

## WHY A MANDATORY RETURN, 'REPORT TO DEPORT,' POLICY IS NOT THE BEST OPTION

- A mandatory return policy, also referred to as a deferred departure policy, is in essence a call to report to deport for undocumented immigrants.
- Many undocumented workers are likely to refuse to participate in the program as they have nothing to gain by enrolling in such a program that may separate them from their families, homes, jobs, and other ties to the U.S., without any guaranteed that they will be able to re-enter the U.S. in a short period of time.
  - When put in the position to leave their families or remain in the U.S. illegally, many will choose to remain in the U.S. and not break-up family ties.
    - Many illegal immigrants have been in the U.S. for long periods of time and have U.S. citizen children. Asking that illegals leave their families, will only result in the disintegration of the family unit, or the driving out of illegals and potentially U.S. citizen children.
      - *Over 3 million U.S. born children are in families headed by undocumented immigrants.* (PEW Hispanic Center Report, *Estimates of the Size and Characteristics of the Undocumented Population*, March 2005).
- A program that requires an undocumented immigrant to return home is more likely to create a new class of undocumented workers if they have no other legal options to remain in the U.S.
  - A new cycle of undocumented, underground workers in the U.S. is not a desirable result.
- Employers can not afford the disruption in the workforce that would surely occur if an estimated 11 million migrants (5% of the workforce) were required to return to their home country.
  - A return home requirement ignores the ongoing workforce needs of a growing economy and virtually guarantees future illegal immigration and/or unnecessarily limited economic growth.
- In addition to the loss of laborers, under a policy of mandatory return, U.S. businesses, small and large, would lose nearly 11 millions consumers and customers. This would have a detrimental affect on the U.S. economy.

- A requirement that all 11 million workers return home would impose significant additional training costs on American employers as a result of government-mandated turnover and would severely impact the judicial system.
- Current immigrant visa numbers are woefully insufficient to accommodate even those individuals who would be willing to return to their home country and wait for an immigrant visa or permanent residence.
- U.S. Consular Posts abroad are already stretched beyond capacity.
  - Flooding our State Department with millions of potential new applications for re-entry into the U.S. is unnecessarily burdensome and not workable. It would be a needless disincentive to international tourists, businesspeople, scientists, students and others seeking to visit the U.S.
- This approach will have a disparate impact on immigrants depending on what country the immigrant will have to depart or return to.
- The mandatory departure policy currently being proposed places an additional, escalating, financial burden on immigrants should they choose to stay the five years they are allotted under the provision.