

Immigration Reform Priorities to Improve the Lives of South Asian Americans

South Asian Americans are the fastest growing major ethnic group in the United States; our voice is increasingly important in the immigration debate. **Since three out of every four South Asian Americans are born overseas, we know that the vast majority of our population is coming in through our immigration system, all parts of it.** Our community is made up of citizens and green card holders, those holding family and employment visas, refugees and asylum-seekers, and undocumented individuals. We are a diverse community, from various socio-economic backgrounds with various experiences that bring us here. SAALT, and the members of the National Coalition of South Asian Organizations (NCSO), support the following priorities for immigration reform:

- ▶ **Creating an Accessible & Affordable Pathway to Citizenship that Includes Benefits**
- ▶ **Keeping Families Together and Creating Accessible Options in the Family and Employment Based Systems, Including Worker Protections**
- ▶ **Rejecting Enforcement-Only Approaches, Prohibiting Profiling, & Ensuring Due Process & Human Rights**
- ▶ **Creating Policies that Support the Empowerment of Women, Including Survivors of Domestic Violence & Trafficking**

Creating an Accessible & Affordable Pathway to Citizenship

The number of South Asian Americans who are undocumented is growing. For example, there are over 240,000 undocumented individuals from India alone. It is essential that individuals have options towards status and citizenship so that they have educational opportunities, can seek employment, and are able to fully participate in society like any other American. SAALT supports improvements to our system that provide:

- A pathway to citizenship for all undocumented individuals
- Reasonable processing periods (without long wait times) & affordable fees
- Employment requirements that accommodate informal work, such as the domestic care sector, service professions, and caretakers
- Access to immigration benefits, such as social, health, and humanitarian services
- Access to integration programs, including classes for limited English proficiency

Keeping Families Together & Creating Accessible Options in the Family & Employment Based Systems

Family-based immigration

Currently, our immigration system is backlogged, which means that many individuals have to wait years or even decades for their family members to come to the U.S. through our family based system. Currently, over four million Americans are waiting to be reunited with their family members and South Asian Americans account for more than a quarter of that total. SAALT supports improvements to our system that would:

- Eliminate backlogs and wait times and increases caps
- Qualify children & spouses of green card holders as “immediate relatives” so that they are excluded from caps
- Improve our system, rather than creating further limitations by eliminating categories

Employment-based immigration

Like our family-based system, individuals also wait for status through our employment-based system for extended periods of time. Additionally, skilled workers (H-1Bs) are limited by restrictions on job mobility and are not ensured worker protections. Spouses of these workers are also denied the opportunity to work, preventing them from contributing to their household income, pursuing their interests, and sometimes causing depression. In addition, South Asian workers in informal sectors often face exploitation in their work environments. SAALT supports improvements that would:

- Eliminate the backlogs and wait times and increase caps
- Allow for individuals to self-petition, transition jobs, and receive promotions without starting over in the system
- Provide worker protections, such as issues around wages and work conditions as well as backpay and damages for those against whom retaliatory actions are taken
- Prevent the use of programs that are inaccurate and problematic, such as E-Verify
- Allow spouses of workers (e.g. H-4s) to obtain employment authorization

Rejecting Enforcement-Only Approaches, Prohibiting Profiling, & Ensuring Due Process & Human Rights

Post-9/11, South Asians, Muslims, and Arabs have suffered extensive enforcement measures in immigration, including profiling. Profiling is not only a violation of our civil rights, but it has also proven ineffective and makes us less safe by deterring individuals from calling law enforcement due to a lack of trust. These issues are worsened by current immigration programs that allow local law enforcement to engage in activities resulting in immigration consequences. Additionally, current detention and deportation policies defy basic human rights standards and separate families for extended periods of time. SAALT supports improvements that would:

- Create a clear prohibition on profiling based on race, ethnicity, religion, or national origin
- Clearly limit the role of local and state law enforcement in immigration enforcement
- Restore due process and human rights standards, such as meaningful waivers from deportation, access to counsel, and judicial review

Creating Policies that Support the Empowerment of Women, Including Survivors of Domestic Violence & Trafficking

Like any other community, South Asian Americans are victims of domestic violence and trafficking, making them a particularly vulnerable population with respect to immigration. It is essential that survivors of such abuse have options within our system that are not dependent on the people who are abusing or exploiting them. Otherwise, they might be forced to stay in those situations because they are afraid of immigration consequences or unable to obtain benefits such as the ability to work. SAALT supports improvements that would:

- Create immigration options for survivors of abuse that are not dependent on their abusers, including spouses of non-immigrant visa holders (e.g. that their status is not dependent on the abuser)
- Expand protections and relief for asylum seekers and survivors of trafficking
- Increase the cap on U visas (victims of crimes)
- Provide protections and benefits for immigrant women workers, including employment authorization for spouses of skilled workers (H-4s)

GET INVOLVED: Tell your immigration story, learn how to engage your Members of Congress, & make your voice heard. Please feel free to contact SAALT at info@saalt.org and visit us online at www.saalt.org to learn more about ways to take action.

For more information, please contact SAALT's Policy Director, Manar Waheed, at manar@saalt.org.