

**THE IMMIGRATION PERSPECTIVE ON THE PRESIDENTIAL ELECTION:
WHICH PARTY HAS THE NATION'S VOTE? By Members of the NPZ Law
Group - David H. Nachman, Esq., Michael Phulwani, Esq. and Ridhima Goyal**

The Republican and Democratic parties' individual stances on immigration are aptly reflective of each of their core values. Just as the Republican Party shuns liberalism and promotes conservative ideals, similarly its platform regarding immigration is austere in its support of the law and opposes any form of amnesty. Likewise, the Democratic Party embraces policies such as Comprehensive Immigration Reform (CIR) which aim to reinforce America's lure of being a nation of immigrants just as the party values fairness and opportunity in other aspects. Thus, each party is on the opposite end of an extremely broad spectrum and an understanding of their immigration platforms will shed light on their placement within the larger scheme.

The Democratic Party uses a method that focuses on eliminating the most pressing issues at hand such as prioritizing enforcement against criminals who endanger the communities instead of immigrants who do not pose a safety threat. The Republican Party, on the other hand, has as one of its top priorities, strengthening security at the borders and at the ports-of-entry and putting into place laws similar to Arizona SB 1070, which at the time of passage was met with considerable controversy given its harshness. Although the Republican Party does not currently propose any policies as strict, the policies the party does propose are only a few degrees shy of the above-mentioned Arizona SB 1070. For instance, Presidential hopeful, Mitt Romney's Immigration Policy Advisor, Kris Kobach, played a large role in drafting Arizona SB 1070, making it difficult to put one's trust in Romney's immigration position considering his questionable choices.

Romney's words at the debate last Tuesday in support of providing a path for children brought to the U.S. illegally seem as if his stance on immigration, particularly for those qualified for DACA (Deferred Action for Childhood Arrivals), might not be as harsh as first perceived. However, his lack of clarification of what this path might entail, once again, is reminiscent of his lack of commitment to an explanation of most of his seemingly moderate claims.

Immigration, in the context of the current presidential election, is an issue that is of particular importance to the Hispanic community in the U.S.

Recognizing this, Romney has spent a large part of his campaign pandering to the Hispanic community. One specifically interesting tactic, employed by the Republican Party, has been to bolster its popularity amongst Latino voters by using political examples such as Marco Rubio to create an image of the model legal immigrant and thus swaying their campaign to appear, ostensibly, as appealing to the immigration-minded.

Other rigid ideals regarding immigration, held by the Republican Party, include making mandatory the SAVE (Systematic Alien Verification for Entitlements) program, the purpose of which is to verify the lawful presence of applicants for state or federal government entitlements or IRS refunds; promoting the inherently flawed self-deportation; enforcing the use of E-Verify on a national level; supporting long-term detention of those who cannot be deported to their country of nationality; and calling for English as the nation's official language.

Unlike the Republican Party, the Democratic Party encourages the assimilation of undocumented immigrants who are not causing any harm to American society by requiring them to "get right

with the law", learn English, pay taxes in order to establish a path to earn citizenship and also encourages the creation of a system for allocating visas that meets the nation's economic needs, keeps families together, and enforces the law.

Other policies promoted by the Democratic Party include prioritizing family reunification; supporting the current administration's streamlining of the process of legal immigration for immediate relatives of U.S. citizens and the enhanced opportunities for English-language learning and immigrant integration. Also, not only does the Democratic Party support the inclusion of lesbian, gay, bisexual, and transgender relationships in the definition of family, but also supports the continued litigation to oppose safe enforcement laws that interfere with federal immigration law that, in turn, protects bi-national families threatened with deportation.

Thus far, the Democratic Party has been successful in its endeavors.

President Obama recently signed into law S.03245, which extends the expiration of several critical immigration law programs including but not limited to the EB-5 regional center investor program and E-Verify. And although it may not choose border security as its top priority in the same way as the Republican Party, the Democratic Party asserts that the Southwest Border is more secure than at any time in the past twenty years and that unlawful crossings are at a 40-year low, and that the Border Patrol is better staffed than at any time in its history.

The immigration policies of the U.S. continue to be a political football.

The Nation has been given the two minute warning. It is close to the time that the choice has to be made. Either way that the contest goes, it is our hope that the President will be able to break through Washington Gridlock and to deal with the issue of immigration so that rather than to throw the "hail-Mary" we will be able to safely land the immigration ball in the end zone for a touchdown!