



*Thomas W. Roach*

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*Eamonn P.S. Roach*

*"More than 30 years experience practicing immigration law in Eastern Washington."*

### **IMMIGRATION LAW**

Tom Roach and Eamonn Roach practice law in Pasco, Washington. Tom's practice is 100% immigration law. Eamonn's practice is mostly immigration law with some criminal defense.

### **BACKGROUND**

Tom was born in Pasco in 1949, was raised in Pasco and graduated from Pasco High School in 1967. He has four brothers and four sisters, four of whom live and work in Pasco. Tom's mother, Patricia Sullivan Roach, was born in Pasco in 1921. Tom's grandparents, John and Ellen Sullivan, arrived in Pasco about 100 years ago and operated a drug store in downtown Pasco for almost 50 years.

Eamonn was born and raised in Pasco and graduated from Tri-Cities Prep High School. He has a large extended family in the Tri-Cities and has travelled to 36 countries. He lived in Puebla, Mexico during his junior year of college to study Spanish and in Hangzhou, China for one year to study Mandarin Chinese before returning home to attend law school.

### **EDUCATION**

Tom graduated from Seattle University in 1971, the University of San Francisco School of Law in 1975 and received a Masters in International Law and Politics from Columbia University in New York City in 1982.

Eamonn attended and graduated from Seattle University in 2007, majoring in International Studies & Politics with a minor in Spanish. Eamonn attended Gonzaga University School of Law in Spokane, Washington.

### **IMMIGRATION EXPERIENCE**

Tom began working in the area of immigration law in 1977 when he worked in Washington D.C. (1977-1980) for a United States Senator from Alaska, Mike Gravel. He has continued his work in the area of immigration law over the years and helped more than 60 people legalize during the Amnesty Program in 1986.

### **CURRENT IMMIGRATION PRACTICE**

Tom and Eamonn presently provide services in all areas of immigration law. They assist individuals in obtaining Family-based visas, Business and Employment-related visas, Labor Certifications, H1-B Visas, Student and other visas. They represent employers who are accused of employing individuals who do not possess the proper paperwork. They also assist individuals who are in deportation proceedings and those with criminal charges that might affect their immigration status.

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## WHY ARE THERE 11 MILLION UNDOCUMENTED INDIVIDUALS IN THE U.S.

### THE ISSUES, THE MYTHS, THE SOLUTION

#### I. THE ISSUE: WHY ARE 11 MILLION UNDOCUMENTED ALIENS IN THE US

1. Blame the Economy: Adam Smith: The Wealth of Nations. 1776
2. Unemployment: Approximately 4-5% from 1985-2008 = Full Employment.
3. Even with unemployment at 10% in 2009, Americans refused to do unskilled jobs.
4. **THE IMMIGRATION SYSTEM IS NOT MATCHED TO THE NEEDS OF THE U.S. ECONOMY (PIE CHART)**

#### II. 5 MYTHS ABOUT ILLEGAL ALIENS

MYTH #1: Illegal Aliens Take American Jobs

MYTH #2: ILLEGAL ALIENS DON'T PAY TAXES

1. Sales Tax
2. **FEDERAL INCOME TAX (72% PAY ACCORDING TO SSA)**
3. Social Security Tax → \$100 billion over past 10 years (per SSA/2014)
4. Medicare Tax → \$2.03 billion/year (per SSA/2010).
5. Property Tax

MYTH #3: Illegal Aliens Don't Learn English or Assimilate

MYTH #4: Illegal Aliens Don't Contribute to the US Economy; They Just Come Here to Get on Welfare

MYTH #5: Illegal Aliens Can Apply to Legally Come to Work in the US

#### III. THE SOLUTION

1. Border Security
  - i. ≈700 miles of fence up (1,941 miles) ...(see [www.usatoday.com/border-wall/](http://www.usatoday.com/border-wall/))
  - ii. Border Patrol: 10,000/2005 to 20,000/2010 (with 2013 Senate bill, doubles again to 40,000)
  - iii. Interior Enforcement
  - iv. # illegals down from 12.2 million in 2008 to 11.4 million
2. Legalize 11 million
3. Mandatory Social Security Number verification system for all employees
  - i. With significant employer penalties
4. A flexible system to allow greater numbers of low-skilled Immigration in the future, if the economy demands it.
5. A Workable Guest Worker Program

#### IV. QUESTIONS AND ANSWERS

1. Status of: Dream Act, "Muslim" Ban, Merit-based Immigration, etc.

# Who Immigrates to the U.S.?

(Legal Immigration/per year)

## I. FAMILY BASED

1. **Immediate Relatives of U.S. Citizens**  
(Spouses, parents, children) ≈ 400,000
2. **Family Sponsored Immigrants**
  - Unmarried adult children of citizens (>21 years old) ≈ 225,000
  - Spouses and children of permanent residents (<21) ≈ (23,000)
  - Unmarried adult children of permanent residents ≈ (87,000)
  - Married adult children of citizens ≈ (26,000)
  - Brothers and sisters of citizens ≈ (23,000)
  - ≈ (65,000)

### TOTAL FAMILY BASED

≈ 625,000

## II. EMPLOYMENT-BASED IMMIGRANTS

- Professionals, workers with exceptional ability, skilled workers and other priority workers (135,000)
- \* → Low skill workers (farm workers, janitors, chambermaids, busboys, dishwashers, gardeners, nannies, domestics, etc.) (5,000)

### TOTAL EMPLOYMENT BASED

≈ 140,000

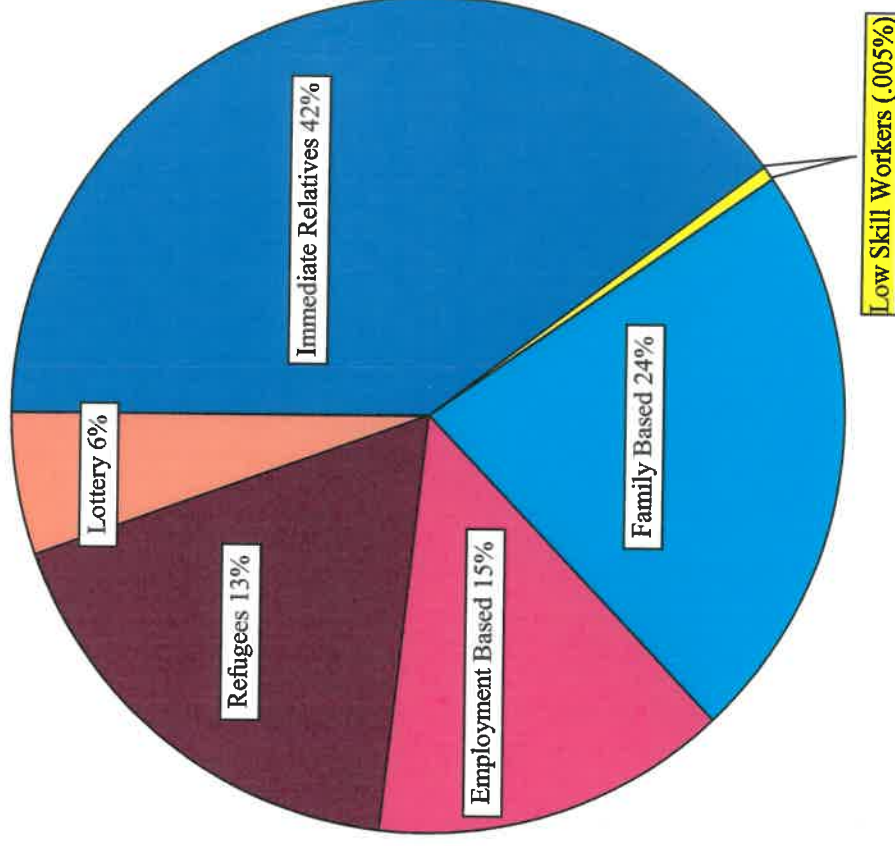
## III. REFUGEES/ASYLEES

≈ 180,000

## IV. DIVERSITY LOTTERY

55,000

≈ 1,000,000/per year



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## DEFERRED ACTION: DACA (2012)

NAME: \_\_\_\_\_  
DATE OF BIRTH: \_\_\_\_\_

The 6 Eligibility Requirements for DREAM ACT Deferred Action are as follows:

1. Entered the US before age 16..... \_\_\_\_\_
2. Continuously resided in the US since at least June 15, 2007 including being physically present in the US on June 15, 2012 \_\_\_\_\_
3. Currently be in school, have graduated from High School, or have already obtained a GED or be currently enrolled in a GED program \_\_\_\_\_
4. Be at least 15 years old \_\_\_\_\_
5. Have not been convicted of a felony, one "significant" misdemeanor, or 3 or more "non-significant" misdemeanors \_\_\_\_\_  
5A. Threats to public safety/gang involvement/tattoos \_\_\_\_\_
6. Was under the age of 31 on June 15, 2012 \_\_\_\_\_

### DISQUALIFIERS:

1. Criminal Matters \_\_\_\_\_
2. Absences within last 5 years \_\_\_\_\_
3. Can't prove physical presence \_\_\_\_\_
  - a. Age 15 \_\_\_\_\_
  - b. On June 15, 2012 \_\_\_\_\_
  - c. Last 5 years (06/15/2007-present) \_\_\_\_\_



### Exploding Myths About Illegal Aliens by [Thomas W. Roach](#)

#### EXPLODING MYTHS ABOUT ILLEGAL ALIENS

The immigration debate is raging in America. There are an estimated 11 million illegal aliens in the U.S. and the proposals regarding what to do about them run the entire spectrum from "throw them all out" to "give them all Green Cards".

There are many myths regarding who immigrates to the U.S. and why.

After practicing immigration law for 27 years in the Tri-City area, I may have some insight into the issues surrounding those in undocumented status in the U.S. since most of my practice over the years has involved Mexican farm workers. Estimates indicate that probably 60% of the 11 million illegal aliens are from Mexico. In a 3-part series I will discuss the 15 most common myths about undocumented immigrants.

#### MYTH #1. ILLEGAL ALIENS TAKE AMERICAN JOBS.

Not so. For the most part, illegal aliens work jobs Americans simply do not want. Those jobs include farm workers, janitors, chambermaids, busboys, dishwashers, gardeners, nannies and household domestics. Those are not the careers Americans seek. The jobs Mexicans perform in the U.S. are usually minimum wage with no benefits. They do the lousy, back-breaking work Americans can but refuse to do.

#### MYTH #2. ILLEGAL ALIENS DON'T PAY TAXES

Not True. The majority of illegal aliens pay the exact same taxes you and I pay. Most illegal aliens work for employers who don't know they are illegal or, possibly suspect they may be illegal, but don't want to know for sure.

As a result, the typical employer of an undocumented worker deducts all the federal income and other taxes from all his employees - legal and illegal alike.

#### MYTH #3. ILLEGAL ALIENS DON'T LEARN ENGLISH OR ASSIMILATE.

Yes and No. The typical Mexican who grew up in Mexico attended school there for only 3 to 6 years. As a result, most of the older Mexicans who are here only speak their native language at a basic level. As a result, it is tremendously difficult for many of those adults to learn fluent English.

The children of those older immigrants, however, go to school in the U.S., are immersed in English-speaking American culture and virtually all speak English. Those second-generation Mexicans speak English and assimilate into U.S. culture the same way the Irish, Italians, Japanese and every other group of new immigrants have.

#### MYTH #4. ILLEGAL ALIENS DON'T CONTRIBUTE TO THE U.S. ECONOMY; THEY JUST COME HERE TO GET ON WELFARE.

Not even close. Illegal aliens contribute immensely to the U.S. economy. They work hard and perform the essential jobs that are vital to keeping the U.S. economy moving forward. They pay taxes and consume

goods-from cars and gas to groceries and houses - and buy services which, in turn, benefits those U.S. citizens selling those goods and services.

As for illegal aliens signing up for welfare, U.S. law strictly prohibits those here illegally from obtaining welfare, food stamps or any other type of public assistance.

**MYTH #5. ILLEGAL ALIENS CAN AND SHOULD APPLY TO LEGALLY COME IN TO WORK IN THE U.S.**

Great idea, except it just happens to be impossible. The present system for employment-based immigration allows only 5,000 low-skill Green Cards per year for the entire United States.

**MYTH #6. ILLEGAL ALIENS ARE RESPONSIBLE FOR A DISPROPORTIONATE PERCENTAGE OF CRIME.**

Not true. Numerous reputable studies have shown that the problem of crime in the United States is not caused or even aggravated by immigrants, regardless of their legal status. Over the past few years, when someone is arrested the first question they are asked by the police after their name and address is, "Where were you born?" If the answer to that question is not "U.S.A." the Border Patrol is automatically contacted and the person, if undocumented, is immediately placed into the deportation process. As a result, undocumented individuals have a very high incentive to not break the law.

**MYTH #7. ILLEGAL ALIENS ABUSE THE HEALTH CARE SYSTEM.**

Not so. The general rule is that those who are here in undocumented status are not entitled to any taxpayer funded health care. The exception to that rule is that those here illegally can get emergency medical treatment. A recent RAND corporation study states as follows: "The foreign-born (especially the undocumented) use disproportionately fewer medical services and contribute less to health care costs in relation to their population share."

**MYTH #8. ILLEGAL ALIENS CAN AND SHOULD BE FERRETED OUT AND DEPORTED FROM THE U.S.**

Not likely. The estimated 11 million undocumented individuals in the U.S. is equivalent to the entire populations of Washington, Oregon and Idaho combined. It would be impossible to locate and deport that many people. Besides, millions of those adults unlawfully here have an estimated 4 million U.S. citizen children who the government would be required to find foster parents for if their parents were deported. Finally, if a magic wand was waved and all undocumented workers were gone tomorrow, it is highly unlikely that native-born Americans would do the lousy, back-breaking agricultural and other minimum wage/no benefits work that the undocumented do in the U.S. economy.

**MYTH #9. THE ILLEGAL ALIEN PROBLEM WOULD BE FIXED IF WE JUST COMPLETED THE FENCE ALONG THE SOUTHERN BORDER.**

No even close. For every 15-foot fence there is a 16-foot ladder or a shovel that can dig underneath it. Besides, 40% of those undocumented in the U.S.-about 4.4 million-entered legally and overstayed their visas. The fence may help but it alone will not solve our immigration situation.

**MYTH #10. THE PROPOSED IMMIGRATION REFORMS IN CONGRESS ARE JUST ANOTHER 'AMNESTY'.**

No. Amnesty is defined as "Forgiveness without penalty." All of the immigration reform proposals require payment of a fine (maybe \$1000), learning some English, paying all back taxes (if any are owed) and going to the back of the line before obtaining Legal Permanent Residence status.

**MYTH #11. AMERICANS DON'T SUPPORT IMMIGRATION REFORM.**

Not true. When Americans are asked the question, "Do you support a legalization program that would allow those in the U.S. illegally to obtain legal status if they could meet the following requirements: a strong work history, no serious criminal convictions, no deportations, learn some English, pay all back taxes, pay a fine and go to the back of the immigration line," numerous polls have shown that 60 to 70% of likely voters are in favor of such a solution to our immigration situation.

**MYTH #12. DENYING ILLEGAL ALIENS DRIVER'S LICENSES WILL HELP SOLVE THE IMMIGRATION PROBLEM.**

That's crazy. The overwhelming reason why the undocumented are here is to work. Almost all workers in America need to drive to get to work. Workers, especially farm workers, typically must travel long distances to get to and from work. From the point of view of the public safety of U.S. citizens, it is much better if everyone driving on the highways has completed a driver's course and has qualified for a driver's license.

**MYTH #13. IF EVERY EMPLOYER WAS REQUIRED TO VERIFY THE SOCIAL SECURITY NUMBER OF EVERY EMPLOYEE, WE COULD SOLVE OUR ILLEGAL IMMIGRATION SITUATION.**

Well, yes, sort of. A mandatory social security verification system is a good idea but only if there is an earned legalization program put in place simultaneously. Under current circumstances, requiring social security verification without earned legalization would create chaos in many sectors of the U.S. economy. It is estimated that 50-60% of farm workers are undocumented and the percentage of undocumented workers in many other low-skill, minimum-wage, no benefits jobs-such as dishwashers, gardeners, dairy workers, janitors, chambermaids-is also very high.

**MYTH #14. A LAW LIKE THE NEW LAW IN ARIZONA WOULD SOLVE OUR IMMIGRATION SITUATION.**

No way. The Arizona law is an over reaction and can best be compared to how we over reacted in 1942 when the U.S. government placed all west coast Japanese in internment camps. Thirty percent of Arizona's citizens-over 2 million people-are Hispanic and legal. The Arizona law is vague and invites discrimination against them.

**MYTH #15. THOSE PEOPLE WHO ARE UPSET ABOUT THE CURRENT IMMIGRATION SITUATION ARE RACISTS.**

Not even close. Of course, some racism does exist in this debate. But, for the most part, the American public is frustrated and angry that our elected officials prefer to play "gotcha" politics with this difficult and controversial issue rather than addressing it in a mature, common sense manner. Most Americans recognize that most of the people here illegally are working hard at low-end jobs and they believe the politicians should find some rational solution to this very contentious matter.

The solution to our immigration dilemma will only come from comprehensive immigration reform. That reform must include 4 parts: 1) Secure the southern border, 2) Allow those here to apply for earned legalization, 3) Require all employers to verify the immigration status of their employees, and 4) Allow some flexible number of low-skill Green Cards in the future in light of the needs of the U.S. economy.

## President Obama's DREAM act good for all Americans

*President Obama did the right thing in signing his executive order that allows about 800,000 young people who are in the U.S. illegally to stay here legally and work, writes immigration attorney Tom Roach of Pasco.*

**T**HE dream is alive.

President Barack Obama recently signed an executive order that will give an estimated 800,000 young people who are illegally in the United States "deferred action" status and a work permit. That was a bold thing for the president to do; it was also a good thing for him to do.

The beneficiaries of this new policy must meet the following criteria:

- They were brought to the U.S. before they were 16 years of age;
- They can prove they have been here continuously for the past five years;
- They graduated from high school, completed a G.E.D., or are presently enrolled in high school or a G.E.D. program.
- They must be at least 15 but less than 31 years of age and not have been convicted of any serious crimes.

The anti-immigration crowd -- Rush Limbaugh, Sean Hannity, Glenn Beck and the others -- call it "backdoor amnesty." I call it common sense.

I have practiced immigration law in Eastern Washington -- farm country -- for the past 29 years. In that time I've met hundreds of these kids. My guess is that Rush, Sean and Glenn have never met one.

Last year, I met Maria (not her real name). She was her high school senior class president and is now enrolled at the University of Washington.

I know Guadalupe, who had no government loans and recently graduated from Gonzaga University.

Just last month José was in the office. He completed his architecture degree at Washington State University -- again, without a nickel of government help.

These kids are bright, tenacious, undeterred and in the U.S. illegally. And, as hard as it is for the "antis" to picture it, these kids are a significant part of the future of America.

They were brought to the U.S. by their parents when they were just kids. They have zero culpability for the predicament they find themselves in. They've been

educated at taxpayer expense, they've completed or are in high school, they have clean records and they are good kids -- just like their native-born citizen classmates. They are going to be the taxpayers who can help save our decrepit Social Security and Medicare systems. The U.S. is the only place they know as home.

The idea of throwing out 800,000 clean-cut "all-American" kids who are on the verge of making significant contributions to this country is the height of asininity.

We should applaud President Obama for doing the right thing on this issue. Sure, there was a political calculation in his executive order, but politicians are known for doing things for political reasons. A recent poll for NBC News, The Wall Street Journal and Telemundo found that 68 percent of respondents support this "DREAM Act-Lite" proposal.

The response from the Republicans to the "deferred action" proposal has been predictable. Virtually none have endorsed it and most oppose it. Mitt Romney criticizes it by saying it's "short term" and "not comprehensive."

I ask the opponents: What ever happened to "compassionate conservatives" who can see the value in a proposal like this? What ever happened to practicality? What ever happened to common sense?

The Republicans have been saying for years that only when we gain control of the border should we consider legalizing the people here. Well, that day has arrived. The last two years have seen the fewest number of people trying to cross our southern border in 40 years.

So, if there were ever an element in the immigration debate that can serve as a catalyst to move this issue forward, it is the president's DREAM Act deferred-action policy.

The American people support it, the Democrats support it and it's time for Republicans to approach the immigration issue in an adult fashion and support this initiative, too.



Donna Grethen / OP Art



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## IMMIGRATION DISCUSSION ISSUES

1. What about CRIME and illegal immigrants?
2. What about HEALTH CARE COSTS and illegal immigrants?
3. Give me 3 good reasons why the U.S. government isn't going to round up and throw out the 11 million people here in undocumented status?
4. Where do Republicans stand on the immigration issue? Democrats?
5. AMENESTY 1986. Why didn't it work? Why will the present proposals be any better?
6. Do other countries have immigration problems?
  - a. Europe
  - b. Canada
  - c. Japan
7. If it was 1990 and I could see the future and realize that the U.S. economy would need 11 million low-skill workers over the ensuing 15 to 20 years, what would be the three primary characteristics of the ideal immigrant to fill those jobs?
8. The Many Dimensions of Illegal Aliens
  - a. Economic
  - b. Political
  - c. Social
  - d. Cultural
  - e. MORAL: Is it a sin to come into the United States illegally and work illegally in the United States? What do the major religions have to say about unauthorized immigration?
9. What is likely to happen in the next 20 to 30 years population-wise & immigration-wise in the U.S.?
10. Are illegal aliens a net plus or minus to the economy?

11. Is it a felony to be in the U.S. illegally? Is the deportation process a criminal process?
12. What effect, if any, did NAFTA have on illegal migration to the U.S.?
13. Since they've broken the law, all illegal aliens can and should be ferreted out and deported from the U.S.
14. Americans don't support legalizing the illegal aliens here in the U.S.
15. Denying illegal aliens DRIVER'S LICENSES will help solve the illegal immigration problem.
16. Wouldn't a fence the entire length of the southern border stop illegal alien from coming into the U.S.?
17. Since there are so many Spanish speakers in the U.S. we should have 2 national languages—English and Spanish.
18. What can be done to stop illegal immigration?
19. I feel strongly that the immigration reform proposals should be enacted into law. Is there anything I can do to help them pass?