



**STATEMENT OF
CONGRESSIONAL BLACK CAUCUS
CHAIRWOMAN CAROLYN C. KILPATRICK**

Before the

**SUBCOMMITTEE ON IMMIGRATION, CITIZENSHIP, REFUGEES
BORDER SECURITY, AND INTERNATIONAL LAW**

Regarding

H.R. 750, the "Save America Comprehensive Immigration Act of 2007"

November 8, 2007

Madame Chair, Members of the Immigration Subcommittee, and my colleagues:

Giving thanks to God, who is the guide of my life, I welcome you on behalf of the 43 Members of the Congressional Black Caucus or CBC. Next year, I will celebrate three decades of public service to the people of the great State of Michigan and of the United States of America. One of the key issues that face all Americans today is that of immigration. It is my hope that the Committee analyzes H.R. 750, the Save America Comprehensive Immigration Act of 2007, as a bill worthy of serious consideration if we are going to move forward with immigration reform. I want to thank all of the Members of both this subcommittee and the full committee. However, I once again, want to commend the gentlelady from Texas, Congresswoman Sheila Jackson Lee, for her hard work, her diligence, and her dedication and that of her staff in drafting H.R. 750 and for her continued effort in helping to educate the CBC on this issue.

The Congressional Black Caucus has issued four guiding fundamental principles as Congress tackles immigration reform:

- Earned access to lawful permanent resident status for persons currently in the United States;
- Assure education, job training, non-discriminatory employment and livable wages for all legal workers;
- Immigration regulations that will increase diverse immigration from historically underrepresented regions, such as the Caribbean and Africa; and
- Strong border security and comprehensive immigration reform.

H.R. 750 contains all of these provisions, and much more. This bill ensures that families of immigrants will be allowed to stay together. It tackles the challenge of human trafficking in its establishment of a task force to rescue immigrant victims of American Sex offenders. It helps immigrants, who want to come to American lawfully, who are victims of document fraud and unscrupulous lawyers. It strengthens our border patrol system, provides more pay for Border Patrol Agents, and speeds up deportation proceedings against those who have been found guilty of breaking American laws. And, finally, it changes the complexion of the issue of the immigration of Haitian Refugees to ensure that the children and families of Haitian immigrants can remain whole. When we think "immigration," we don't think about the hundreds of thousands of individuals who cross into my home city of Detroit, Michigan, home to the largest port in North America. When we think "immigration, we don't consider those hundreds of thousands of families who want to become American citizens from the land that is the origin of all of us, Africa. When we think "immigration," we don't

remember the fact that the fabric that makes up the blanket of America is made of human beings who represent all of God's children.

Most importantly, H.R. 750 gives our nation, and other citizens of the world, hope. H.R. 750 re-establishes part of the inscription that is at the base of the Statue of Liberty:

"Give me your tired, your poor,
Your huddled masses yearning to breathe free,
The wretched refuse of your teeming shore.
Send these, the homeless, tempest-tossed to me,
I lift my lamp beside the golden door!"

H.R. 750 lifts the lamp of freedom, of justice, of fairness and of equality to those who sometimes risk their very lives to become nothing more than hard-working, tax paying American citizens. It ensures that jobs and job training for Americans will not be eroded. In summary, this bill meets all of the dynamics and recommendations of the Congressional Black Caucus.

Among other things, according to the Congressional Research Service, this bill will:

Direct the Secretary of State to establish a Board of Family-based Visa Appeals within the Department of State.

Authorizes the Secretary of Homeland Security (Secretary) to deny a family-based immigration petition by a U.S. petitioner for an alien spouse or child if: (1) the petitioner is on the national sex offender registry for a conviction that resulted in more than one year's imprisonment; (2) the petitioner has failed to rebut such information within 90 days; and (3) granting the petition would put a spouse or child beneficiary in danger of sexual abuse.

Direct the Secretary to establish the Task Force to Rescue Immigrant Victims of American Sex Offenders.

Authorizes the Secretary to adjust the status of aliens who would otherwise be inadmissible (due to unlawful presence, document fraud, or other specified grounds of inadmissibility) if such aliens have been in the United States for at least five years and meet other requirements.

Authorizes the emergency deployment of Border Patrol agents to a requesting border state.

Sets forth provisions for Border Patrol acquisition and use of specified equipment.

Direct the Secretary to: (1) provide for additional detention space for illegal aliens; (2) increase Border Patrol agents, airport and land border immigration inspectors, immigration enforcement officers, and fraud and document fraud investigators; (3) enhance Border Patrol training and operational facilities; (4) establish immigration, customs, and agriculture inspector occupations within the Bureau of Customs and Border Protection; (5) reestablish the Border Patrol anti-smuggling unit; (6) establish criminal investigator occupations within the Department of Homeland Security (DHS); (7) increase Border Patrol agent and investigator pay; (8) require foreign language training for appropriate DHS employees; and (9) establish the Fraudulent Documents Task Force.

Redefines the term "law enforcement officer" under provisions of the Federal Employees Retirement System (FERS) and the Civil Service Retirement System (CSRS) to include: (1) federal employees not otherwise covered by such term whose duties include the investigation or apprehension of suspected or convicted individuals and who are authorized to carry a firearm; and (2) Internal Revenue Service (IRS) employees whose duties are primarily the collection of delinquent taxes and the

securing of delinquent returns.

Authorizes S (witness or informant) nonimmigrant status for aliens in possession of critical reliable information concerning commercial alien smuggling or trafficking in immigration documents.

Establishes a reward program to assist in eliminating immigration-related commercial document fraud operations.

Sets forth unfair immigration-related employment practices.

Requires petitioners for nonimmigrant labor to describe their efforts to recruit lawful permanent residents or U.S. citizens.

Makes permanent an INA provision allowing adjustment of status of certain aliens for whom family-sponsored or employment-based applications or petitions were filed by a specified date.

Lessens immigration consequences for minor criminal offenses. Eliminates retroactive changes in grounds of inadmissibility and removal.

Amends criminal offense removal-related provisions.

Increases the worldwide level of diversity immigrants.

Authorizes adjustment of status for certain nationals or citizens of Haiti.

Eliminates mandatory detention in expedited removal proceedings.

Amends the Haitian Refugee Immigration Fairness Act of 1998 to: (1) waive document fraud as a ground of inadmissibility; and (2) address determinations with respect to children.

Eliminates the one-year filing requirement for asylum applicants. Includes gender persecution within the particular social group category of persecution.

Provides for the permanent resident status adjustment of certain temporary protected status persons.

Amends the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to eliminate a provision prohibiting restrictions on the communication of immigration status information by a government entity.

Replaces the existing fashion model H-1B visa classification with an O-visa classification.

As elected officials, we can worry about our next elections, or we can worry about the next generation. The Congressional Black Caucus has historically chosen the path least taken and the road less traveled as we continue to be the conscience of the Congress. If we do not tackle the challenge of immigration now, it will be something that will haunt my children, our children, and my five grandsons, our grandsons, for a generation to come. This not only affects our families, but it affects the safety and security of our nation, and the businesses of our country. This is too important a matter to allow to lie dormant.

In summary, I applaud the Committee for continuing to focus on this matter. If Congress does not tackle this matter, we will have abdicated our responsibility to the many states, cities and counties of this nation. You cannot pick up a newspaper with another new, often politically expedient and sometimes draconian measure that has been passed regarding immigration.

H.R. 750, the Save America Comprehensive Immigration Act, while not perfect, is a step in the right direction regarding immigration reform. It will help bring the more than 12 million undocumented immigrants out of the shadows of our economy because it creates a clear path to lawful residency for those willing to pay fines and demonstrate a commitment to America and becoming Americans. It protects our nation by strengthening our Border Patrol agents and speeds up the lawful

immigration process. It eliminates the onerous backlogs in our family immigration system. It ensures that due process of the law and protects legal immigrants from fraudulent lawyers and unscrupulous operators. It changes the dynamic of immigration to include the issues of Northern border states and the unique challenges of Caribbean and African immigrants. It protects the jobs and job training opportunities of hard working, tax paying Americans. It is a common-sense bill that, based upon its merits, deserves complete, comprehensive and fair consideration by all Members of Congress.

I thank the Committee for inviting me to this most important hearing, and for its time.