% support prioritizing family and employment-based visas).

34 *See* Escobar Carrillo, "Immigration Pathways for the Future", *supra* note 13, at 19-20.

35 *See* United States Conference of Catholic Bishops, *Catholic Elements of Immigration Reform*, *supra* note 26, at 2; *see also* American Immigration Lawyers Association, *A Better Way on Immigration*, *supra* note 13, at 5-6; Escobar Carrillo, "Immigration Pathways for the Future", *supra* note 13, at 21-22; Tanden and Gandhi, *A New Immigration System to Safeguard America's Security*, *supra* note 7, at 10; UnidosUS, *Prosperity for All*, *supra* note 2,at 32; Flores, *A Better Way Forward*, *supra* note 33, at 25; BSP Research and Shaw & Company Research, *Road to the Midterms*, *supra* note 10, at Slide 17 (30% support prioritizing family and employment-based visas).

36 *See* Escobar Carrillo, "Immigration Pathways for the Future", *supra* note 13, at 20-21; *see also* Tanden and Gandhi, *A New Immigration System* , *supra* note 7, at 10-11; Nuñez-Neto, *No More Back Doors*, *supra* note 8, at 13.

37 *See* Escobar Carrillo, "Immigration Pathways for the Future", *supra* note 13, at 21.

38 *See* Nuñez-Neto, *No More Back Doors*, *supra* note 8, at 11; *see also* Flores, *A Better Way Forward*, *supra* note 33, at 20-22.

39 *See* American Immigration Council, *Restoring Credibility and Humanity*, *supra* note 9, at 20.

Interior enforcement that is targeted, proportional and accountable

The United States has both the right and the responsibility to enforce its immigration laws within the country's interior. Effective immigration enforcement plays an important role in maintaining the integrity of the legal immigration system, protecting public safety and upholding the rule of law. At the same time, enforcement should be carried out in a manner that is strategic, fair and accountable. An enforcement system that attempts to treat every violation as an equal priority is neither practical nor effective. Given finite resources and competing public safety demands, immigration enforcement should focus on the individuals and activities that pose the greatest risks to national security, public safety, and the integrity of the immigration system. This approach reflects our commitment to community safety and the belief that enforcement should be smart, accountable, and focused on those who pose the greatest threats to public safety, rather than long-settled members of our communities.[40]

Effective enforcement is not measured solely by the number of arrests, detentions or removals. It is measured by whether government resources are deployed wisely, whether enforcement actions advance legitimate public objectives, and whether the public has confidence that the system operates fairly and consistently. Like all law enforcement activities, immigration enforcement should be guided by clear priorities, proportionality, transparency and meaningful oversight. These principles help ensure that enforcement actions are directed toward genuine threats while minimizing unnecessary harm to families, communities, employers and the broader economy.

A successful immigration enforcement system in the future therefore rests on three interconnected pillars: targeted enforcement, proportionality and accountability. Targeted enforcement ensures that limited resources are directed toward the highest-priority cases rather than dispersed. Proportionality ensures that enforcement consequences are calibrated to the seriousness of the conduct at issue and that civil immigration violations are treated differently from threats involving criminal activity or national security concerns. Accountability, transparency, and robust oversight help ensure that enforcement authorities are exercised lawfully, consistently, and in a manner that respects constitutional rights and fundamental civil liberties. These principles are not obstacles to effective enforcement; they are what make effective enforcement possible.

40 *See UnidosUS and Immigration: A Values-Based Vision*, *supra* note 1, at 2, 4, 6.

Targeted enforcement

Immigration enforcement resources are finite, and they should be focused where they can have the greatest impact on public safety and the integrity of the immigration system. A targeted approach prioritizes individuals who present genuine public safety or national security concerns or have proven noncompliant with their immigration obligations, while minimizing harm to families, employers, and local communities. By focusing limited enforcement resources on the highest-priority cases, the government can improve public safety outcomes while maintaining public confidence in the fairness of the immigration system. Such an approach recognizes that not all immigration violations pose the same level of risk and that enforcement decisions should be guided by clear priorities, evidence-based assessments of risk, and the effective use of taxpayer resources.[41]

Targeted enforcement also advances broader public safety goals. When immigrant communities trust that enforcement efforts are focused on serious threats, they are more likely to report crimes, serve as witnesses, and seek assistance when needed.[42] This cooperation strengthens community safety and enables law enforcement agencies to more effectively address criminal activity.

Proportionality

Proportionality ensures that government actions are calibrated to the nature and seriousness of the conduct at issue. In the immigration context, this means recognizing important distinctions between individuals who pose threats to public safety or national security and those whose only violation is a civil immigration infraction, many of whom have spent years or decades living, working, paying taxes, and raising families in the United States. By aligning enforcement consequences with the actual risks presented, proportionality helps create a system that is more credible, effective, and economically sound. It reflects long-standing American principles that government action should be fair, measured and appropriately tailored to the circumstances of each case.[43]

A proportional approach promotes fairness, strengthens public confidence in government institutions, and helps ensure that enforcement resources are directed toward the most pressing priorities. It also reduces the risk of unnecessary family separation, economic disruption, and community instability that can result when severe enforcement measures are applied indiscriminately.[44]

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41 *See* Nuñez-Neto, *No More Back Doors*, *supra* note 8, at 8; *see also* United States Conference of Catholic Bishops, *Catholic Elements of Immigration Reform*, *supra* note 26, at 1.

42 *See* Public Safety Leadership Convening, "Shared Principles of Agreement" (March 4, 2026), at 2; *see also* American Immigration Council, *Restoring Credibility and Humanity*, *supra* note 9, at 23-24, (noting how mass deportation has fueled fear amongst immigrant communities resulting in a reduction in crime reporting).

43 *See* American Immigration Council, *Restoring Credibility and Humanity*, *supra* note 9, at 38; *see also* American Immigration Lawyers Association, *A Better Way on Immigration*, *supra* note 13, at 3; Sarah Pierce and Lanae Erickson, "Overhauling ICE," memorandum (Washington, DC: Third Way, January 26, 2026), at 2-3, 7; United States Conference of Catholic Bishops, *Catholic Elements of Immigration Reform*, *supra* note 26, at 1.

44 *See* American Immigration Council, *Restoring Credibility and Humanity*, *supra* note 9, at 38; *see also* American Immigration Lawyers Association, "Policy Brief: Americans Want Safe Communities, Not a Dangerous and Costly Deportation Agenda", *supra* note 9, at 3; UnidosUS, *Prosperity for All*, *supra* note 2, at 29; United States Conference of Catholic Bishops, *Catholic Elements of Immigration Reform*, *supra* note 26, at 1.

Accountability and Oversight

Accountability and oversight is equally essential to effective immigration enforcement. Immigration agencies exercise significant authority, including the power to stop individuals, conduct enforcement operations, detain people, separate families, and remove individuals from the country. With such authority comes a corresponding obligation to ensure that enforcement actions are carried out lawfully, professionally, and in a manner consistent with constitutional principles and fundamental civil rights. Effective oversight includes internal review mechanisms, independent watchdog offices, congressional oversight, inspector general investigations, judicial review, transparent reporting, and meaningful opportunities for individuals to raise concerns and seek redress when mistakes occur. These mechanisms help identify problems, prevent abuses and ensure that agencies remain accountable to the public they serve.[45]

Recent incidents involving excessive or deadly force, masked or unidentified officers, enforcement actions at sensitive locations such as schools and hospitals, inadequate detention conditions, and enforcement actions affecting U.S. citizens and lawful residents have heightened public concerns about transparency and accountability. Regardless of one's views on immigration policy, public confidence depends on knowing that officers are following the law, respecting constitutional rights, and exercising their authority fairly and consistently.[46]

Robust oversight is indispensable to ensuring that immigration enforcement is carried out lawfully, effectively, and in a manner consistent with American values. Just as importantly, oversight improves agency performance. Strong oversight provides policymakers and agency leaders with information about what is working, what is not, and where reforms may be needed. It helps agencies identify training deficiencies, operational weaknesses and systemic problems before they become larger failures. Far from hindering enforcement, accountability strengthens it by improving professionalism, safeguarding taxpayer resources, protecting civil rights and civil liberties, and reinforcing public trust.[47]

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45 *See* Pierce, "Creating Immigration Policy that Addresses the Trust Deficit", *supra* note 8, at 5; *see also* Pierce, "How Democrats Can Rebuild the Public's Trust in Immigration Enforcement," *supra* note 8, at 4-5.

46 *See* American Immigration Council, *Restoring Credibility and Humanity*, *supra* note 9, at 51-52; *see also* Pierce and Erickson, "Overhauling ICE", *supra* note 43, at 5-6.

47 *See* Ashley Feasley, "Border Management and Asylum Reforms," in *The Immigration Blueprints: A Roadmap to Modernize U.S. Immigration* (Washington, DC: Hyphen, December 2025), at 9; *see also* American Immigration Council, *Restoring Credibility and Humanity*, *supra* note 9, at 51-52; Pierce and Erickson, "Overhauling ICE", *supra* note 43, at 6.

Policy Recommendations

Strategic Prioritization: Enforcement should prioritize public safety and national security threats and recent immigration violators who've yet to establish long-term ties to the United States.[48]

Lawful and Accountable Enforcement: Immigration enforcement represents extraordinary government power; thus, guardrails including judicial warrants for entry to private spaces, clear officer identification, limits on enforcement in sensitive locations such as schools, hospitals, courts, places of worship, polling locations, and social service settings, accessible complaint processes, independent oversight, and transparent reporting — are essential. Without safeguards, enforcement chills crime reporting, deters families from accessing schools and health care, disrupts court participation, and causes even U.S. citizens and lawful residents to fear being swept into immigration actions.[49]

Appropriate Detention Facilities: Immigration detention is civil, not criminal, and under current law, must not be used for punishment or deterrence. Proportionate detention use therefore should be focused on adult public safety threats, national security threats, and flight risk threats, and more broadly for brief periods preceding scheduled deportations. When detention is needed, facilities should meet robust uniform national detention standards. Detention should be transformed into true civil detention and moved away from private-prison companies.[50]

Non-Detained Case Management and Alternatives: Detention is not necessary to move most people successfully through the immigration process, in addition to being significantly more expensive than the alternatives, and most people can and should be placed in an alternative to detention program. Community-based case management and other alternatives to detention are more humane, less costly, and better aligned with a civil immigration system.[51]

No Family Detention: Family detention is unnecessary to move family units through the immigration legal process and should not be used. Instead, families should proceed through community-based supervision, case management, or, when needed for prompt asylum adjudications, short-term non-custodial border processing.[52] Family units should be held in custody only immediately following apprehension at the border, while moving through an asylum processing center, or immediately prior to deportation.

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48 *See* Public Safety Leadership Convening, "Shared Principles of Agreement", *supra* note 42, at 2; *see also* Trickler-McNulty, "Interior Enforcement and Alternatives to Detention and Removal", *supra* note 24, at 9; Pierce and Erickson, "Overhauling ICE", *supra* note 43, at 7.

49 *See* American Immigration Lawyers Association, *A Better Way on Immigration*, *supra* note 13, at 2-3; *see also* Pierce and Erickson, "Overhauling ICE", *supra* note 43; Nuñez-Neto, *No More Back Doors*, *supra* note 8, at 9; BSP Research and Shaw & Company Research, *Road to the Midterms*, *supra* note 10, at Slide 3 (84% of Hispanic voters believe that Congress is ceding authority to the Executive Branch), Slide 4 (58% of Hispanic voters believe that their civil rights and civil liberties have diminished under the Trump administration), and Slide 17 (Majority of voters polled prioritize due process for people in deportation proceedings [37%], humane detention conditions [35%], and protecting sensitive locations [31%]).

50 *See* Trickler-McNulty, "Interior Enforcement and Alternatives to Detention and Removal", *supra* note 24, at 9-10; *see also* American Immigration Council, *Restoring Credibility and Humanity*, *supra* note 9, at 8, 43, 45; BSP Research and Shaw & Company Research, *Road to the Midterms*, *supra* note 10, at Slide 17 (Support humane detention conditions [35%]).

51 *See* Trickler-McNulty, "Interior Enforcement and Alternatives to Detention and Removal", *supra* note 24, at 9-10; *see also* American Immigration Lawyers Association, *A Better Way on Immigration*, *supra* note 13, at 4; Nuñez-Neto, *No More Back Doors*, *supra* note 8, at 11.

52 *See* United States Conference of Catholic Bishops, *Catholic Elements of Immigration Reform*, *supra* note 26, at 1.

Immigration Court Modernization and Independence: Congress should consider reforms to insulate immigration courts from political influence, including an Article I immigration court or another adjudicatory model that protects due process and supports consistent, non-politicized decision-making. Reforms should also add qualified immigration judges and support staff, modernize digital infrastructure, and improve access to qualified legal services and counsel for vulnerable and detained people.[53]

Due Process, Legal Access and Case Management: People should be able to understand and adequately navigate complex legal immigration processes when their liberty, family unity, or protection from deportation is at stake. The immigration system should expand the availability of qualified legal services, legal orientation programs, and accessible hotlines. These investments would strengthen due process, improve compliance, reduce delays, and help eligible individuals pursue lawful status, protection, or other immigration benefits.[54]

Federal-Local Coordination: Coordination between federal, state, and local governments should be targeted, transparent, and focused on genuine public safety threats, while also supporting community-based programs that help people navigate immigration policies, comply with legal processes, and remain connected to stabilizing services.[55] Any partnerships should prioritize people already in criminal custody for serious crimes, avoid broad street-level enforcement, reimburse local costs where detainers extend custody, and include oversight of detainers and information sharing.[56]

Humane and Orderly Removals: Removal processes should be carried out in a lawful, safe and humane manner. Third-country removals should never be used to outsource detention or punishment. If used at all, it should be limited to a safe receiving country where the person can reside lawfully and safely, access basic protections, and will not be detained at U.S. direction, transferred onward to persecution, or used as leverage to coerce self-deportation.[57]

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53 *See* Feasley, "Border Management and Asylum Reforms", *supra* note 47, at 18; *see also* American Immigration Lawyers Association, *A Better Way on Immigration*, *supra* note 13, at 3; American Immigration Council, *Restoring Credibility and Humanity*, *supra* note 9, at 40.

54 *See* Bitta Mostofi, "Local Community and Government Interests," in *The Immigration Blueprints: A Roadmap to Modernize U.S. Immigration* (Washington, DC: Hyphen, December 2025), at 28; *see also* Flores, *A Better Way Forward*, *supra* note 33, at 32-33.

55 *See* Feasley, "Border Management and Asylum Reforms", *supra* note 47, at 9.

56 *See* Trickler-McNulty, "Interior Enforcement and Alternatives to Detention and Removal", *supra* note 24, at 9; *see also* Public Safety Leadership Convening, "Shared Principles of Agreement", *supra* note 42, at 2.

57 *See* Royce Bernstein Murray, "A Blueprint for Humane Removals," in *The Immigration Blueprints: A Roadmap to Modernize U.S. Immigration* (Washington, DC: Hyphen, December 2025), at 11-13; Nuñez-Neto, *No More Back Doors*, *supra* note 8, at 10-11; United States Conference of Catholic Bishops, *Catholic Elements of Immigration Reform*, *supra* note 26, at 1.

Border security and asylum processing that is effective, fast, and fair

A functioning immigration system begins with a secure and well-managed border. As with every sovereign nation, the United States has the right and the responsibility to know who is entering the country, prevent and deter unlawful entry, stop the flow of dangerous drugs and contraband, and disrupt human smuggling and trafficking networks.[58] "Security and compassion are not opposites."[59] A well-managed border can enforce the law maintain order and protect the country while treating every person with dignity and fairness.[60]

At the same time, border security alone is not enough.[61] The United States has long-recognized legal obligations to provide protection to people fleeing persecution and other serious harms and effective border management also requires a functioning system of humanitarian protection.[62] When asylum systems are overwhelmed and under-resourced, the result is often lengthy backlogs and uncertainty for migrants and communities. A functioning immigration system therefore requires sufficient personnel, technology, infrastructure, and adjudication capacity to process claims fairly and efficiently. Individuals who qualify for protection should receive it in a timely manner, while those who do not should receive prompt, fair decisions and deportations.

Border policies should also reflect American values and high ethical standards. Humane reception and modern processing systems help ensure that families and vulnerable individuals are treated with dignity while their cases are reviewed. Effective, fast, and fair border management strengthens public trust, reduces irregular migration, and reinforces the rule of law.

58 *See* UnidosUS, *Prosperity for All*, *supra* note 2, at 30; *see also* Tanden and Gandhi, *A New Immigration System to Safeguard America's Security*, *supra* note 7, at 3; UnidosUS, *A Border Policy Framework*, *supra* note 9, at 2.

59 *See UnidosUS and Immigration: A Values-Based Vision*, *supra* note 1, at 6.

60 *See id.*

61 *See id.*

62 *See* Refugee Act of 1980, Pub. L. No. 96-212, 94 Stat. 102; 8 U.S.C. § 1158; Protocol Relating to the Status of Refugees, Jan. 31, 1967, 19 U.S.T. 6223; *see also UnidosUS and Immigration: A Values-Based Vision*, *supra* note 1, at 6.

Policy Recommendations

Secure and Modern Borders: Border security should be modernized to be able to quickly respond to shifting migration flows, lawful trade and travel, and national security threats. This includes improving processing systems, sufficient staffing, non-intrusive inspection technology at ports of entry, responsible data-sharing, and surveillance tools with appropriate privacy, civil rights, and due process safeguards.[63]

Surge Capacity and Incident Response: Regardless of how good our border management system may become, outside variables beyond our control, including instability, violence, and natural disasters can impact migration trends. The federal government should maintain scalable surge-response capacity that includes federal agencies, border and receiving communities, state and local governments, nongovernmental organizations, public health providers, and child welfare partners.[64]

Orderly and Timely Asylum Processing: Asylum should remain a meaningful protection for people fleeing persecution, while at the same time there should be limits in place to manage the size and scope of that system. There should be structured, timely, transparent adjudication processes with quick decisions. Access to asylum should be available at ports of entry, but only emergency humanitarian access for people facing immediate danger should be available between the ports of entry. In addition, asylum backlogs should be disposed of quickly through surged resources and the use of alternative pathways to status, so that moving forward, resources can be focused on fast adjudications for people who have recently arrived.[65]

Asylum Processing Centers: Asylum cases should be adjudicated quickly and fairly. To do this, people arriving at the border, including family units, should be able to be processed in short-term, residential settings distinct from detention facilities to ensure safe and prompt adjudications. Such settings should be civil, designed with trauma-informed principles, time-limited, and distinct from detention, with freedom of movement, access to medical, educational, child welfare, and legal services, and prompt release or deportation.[66] Programs focused on fast and fair final adjudications should be developed for individuals that cannot or should not be housed in the asylum processing centers due to space constraints, criminal or gang history, or vulnerability.

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63 *See* Nuñez-Neto, *No More Back Doors*, *supra* note 8, at 6*; see also* UnidosUS, *Prosperity for All*, *supra* note 2, at 30; UnidosUS, *A Border Policy Framework*, *supra* note 9, at 2; Tanden and Gandhi, *A New Immigration System to Safeguard America's Security*, *supra* note 7, at 3-4; Pierce, "Creating Immigration Policy that Addresses the Trust Deficit", *supra* note 8, at 5; BSP Research and Shaw & Company Research, *Road to the Midterms*, *supra* note 10, at Slide 17 (reflecting 50% support for border security and antitrafficking enforcement: 33% enforcement on human smugglers and drug traffickers and 17% on increasing border security).

64 *See* Feasley, "Border Management and Asylum Reforms", *supra* note 47, at 14-16.

65 *See* Feasley, "Border Management and Asylum Reforms", *supra* note 47, at 16-18; *see also* Nuñez-Neto, *No More Back Doors*, *supra* note 8, at 6; UnidosUS, *Prosperity for All*, *supra* note 2, at 30; Tanden and Gandhi, *A New Immigration System to Safeguard America's Security*, *supra* note 7, at 6-7; Flores, *A Better Way Forward*, *supra* note 33, at 31.

66 *See* Feasley, "Border Management and Asylum Reforms", *supra* note 47, at 16-18; *see also* Flores, *A Better Way Forward*, *supra* note 33, at 29; Nuñez-Neto, *No More Back Doors*, *supra* note 8, at 7; Tanden and Gandhi, *A New Immigration System to Safeguard America's Security*, *supra* note 7, at 6-7.

Conclusion

The United States stands at a crossroads in its immigration debate. The choice before the nation is not between uncontrolled borders and mass deportation, nor between enforcement and reform. It is whether we will continue to rely on a system defined by crisis, polarization, and short-term political responses, or whether we will build an immigration framework that is effective, fair, and worthy of our values and interests as a nation.

The framework outlined in this paper offers a path forward. Effective border management and timely asylum processing can restore confidence that the government is capable of managing migration. Targeted and accountable interior enforcement can focus resources where they matter most while protecting public safety and civil rights. Modernized legal immigration pathways can help meet the nation's economic and demographic needs while creating orderly alternatives to unauthorized migration. Earned pathways to citizenship can resolve the status of long-term residents, strengthen families and communities, and allow the nation to move beyond decades of stalemate.

These four pillars are not competing priorities; they are mutually reinforcing components of a functioning system. Border security is more effective when legal pathways exist. Enforcement is more credible when it is focused on genuine threats rather than long-settled community members. Legal immigration works better when it responds to labor market realities. Public confidence grows when immigration policies are practical, transparent and fair.

The American people are ready for solutions that move beyond false choices and political slogans. They want secure borders, orderly migration, strong communities, economic opportunity, and a system that treats people fairly. Achieving those goals will require leaders in both parties to reject extremes, embrace pragmatism and pursue durable reforms that can earn broad public support.

We remain committed to working with elected officials, policymakers, community leaders and advocates across the political spectrum to achieve that goal. The nation does not need more division over immigration; it needs a system that works. By pursuing a balanced approach grounded in effective security and enforcement, fairness and due process, and economic opportunity, the United States can build an immigration system that strengthens the country, fosters economic prosperity, honors its values, and serves future generations.[67]

67 *See UnidosUS and Immigration: A Values-Based Vision*, *supra* note 1, at 7.

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