

# Daybreak in Alabama

A graphic of the state of Alabama filled with a sunburst pattern of rays emanating from the center. The rays are in shades of orange and yellow. The text 'The Power of We' is centered on the map, with 'The Power of' in a grey sans-serif font and 'We' in a large, red, cursive font.

*The Power of* **We**

Member Congregations of the  
Interfaith Mission Service

[www.interfaithmissionservice.org](http://www.interfaithmissionservice.org)

**STUDY GUIDE**

**for**

**Immigration**

**Seventh Draft**

**9/15/11**

*Information has not been updated.  
Please use to demonstrate Deliberative Decision Making process.*

**INTERFAITH MISSION SERVICE  
of  
HUNTSVILLE, ALABAMA**

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# PREFACE

This study guide is prepared by an interfaith cooperative serving the Huntsville/Madison County area of Alabama. The cooperative’s members are congregations and individuals of the diverse faith traditions in the community.

As depicted in Picture 1 operationally, the member congregations plan the ministries of the cooperative and use a coordinating congregation concept to implement the plan. Social Justice is one of the cooperative’s ministry areas and a ministry within Social Justice is preparing study guides to be used by the faith community to study the connection between faith and justice.

As stated in Picture 1, the member congregations prepare and annual plan and out source the implementation to the member congregations. Trinity United Methodist Church is the coordinating congregation for preparing the study guides. Other congregations and individuals cooperate with the lead or coordinating congregation in the preparation of the study guide.



The cooperative is incorporated as the Interfaith Mission Service and is a 501 (c) 3 organization. Further information can be provided by calling 256.536.2401 or sending an email to [ims@knology.net](mailto:ims@knology.net). The website is <http://www.interfaithmissionservice.org/>

# PURPOSE

The purpose of these study guides is to help faith communities challenge and equip their members for participation in public square conversations on chosen topics. These topics are of moral significance that affect the majority of Alabama citizens and will be addressed by our state legislators.

Volumes have been written for and against the faith community involving itself in political matters. The perspective presented by this study guide is that the domains of faith and public life are interrelated. However, as with most interrelated matters there is room for deliberation and discernment. Our objective is to establish a practice – with

appropriate process and tools – to enable small groups to explore complex public policy topics and develop common themes for action.

Following are thoughts on the intersection of religious faith and social justice, from major faith traditions:

### **Christian**

Every Christian perspective must somehow come to terms with the notion that the world of politics is a place of encounter between humanity and God. The notion, by itself, can give rise to insufferable arrogance among Christians who are too confident that they alone are sure interpreters of the will of God... But if it is arrogant to claim to know all about God's will for politics, it may be equally so to try to maintain one's moral purity by avoiding politics altogether. Everybody who participates at all in the social world is inescapably involved in politics, for politics draws upon all of us, whether we like it or not. Nor is it possible to divorce our political selves from our religious selves, leaving God safely in a theological ghetto while we busy ourselves with affairs of state. (Wogaman, *Christian Perspectives on Politics*, p. 361)

### **Buddhism**

Buddhists believe in social action. By "social action" we mean the many different kinds of action intended to benefit mankind. These range from simple acts of charity, teaching and training, organized kinds of service, "Right Livelihood" in and outside the helping professions, and through various kinds of community development as well as to political activity in working for a better society. (Jones 1979).

### **Hinduism**

Hinduism (Dharma) is a way of life that sees the world as a single family, standing for righteousness and the practice of spiritual and moral values. Prayers are invoked for health, happiness, and peace on earth. (Prakash & Prakash, 2000). Both the concepts of Vedanta (monism) and Dvaita (dualism) should result in a collective consciousness enabling us to empathize with others' pain and sorrow. Because we are not similar, but same, we should not hesitate to extend ourselves to help others. (Gupta, 2000).

### **Islam**

Social justice means equality in law, a justice for all. The contribution of Islam in this respect can be placed under three headings: first, the formulation of a complete ideology of human equality and justice; second the giving of powerful incentive to adopt this ideology; and third, the establishment of a living example of equality and justice in all walks of life. (Khan, 1991). Social justice and development are integral and compliment each other for the healthy development of a moral and just society. Development should lead to social justice where the most impoverished and marginalized are reached, their basic needs are met, and are enriched and have access to resources as any dignified, independent and free human being. Social justice philanthropy where our giving and volunteering are geared to achieve social justice and social mobility by reaching the most marginalized and enabling them to enhance their status and depend on themselves is

essential. (CDS)

**Unitarian Universalist**

At the core of the principles and values of the Unitarian Universalist faith is the covenant to affirm and promote the inherent worth and dignity of every person, as well as justice, equity and compassion in human relations. Unitarian Universalists are called to be leaders in the struggle for immigrant and refugee rights, and to view immigration not only as a legal issue but also a moral issue.

**PRACTICE TO BE USED**

Deliberative Decision Making equips a congregation to participate in public square conversations. It enables congregation members to deliberate among multiple approaches to a solution and arrive at common themes for action. This practice is based on work by the National Issues Forum Institute, the Kettering Foundation, and the David Mathews Center for Civic Life.

The accompanying table summarizes the distinctions among Debate, Dialogue and Deliberation.

Debate	Dialogue	Deliberations
Contest/compete	Explore/exchange	Choose/weigh
Argue	Discuss	Decide
Promote opinion	Build relationships	Make decisions
Persuade	Understand	Understand
Seek majority	Seek understanding	Seek overlap
Dig-in	Reach across	Seek common ground
Tightly structured	Loosely structured	Framed to make choices
Express	Listen	Listen
Usually fast	Usually slow	Usually slow
Clarifies	Clarifies	Clarifies
Majoritarian	Non-decisive	Complementary

**Table 1**

The practice includes four segments:

**Segment 1 - Naming the Topic**

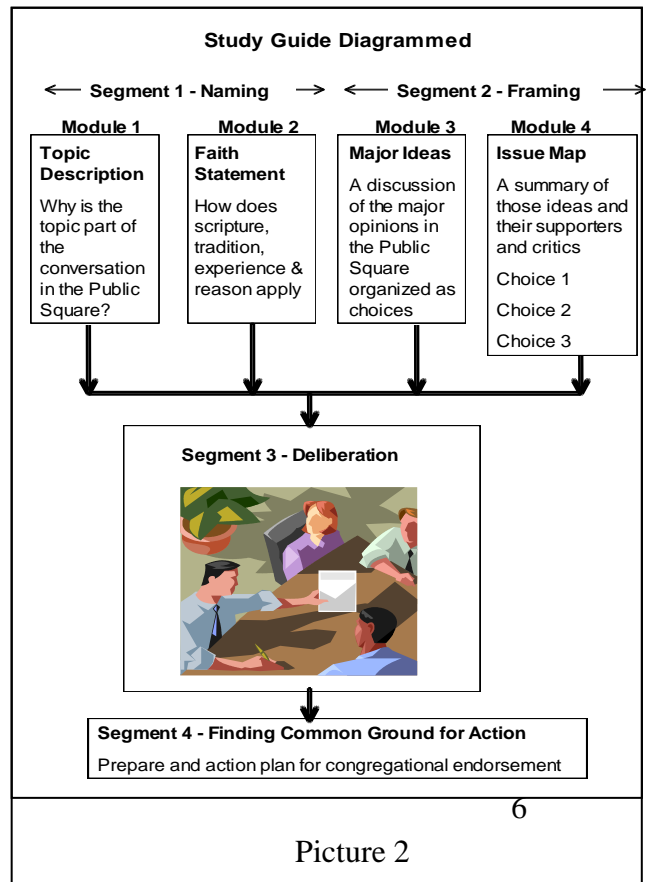
This segment includes the name of the topic, a specific issue within the topic and two modules. Module 1 addresses the question “Why is this topic and issue in the public conversation. Module 2 presents a faith perspective applicable to the topic and issue.

**Segment 2 - Framing**

This segment includes two inter-related modules. Module 3 describes the choices that have been developed to respond to the issue. What supporters say and what critics say is presented for each choice. Module 4 presents a summary of Module 3 in a matrix referred to as an Issue Map

**Segment 3 - Deliberating**

This segment is a group exercise to seek an understanding of the choices, identify the under



girding values of the choices and discover common ground that could lead to a consensus for action.

**Segment 4 - Action Formulating**

This segment entails drafting a set of actions that can be presented to the congregations governing body (vestry, session, board of deacons, council, administrative board, etc) for endorsement. These actions will no doubt include corporate (actions to be take on behalf of the congregation body) and individual initiatives.

## TABLE: OBJECTIVES OF THE STUDY

	<b>Commentary</b>
1. Connect faith and justice	In our democracy many times justice decisions are made via the political process. This gives pause because of the necessary connection between faith and politics. The goal is for participants to discover the interrelatedness of the two.
2. Provide a deliberative decision making tool	By describing choices that envelop the spectrum of thought and presenting the choices in a concise manner, a tool is generated to facilitate deliberation of the possibilities for responding to the issue.
3. Discover common ground	The intention of this objective is for the participants to find the common ground that supports an action plan for their congregation. Presenting the results to the congregation's governing body (vestry, council, session, admin board) the total congregation is involved through their representatives.

## THE STUDY BY WEEK

<b>Topic:</b>	Immigration
<b>Issue:</b>	Introduce the general topic (immigration) and the specific issue within that topic. Pages 3 - 10
<b>Week One:</b>	Explore Modules 1 & 2 that make up Segment 1 – “Why is this topic in the public conversation?” and “What is a faith perspective?” Pages 11 - 15
<b>Week Two:</b>	Explore Modules 1 & 2 that make up Segment 1 – “Why is this topic in the public conversation?” and “What is a faith perspective?” Pages 11 - 15
<b>Week Three &amp; Four:</b>	This is the deliberation segment of the study (Segment 3 depicted in Picture 2 on page 5). During these two sessions the group will deliberate the choices provided in Segment 2 (pages 17 – 29) in light of the Faith Perspective provided in Segment 1. The objective is for the group to determine common ground upon which to develop an action plan.
<b>Week Five:</b>	This is the final step in the study guide practice. From the previous weeks the group will generate a plan of action for the issue question (see above). The recommended actions will then be presented to the congregations governing body (Vestry, Council, Board of Deacons, Session, Administrative Board, etc) for endorsement.



# WEEK ONE

## STUDY AND TOPIC INTRODUCTION

### OBJECTIVE:

- Introduce the topic and issue and provide an overview of the study schedule.
- Introduce the topic of Immigration in the United States and Alabama and provide a common understanding of various factors associated with the issue(s) for discussion in the public square.

### ACTIVITIES:

- Complete Pre-Deliberation questionnaire
- Overview of the topic and subsequent issue
- Show *Dying to Live*
- Discuss any Questions

## INTRODUCTION TO THE ISSUE: IMMIGRATION

“How should AL citizens respond to our undocumented residents?”

This study guide is designed to assist people of various faith communities grapple with the complex issue of the presence of undocumented residents within our communities. Although Alabama House Bill 56 will invariably be a part of any discussion regarding the issue of immigration in Alabama, this study guide is not specifically a response to HB 56. Rather, this study guide should assist faith communities in determining whether and/or how faith communities will respond to undocumented residents while going about their normal day-to-day ministry to those within the local community.

For more detailed information refer to the Glossary.

## NOTES

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## WEEK TWO

### SEGMENT 1: NAMING THE TOPIC

#### OBJECTIVE:

There are two modules within this segment. The time will be used to discuss both of these modules. The objective is to understand why this topic is in the public conversation and how should members of the faith community apply the values of their faith tradition.

- The first module names the topic and the specific issue within the topic. For this study guide the topic is immigration in Alabama and the specific issue is “How should AL citizens respond to our undocumented residents?” This module provides information about why this topic and issue are in the public conversation.
- The second module provides a faith perspective of the topic and specific issue.

#### ACTIVITIES:

The study facilitator will lead a discussion of the two modules making up this segment.

#### MODULE 1:

### WHY IS THIS TOPIC AND SPECIFIC ISSUE IN THE PUBLIC CONVERSATION?

Topic: Immigration

Specific issue within the topic: How should AL citizens respond to our undocumented residents?

**The increase of undocumented immigrants implies that our immigration laws are not being enforced, which raises the following concerns:**

- Lawlessness – If we are a nation that functions by the rule of law, why are we not abiding by our laws?
- Security – Undocumented immigrants have provided no information as to the intent of those emigrating. This increases the opportunity for criminals or terrorists to attack our citizens.
- Increased Crime - Illegal alien gangs promote prostitution, drugs and many other illegal activities. Over 56,000 illegal aliens are in US prisons, not because of their status but because of crimes committed against Americans.
- Cost – The undocumented place a burden on our tax based services – education, law enforcement, medical, welfare
- Jobs – The undocumented take jobs away from legal residents.

- Increased Population - Increased population puts great demands on our natural resources, driving up energy and other prices. Illegal aliens significantly contribute to this growing problem.

**The provisions of HB 56 have alarmed many of our citizens for practical and humanitarian reasons.**

- A labor shortage in industries such as construction, agriculture and other low paying services exists. Deportation of our undocumented workers will have a negative impact on those industries.
- Advocates of HB56 believe that the undocumented place a financial burden on our tax supported services; others quote studies that refute that argument and claim that *implementation* of HB 56 requirements will increase the financial burden on many organizations and agencies such as law enforcement, educational systems, and healthcare providers.
- Immigrant-rights supporters believe that US actions such as the passage of NAFTA may have contributed to the number undocumented people entering the US. Migrations from Mexico accelerated with the passage of NAFTA, as Mexican markets were flooded with cheaper corn from US corporations. This drove subsistence farmers from their farms to seek work.
- US businesses moved to Mexico and set up factories, counting on cheap labor to increase profits. This sourcing change left American workers without jobs.
- Immigrant-rights supporters believe that our religious and national values emphasize welcoming the immigrant.
- Most world religions and faith traditions have some form of "the Golden Rule" in their sacred scriptures as well as admonitions to welcome the aliens and strangers.

MODULE 2 FAITH PERSPECTIVE
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On page 6, the objectives of study guide table stated the objectives in the following way: (refer to table for further commentary)

- Connect faith and justice.
- Provide a deliberative decision making tool.
- Discover common ground.

Accomplishing even the first objective is sometimes difficult because many members of the faith community are inclined to stop at the door of the political arena, thinking that entry would violate the separation of church and state.

The theologian J. Phillip Wogaman's argues "The world of politics is a place of encounter between humanity and God"; also, "We cannot leave God safely in a theological ghetto while we busy ourselves with the affairs of state." (J. Phillip Wogaman, Perspectives on Politics.)

We have chosen to structure this segment using Wogaman's concept of theological entry points. He writes, "The idea is not that there is only one grand theological conception that must be applied to politics, nor even that only one conception is helpful in illuminating any one problem. But it remains that certain theological concepts ... may be particularly relevant to particular problems."

### **The Sovereignty of God**

The first of these concepts is the sovereignty of God in our common life as well as our individual lives. For Christians, the question of allegiance was answered by Peter in Acts 5:29 "We must obey God rather than any human authority." This perspective has been carried forward into the doctrinal and practice statements of many of the faith traditions. See the appendix for example of these statements.

### **God's Covenant and Justice**

Studies of the Scriptures in both Old and New Testament are built around the concept of the covenant God made with his creatures, all of them. The covenant is primary with the patriarchs of the faith as it is lived out, broken, and renewed again and again. The Gospels make it clear that Jesus is the ultimate fulfillment of the covenant God makes with God's people. Jesus is not an isolated figure in history but embodies the tie, the bond, the covenant God puts into all creation.

The covenant, as it was given and is given to us today, is one that is based on responsibility to God and on responsibility toward the neighbor, whether face-to-face or indirectly through the social institutions we establish. The human response to God's covenant is to come back, again and again, to the realization that all of the earth, our part and everyone else's, belongs to God and we are to live up to it for the good of all people.

*This means we cannot leave justice issues up to someone else or to secular institutions but must address them as the people of God.*

Justice presupposes God's intention for people to be in community. When people had become poor and weak, they were to be strengthened so that they could continue to be effective members of the community. Biblical justice restores people to community.

There is a further characteristic of justice - it delivers. Justice does not merely relieve the immediate needs of those who suffer, it sets them back on their feet. Restoration involves the return of privileges, rights, or property that were preempted by others based upon the application of unjust laws.

Jesus affirmed for His day the centrality of the Old Testament demand for justice. Justice is the work of the New Testament people of God. There is no distinction between a personal, voluntary justice and a legal, public justice. Justice is a central demand on all people who bear the name of God.

### **Applying justice**

Applying the perspectives of justice may require confronting a moral dilemma. J Philip Wogaman, in Moral Dilemmas: An Introduction to Christian Ethics, defines a moral dilemma as being confronted by equally attractive but mutually exclusive alternatives. Sometimes it means choosing between competing good things, when some good things must be rejected to give higher priority to more important ones. It can also mean choosing among competing evils, where our only alternative is to choose the least damaging of the bad available alternatives.

We must weigh and decide the best course of action concerning our undocumented neighbors and friends. Certainly, some of the laws of our land have been broken, and justice requires that this be put right. However, the condition of undocumented residents may have been brought about by unjust trade agreements, the need for labor and the exploitation of that labor.

As we deliberate the choices presented for addressing the issue "How should AL citizens respond to our undocumented residents?" we will need to discern their underlying values and search for common ground on which to take action.

In our courts of law, there is a presumption that one is accounted innocent until proven guilty, to aid in fair deliberations. For this process, Wogaman suggests using the following presumptions as a baseline.

### **Positive Christian Value Presumptions**

- The presumption for grace: We shall act with grace towards others as directly as we can, setting aside the fact that the other people may not deserve this gift.
- A presumption for the value of each human life: We will not treat other people as

worthless trash or second class citizens. No human, cultural, racial or national identity is as important as this assessment of each person's inherent value.

- The presumption for the unity of humankind: We are made for relationship not only with God, but with one another. The presumption must be that we truly belong to each other and that dividing walls must bear the burden of truth.
- The presumption for preferential claims of the poor and marginalized: This preference is not hard to defend biblically; throughout the Bible we find references to God's love for the poor, and the obligation of their more-fortunate neighbors to help.

### **Week Two Summary**

The following choices are driven by underlying values such as concern for security, obedience to the law, cost, concern for dignity and justice, need for diverse community and others.

As we deliberate these choices and search for common ground for action, the challenge is to find the area of overlap. How far can the concern for the different values move to create a space for consensus? Once found, an action plan can be generated.

**WEEKS THREE AND FOUR**  
**SEGMENTS 2 & 3:**  
**FRAMING THE CHOICES AND DELIBERATIVE DISCUSSION**

**OBJECTIVE:**

Begin the deliberation process through introduction of the issue map. Continue deliberative discussion, using the issue map as a tool, as the major ideas and discussion of choices are reviewed.

**ACTIVITIES:**

- If more than eight in the small group, divide into even smaller discussion groups
- Designate a discussion moderator
- Read each of the choices and “What supporters say” and “What critics say”
- Discuss Choice 1. Ascertain the underlying values held by the members of the discussion group.
- Discuss Choices 2 and 3. Continue the process from the previous week.
- Prepare to report on group(s)’ deliberations

MODULE 3  
ISSUE MAP  
follows on page 17



<b>Topic: Immigration</b>			
<b>Issue: How should AL citizens respond to our undocumented residents?</b>			
<p><b>Choice One: Implement HB 56</b> This bill addresses a spectrum of infractions from hiring to aiding and abetting undocumented persons. HB 56 should be implemented without modification.</p> <p>What supporters say</p> <ul style="list-style-type: none"> <li>All nation-states have the right to control what is allowed to cross their borders.</li> <li>Nation-state governments are responsible for enforcing the laws that they establish</li> <li>To cross its border without obtaining permission in accordance with these procedures is a criminal act</li> <li>Some argue the HB 56 total focus is punitive. While conformance to the law is paramount, proponents should not ignore the need for compassion.</li> <li>Conversely, those immigrating should recognize the need to assimilate.</li> <li>Federal government has not enacted immigration reform</li> <li>HB 56 does not initiate a program or a witch hunt for illegals</li> <li>E-verify to confirm that all employees are legal residents is already of requirement of all government contracts</li> </ul>	<p>What critics say</p> <ul style="list-style-type: none"> <li>Accusation that immigrants increase crime rate can not be supported</li> <li>allegation that economic hardship in the state is caused by illegal immigrants is unsupported</li> <li>HB 56 is detrimental to public education in Alabama and is fiscally irresponsible with its unfunded mandates</li> <li>Section 13.(a)(3) and (4) criminalizes a person who knowingly provides transportation and accommodations to an illegal immigrant</li> <li>Section 13.(f) subjects any vehicle or home being used as described in the preceding paragraph to civil forfeiture</li> <li>Is a prescription for legalizing racial profiling.</li> <li>Some provisions are a matter for local traffic law enforcement, has no place in such a law</li> </ul>	<p>What supporters say</p> <ul style="list-style-type: none"> <li>Encourage AL legislators to advocate for comprehensive immigration reform. Several bills have been considered by congress the most recent being The Secure Borders, Economic Opportunity and Immigration Reform Act of 2007 (S. 1348 ).</li> <li>States and local governments can take action to assist naturalization, from improving registration procedures at driver licensing offices and other government offices, and assisting in the naturalization process.</li> <li>The faith community and other citizens should advocate for improved paths to legal status. Benefits: <ul style="list-style-type: none"> <li>Avoid the cost and disruption to our economy of deporting thousands of residents</li> <li>Retention of our younger population that would counter balance our baby boomer bubble</li> <li>Change the image of our state from reactive to proactive.</li> </ul> </li> </ul>	<p>What critics say</p> <ul style="list-style-type: none"> <li>Unemployment rates in the U.S. are near record highs due to an extended severe recession. Since these numbers are likely to remain the demand for these existing jobs will remain</li> <li>Some immigration laws allow immigrants to retain citizenship in their country of origin, after becoming documented residents. Many of our citizens reason that dual citizenship makes their loyalty to the U.S. questionable.</li> <li>Increasing the numbers of immigrant families will increase the costs for the public education systems and public service providers.</li> </ul>
<p><b>Choice Two Support: the legalization process</b> Our legislature and governor should rescind HB 56. Their effort should then be put to creating an accelerated pathway to a legal status and full citizenship.</p>	<p>What critics say</p> <ul style="list-style-type: none"> <li>Unemployment rates in the U.S. are near record highs due to an extended severe recession. Since these numbers are likely to remain the demand for these existing jobs will remain</li> <li>Some immigration laws allow immigrants to retain citizenship in their country of origin, after becoming documented residents. Many of our citizens reason that dual citizenship makes their loyalty to the U.S. questionable.</li> <li>Increasing the numbers of immigrant families will increase the costs for the public education systems and public service providers.</li> </ul>	<p>What supporters say</p> <ul style="list-style-type: none"> <li>The institutions and members of the faith community should advocate a changed narrative from anti-immigrant to pro-immigrant. Being a nation of immigrants it is hardly necessary to argue its merits. Factors that can help change the narrative are: <ul style="list-style-type: none"> <li>In the long term anti-immigrant politics does not have any future. The reality is that globalization is driving economic changes, including immigration, <ul style="list-style-type: none"> <li><b>Enforce current wage laws.</b> Much of the anger at immigrants derives from fears that sweatshops and sub-minimum wage labor will undermine wage standards. Changing the narrative would entail advocating a few key points. <ul style="list-style-type: none"> <li>Only a minority of those working under illegal work conditions are undocumented immigrants;</li> </ul> </li> <li>Our nation's systematic lack of enforcement of wage laws has contributed to the dysfunction of our immigration system;</li> <li>And the denial of employment rights to such immigrants has only further undermined wage law enforcement, thereby feeding more low-wage immigration.</li> </ul> </li> <li>Support immigrant efforts to become full members of the community</li> <li>Be prepared to counter claims that undocumented immigrants are a tax burden, increase crime, vote illegally, etc.</li> </ul> </li></ul>	<p>What critics say</p> <ul style="list-style-type: none"> <li>Adherence to the rule of law is more important</li> <li>Even if all of the arguments refuting cost burden, crime rate, need for labor, unjust trade agreements, security were correct the fact remains that our immigration laws are being violated.</li> <li>Violated in a massive way numbering in the millions. Although this choice does not explicitly suggest that an undocumented status should be ignored, it is quite clear that undocumented status is considered at a lower priority.</li> <li>Ignoring adherence to the law, millions of times, undercuts our respect for law and encourages corruption e.g. conformance to wage laws, exploitation</li> </ul>
<p><b>Choice Three: What can be done now?</b> Following its prechments, the faith community should lead the way to change the narrative to pro-immigrant and to relieving suffering and improving the quality of life of our immigrant population.</p>			

MODULE 4  
MAJOR IDEAS AND DISCUSSION OF ISSUE MAP CHOICES

**Choice One: Implement HB 56**

This bill addresses a spectrum of infractions from hiring to aiding and abetting undocumented persons. HB 56 should be implemented without modification.

***What Supporters Say:***

All nation-states have the just authority to control what is allowed to cross their borders.

Nation–state governments are responsible for enforcing the laws that they establish. The United States government has failed to enforce its immigration laws by not preventing individuals from crossing its border without proper authorization, and by not deporting these individuals when they are found.

The United States of America has laws that establish procedures for non-citizens to cross its borders to visit or work for a limited period or to visit for the purpose of becoming a citizen. These laws establish the number of individuals that can enter the United States from a given country each year. The number to be admitted are further divided into specific skill sets based on the perceived needs of the United States. Additionally, individuals that meet certain criteria established by law, such as refugees, may also be admitted. These limitations have sometimes resulted in lengthy waiting lists for people seeking entry into this country. Despite the delay, many immigrants believe that arriving legally is worth the wait. To enter this country without going through the process of obtaining proper documentation is not only a criminal act, it also shows a complete disregard for the people for those willing to follow the rules.

Americans are among the most generous people on earth when it comes to helping those in need, whether countries suffering from natural disasters or individuals suffering manmade hardships. Not only do we share our treasure, we share our blood, demonstrated by memorial cemeteries scattered around the world. We welcome a diverse mixture of people from around the world and assimilate them into our culture. Until recently we have accorded these new arrivals no special consideration - just an equal opportunity to succeed by using their skills and talents.

While the Bible charges us with the responsibility to treat aliens in our midst with charity and goodwill *it is not explicit to the conduct of the alien*. Arguably, we should be able to expect the alien in our midst to demonstrate:

- A willingness to learn the language without broad societal assistance (there was no “punch 1 for English, punch 2 for .....;there were few if any public classrooms devoted to teaching English as a second language)
- A willingness to abide by **all** of our laws, including those related to residency requirements
- A strong work ethic, honesty, integrity (characteristics strongly demonstrated by the vast majority of our Latino residents , both legal and illegal)
- A willingness to demonstrate, at a minimum, respect for our country’s values, history and sovereignty (no parades featuring the flags of their home country; no demands for the return of territories ceded to the United States over a hundred years ago).

When large numbers of individuals, with a different language, cultural values, or unknown objectives, move into an area; a different set of dynamics comes into play. This is particularly true if they have broken (or are perceived to have broken) laws, refuse to learn the local language, expect financial or other assistance, or do not seem to be suffering from circumstances beyond their control. As these alien groups become larger the stresses between the established society and the alien group become greater. The challenge lies in addressing community issues while retaining our ability to deal compassionately with individuals. Those favoring strong legal action cannot lose sight of the need for compassion; those favoring compassion must recognize that there are real stresses placed on our society by large groups of aliens; the members of that alien group must learn to assimilate to become valued members of this society.

Many citizens believe that state legislatures have the obligation to establish laws that will allow the state to enforce federal immigration laws since the federal government has failed to do so. This failure by the federal government to enforce its laws has resulted in substantial numbers of illegal aliens residing in those states, thereby placing significant financial burdens on the citizens of these states and endangering their safety. The areas where the financial burden falls most heavily are school systems, medical costs and other social welfare costs.

Illegal aliens pay sales taxes on goods as we all do. However, studies in 2006 and 2009 showed (source?) that 43% of all federal tax returns filed did not require the payment of any tax because of the low level of income, or the payment of any taxes coupled with the receipt of rebates resulting from provisions such as the Earned Income Tax Credit. It is reasonable to assume that the rate of non-payment of state income taxes is comparable.

There are a large number of anecdotal reports that a significant percentage of illegal immigrants commit violent crimes. There are also a large number of photos of illegal immigrants flying the Mexican flag, carrying signs demanding welfare support and demanding return of our southwestern states to Mexico. Finally, there are reports of

intentional disrespect to teachers and others that are trying to acclimate both legal and illegal immigrants to our language and culture.

We have unemployment rates estimated at 9% to 16%. Many legal citizens believe that, because the illegal visitors are willing to work for less money, illegal immigrants are taking jobs that legal residents could fill. Many citizens believe that the illegal aliens are receiving welfare benefits from the state and federal governments that are not available to legal citizens.

These are the reasons that legislatures of some states have passed laws requiring enforcement of the federal laws by state and local law enforcement organizations. These new laws do not establish any new criteria for being in the country, just procedures for enforcement. HB 56 does not initiate a pogrom or a witch hunt for illegals. It does not have language that focuses on a specific ethnic group. It does not require police to stop and challenge people that meet specific profiles. It does not prevent or inhibit rendering emergency medical assistance or other forms of emergency assistance. It does not prohibit hiring of illegals on a casual basis to work in an individual's home. While it does require schools to count the number aliens attending, it prohibits distribution of their names

HB 56 does require employers to use E-Verify to confirm that all employees are legal residents, not just those of a specific ethnic class. All contracts issued by the federal government have had this requirement for some time. HB 56 does prohibit drive-by employment. HB 56 does have language that some interpret could penalize a citizen for giving a known illegal a ride, but that interpretation should be viewed in context with the provision that police cannot stop someone unless they have committed a crime of another sort. HB 56 may not be perfect. Like most laws it may have unintended consequences that have to be corrected, but it does have widespread support for initial implementation.

## **John's rewrite**

### Choice 1 Support

Support for HB 56 is predicated upon the belief that:

- Any nation has the right to establish rules (laws) to control who enters its territory and under what conditions they may enter. Those rules may range from no limits on entry to a total prohibition of entry.
- Nations have the right to change those rules.
- That once established, laws should be enforced by the governmental authority that established the law.
- That failure of the national government to enforce national laws does not preclude local (state, county, city) governments from enforcing laws enacted by higher authority.

HB 56 does not establish rules to control who may enter the nation. Rather, because the national government is derelict in its duty to enforce established laws it is written to augment the enforcement of these laws.

There are numerous studies on the economic impact of immigrants to the overall economy and to “native” workers. There are also numerous studies that purport to show the impact of illegal immigrants to the overall economy. Supporters and opponents of HB 56 are quick to bring out those studies that support their arguments. However, one must question these studies as it is not clear how you separate immigrant data between those that are here legally and those that are not. Many of these studies are also based on economic theories and formulas, not specific data. You do not have to be “legal” to file a federal income tax return and many studies use, at least in part tax return data. What is clear is that at least 47% of all tax returns filed do not require the payment of taxes. It can be logically argued that a significant portion of the returns filed by immigrants fall within this 47% because they are normally in low paying jobs.

HB 56, by reducing or eliminating the number of illegal immigrants may result in the improvement of the quality of life for the legal immigrants. When the immigration population includes significant number of illegal immigrants there is a reluctance to complain to authorities about substandard working conditions and pay. If the illegal element is removed the legal immigrants should be able to engage with the labor department and OSHA to assure that at least the legal minimum wage is paid and that working conditions are safe.

### *What Critics Say:*

**Immigration legislation and control is, and needs to remain, the responsibility of the U.S. federal government.**

We need comprehensive immigration reform at the federal level. An enforcement-only approach, or a patchwork of 50 different regulatory schemes at the state level—as exemplified by the Beason-Hammon Alabama Taxpayer and Citizen Protection Act—cannot adequately address the concerns of Alabama taxpayers and citizens.

In 1996, Congress passed the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) which included various provisions intended to deter future illegal immigration by punishing unlawful presence in the United States. The enforcement-only approach adopted in IIRIRA has demonstrably failed to achieve its purported goals: since its passage, the undocumented population in our country has exploded, growing from 5 million in 1996 to 12 million in 2007—an increase of 140%.

**The U.S. Chamber of Commerce and other organizations are challenging several state efforts to clamp down on immigrants because these efforts disrupt the economy and the pursuit of free enterprise.**

The U.S. Chamber of Commerce has joined with other organizations, including State Chambers, in challenging several state efforts to clamp down on immigrants. In fact the U.S. Chamber has stated that in 2008 it will:

“Continue to push for comprehensive immigration reform that: increases security; has an earned pathway to legalization for undocumented workers already contributing to our economy, provided that they are law-abiding and prepared to embrace the obligations and values of our society; creates a carefully monitored guest or essential worker program to fill the growing gaps in America's workforce recognizing that, in some cases, permanent immigrants will be needed to fill these gaps; and refrains from unduly burdening employers with worker verification systems that are underfunded or unworkable.

Urge Congress and the administration to address delays, backlogs, and disruptions in our immigration and border management systems that impede the movement of legitimate cargo and travelers across U.S. borders.

Ensure the continuity and expansion of H-1B, L-1, and EB visas for professionals and highly valued workers.

Enable seasonal and small businesses to continue to use the H-2B temporary visa.”<sup>15</sup>

**Specifically targeting illegal immigrants is ill advised, both economically and morally.**

The Beason-Hammon Alabama Taxpayer and Citizen Protection Act, popularly known as HB56, adopts enforcement-only approach to immigration.

This law as written:

- Invites costly litigation. The state of Alabama will be forced to pay lawyers to defend this law in federal court and Alabama taxpayers will pay the bill. Moreover, the law authorizes any lawful Alabama resident to sue state officials for incomplete compliance, inviting further lawsuits.
- Requires elementary and secondary school staff to take time away from teaching to determine the immigration status of every student. HB 56 is detrimental to public education in Alabama and is fiscally irresponsible with its unfunded mandates. Sec. 28. (a)(1) through (4) requires every public elementary and secondary school in Alabama to determine and record the citizenship and immigration status of each student at enrollment. Furthermore it requires that every such school determine if the enrolling student is the child of an alien not lawfully present in the United States. Section 28. (a)(5) requires collecting and compiling this citizenship and immigration status data and compiling and submitting reports to through the local school Board to the State Board of Education (and thence on to the Legislature) annually. This will take the time of school officials and will incur administrative expenses which this Act does nothing to fund.

- Requires all employers, from major corporations down to families hiring housekeepers and nannies, to use the E-verify program. Reports on functionality of E-Verify have documented major problems, including a failure rate of 50% and database errors that lead to legal workers being wrongfully rejected
- Prohibits churches from knowingly transporting undocumented immigrant children to Vacation Bible School or church camp. The Alabama legislature temporarily considered an exemption for religious organizations but ultimately opted to criminalize various aspects of routine Christian ministry. Section 13. (a)(3) and (4) criminalizes a person who knowingly provides transportation and accommodations to an illegal immigrant.
- Makes it a crime for United States citizens to provide food, clothing, shelter, or transportation to their undocumented spouses and children.
- Makes it a crime to be unlawfully present in the state of Alabama, even for those who are here through no fault of their own, such as children who were brought here by someone else; trafficking victims; women who are victims of domestic abuse and have fallen out of status because their spouses refuse to file the required paperwork on their behalf; asylum-seekers who are unable to obtain travel documents due to persecution in their home country; and lawful immigrants who have fallen out of status temporarily as a result of a technicality.
- Prohibits undocumented immigrants from paying to attend public colleges or universities
- Declares many types of contracts with undocumented immigrants null and unenforceable, including mortgages, rental agreements, or attorney representation agreements—precisely the sort of attorney representation agreements that are necessary for undocumented immigrants to obtain valid immigration status.
- Could be a prescription for racial profiling. Section 12 (a) requires that law enforcement officers, “upon any lawful stop, detention, or arrest, where reasonable suspicion exists that the person is an alien who is unlawfully in the United States ... determine the immigration status of the person.”

### **Choice Two: Support the Legalization Process**

Our legislature and governor should rescind HB 56. Their effort should then be put to creating an accelerated pathway to a legal status or full citizenship.

## *What Supporters Say:*

**Enabling undocumented immigrants who live and work in the United States to obtain legal status and earn citizenship is a powerful, even essential, ingredient in any comprehensive antipoverty plan.** Immigration reform that both broadly legalizes undocumented immigrants currently here and legalizes future immigration flows would

- Improve the economic well-being of legalized immigrants and their families, who are disproportionately low-income
- Have a positive economic impact on other low-income individuals and on economic growth
- Create political space for broader antipoverty legislation

By tradition, economics, and culture we are a high-immigration nation. Each year well over a million people immigrate to the United States; about one of eight U.S. residents is an immigrant. Migration is the human face of globalization. The United States, like many countries, is struggling to adapt to a new international mobility driven by factors far more powerful than legal decrees. Not only is legalization a social justice imperative; it is also a way to manage immigration and immigrant integration more effectively.

### **Advocacy for comprehensive immigration reform (CIR)**

Several bills have been considered by Congress, the most recent being The Comprehensive Immigration Reform Act of 2007, or, in its full name, the Secure Borders, Economic Opportunity and Immigration Reform Act of 2007 (S. 1348 ). This was a bill discussed in the 110th United States Congress that would have provided legal status and a path to citizenship for the approximately 12 to 20 million illegal immigrants currently residing in the United States. The bill was portrayed as a compromise between providing a path to citizenship for illegal immigrants and increased border enforcement.

Other preceding bills were:

- The Secure America and Orderly Immigration Act (S. 1033), a bill proposed in May 2005 by Senators Ted Kennedy and John McCain, sometimes referred to as the "McCain-Kennedy or McKennedy Bill."
- The Comprehensive Enforcement and Immigration Reform Act of 2005 (S. 1438), a bill proposed in July 2005 by Senators John Cornyn and Jon Kyl, sometimes referred to as the "Cornyn-Kyl Bill."
- The Comprehensive Immigration Reform Act of 2006 (S. 2611), sponsored by Senator Arlen Specter, which was passed in the Senate in May 2006 but never passed in the House.

Acknowledging that initiating action by the national government is an arduous task, our state government might better advocate for national action, instead of taking state action as a means to obtain national action.



Becoming known as a pro-active state rather than reactive would improve our public image and position the state better politically in the long run.

### **Transitioning from a reactive punitive approach to a pro-active approach**

The faith community should become familiar with the approaches of pro-active states, such as Utah, California, Illinois, and Massachusetts, that have programs for aiding immigrants to gain legal status. Once informed, they need to work within their communities and with state government to bring about change.

### **The benefits of aggressively promoting legalization**

The sudden deportation of thousands of workers will likely damage our state economy. Immediate impacts of deportation could include delays in crop harvesting, halted construction projects, landscaping and food service industry jobs vacated, and even whole businesses dissolved. Local government revenues would decrease from loss of individual and business income taxes, sales taxes, property taxes, and business licenses and fees.

The high concentration of undocumented workers in agriculture keeps food prices relatively low. The American Farm Bureau asserts that without guest workers the U.S. economy would lose as much as \$9 billion a year in agricultural production and 20 percent of current production would go overseas. (CATO Institute, 2003/2004; Executive Office of the President: Council of Economic Advisors, 2007; Jackson, 2006) Alabama agriculture must continue to compete with other states and countries that will continue to have low cost workers.

The immigrant community also proves to be a net benefit to the budget of the United States government, and an asset to state revenues. They also contribute positively by providing a younger workforce, where the ratio retired persons to workers is dramatically increasing. Research reported by both the CATO Institute and the President's Council of Economic Advisors reveals that the average immigrant pays a net 80,000 dollars more in taxes than they collect in government services. Immigrants also contribute to the Social Security System; studies have shown that unauthorized immigrants provides a net gain of \$7 billion to the Social Security system each year, and the Social Security Administration also credits these workers for paying an additional \$520 billion under mismatching Social Security Numbers. (O'Carroll, 2006)

Immigrants also boost state revenues, as reports from several states, such as Texas, show that unauthorized immigrants contribute as much as \$1.5 billion to state revenues.

A better documented workforce would include the advantages of better tax collection and worker protections, such as enforcement of wage and safety laws. In addition, legalization of undocumented immigrants would force unscrupulous employers to contribute payroll taxes for their immigrant workers and thus further increase state revenues. (Strayhor, 2006)

Assisting in legal immigration is the right thing for our state government to do and follows with the best, proudest past policies in our history, rather than basing our political

efforts on chasing after myths that are damaging to our future and our integrity as a moral people. Policy makers must consider tremendous costs in terms of family disruptions, fear, uncertainty and human suffering attendant to the conduct of sudden deportations. From the moral faith perspective, it is far better to deal from a position of kindness, love and understanding.

While opponents of immigration cite problems such as crime and language barriers, those concerns don't stand up to research, such as indicates that immigrant communities do not increase the crime rate and that immigrants commit fewer crimes than native born Americans. (Immigration Policy Center, 2007; Sampson, 2006; Executive Office of the President: Council of Economic Advisors, 2007) Furthermore, while first generation, non-English speaking immigrants predictably have lower rates of English proficiency than native speakers, 91% of second generation immigrants are fluent or near fluent English speakers. By the third generation, 97% speak English fluently or near fluently. (Hakimzadeh and Cohn, 2007; Murguia and Muñoz, 2005)

Opposition to further legalizing immigration makes the concern about "illegal" immigration appear to be empty rhetoric poorly veiling bigotry aimed at the whole ethnic community. Our Alabama history includes the 1831 Trail of Tears and the 1960's civil strife. Do we not have a moral obligation to prevent another sad episode? Immigrants are our neighbors. Their presence creates cultural diversity, which makes our communities richer. Messages, policies and laws that are seen as racist and hateful hurt everyone in the community.

### ***What Critics Say:***

Unemployment rates in the U.S. are near record highs due to an extended recession. Since these numbers are likely to remain high for the foreseeable future, and the number of job opportunities is not likely to expand, the demand for these existing jobs will remain.

Because of the severe economic conditions, large numbers of jobs for skilled workers have been eliminated. Since conditions are such that large numbers of these jobs are not likely to be reinstated, these unemployed skilled workers are taking on some of the lower paying unskilled jobs to simply maintain their households. As many of the immigrants (undocumented or otherwise) are unskilled workers willing to work for lower wages, this increases the pressure on the economy.

Some immigration laws allow immigrants to retain citizenship in their country of origin, after becoming documented residents. Many of our citizens reason that dual citizenship makes their loyalty to the U.S. questionable. Many citizens find this objectionable, especially if they have fought in the wars to preserve our country.

Adding large numbers of immigrants will increase the burden on our entitlement obligations for retirement and medical insurance benefits. These systems are already overextended and the increased demands for benefits due to the influx of "baby boomers" will make their funding more difficult. Because of depletion of the Social Security Reserve fund the system must rely on current worker contribution to meet the benefit

claims; presently three current workers contribute to fund a single recipient. Because of the unemployment situation and the expected increasing number of claimants, these contribution requirements are likely to increase to five or more current contributors in the near future. The demands for funding of Medicare claims are increasing proportionally.

Increasing the numbers of immigrant families will increase the costs for the public education systems and public service providers. These services are provided by state and locally funded agencies that are already stressed by the current economic environment. Reduced contributions from federal and state government budgets have reduced funding for these agencies. Adding to the demand for these services is unrealistic, given that the current unemployment is expected to remain high for some time, with the concomitant reduced revenues because of lower payroll taxes and consumer spending.

### **Choice Three: What can be done now?**

Following its preachments, the faith community should lead the way to change the narrative to pro-immigrant and to relieving suffering and improving the quality of life of our immigrant population.

### ***What Supporters Say***

The faith community should do all that we can to change the narrative. Being a nation of immigrants, it is hardly necessary to argue the merits of immigration. Changing the narrative means cultivating an attitude that goes beyond tolerance and accommodation; it is recognition that immigration and the accompanying diversity is necessary for the wellbeing of our communities – local to national.

While the other choices prize the values of conformance to law, security and cost, this choice focuses more on the values expressed in “Presumptions” in the Faith Perspectives module.

**Support immigrant efforts to become full members of the community.** Public agencies, non-profit organization, churches and individuals need to highlight policies that help all immigrants better integrate.

- Welcome new people into the community and get to know them. Much of the heated debate over immigration policy seems to be conducted between people who don’t know any of the immigrants involved.
- Try to learn other languages. The USA is one of the few developed countries in the world that does not purposefully teach their children several languages. As globalization increases this is a luxury we can no longer afford.
- Learn the reasons for differences brought about by culture or circumstances. In many cases our behavior is conditioned by our culture and living conditions. Learning more about those factors promotes understanding.

**Be prepared to counter claims that undocumented immigrants are a tax burden.**

Many of the attacks on immigrants focus on the idea that undocumented immigrants use more benefits than they pay in taxes. Advocates first need to highlight the multiple studies (<http://www.urban.org/publications/411338.html>) that have shown (<http://www.window.state.tx.us/specialrpt/undocumented/>) that even when you total up the limited services for which they do qualify -- public school education and emergency medical care -- undocumented immigrants pay significantly more in state taxes than states spend on those benefits. The Texas State Controller, for example, estimated that undocumented immigrants added over \$17 billion to the state economy and paid over \$400 million more in taxes than they received in benefits from the state.

Advocates for changing the narrative need to be aware of these studies, in order to be prepared to challenge claims of the anti-immigrant proponents.

**Be prepared to counter claims that non-citizens have illegally voted in US elections.**

Advocates need to challenge the voter ID requirements that are disenfranchising many legal voters (<http://www.truthaboutfraud.org/pdf/TruthAboutVoterFraud.pdf>). Advocates should be demanding that voting be made easier, through reforms like same-day registration and voting by mail.

**Help the community realize that crime reports are more likely when people are not afraid.** Most law enforcement groups recognize that it is harder to protect victims of crime when people living in our communities are afraid to talk to the police if they see a crime or are a victim of one. Advocates for changing the narrative can highlight this reality by speaking out for the protection of undocumented immigrant victims and witnesses of crime when they contact the police.

**Factors that can help change the narrative**

Even as anti-immigrant policies have been enacted in a number of states, other states have also been enacting smart, humane policies that raise living standards for all workers while encouraging maximum integration of new immigrants into our communities. State leaders and advocates can use smart policy campaigns to change the public debate on immigration both at the state level and nationally.

**In the long run, anti-immigrant politics have no future.**

If individuals, faith communities, and governments promote economic policies that address the broader needs of working families, all polling shows that there is no majority for punitive measures against undocumented immigrants. Blaming immigrants for economic slumps is not the answer.

Given the rapid expansion of legal immigrants voting in US elections, including the doubling of the Latino electorate from 7.5 million voters in 2000 to an estimated 14 million voters in 2008, there is no political leadership future for politicians who promote punitive policies against new immigrants and alienate this growing bloc of voters.

**Wage laws must be enforced.**

Much of the anger at immigrants derives from fears that sweatshops and sub-minimum wage labor will undermine wage standards. Changing the narrative would entail advocating a few key points.

- Only a minority of those working under illegal work conditions are undocumented immigrants.
- Our nation's systematic lack of enforcement of wage laws has contributed to the dysfunction of our immigration system.
- The denial of employment rights to immigrants has only further undermined wage law enforcement, thereby feeding more low-wage immigration.

**Many states are taking a pro-active approach to ensure that their wage laws are understood by workers and adhered to by employers.**

- Some states have established clearly that their laws fully protect undocumented immigrants against retaliation when they bring wage claims against employers.
- Most state enforcement divisions are woefully underfunded, but some states are taking new actions to better fund wage enforcement. One of the obvious places to beef up enforcement is by ensuring that public money doesn't fund lawbreakers. Ohio's Attorney General has announced a program to crack down on government contractors violating the state's prevailing wage law.
- A number of states are putting additional funds into independent legal services agencies, which can assist low-income workers in bringing civil cases when their employment rights are violated.
- States are also increasingly targeting the employer tactic of misclassifying employees as "independent contractors," which excludes workers from minimum wage, prevailing wage, overtime, health and safety, and right to organize protections.

***What Critics Say:***

Adherence to the rule of law is critically important. Even if all of the arguments refuting cost burden, crime rate, need for labor, unjust trade agreements, security were correct, the fact remains that our immigration laws are being violated, violated in a massive way – numbering in the millions. Although this choice does not explicitly suggest that an undocumented status should be ignored, it is quite clear that undocumented status is considered at a lower priority.

Ignoring adherence to the law, millions of times, undercuts our respect for law and encourages corruption.

**WEEK FIVE  
SEGMENT 4:**

## **DEVELOPING COMMON THEMES FOR ACTION USING DILIBERATIVE DECISION MAKING**

### **OBJECTIVE:**

Develop common themes for action, deciding on recommendations to congregational council and other actions to take.

### **ACTIVITIES:**

- Develop common themes of action
- Determine recommendations to be made to congregational council
- Determine other group and/or individual actions based on common themes
- Complete Post-Deliberative questionnaires

## Appendix

### *US Government Responses to Immigration*

#### A Brief Timeline of U.S. Policy on Immigration and Naturalization

1790	Congress adopts uniform rules so that any free white person could apply for citizenship after two years of residency.
1798	<u>Alien and Sedition Acts</u> required 14 years of residency before citizenship and provided for the deportation of "dangerous" aliens. Changed to five-year residency in 1800.
1819	First significant federal legislation on immigration. Includes reporting of immigration and rules for passengers from US ports bound for Europe
1846	Irish of all classes emigrate to the United States as a result of the potato famine.
1857	Dred Scott decision declared free Africans non-citizens.
1864	Contract Labor Law allowed recruiting of foreign labor.
1868	African Americans gained citizenship with <u>13th Amendment</u> .
1875	<i>Henderson v. Mayor of New York</i> decision declared all state laws governing immigration unconstitutional; Congress must regulate "foreign commerce." Charity workers, burdened with helping immigrants, petition Congress to exercise authority and regulate immigration. Congress prohibits convicts and prostitutes from entering the country.
1880	The U.S. population is 50,155,783. More than 5.2 million immigrants enter the country between 1880 and 1890.
1882	<u>Chinese Exclusion Act</u> . First federal immigration law suspended Chinese immigration for 10 years and barred Chinese in U.S. from citizenship. Also barred convicts, lunatics, and others unable to care for themselves from entering. Head tax placed on immigrants.
1885	Contract Labor Law. Unlawful to import unskilled aliens from overseas as laborers. Regulations did not pertain to those crossing land borders.
1888	For the first time since 1798, provisions are adopted for expulsion of aliens.
1889	<u>Jane Addams</u> founds Hull-House on Chicago's Near West Side.

1890	Foreign-born in US were 15% of population (14% in Vermont); more arriving from southern and eastern Europe ("new immigrants") than northern and western ("old immigrants"). <u>Jacob Riis</u> publishes "How the Other Half Lives."
1891	Bureau of Immigration established under the Treasury Department. More classes of aliens restricted including those who were monetarily assisted by others for their passage. Steamship companies were ordered to return ineligible immigrants to countries of origin.
1892	<u>Ellis Island</u> opened to screen immigrants entering on east coast. (Angel Island screened those on west coast.) Ellis Island officials reported that women traveling alone must be met by a man, or they were immediately deported.
1902	Chinese Exclusion Act renewed indefinitely.
1903	Anarchists, epileptics, polygamists, and beggars ruled inadmissible.
1905	Construction of <u>Angel Island Immigration Station</u> began in the area known as China Cove. Surrounded by public controversy from its inception, the station was finally put into operation in 1910. Although it was billed as the "Ellis Island of the West", within the Immigration Service it was known as "The Guardian of the Western Gate" and was designed control the flow of Chinese into the country, who were officially not welcome with the passage of the Chinese Exclusion Act of 1882.
1906	Procedural safeguards enacted for naturalization. Knowledge of English becomes a basic requirement.
1907	Head tax is raised. People with physical or mental defects, tuberculosis, and children unaccompanied by a parent are added to the exclusion list. Japan agreed to limit emigrants to US in return for elimination of segregating Japanese students in San Francisco schools.
1910	<u>Dillingham Report</u> from Congress assumed inferiority of "new immigrants" from southern and eastern Europe and suggested a literacy test to restrict their entry. (William P. Dillingham was a Senator from Vermont.)
1917	Immigration Act provided for literacy tests for those over 16 and established an "Asiatic Barred Zone," which barred all immigrants from Asia.
1921	Quota Act of 1921 limited immigrants to 3% of each nationality present in the US in 1910. This cut southern and eastern European immigrants to less than 1/4 of those in US before WW I. Asians still barred; no limits on western hemisphere. Non-quota category established: wives, children of citizens, learned professionals, and domestic servants not counted in quotas.



1922	Japanese made ineligible for citizenship.
1924	<p>Quotas changed to 2% of each nationality based on numbers in US in 1890. Based on surnames (many anglicized at Ellis Island) and not the census figures, 82% of all immigrants allowed in the country came from western and northern Europe, 16% from southern and eastern Europe, 2% from the rest of the world. As no distinctions were made between refugees and immigrants, this limited Jewish emigres during 1930s and 40s.</p> <p>Despite protests from many native people, Native Americans made citizens of the United States. Border Patrol established.</p>
1929	The annual quotas of the 1924 Act are made permanent.
1940	Provided for finger printing and registering of all aliens.
1943	In the name of unity among the Allies, the Chinese Exclusion Laws were repealed, and China's quota was set at a token 105 immigrants annually. Basis of the Bracero Program established with importation of agricultural workers from North, South, and Central America.
1946	Procedures adopted to facilitate immigration of foreign-born wives, fiance(e)s, husbands, and children of US armed forces personnel.
1948	Displaced Persons Act allowed 205,000 refugees over two years; gave priority to Baltic States refugees; admitted as quota immigrants. Technical provisions discriminated against Catholics and Jews; those were dropped in 1953, and 205,000 refugees were accepted as non-quota immigrants.
1950	The grounds for exclusion and deportation are expanded. All aliens required to report their addresses annually.
1952	Immigration and Nationality Act eliminated race as a bar to immigration or citizenship. Japan's quota was set at 185 annually. China's stayed at 105; other Asian countries were given 100 a piece. Northern and western Europe's quota was placed at 85% of all immigrants. Tighter restrictions were placed on immigrants coming from British colonies in order to stem the tide of black West Indians entering under Britain's generous quota. Non-quota class enlarged to include husbands of American women.
1953	The 1948 refugee law expanded to admit 200,000 above the existing limit
1965	Hart-Celler Act abolished national origins quotas, establishing separate ceilings for the eastern (170,000) and western (120,000) hemispheres (combined in 1978). Categories of preference based on family ties, critical skills, artistic excellence, and refugee status.
1978	Separate ceilings for Western and Eastern hemispheric immigration combined into a worldwide limit of 290,000.
1980	The Refugee Act removes refugees as a preference category; reduces worldwide ceiling for immigration to 270,000.
1986	Immigration Reform and Control Act provided for amnesty for many illegal aliens and sanctions for employers hiring illegals.
1989	A bill gives permanent status to non-immigrant registered nurses who have lived in US for

	at least three years and met established certification standards.
1990	Immigration Act of 1990 limited unskilled workers to 10,000/year; skilled labor requirements and immediate family reunification major goals. Continued to promote nuclear family model. Foreign-born in US was 7%.
2001	<u>USA Patriot Act</u> amended the Immigration and Nationality Act to broaden the scope of aliens ineligible for admission or deportable due to terrorist activities to include an alien who: (1) is a representative of a political, social, or similar group whose political endorsement of terrorist acts undermines U.S. antiterrorist efforts; (2) has used a position of prominence to endorse terrorist activity, or to persuade others to support such activity in a way that undermines U.S. antiterrorist efforts (or the child or spouse of such an alien under specified circumstances); or (3) has been associated with a terrorist organization and intends to engage in threatening activities while in the United States.

For further reading:

Aristide R. Zolberg, *A Nation by Design: Immigration Policy in the Fashioning of America*, New York: Russell Sage Foundation, 2006.

**REFERENCES**

**GLOSSARY TERMS AND RELATED ISSUES**

**Immigrant-** according to U.S. law, an immigrant is a foreign-born individual who has been admitted to reside permanently in the United States as a Lawful Permanent Resident (LPR).

**Lawful Permanent Resident-** those immigrants that are in the country under full compliance of the federal government.

**Naturalized Citizen-** Lawful Permanent Residents are eligible to apply for U.S. citizenship through a process called **naturalization**. To qualify for naturalization, applicants generally must reside in the U.S. for five years (three if they are married to a US. citizen) without having committed any serious crimes, show that they have paid their taxes and are of "good moral character," and demonstrate a knowledge of U.S. history and government as well as an ability to understand, speak, and write ordinary English.

**Non-immigrant-** a non-immigrant is an individual who is permitted to enter the U.S. for a period of limited duration. Nonimmigrants include: students, tourists, temporary workers, business executives, diplomats, artists and entertainers, and reporters. Depending on where they are from and the purpose of their visit, non-immigrants may be required to apply for and obtain a visa from the U.S. government. The application process entails an interview with a U.S. consular official in the nearest U.S. consulate, who has the sole authority to grant or deny a visa. Even if

granted, the visa is merely a travel document. All non-immigrants—regardless of whether they have a U.S. visa—must also pass immigration inspection upon arrival in the U.S.

**Refugee-** a refugee is a person *outside* of the United States who seeks protection on the grounds that he or she fears persecution in his or her homeland. To obtain refugee status, a person must prove that he or she has a "wellfounded fear of persecution" on the basis of at least one of five specifically-enumerated and internationally recognized grounds. Those grounds include the person's *race, religion, membership in a social group, political opinion, or national origin*. A person who has *already entered* the United States, and who fears persecution if sent back to his or her country, may apply for asylum here. Once granted asylum, the person is called an "asylee." Like a refugee, an asylum applicant must also prove that he or she has a "well-founded fear of persecution" based on the same enumerated grounds. Both refugees and asylees may apply to become LPRs after one year.

**Undocumented Immigrant-** an undocumented immigrant is a person who is present in the United States without the permission of the U.S. government. Undocumented immigrants enter the U.S. either illegally, without being inspected by an immigration officer, or by using false documents, or legally, with a temporary visa, and then remain in the U.S. beyond the expiration date of the visa.

### **How Do Immigrants Get Admitted to Permanently Reside Here?**

Typically, a foreign-born individual seeking to become an LPR can do so in one of three ways:

- Through **family-sponsored immigration**, a U.S. citizen can sponsor his or her foreign-born spouse, parent (if the sponsor is over the age of 21), minor and adult married and unmarried children, and brothers and sisters. A Lawful Permanent Resident can sponsor his or her spouse, minor children, and adult unmarried children. Our immigration system divides the family members eligible for sponsorship into two tiers. *Immediate relatives* of U.S. citizens—that is, spouses, unmarried minor children and parents, but not brothers and sisters or unmarried and married adult children—are admitted as their applications are processed.
- Through **employment-based immigration**, a U.S. employer can sponsor an individual for a specific position where there is a demonstrated absence of U.S. workers.
- By winning one of a limited number of immigrant visas available in the annual **diversity visa lottery** that is open to immigrants from certain countries.

### **What's the Difference Between a Refugee and an Asylee?**

- Refugees and asylees are people seeking protection in the U.S. on the grounds that they fear persecution in their homeland. A refugee applies for protection while outside the United States. An asylee differs from a refugee because the person first comes to the United States and, once here, applies for protection. Refugees generally apply in refugee camps or at designated processing sites outside their home countries. In some instances, refugees may apply for protection within their home countries, such as in the Former

Soviet Union, Cuba, and Vietnam. If accepted as a refugee, the person is sent to the U.S. and receives assistance through the "refugee resettlement program."

### **How Does Someone Gain Refugee Status?**

- To qualify for refugee resettlement in the U.S., a person must come from a country designated by the Department of State. The person must meet the definition of a refugee by proving that she has a **well-founded fear of persecution**. The refugee applicant must prove that this fear is based on the possibility of persecution because of her *race, religion, membership in a social group, political opinion, or national origin*. In addition, a refugee must fit into one of a set of "priority" categories, which factor in degree of risk to the refugee's life, membership in certain groups of special concern to the U.S., and existence of family members in the U.S. A person claiming refugee status must undergo a vigorous screening process before being resettled in the U.S. First, the person is screened by the United Nations High Commissioner for Refugees (UNHCR) to determine if she qualifies as a refugee under international law. If she qualifies, she next is screened by the U.S. embassy in the host country, which contracts with private organizations to collect personal information about refugees. The embassy will check the name of the refugee in its Consular Lookout and Support System (CLASS), which contains the names of millions of persons who have been denied visas, or who may be otherwise ineligible for entry into the U.S. If she passes that test, an officer from U.S. Citizenship and Immigration Services (USCIS) conducts a face-to-face interview and reviews the file. The refugee is then photographed and fingerprinted by the State Department. Certain refugees must receive clearance from the FBI. If no problems arise in all of this screening, the refugee proceeds to the U.S., where an inspector from the Bureau of Customs and Border Protection conducts one more interview and compares the refugee with host country U.S. embassy records. While these redundant checks ensure that no one who is not entitled to refugee status will get it, they have greatly slowed the admissions system, and hampered our ability to protect vulnerable individuals. Thousands of refugee "slots" have gone unused in recent years, even as the admission ceilings have been greatly reduced from those of the recent past. Without additional resources, the U.S. is falling short of its commitment to protect refugees.
- After refugees have been in the U.S. for one year, they are eligible to become permanent residents. There is no limit to the number of refugees who may become permanent residents each year.

### **Family-Sponsored Immigration**

- Family-sponsored immigration is the way U.S. citizens and lawful permanent residents bring family members from other countries to live permanently in America. Citizens may sponsor only their spouses, children, parents (if the citizen is older than 21 years), and brothers and sisters (if the citizen is older than 21 years). LPRs may sponsor only their spouses and unmarried children. Neither citizens nor LPRs may bring in more distant family members, such as aunts, uncles, and cousins.
- Our immigration system divides the family members eligible for sponsorship into two tiers. *Immediate relatives* of U.S. citizens—that is, spouses, unmarried minor children

and parents, but not brothers and sisters or unmarried and married adult children—are admitted as their applications are processed.

### **Non-immigrant Visas**

- "Non-immigrants" are tourists, students, and other persons who come *temporarily* to the U.S. for pleasure, business, study, diplomacy, or other purposes on an alphabet soup of visa categories. The total number of immigrants—family-sponsored, employment-based, and diversity immigrants—is small compared to the number of people who come here for short periods of time. These non-immigrants outnumber immigrants by about 30 or 40 to 1. In fiscal year 2003, nearly 28 million persons came to this country temporarily. Of those, more than 24 million came here as tourists or business visitors.

### **Naturalization**

Naturalization is the process by which eligible legal immigrants become U.S. citizens. Through the naturalization process, immigrants display a willingness to become full members of our society. The process is not an easy one. It requires that immigrants live in the U.S. for a certain number of years, learn our language, study our history and government, show that they are of "good moral character" and have not committed serious crimes and, finally, swear allegiance to the United States. Over time, most immigrants become citizens.

(Guskin & Wilson, 2007).

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## RESOURCES

**Alabama Appleseed Project** - <http://alabamaappleseed.org/>

**AL Arise** - <http://arisecitizens.org/>

**Baylor** - <http://www.baylor.edu/content/services/document.php/68580.pdf>

**Buckner** - <http://www.buckner.org/reyes-sermons/chirst-reflect-all.pdf>

**Immigration Policy Center** - <http://www.immigrationpolicy.org/just-facts/responding-state-immigration-legislation-resource-page>

**Minnesota United Methodist Church** -

<http://www.minnesotaumc.org/MissionsMinistries/Missions/SocialJusticeMinistries/ImmigrationStudyResources/tabid/40602/Default.aspx>

**National Conference of State Legislatures** -

<http://www.ncsl.org/Default.aspx?TabID=756&tabs=951,119,851#951>

**Presbyterian Church of the USA** -

<http://oga.pcusa.org/immigration/pdf/advocacy.pdf>

[www.pcusa.org/media/uploads/resolutions/encounter-with-new-neighbors-1999.pdf](http://www.pcusa.org/media/uploads/resolutions/encounter-with-new-neighbors-1999.pdf)

<http://www.pcusa.org/media/uploads/acswp/pdf/immigration-resolution.pdf>

**Progressive States Network** -

<http://www.progressivestates.org/files/immigrationstrategy.html#Toc182630689>

**SEC.gov** - <http://www.sec.gov/investor/pubs/affinity.htm>

**Sojourners** –

[http://store.sojo.net/ProductDetails.asp?ProductCode=SG\\_SITL&Click=1324](http://store.sojo.net/ProductDetails.asp?ProductCode=SG_SITL&Click=1324) IMS has a hard copy.

[http://blog.sojo.net/2010/04/21/arizonas-immigration-bill-is-a-social-and-racial-sin/#disqus\\_thread](http://blog.sojo.net/2010/04/21/arizonas-immigration-bill-is-a-social-and-racial-sin/#disqus_thread)

<https://secure3.convio.net/sojo/site/Advocacy?cmd=display&page=UserAction&id=395>

<https://secure3.convio.net/sojo/site/Advocacy?cmd=display&page=UserAction&id=395>

**United Methodist Church** -

<http://www.umc->

[gbcs.org/site/apps/nlnet/content2.aspx?c=frLJK2PKLqF&b=4909851&ct=8540617](http://www.umc-gbcs.org/site/apps/nlnet/content2.aspx?c=frLJK2PKLqF&b=4909851&ct=8540617)

<http://www.umc-gbcs.org/atf/cf/%7B689FEA4C-8849-4C05-A89E->

[C9BC7FFFF64C%7D/Immigration%20Study%20-%20final%20edit.pdf](http://www.umc-gbcs.org/atf/cf/%7B689FEA4C-8849-4C05-A89E-C9BC7FFFF64C%7D/Immigration%20Study%20-%20final%20edit.pdf)

**Welcome the Immigrant** -

[http://www.welcometheimmigrant.org/storage/Immigration\\_Study\\_Guide\\_NCCC\\_2sided.pdf](http://www.welcometheimmigrant.org/storage/Immigration_Study_Guide_NCCC_2sided.pdf)

**Disclaimer:** These websites have been referred to me by persons interested in the topic. In the interest of time I have not reviewed all of these web for applicability. Chuck Vedane

Appleseed URL - <http://alabamaappleseed.org/>

AL Arise URL - <http://arisecitizens.org/>

Immigration Policy Center - <http://www.immigrationpolicy.org/just-facts/responding-state-immigration-legislation-resource-page>

Progressive States Network -

[http://www.progressivestates.org/files/immigrationstrategy.html#\\_Toc182630689](http://www.progressivestates.org/files/immigrationstrategy.html#_Toc182630689)

National Conference of State Legislatures -

<http://www.ncsl.org/Default.aspx?TabID=756&tabs=951,119,851#951>

<http://www.minnesotaumc.org/MissionsMinistries/Missions/SocialJusticeMinistries/ImmigrationStudyResources/tabid/40602/Default.aspx>

<http://www.umc->

[gbcs.org/site/apps/nlnet/content2.aspx?c=frLJK2PKLqF&b=4909851&ct=8540617](http://www.umc-gbcs.org/site/apps/nlnet/content2.aspx?c=frLJK2PKLqF&b=4909851&ct=8540617)

<http://www.umc-gbcs.org/atf/cf/%7B689FEA4C-8849-4C05-A89E-C9BC7FFFF64C%7D/Immigration%20Study%20-%20final%20edit.pdf>

<http://oga.pcusa.org/immigration/pdf/advocacy.pdf>

[www.pcusa.org/media/uploads/\\_resolutions/encounter-with-new-neighbors-1999.pdf](http://www.pcusa.org/media/uploads/_resolutions/encounter-with-new-neighbors-1999.pdf)

<http://www.pcusa.org/media/uploads/acswp/pdf/immigration-resolution.pdf>

<http://www.baylor.edu/content/services/document.php/68580.pdf>

[http://store.sojo.net/ProductDetails.asp?ProductCode=SG\\_SITL&Click=1324](http://store.sojo.net/ProductDetails.asp?ProductCode=SG_SITL&Click=1324) IMS has a hard copy.

[http://blog.sojo.net/2010/04/21/arizonas-immigration-bill-is-a-social-and-racial-sin/#disqus\\_thread](http://blog.sojo.net/2010/04/21/arizonas-immigration-bill-is-a-social-and-racial-sin/#disqus_thread)

<https://secure3.convio.net/sojo/site/Advocacy?cmd=display&page=UserAction&id=395>

<https://secure3.convio.net/sojo/site/Advocacy?cmd=display&page=UserAction&id=395>

[http://www.welcometheimmigrant.org/storage/Immigration\\_Study\\_Guide\\_NCCC\\_2sided.pdf](http://www.welcometheimmigrant.org/storage/Immigration_Study_Guide_NCCC_2sided.pdf)

<http://www.buckner.org/reyes-sermons/chirst-reflect-all.pdf>

<http://www.sec.gov/investor/pubs/affinity.htm>