

Fairness for Immigrant Families Act of 2026
Senator Catherine Cortez Masto

Immigration plays a defining role in America's identity. Families throughout the United States have roots in the immigration stories of earlier generations who came to the United States seeking better opportunities, safety from persecution, and ultimately, a chance at the American dream. While the ancestors of some families arrived centuries ago, other families are continuing that tradition today. More than a quarter of children in the United States live with one or more immigrant parent.¹ Furthermore, 26 million people live in a household with at least one undocumented family member, including almost 4.6 million U.S. citizen children.²

Immigrants also play a critical role in the U.S. economy. Undocumented immigrants contributed over \$37 billion in state and local taxes in 2022³ and 1.5 million mortgages are held by households with 1 or more undocumented family member.⁴

Providing ways for long-term undocumented residents with family ties in the U.S. and no criminal record to adjust their status and achieve lawful permanent residency is a necessary part of maintaining both the diverse culture and the economic strength of the United States. Yet our immigration system as it exists now is broken, harming millions of families every single day. Far too many families live under the threat of immigration enforcement, which negatively impacts their health, as well as the development and well-being of their children. Undocumented and mixed status families with strong ties to the U.S. deserve an immigration system that makes sense.

Senator Catherine Cortez Masto's Fairness for Immigrant Families Act will...

Protect immigrant families and promote citizenship:

- Remove arbitrary barriers for long-term immigrants to become lawful permanent residents by eliminating bars to reentry
- Reestablish the 245(i) program so that undocumented immigrants with family or employer ties can "get in line," pay a fine, and adjust their status without leaving the country
- Allow certain undocumented immigrants to show that they should be able to stay in the U.S. through a process called "cancellation of removal" by recognizing a wider range of family hardships, increasing the number of cancellations that can happen each year, and establishing an affirmative application process for cancellation of removal through USCIS
- Require high-level approval before any parent of a U.S. citizen child is deported
- Prohibit deporting DACA recipients and certain immigrants with pending applications
- Establish a State Department office dedicated to U.S. citizen children who have left the country in order to stay with a deported parent, and require reporting on this population

¹ <https://www.migrationpolicy.org/article/frequently-requested-statistics-immigrants-and-immigration-united-states-2020>

² <https://www.americanprogress.org/issues/immigration/reports/2017/03/16/428335/keeping-families-together/>

³ <https://itep.org/what-state-and-local-taxes-do-undocumented-immigrants-pay/>

⁴ <https://cmsny.org/publications/2024-mass-deportation-program-devastate-american-families-101024/>

Combat notario fraud:

- Allow victims of immigration fraud more time to file motions to reopen their cases and allow them to withdraw their cases without penalty
- Criminalize schemes to provide fraudulent immigration services
- Make grants available for states and local jurisdictions to combat fraud, create immigration consumer fraud hotlines assistance digital tools, and promote outreach campaigns against immigration consumer fraud
- Create requirements for notarios to notify clients that they are not immigration attorneys and cannot provide legal advice or services
- Allow the Federal Trade Commission, state Attorneys General, and individuals to take action against notarios who violate FTC requirements

Build community trust:

- Increase accountability for deportations of those with pending applications and those with U.S. citizen children
- Require DHS to report detailed financial data, including how fees are collected and spent, as well as on adjudication backlogs and delays
- Require DHS to report to Congress prior to increasing immigration service fees
- Protect immigrants who are victims of or witnesses to crimes or are defending civil and labor rights from enforcement actions

Above all, the Fairness for Immigrant Families Act redefines the way in which we approach immigration enforcement in our country by promoting lawful permanent residency and keeping families together instead of pursuing inhumane policies that separate them.

The Fairness for Immigrant Families Act is endorsed by: UnidosUS, Voto Latino, Third Way, American Immigration Lawyers Association, American Civil Liberties Union, United We Dream Action, FWD.us, American Immigration Council, Democracy Power Project, America's Voice, Refugees International, Nevada Immigrant Coalition, UNITE HERE Culinary Workers Union Local 226, One APIA Nevada, AILA Nevada, Latin Chamber of Commerce of Las Vegas.