

**Borders and Immigration:**

# **Creating an Immigration Policy that Works for the US**

**January 2026**



## **Top Line**

- 1. The US is a nation of immigrants—workers, innovators, and families who keep us strong.** Immigrants contribute innovative ideas, entrepreneurial spirit, and business connections that boost the American economy, making it more flexible and competitive.
- 2. However, our current immigration system does not serve our economic interests or protect the rights of vulnerable people.**
- 3. Republican immigration policy is making the situation worse – violating the US Constitution, attacking human rights and damaging the economy in the US and in Texas**
- 4. Comprehensive immigration reform is necessary to fix a broken system that currently violates human rights and harms our economy.**

**Current Republican immigration policies are damaging our economy and our communities and are violating basic human rights. Most Americans agree that immigration strengthens our country and that we need comprehensive immigration reform.**

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## **Backup**

### **1. The US is a nation of immigrants—workers, innovators, and families who keep us strong.**

- a. Immigration has always been a key part of America's story. (1)
  - Over many generations, new immigrants have helped keep the country young, diverse, and strong.
  - They have enriched American culture and strengthened our economy, giving the U.S. greater influence around the world.
  - Immigrants contribute innovative ideas, entrepreneurial spirit, and business connections that boost the American economy, making it more flexible and competitive.
  - Other than Native Americans, all of us are immigrants or descended from immigrants. Almost every family in the US has an immigrant story somewhere in their family history.
- b. Immigrants are an important part of our economy and contribute to the economies of Texas and the US. (2)
  - In 2023, foreign-born workers, both documented and undocumented, made up nearly 19% of the U.S. labor force, greatly contributing to economic growth and consumer spending.
  - Immigrants are 80% more likely to start businesses than native-born Americans. 55% of U.S. billion-dollar startups are founded by immigrants.
  - Economists note the positive impact of immigration on our economy. Federal Reserve Chair Jerome Powell stated, "immigration and labor force participation both contributed to the very strong economic output growth that we had last year."
  - Immigration is essential to offset labor shortages caused by an aging population and declining birth rates, as well as supporting social programs like Social Security through tax contributions. (2)
- c. Studies show that immigrants only rarely replace American workers but instead fill important jobs at all skill levels. Immigration has helped the U.S. economy expand, keep prices stable, and foster innovation, especially in technology and science. (3)

- d. U.S. employers in sectors like agriculture, construction, healthcare, and technology report persistent labor shortages and rely on immigration to fill these roles. Immigrants make up a large share of the workforce in key sectors of the economy, including:
  - 50% of agricultural graders and sorters
  - 25.3% of all agricultural workers, vital for sustaining the \$1.5 trillion food industry.
  - 25% of construction jobs nationwide
  - 40% of construction jobs in Texas (4)
- e. Contrary to Republican talking points, undocumented immigrants benefit our economy and contribute to federal and state budgets.
  - The Tax Policy Center points out that undocumented immigrants pay taxes but receive few benefits in return. Undocumented immigrants have taxes withheld from their earnings, pay sales tax on the things they buy, and pay property taxes either directly as homeowners, or as part of the rent they pay if they are renters. However, undocumented immigrants are not eligible for most benefit programs, including Social Security or Medicare. (5)
  - Analysis by Penn Wharton at the University of Pennsylvania finds that a policy of aggressively removing undocumented immigrants (which the Republicans are currently doing) will **increase the Federal budget deficit and reduce GDP**. (6)
  - Undocumented immigrants are not eligible for Social Security benefits. However, they often have Social Security taxes withheld from their paychecks. In 2022, undocumented immigrants paid in \$25.7 billion in Social Security taxes. This helps to reduce the long-term shortfall in Social Security funding. (7)

**Overall, immigrants, both documented and undocumented, support economic stability, and contribute to the U.S. economy and workforce.**

## **2. However, our current immigration system does not serve our economic interests or protect the rights of vulnerable people.**

- a. Processing backlogs leave millions waiting years for resolution (8)
  - i. As of 2025, immigration courts face nearly 3.7 million pending cases.

- ii. The average wait time is around 1.7 years, with asylum seekers waiting an average of 4.3 years.
  - iii. This growing backlog is caused by a shortage of judges, limited resources, and complex policies.
- b. Outdated guest worker and visa programs don't match our economy's needs for workers
  - i. Visas are important for allowing U.S. employers to hire skilled international workers. However, current visa rules often allow abuse by employers, hurting both immigrant and American workers. Reforms are needed to make these programs fairer, ensuring they attract global talent while protecting labor rights and strengthening U.S. competitiveness. (9)
  - ii. The new H-1B visa rules, particularly the \$100,000 processing fee per application, will hurt the American economy by reducing the supply of highly skilled immigrant workers, offshoring jobs, damaging universities, and undermining innovation and competitiveness in key sectors like technology and healthcare. (10)
- c. Inefficiencies, inconsistencies and delays in our immigration policies push many into illegal crossings, creating more undocumented people in the US.
  - i. Slow asylum decisions, strict visa limits, lack of guest worker permits, and complicated rules make it extremely hard for people with legitimate asylum cases to come to the U.S. legally.
  - ii. When the legal path seems impossible, many feel pushed to take unsafe or illegal routes instead. (11)

### **3. Republican immigration policy is making the situation worse – attacking human rights and damaging the economy in the US and in Texas**

- a. **Republican policies violate constitutional and human rights.** The current Republican administration has illegally detained people, and has deported people with no criminal records, and including people who are in the US legally.

Three shocking examples of the Republican's violations of human rights and common decency are outlined below. More examples are showing up on the news every day.

- **1 - US Citizens wrongfully detained** - An investigation by ProPublica reveals that more than 170 U.S. citizens, including children and pregnant women, have been wrongfully detained by immigration agents during raids and protests in 2025. (12)
  - Many were held in harsh conditions without access to lawyers or the ability to contact family for days on end.
  - Despite agents being required to verify citizenship claims, failures in protocol led to US citizens, mainly Latinos, being arrested, physically abused, or held under suspicion without proper cause.
  - These incidents highlight systemic issues including racial profiling, lack of transparency, inadequate oversight, and abuses of federal authority in immigration enforcement. Civil rights organizations and lawmakers have called for congressional action to restore accountability and protect citizens' rights.
  
- **2- Rendering people without criminal records to El Salvador** - The Cato Institute has provided a detailed review of the Trump Administration's policy of rendering people to a prison in El Salvador. (13)
  - Approximately 240 Venezuelans were detained and rendered to El Salvador in March 2025. They were sent to El Salvador's Terrorism Confinement Center (CECOT), which is notorious for torture.
  - The Cato research found that at least 50 of them had arrived in the US legally.
  - At least two dozen were first granted parole, a legal designation that permitted them to enter, live and work legally in the United States — which they did until their arrest and imprisonment in El Salvador.
  - DHS claims that these legal immigrants are all members of a Venezuelan gang known as Tren de Aragua (TdA). But in nearly all the men's cases, DHS was not able to identify any crimes committed, and background checks run by Bloomberg, The New York Times and CBS News have found that **the vast majority have no criminal record in the United States or abroad.**
  - DHS' gang identification is based on little more than their tattoos. According to court documents, DHS is using a checklist to deem people "gang members" based primarily on common tattoos, clothing and other

imprecise signs — which experts say are not reliable indicators of gang membership.

- Cato points out “The fact that so many of these imprisoned people came legally highlights an important feature of the Trump administration’s mass deportation policy: No one is off limits. DHS is arresting, detaining and expelling legal immigrants: student visa holders, tourists, refugees, parolees and even legal permanent residents who have no criminal records. In this case, it went further: to imprison them.”
- Cato concludes: **“The Constitution guarantees all people — regardless of citizenship — due process, free speech and other rights. DHS’ refusal to respect those rights is ruining America’s image as a land of freedom and the rule of law. Once that image is lost, it may take generations to recover.”**

(13)

- **3 - Widespread use of illegal chokeholds**

- ProPublica reports that immigration agents with ICE, Border Patrol and other DHS components have repeatedly used chokeholds, carotid restraints and neck or back pressure on immigrants, U.S. citizens and protesters, despite a federal policy that bans chokeholds and carotid holds except when deadly force is justified.
- By reviewing more than 40 videos from around the country, the reporters and a panel of former police and immigration officials found civilians suffering apparent seizures, losing consciousness and sustaining serious injuries while agents kept them in dangerous positions, often after they were already restrained, leading experts to condemn the conduct as excessive, unsafe and contrary to training. (22)

c. These abuses and illegal actions by the Republican administration have led to a strong backlash against these policies, and an increase in support for immigrant rights. (14)

- According to a recent Gallup poll, only 38% of Americans support deporting all immigrants who are living in the United States illegally back to their home country.
- Americans have grown markedly more positive toward immigration over the past year, with the share wanting immigration reduced dropping from 55% in 2024 to 30% in mid-2025.

- At the same time, a record-high 79% of U.S. adults say immigration is a good thing for the country.
  - 78% favor allowing immigrants living in the U.S. illegally the chance to become U.S. citizens if they meet certain requirements over a period of time.
- d. These harsh immigration practices are also harming our economy.
- According to a 2025 Economic Policy Institute (EPI) report, the Republican goal to deport 4 million immigrants over four years, would eliminate nearly 6 million jobs – including 2.6 million jobs held by US-born workers. (15)
  - Job losses would be especially severe in the construction and childcare sectors, shrinking by about 19% and 15%, respectively.
  - Health care, childcare and senior care are also being affected. (23)
  - According to the Penn Wharton Budget Model, a 4-year policy of deporting 10% of unauthorized immigrants annually would increase primary deficits by \$987 billion over 10 years, due to lost tax revenue, decreased economic growth, and increased deportation and enforcement costs. (16) This would add nearly a trillion dollars to our debt, just from a misguided immigration policy.

The Republicans' cruel, illegal and harmful immigration practices are opposed by a solid majority of Americans. As of March 2025, before many of the abuses were evident, 49% of Americans approved of Trump's handling of immigration. By December 2025 that fell to just 38% approval. **60% of Americans disapprove of how the administration is handling immigration.** (17)

#### **4. Comprehensive immigration reform is necessary to modernize a broken system that currently violates human rights, harms our economy and is opposed by most Americans.**

Instead of the fragmented, cruel, ineffective and harmful immigration policy being implemented by Republicans, the US needs a comprehensive policy that focuses on root causes of illegal immigration as well as effective enforcement.

- a. **Provide effective border security.** Few (if any) Democrats advocate for “open borders”, but this is a common claim by Republican opponents. Democratic

candidates should be clear - **Border security is critical for our nation's safety.** We should focus on smart investments in infrastructure and technology. We should also reduce the factors that motivate people to cross the border illegally, by improving the asylum system and creating mechanisms for people to work legally in the US.

- b. Fix interior enforcement, without violating citizens' rights or the human rights of non-citizens.** Presidents Obama and Biden focused interior removals on immigrants that represented a risk to safety. By contrast, the current Republican administration considers all undocumented immigrants as high priorities for removal. (18) This unfocused approach has led to the detention of US citizens, the removal of people who were in the US legally, and the removal of people who have been in the US for many years and contribute to our economy and our communities. We should return to a focus on undocumented immigrants with criminal records or who represent a threat, and immigration enforcement practices that observe US law.
- c. Reform the asylum system and respect international asylum laws.** People who face a credible threat of violence in their home country have a legal right to claim asylum in the US.
- The American Immigration Council explains "As a signatory to the 1967 Protocol, and under U.S. immigration law, the United States has legal obligations to provide protection to those who qualify as refugees." Refugees are defined as "a person who is unable or unwilling to return to their home country, and cannot obtain protection in that country, due to past persecution or a well-founded fear of being persecuted in the future "on account of race, religion, nationality, membership in a particular social group, or political opinion." Congress incorporated this definition into U.S. immigration law in the Refugee Act of 1980." (19)
  - A Policy Brief by the American Immigration Lawyers Association states that "the Trump Administration has implemented sweeping policies that severely restrict access to asylum and shut America's doors to people fleeing persecution. These policies violate federal law, erode constitutionally protected due process, harm domestic violence survivors, and create bureaucratic inefficiencies that exacerbate the backlog of asylum cases." (20)
  - The US should respect international and US law related to asylum seekers and increase resources to address the existing backlog of asylum cases.

- d. **Expand guest worker and visa programs to meet US labor needs.** As noted above, immigrants are a critical part of our workforce in many industries. A guest worker program will address US labor needs, provide protections to immigrant workers, and reduce the incentive to immigrate illegally.
- e. **Eliminate for-profit immigrant detention.** For-profit immigration detention centers often prioritize incarceration over humane alternatives, raising human rights concerns. Inadequate oversight of detention centers hinders transparency and accountability. (21)

**The Dignity Act** is a bipartisan bill that has been introduced in Congress to provide comprehensive immigration reform. (American Immigration Council, July, 2025, <https://www.americanimmigrationcouncil.org/blog/legislators-immigration-reform-reintroduced-dignidad-act/>)

- The Dignity Act strikes a balance between tough border enforcement and an earned path to legal status for millions of undocumented immigrants.
- Centered on security, accountability, and integration, it marks a realistic first step toward comprehensive immigration reform.
- More importantly, it proves that bipartisan cooperation is possible and that good-faith solutions to the nation’s immigration challenges can still be achieved.
- The Act was introduced into the 2025 Congress by Rep. Maria Elvira Salazar, a Florida Republican, and Rep. Veronica Escobar, a Texas Democrat. A summary of the Dignity Act of 2025 is at <https://forumtogether.org/article/the-dignity-act-of-2025-bill-summary/>

## More Information

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