

*Adopted by Minnesota Council of Churches  
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# MINNESOTA COUNCIL OF CHURCHES

## **Immigration Policy Statement** *December 2007*

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## **IMMIGRATION POLICY STATEMENT: EXECUTIVE SUMMARY**

### **Introduction**

The Minnesota Council of Churches is built upon its 24 member judicatories, or regional denominational offices, representing Mainline Protestant, historic Black, and Orthodox Churches. The Council partners with its members to initiate new projects and services, such as serving refugees, addressing issues facing American Indian communities, tackling sexual misconduct in the religious community, fighting hunger, or advocating for socially just public policies.

The Minnesota Council of Churches has been partnering with local congregations since 1984 to resettle refugees through its Refugee Services. However, since 9/11, and with the onset of the wars in Afghanistan and Iraq, the public's concern is rising about who should and should not be permitted to come to Minnesota. The Minnesota Council of Churches *Immigration Policy Statement* articulates why the Council in partnership with and through its member judicatories will continue to “welcome the stranger,” and to what length we will go to live into God's teachings.

### **Theological Framework**

*You shall not oppress a resident alien; you know the heart of a sojourner, for you were sojourners in the land of Egypt. Exodus 23:9, MRSV*

The sojourner, or displaced person, is a central character in the Biblical narrative. Indeed the foundational story of Judaism, Christianity and Islam—that of Abraham—begins with a call to emigrate. Uprooted people are often at the heart of God's work in the world and we are to welcome the stranger. Immigration is not just a social reality, but a theological one as well. Remembrance of this reality is central to the social ethic of ancient Israel. And while contemporary immigration policy is not laid out in Scripture, there is much on which we could reflect to guide our actions toward children of God who are far from home. We are to respect the other as also created in the image of God, not to vilify them; we are to pay special attention to those who are undervalued; we are to live in harmony with the laws of the land where they are just and challenge them where they are not. We are to love unequivocally and never participate in oppression. Through our wider calls to justice and community, we are to manifest God's concern that all share in abundant life.

### **U.S. Immigration system**

The U.S. Citizenship and Immigration Services (USCIS) implements and enforces laws that regulate entry, length of stay and removal of non-citizens (those born outside the U.S.) An immigrant is a foreign-born resident who is lawfully admitted in the United States. There are various categories of immigrants including:

1. **Refugees**, who cannot return to their country of origin because of a well-founded fear of persecution due to race, religion, nationality, political opinion, or membership in a particular social group.
2. Gaining **permanent residency** is the next step after legally immigrating to the US.

3. A person may apply for **citizenship** after being a permanent resident for five years.
4. Once a person becomes a citizen, s/he can apply for **family reunification** and sponsor family members in another country to come to the U.S.

**Non-immigrants** only plan to be here temporarily, such as students, tourists, and visitors on business. Also, undocumented residents are considered **non-immigrants**. Being in this country without permission is not a crime, but a violation of administrative law, and carries no criminal offense, only deportation.

### **Trends in Immigration**

In 2005, 15,456 persons immigrated to Minnesota- the largest number of immigrants to settle in the State in a single year for the last 25 years. Refugees are a subset of immigrants and Minnesota with 6,347 refugees in the same year ranked second after California in the number of refugees arrivals. The majority of refugees come from Africa.

<b>Myth</b>	<b>Reality</b>
Are a drain on the economy	Their labor is needed to keep the economy growing
Come here to get welfare	Federal law prohibits most immigrants from receiving public assistance
Don't pay taxes	Pay income, sales and property taxes as well as Medicare and Social Security
Don't want to learn English	Are learning English at the same rate as past immigrants

Historically, America has been the land of immigration. Although immigration has generally proven to be a positive force for change, America has always been ambivalent about the latest immigrants. There are myths held about today's immigrants including, they: 1) are a drain on the economy, 2) come here for welfare, 3) don't pay taxes, and 4) don't want to learn English.

In reality the U.S. needs immigrants as current U.S. law admits only about two-thirds of the labor needed to keep the economy growing. Immigrants are required to pay taxes, which can include income, sales, property, and Social Security taxes. Immigrants own businesses and buy services and goods, helping to revitalize urban and rural economies in Minnesota. Most legally are not eligible for public assistance. Today's immigrants are learning English at the same rates as other generations of immigrants.

### **The Churches Response to Immigration**

Churches and other religious organizations have been at the forefront of efforts to assist refugees and immigrants as they have settled in Minnesota. Refugees are often sponsored by national and international voluntary agencies or VOLAGS that are denominationally based. The VOLAGS assign refugees to local affiliates across the country, including Refugee Services of the Minnesota Council of Churches. "Refugee Services is an ecumenical ministry welcoming persecuted people from around the world" that provides employment, case management, immigration, and educational services.

### **Immigration Law Reform**

Many individuals and organizations have identified difficult immigration issues that needed addressing, including what to do with undocumented workers, the need for more visas for persons to work in the U.S., the delays in reunification of families, the mixed immigration status of most immigrant families, and the difficulty of refugee resettlement under provisions of the USA PATRIOT ACT and the REAL ID Act of 2005.

The complex and sometimes controversial issues surrounding immigration led to a nation-wide call for comprehensive reform in 2006. Many religious denominations adopted policy positions advocating for comprehensive reform for all current and future immigrants that promotes the human dignity of all, regardless of their immigration status. When the Federal immigration reform bill failed to pass in 2006, more states and localities proposed bills that were both pro-and anti-immigration. Many of these have been struck down by the courts, because Federal law takes precedence in immigration law.

### **Policy Recommendations**

- A. The Minnesota Council of Churches proposes the following principles to direct the Program Commission, as well as MCC programs and staff when our work relates to immigration:
  1. All people, regardless of immigration status, should be treated with dignity and respect, respecting their rights under the International Declaration of Human Rights, United Nations charter, and the U.S. Constitution.
  2. Comprehensive reform is needed to address the problems created by the immigration system, which affects legal and illegal immigrants alike.
  3. All relief agencies, religious groups, and individuals should be allowed to minister to the human needs of people regardless of their legal status.
  4. Local churches and faith-based organizations should be able to seek ways to welcome, help, and empower the refugee, immigrant, visitor, and undocumented person in their community, and are called upon to denounce the persecution of the stranger.<sup>1</sup>
  
- B. The Minnesota Council of Churches will continue to provide an array of services to refugees and asylees, regardless of their country of origin.
  1. Work in partnership with the Council's national voluntary agencies- (VOLAGS-Church World Service and Episcopal Migration Ministries), and local churches to resettle refugees;
  2. Provide a full complement of direct services to refugees and asylees to secure employment, housing, and other basic needs;
  3. Introduce and educate refugees and asylees in the U.S., and in particular, the Minnesota culture; and
  4. Assist refugees and asylees in the process towards becoming U.S. citizens.

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- C. Within its capacity at any given time, the Council will provide support to all categories of immigrants.
  - 1. Introduce and educate other immigrants to the U.S., and in particular, the Minnesota culture;
  - 2. Integrate immigrants into local communities, empowering them to build upon the assets that they bring with them to Minnesota;
  - 3. Strengthen local communities and neighborhoods to integrate new immigrants;
  - 4. Assist immigrants in the process towards becoming a U.S. citizen; and
  - 5. Assist churches and local communities to provide support to families when undocumented immigrants face a crisis, such as detention and/or deportation.
  
- D. Within its capacity at any given time, the Council will pursue internal and public policies that further live into the principles above.

## **IMMIGRATION POLICY STATEMENT**

### **II. Introduction**

The Minnesota Council of Churches (MCC) is built upon its 24 member judicatories, or regional denominational offices, representing Mainline Protestant, Historic Black, and Orthodox Churches. The Council partners with its members to initiate new projects and services, be they to serve refugees, address issues facing American Indian communities, tackle sexual misconduct in the religious community, fight hunger, or advocate for socially just public policies. Today, with its mission *to manifest unity in the body of Christ and to build the common good in the world*, the Council not only builds relationships between denominations, but also within the larger religious community, as well as with other organizations, agencies and institutions within the nonprofit and public sectors across the state.

The Minnesota Council of Churches has been partnering with local congregations since 1984 to resettle refugees, thanks in large part to funding from the federal government. Since that time, MCC's services to refugees have expanded beyond the traditional "reception and placement." As Refugee Services has resettled refugees, they have also worked to secure employment, housing, and other basic needs for refugees. In 2006, Refugee Services launched the first-in-the-nation case management services to asylees.

The backdrop against which Refugee Services has provided this array of services to refugees and asylees is changing as a growing number of new immigrants come to Minnesota. As the numbers of new immigrants appear to be increasing, there is an equally escalating voice of concern on the part of some people in our state.

Since 9/11, and with the onset of the wars in Afghanistan and Iraq, the public's concern is rising about who should, and should not be permitted to come to Minnesota. The Minnesota Council of Churches *Immigration Policy Statement* articulates why the Council, in partnership with, and through its member judicatories will continue to "welcome the stranger," and to what length we will go to live into God's teachings.

### **III.A Theological Framework**

*Now the Lord said to Abram, Go from your country and your kindred and your father's house to the land that I will show you. –Genesis 12.1, NRSV*

#### **A. The Sojourner as Central to the Biblical Narrative**

The sojourner is a well-known character in the Biblical narrative. God's relationship with Abram begins with a call to immigration (Genesis 12)—a call to permanent residence in a foreign land. This is how his story, and thus the story of the Abrahamic faiths (Islam, Judaism and Christianity), begins. In the context of immigration, two central themes of the Hebrew Scriptures are unfurled—chosenness and liberation. For Abram, following God to land and promise meant being an immigrant. Years later for

the whole people of Israel, freedom from slavery meant immigration (Exodus 12). And it was while the Israelites were in the process of emigrating that God revealed to them what it would mean to be a community in covenant relationship with God. Remembrance of this reality is central to the social ethic of ancient Israel. They were to care for the widow, the orphan and the stranger; they were not to repeat the sins of their oppressors. From the very beginning, we see that the Biblical narrative recognizes immigration not only as a social reality but also as a theological one.

The sojourner/immigrant continues to play an important role throughout the Biblical narrative, and this character is more often uplifted than condemned. The salvation history of Israel is often worked out through the motif of the righteous foreigner: Joseph in Egypt (Genesis 39-50), and Ruth the Moabite to name just two. For Ruth, upholding the promise she made to Naomi meant becoming an immigrant (Ruth 1.16). Upon her arrival in Bethlehem, she is *poor, widowed and a stranger* to the land. And yet she is embraced by the people in her new homeland, who exceed the requirements of the law in caring for her (Deuteronomy 24.21; Ruth 2.8-17). Her ensuing marriage to Boaz meant that Obed, Jesse and then David come from her line. And so at his birth, Jesus is the descendent of an immigrant and a soon-to-be refugee. Uprooted people are often at the heart of God's work in the world.

#### B. Concern for the neighbor

People of faith are to respond to God's love for them by caring for others. Two discernable reasons for this in Scripture include:

1. It is to be done out of remembrance

*You shall not oppress a resident alien; you know the heart of a sojourner, for you were sojourners in the land of Egypt. –Exodus 23:9, NRSV*

God's command to the Israelites to care for the alien who resides among them is a call to self-awareness and humility. They are not to grow so comfortable in their new land that they repeat the sins of their oppressors in Egypt. This is a common thread in the contemporary debate on immigration policy in the U.S. We need to remember where we came from and not repeat the sins of our own oppressors.

2. It is to be done out of respect for the inherent dignity of all human beings

Human beings are made in the image of God. Out of this concept set forth in the first chapter of Genesis emerges an ethic of the *Imago Dei*. If humans are made in the image of God and all that God created was called "very good" (Genesis 1.31), then we are called as people of faith to respect the dignity of each living thing, each creature of God's good working. Out of this acknowledgement grows a Biblical ethic of caring for the outcasts and the forgotten. This is present in both the Hebrew and Christian Scriptures. Jesus' sermon in Matthew 25 is among the best-known expressions of it:

*Then the righteous will answer him, “Lord, when was it that we saw you hungry and gave you food, or thirsty and gave you something to drink? And when was it that we saw you a stranger and welcomed you, or naked and gave you clothing? And when was it that we saw you sick or in prison and visited you?”*

*“And the king will answer them, “Truly I tell you, just as you did it to one of the least of these who are members of my family, you did it to me.”--  
Matthew 25.37-40, NRSV*

Jesus identifies himself with the undervalued again and again during his public ministry, calling them “brothers and sisters”. In so doing, he affirms the inherent dignity of those who society would exclude. We are called unequivocally to love our neighbors, never to participate in oppression.

### C. Other Concerns

#### 1. Rule of Law

Always present in discussions on immigration is the question of the Rule of Law. For Christian communities, this concern is centered in chapter 13 of Paul’s letter to the Romans:

*Everyone must submit himself to the governing authorities, for there is no authority except that which God has established. The authorities that exist have been established by God. –Romans 13.1*

God is present in all aspects of human life—civil structures included. Erosion of the Rule of Law is a commonly cited concern in the debate on immigration. Some suggest amnesty for the undocumented workers who are already living in the US. Paul does indeed uphold civil authorities as God-given and Christians are justified in following suit.

On the other hand, our tradition recognizes that justice does not only reside in law codes. We are to take seriously the lesson Jesus taught his disciples in Mark 2—the law is not an end unto itself, but is ultimately there to enable better a better life for the community. So while we are called into a relationship of respect with the law, we are not called to passivity in the face of unjust laws.

*He has told you, O mortal, what is good;  
and what does the Lord require of you  
but to do justice, and to love kindness,  
and to walk humbly with your God? –Micah 6.8*

Though migrants and uprooted persons are featured prominently in the Biblical narrative, contemporary immigration policy is not laid out clearly by the Scripture. What is clear, though, is our wider call to justice; God’s concern for the oppressed is unmistakable. We stand in the tradition not only of Paul’s letter

to the Romans, but also of the Hebrew midwives (Exodus 1) and other apostles of the early church (Acts 5) who opposed unjust laws. We are presented both with justification for obeying authorities and for opposing them when God's call demands more than they allow.

*But Peter and the apostles answered, 'We must obey God rather than any human authority. –Acts 5.29*

Given the prevalence of the theme of caring for the oppressed/welcoming the stranger in scripture, issues of justice are not only social or political, but *religious* as well. For the Hebrew Prophets, the call to justice (or action) always follows the call to repentance:

*Wash yourselves; make yourselves clean;  
remove the evil of your doing from before my eyes;  
cease to do evil, learn to do good;  
seek justice, rescue the oppressed,  
defend the orphan, plead for the widow. –Isaiah 1.16-17*

## 2. Call to Community

*You must follow exactly the path that the Lord your God has commanded you, so that you may live, and that it may go well with you, and that you may live long in the land that you are to possess. –Deuteronomy 5.33*

The call to justice is a call to community as well—but not because justice and community are ends unto themselves. Rather, they reflect God's concern that human life be abundant—so that we may live and it may go well with us. Hospitality is a central concern in Scripture, and it has been practiced throughout the history of the church. For Abraham, the act of welcoming strangers in Genesis 18 opened up awareness that God was working in ways different than previously imagined.

*Be hospitable to one another without complaining. –1 Peter 4.9*

Christians are called to live life in community by a God who is essentially communal. The three persons of the Trinity invite us into a life of mutuality, diversity and interdependence. They say that at the heart of life, one is many and many are one. Jesus prays in John 17 that this unity might be expressed among his followers after his death:

*The glory that you have given me I have given them, so that they may be one, as we are one, I in them and you in me, that they may become completely one, so that the world may know that you have sent me and have loved them even as you have loved me. –John 17.22-23*

Trinitarian theology means that life with our creating and redeeming God is inseparable from community.

3. Sanctuary

*When you cross the Jordan into Canaan, select some towns to be your cities of refuge to which a person who has killed someone accidentally may flee. They will be places of refuge from the avenger, so that anyone accused of murder may not die before standing trial before the assembly. –Numbers 35.10b-12*

The Book of Numbers, which gives a snapshot of the Israelites just before they enter the Promised Land, features a command to establish “places of refuge” in their new community. One way contemporary faith communities responding to the immigration situation in our nation is by rekindling the practice of *sanctuary*—they have started a “New Sanctuary Movement”.<sup>2</sup>

“Sanctuary is an act of compassion, an expression of mercy. It is, however, not mercy at the expense of justice. Participants in the New Sanctuary Movement believe that our current immigration system is profoundly unjust—so unjust that we believe that we are facing one of those unique moments throughout history when divine law and human law are in conflict and God’s justice demands that we stand with those who break unjust laws even at the risk of sharing their punishment. Sanctuary is not only about mercy; it is also about justice.”<sup>3</sup>

D. Summary

The question before all faith communities now is whether they choose to be communities of hope or communities of fear—to define this reality in terms of potential threats or in terms of potential gifts. We can point to the narrative prevalence of uprooted people in the Bible, we can lean on our broad calls to justice and community, we can call on the early church’s tradition of hospitality, or we can listen to the witness of communities who have practiced welcoming the stranger and who say it reinvigorated and strengthened their spiritual lives. One of these alone should be enough to encourage us to examine how we might do justice, love mercy and walk humbly with God and among children of God who are far from home.

#### IV. U.S. Immigration System

*When a stranger lives with you in your land, do not mistreat him. The stranger living with you must be treated as one of your native-born. Love him as yourself, for you were strangers in Egypt. I am the LORD your God. –Leviticus 19.33-4*

The U.S. Citizenship and Immigration Services (USCIS) implements and enforces laws that regulate entry, length of stay, and removal of non-citizens (those not born in the U.S.). This provides a relatively small number of the world's people the opportunity to immigrate to the U.S. In order to do so, a person must fit a category established by USCIS.

##### A. Immigration status

First, USCIS divides people into categories of **immigrants** and **non-immigrants**. An **immigrant** is a foreign-born resident who is not a U.S. citizen, and is defined by U.S. immigration law as a person lawfully admitted for permanent residence in the United States. **Non-immigrants** are foreign-born residents who plan to be in the U.S. temporarily such as students, visitors on business, and tourists. Undocumented individuals are also considered **non-immigrants**, as they did not receive formal approval to enter and/or stay in the U.S.<sup>4</sup> However, unauthorized immigrants are not, by law, *criminals* unless they commit a crime after coming to this country. Simply being in this country without permission is not a criminal offense. "An immigration violation is considered a violation of administrative law—not of criminal law—and it carries no criminal penalty, only deportation."<sup>5</sup>

##### B. Refugee Status

1. **Refugees** "cannot return to their county of origin because of a well-founded fear of persecution due to race, religion, nationality, political opinion, or membership in a particular social group." This status is given before a person enters the U.S. by the USCIS.
2. **Asylees** also have a well-grounded fear of persecution, but this status is usually given after entering the U.S. by the USCIS.
3. **Parolees** have been "given special permission to enter the U.S. under emergency conditions or the person's entry into the U.S. is considered to be in the public's interest."<sup>6</sup>
4. The number of **refugees** admitted to the U.S. has gone down in recent years, because of provisions of the USA PATRIOT Act of 2001 and the REAL ID Act of 2005. The provision in question "has been interpreted to deny refugee protection to bona fide refugees and asylum seekers who have been coerced under extreme duress—including at gunpoint—to provide *material support* of as little as \$1.00 to groups of two or more people deemed to have engaged in 'terrorist activity.'" Potential refugees such as the Hmong, who were U.S. allies, and those escaping from the genocide in the Sudan, have been denied refugee status in large numbers due to this material support provision.<sup>7</sup> In October 2007, the Bush

administration decided that the law's provisions will not apply to Hmong who supplied material support to certain Hmong and Hmong groups before December 31, 2004.<sup>8</sup>

#### C. Permanent Residency

Gaining permanent residency status is the next step after legally immigrating to the U.S. A person must fit into four existing immigration categories:

1. Have a close family member who is a U.S. citizen or permanent resident;
2. Have guaranteed work through an employer;
3. Win the right to come to the U.S. through a special lottery provided through immigration law, or
4. Be part of a protected class of people.<sup>9</sup>

To gain permanent residence, a person also must pass a security check that denies permission to those with a background that includes conviction for crimes, threats to national security, participation in the persecution of others, or having been in the U.S. without permission for extended periods of time.<sup>10</sup>

#### D. Citizenship

A person can apply for citizenship after being a permanent resident for five years. Also, they must "be of good moral character, speak, read and write English, can pass a U.S. civics test, and will take an oath of loyalty to the U.S."<sup>11</sup>

#### E. Family reunification

Once a person becomes a citizen, s/he can apply to sponsor family members in another country so that they can come to the U.S. There are two different systems. One system has a process that allows immediate family members-spouses, unmarried children under 21, and parents- to come to the U.S. within a year or more. However, the other system is based on quotas and preferences, and the processing time can take 6-23 years. Families are often separated for this length of time unless they decide to live in the U.S. with their family member(s) without legal status.<sup>12</sup>

#### F. Undocumented immigrants

In addition to legal immigrants, there are undocumented immigrants across the nation, as well as Minnesota. It is difficult to estimate the population of undocumented immigrants, and estimates range from 14,000 to 85,000.<sup>13</sup> For purposes of this report we will use 80,000-85,000 undocumented immigrants in Minnesota.<sup>14</sup> "Illegal immigration is largely driven by economic factors, which have created disparities in income and basic human needs among nations. People seek economic survival by leaving their homeland and families, not by preference, but by necessity. Once in the United States, these

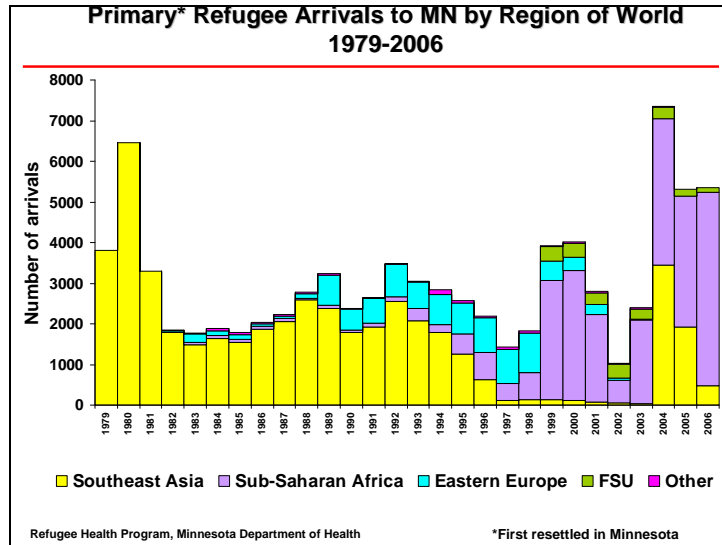
undocumented residents are often exploited by unscrupulous employers for their labor at wages below poverty and have no legal protection or representation.”<sup>1</sup>

This paper will use the term *immigrant* to describe a “foreign-born person living in the U.S., regardless of their immigration status or whether they have become U.S. citizens.”<sup>15</sup>

## **V. Trends in Immigration**

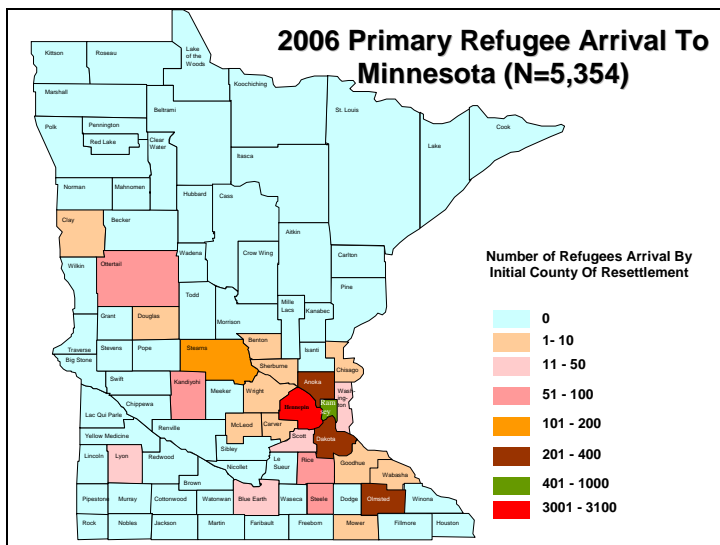
1982 – 1990	46,712
1990 – 1999	73,733
2000 – 2005	68,929

The period from 1990-1999 had the highest numbers of immigrants for the time frames shown, while immigration was at its lowest point for the period 1982-1990. In 2005, 15,456 persons immigrated to Minnesota --- the largest number of immigrants to settle in the State in a single year for the last 25 years.<sup>16</sup> In 2006, foreign born residents represented 6% of Minnesota’s population.<sup>17</sup>



Refugees are a subset of immigrants, and they were 33% of total immigrants in the period from 2000-2005. In 2005, “Minnesota ranked second after California in the number of refugee arrivals.” (Minnesota) refugee arrivals in 2005 totaled 6,347 or 11.8% of all refugees coming to the U.S.<sup>18</sup>

Where refugees come from depends on U.S immigration policy, as well as political situations around the world. During the 1980s and 1990, most refugees came from Southeast Asia; many came to join families who were already here. In fact, Minnesota has the second highest urban concentration of Hmong in the nation. Now the majority of refugees come from Africa with the greatest numbers from Somalia.<sup>19</sup>



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In 2006 the greatest number of refugees initially settled in Hennepin County with Ramsey County coming in second. This was followed by Anoka, Dakota, and Olmsted Counties. In general, primary settlement clustered around the Metropolitan Area with extensions to the northwest and southeast.<sup>20</sup>

The total number of immigrants living in Minnesota fell from 505,318 in 1900 to 260,454 in 2000. The same is true for immigrants as a total percentage of the population. Immigrants were 29% of Minnesota's total population in 1900 and 5% of Minnesota's 2000 population. In 1900 2/3 of immigrants came from three countries- Germany, Sweden, and Norway. In 2000, 17% came from Europe, 40% Asia, and 24% Latin America, and 13% from Africa.<sup>21</sup>

### **History of Immigration in Minnesota<sup>2</sup>**

	<b>Total Population</b>	<b>Number Immigrants</b>	<b>Percent Population</b>	<b>Countries of Origin</b>
<b>1900</b>	<b>1,751,394</b>	<b>505,318</b>	<b>29%</b>	<b>Germany, Sweden, and Norway</b>
<b>2000</b>	<b>4,919,479</b>	<b>260,454</b>	<b>5.3%</b>	<b>17% from Europe, 40% Asia, 24% Latin America, and 13% Africa</b>

### **VI. Responses to Immigrants**

*You shall also love the stranger, for you were strangers in the land of Egypt. –Deuteronomy 10.19*

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<sup>2</sup> Source: Immigration in Minnesota: Discovering Common Ground

Historically, America has been a land of immigration. There are three groups that didn't come as immigrants-the Native Americans, African Americans brought as slaves, and Mexicans who lived in parts of the Southwest. All other groups came to this land as immigrants. This has driven denominational variety, economic growth, and the nation's identity. And although immigration has generally proven to be a positive force for change, America has always been ambivalent about the latest immigrants. And yet each generation of immigrants has overcome barriers to contribute locally and nationally despite facing hostility.<sup>22</sup>

A. There are myths concerning immigrants that some people hold. These myths include beliefs that today's immigrants:

1. Are a drain on the economy,
2. Come here for welfare,
3. Don't pay taxes, and
4. Don't want to learn English or become Americans.

<b>Myth</b>	<b>Reality</b>
Are a drain on the economy	Their labor is needed to keep the economy growing
Come here to get welfare	Federal law prohibits most immigrants from receiving public assistance
Don't pay taxes	Pay income, sales and property taxes as well as Medicare and Social Security
Don't want to learn English	Are learning English at the same rate as past immigrants

In reality:

5. The U.S. needs immigrants. Current U.S. law admits only about two-thirds of the labor needed to keep the economy growing. The remaining third-400,000-500,000 workers- work without authorization. With aging populations, lower birthrates, and higher levels of educational attainment among the native born, there is a need for both skilled and unskilled workers."<sup>23</sup>
6. Immigrants contribute significantly to the economy in many ways. All immigrants are required to pay taxes, which can include income, sales, property, and Social Security taxes. As **Alan Greenspan** puts it:

*Seventy percent (70%) of immigrants arrive in prime working age. That means we don't have to spend a penny on their education, yet they are transplanted into our workforce and will contribute \$500 billion toward our social security system over the next 20 years.*

7. Immigrants buy goods and services, work, and start businesses. The net benefit of immigration to the U.S. is estimated at nearly \$10 billion annually.<sup>24</sup>

8. Immigrant populations have revitalized urban areas. Immigrants in Minneapolis have contributed significantly to the revitalization of Nicollet and Central Avenues as well as Lake Street. The Lake Street area has seen a 300% growth in new businesses as a result of Latino and Somali immigration.<sup>25</sup> Like native-born Americans, many immigrants want to own their own home. In 2000 immigrants made up 12% of first time home buyers nationally. In Minnesota, there is a 44 percent home ownership among Latino Minnesotans.<sup>26</sup>
9. Although the majority of immigrants live in the Twin Cities Area, increasing numbers are living in Greater Minnesota, much of it driven by jobs in agriculture and the food processing industry. This creates challenges for communities that “lack a service infrastructure, are not accustomed to racial and ethnic diversity, and have limited or no experience with welcoming immigrants to their communities.”<sup>27</sup>
10. In rural Minnesota, immigrants have benefited the economy in areas such as Willmar, Worthington, Pelican Rapids, Crookston, and Rochester through agricultural, food processing, and other industries. Immigrants particularly benefit areas where population is decreasing and percentage of seniors is rising, which includes many counties in Greater Minnesota. Immigrant labor has made it possible for the food processing industry to grow in rural Minnesota. “Region 9 in the Minnesota River Valley, which includes Blue Earth, Brown, Faribault, Le Sueur, Martin, Nicollet, Sibley, Waseca, and Watonwan, lost 5,659 residents between 1980 and 1990. By 2000 there were 6,469 new residents of which 77% were Latino. Latinos made up 33% of the employees in the food processing industry.”<sup>28</sup>
11. The Latino workforce directly and indirectly generated more than \$484 million in annual contributions to the community. “The State and local governments have spent money to accommodate the social service needs of new immigrants in the region (\$24.5 million), but the tax revenue generated by the immigrant workforce has been more than enough to cover added expenses (\$45million).”<sup>29</sup>
12. Most immigrants legally are not eligible for public assistance. Federal legislation prohibits most immigrants’ access to MFIP, Medicaid, food stamps, and other public benefits. Only refugees, asylees, and some legal immigrants are eligible to receive public assistance, and then are subject to time limits. Undocumented persons are only eligible for emergency medical care.<sup>30</sup>
13. Today’s immigrants are learning English at the same rates as other generations of immigrants. There’s a transition from speaking mostly their native tongue in the first generation, to the second generation being bilingual, to the third generation speaking English only.<sup>31</sup>

## **VII. The Church’s Response to Immigration: Then and Now**

“How do we residents learn to welcome newcomers more graciously? As members of a church with immigrants and with roots in immigrant churches in a nation of immigrants, we are familiar with stories of newcomers. We have heard how persons left their homes for economic or political reasons, journeying into an uncertain future, and struggled in a strange land to begin a new life. There are stories of hardships, tragedy, courage, resourcefulness, and welcoming embraces, of

tensions between immigrants and their children over how to live in a new culture, and of conflicts over what language to use in home and church.”<sup>32</sup>

When the first white immigrants came to America from Europe, they met the Native Americans, a people with their own spirituality. Churches set out to establish missionary activities to convert the Native population to Christianity. Over time, these missionary activities became part of a larger societal effort to eradicate Native beliefs and culture.

The white immigrants who came to Minnesota from northern Europe brought their varied customs and religions. By 1900 these included the Swedish and Dutch Lutheran churches, German and Irish Catholics, and Swedish Baptists. Often, there were separate churches by country of origin with services in the language of that country.

Today, newer immigrants are from a variety of continents including Southeast Asia, Africa, and Mexico. Immigrants belong to a variety of religions. It is not uncommon to see an established church sharing its building with an immigrant church. As the immigrant-based church grows, it may move to its own house of worship. This congregation will become one of many immigrant-based congregations worshipping in churches, mosques, and temples in a variety of languages. For example, there are Somali mosques, Latino Catholic and Protestant churches, and Indian Hindu temples in Minnesota.

Churches have a legacy of responding with openness to immigrants and this act has strengthened the Christian community in a myriad of ways:

1. It reminds us how big the world is:
  - a. Church World Service reports that **450,000** refugees have been resettled through the efforts of a variety of Christian communities (including many of MCC’s member churches) in the U.S. since 1946.<sup>33</sup>
  - b. The Evangelical Lutheran Church in America reports that its congregations resettled some **57,000** refugees in the United States following World War II and sponsored over **50,000** refugees from Vietnam, Cambodia and Laos following the fall of Saigon in 1975.<sup>34</sup>
  - c. Episcopal Migration Ministries reports that, along with their affiliate agencies, they are involved in the resettlement of **2,500-3,000** refugees each year.<sup>35</sup>
2. It rejuvenates our sense of mission:
  - a. The arrival of immigrants to New York City in the 1850’s “invigorated the urban ministries of the United Methodist Church. By the end of the 19th century and in the early part of the 20th century, [responding to this need] forged a new direction for the church, working on behalf of the poor, many of them immigrants, who lived in the cities.”<sup>36</sup>
  - b. During the 1980s, one response of churches to immigrants was the Sanctuary Movement that sheltered Central American fleeing oppressive Central American regimes. Pastors and congregants refused to hand people over to Immigration officials. As a result, some were persecuted. The laws were eventually changed

and some of the refugees received legal status. Today, a New Sanctuary Movement has emerged across the country to protect undocumented workers.<sup>37</sup>

3. It challenges our notions of stewardship:
  - a. Forty-five Christian Church (Disciples of Christ) congregations gave funds and furniture for refugee families and assistance with education...children from 7 congregations supported refugee children. All Disciples congregations support the Refugee and Immigration Ministry through denomination-wide annual fundraising programs.<sup>38</sup>
  - b. The overwhelming consensus is that in practicing welcome of the stranger, communities received much more than they gave. Practicing neighborly love strengthens the spiritual lives of these communities.

“A warm welcome by a church can make a huge difference to refugees who arrive here without family,” says Susan Wersan, a United Methodist Committee on Relief executive for refugee resettlement. “And it can be a transforming experience for a congregation.”<sup>39</sup>

*Do not neglect to show hospitality to strangers, for by doing that some have entertained angels without knowing it. –Hebrews 13.2*

### **VIII. Social services for immigrants**

- A. Churches and other religious organizations have been at the forefront of the efforts to assist refugees and immigrants as they settled in Minnesota. Although the Federal government controls the admission process into the U.S., it cooperates with non-governmental organization to settle refugees in the U.S. Refugees are sponsored by a national *voluntary agency*, or VOLAG, many of which are sponsored by denominations. The VOLAG then assigns the person to one of its local affiliates. These agencies provide services that help the refugee settle into a strange and new country.
- B. In Minnesota, the local affiliates include:
  1. Catholic Charities (CC)
  2. Lutheran Social Services (LSS)
  3. Jewish Family Services or Minneapolis Jewish Family and Children's Services (JFS)
  4. MN Council of Churches (MCC)
  5. International Institute of Minnesota (IIM)
  6. World Relief Minnesota (WRM)
- C. The affiliate may cooperate with churches, families and or *Mutual Assistance Agencies* during the resettlement process. Mutual Assistance Agencies are organized to assist a particular ethnic immigrant group and are usually organized by that group. They often provide services beyond refugee resettlement.

Some of the MAAs in Minnesota include:

1. Amigos de las Americas
2. Association for the Advancement of Hmong Women in MN
3. Center for Asians and Pacific Islanders
4. Confederation of Somali in MN
5. Ethiopians in MN
6. Hmong American Mutual Assistance Assoc.
7. Hmong American Partnership
8. Intercultural Mutual Assistance Assoc.
9. Islamic Center of Minnesota
10. Lao Assistance Center of Minnesota
11. Oromo Community
12. Somali Community of Minnesota
13. Sudanese American Communities
14. United Cambodian Association of Minnesota
15. Vietnamese Social Services
16. Women's Association of Hmong and Lao<sup>40</sup>

D. Refugee Services of MCC is an affiliate of two VOLAGS-Episcopal Migration Ministries, and Church World Service. "Refugee Services is an ecumenical ministry welcoming persecuted people from around the world into new lives of freedom, hope, and opportunity in Minnesota." The program provides a range of services to refugees and asylees in Minnesota to help them settle into a new and foreign land. These services include:

1. **Employment Services** - Empowering individuals to seek secure, and maintain appropriate employment leading to economic self sufficiency,
2. **Case Management** - Providing case management services which empower families and individuals to become self sufficient through goal-centered supportive services. Services include assistance in applying for while applying for Social Security cards, enrolling in school and ESL, finding housing, and obtaining assistance for other basic needs,
3. **Immigration Services** - Empowering clients to progress on a path towards citizenship, and
4. **Education Services** - Providing education that enables clients to achieve their goals, such as classes on American culture and computing.

One particular focus of Refugee Services' is assisting local refugees and asylees with applying to get permission to bring family members who are refugees here to Minnesota.

These services have relied heavily upon the resources and support of area churches. When the Hmong were first coming here to the United States in the 1980's, many local churches were deeply involved in sponsoring the new refugees. Many of these churches are still involved in sponsoring the newly-arrived family member(s) today.<sup>41</sup>

## **IX. A Broken System**

- A. Many organizations have identified what they see is wrong with the current immigration laws and processes:
1. There are an estimated 10-11 million undocumented workers in the United States, and approximately 60,000-85,000 in Minnesota. These people come into U.S. to work and rejoin families, as well as contribute to the economy and their community. Currently, most are unable to apply for permanent residency or citizenship.<sup>42</sup>
  2. Far fewer visas are issued for both low skilled workers and for high-skilled workers than the market could absorb in the U.S. There needs to be greater legal means for both permanent and temporary workers to enter the U.S. workforce. Immigrants fill two key niches in the U.S. economy-low-skilled jobs that do not require a high school diploma and high-skilled jobs that require advanced degrees in math and science.<sup>43</sup>
  3. The paths to legal immigration are fraught with delays. Archbishop John Vlazny of the Catholic Bishops commented on the “the debilitating and inhumane family visa backlogs that currently keep families separated for up to 23 years. Legal and illegal immigrants alike are often unable to bring or unite families here in the U.S. in a timely fashion.”<sup>44</sup>
  4. Currently, 85% of immigrant families’ members have mixed immigration status, and 75% of children in immigrant families are U.S. Citizens.<sup>45</sup> Therefore, when enforcement measures are brought to bear on one classification of immigrant, it can cause great hardship to families. For example, before 1986, when the Immigration Reform and Control Act was passed, parents of these children had the possibility of getting legal status in the U.S. After 1986, parents must now prove that children would suffer hardship if taken out of the country or separated from their parents.<sup>46</sup>
  5. The provisions of the USA PATRIOT Act of 2001 and the REAL ID Act of 2005 have made it very difficult for refugees to resettle in the U.S. Refugees are denied entry if they provided material support under extreme duress, including gunpoint, to groups deemed as engaging in terrorist activity. Under these provisions, some Hmong, who assisted the U.S. in Laos, as well as Sudanese from Darfur have been denied refugee status. In October, 2007, the Bush administration announced that the law’s provisions will not apply to material support that was provided to certain Hmong and Hmong groups before Dec. 31, 2004.<sup>47</sup>
- B. A striking example of enforcement occurred on December 12, 2006 in Worthington, Minnesota when Immigration and Customs Enforcement (ICE) raided the Swift plant in that town. It was clear that families of these workers were at risk, with primary providers detained, losing their jobs, or out of work until immigration hearings were held a few months out. The Ministerium of Worthington, the collective of church pastors for the community, organized the religious community’s response to both the raid on the Swift plant and the families who were affected. The MCC participated in efforts to tell churches across the state of the needs. There was an outpouring of aid locally and from across the State in the form of food, meals, diapers, money for rent and daily necessities.

*Adopted by Minnesota Council of Churches*

*Board of Directors:*

*December 2007*

As Rev. Peg Chamberlin, Executive Director of the Minnesota Council of Churches said, "The raids by ICE are only one symptom of the many maladies of our nation's immigration system... The Minnesota Council of Churches will continue to work with its member judicatories, and its more than 2000 local congregations, reaching out to the 1.12 million Protestant, Orthodox, and Historic Black Church adherents to seek the common good on immigration reform at the local, state, and federal levels."<sup>48</sup>

## **X. Immigration Reform**

*One of the scribes came near and heard them disputing with one another, and seeing that he answered them well, he asked him, 'Which commandment is the first of all?'*

*Jesus answered, 'The first is, "Hear, O Israel: the Lord our God, the Lord is one; you shall love the Lord your God with all your heart, and with all your soul, and with all your mind, and with all your strength." The second is this, "You shall love your neighbor as yourself." There is no other commandment greater than these.'* --Mark 12.28-31, NRSV

Immigration laws are passed by Congress and are updated on an irregular basis. (A summary history of immigration laws is available in the appendix). The complex and sometimes controversial issues surrounding immigration led to a nation-wide call for comprehensive immigration reform in 2006. Legislation was introduced in both houses of Congress, but no proposed reform was passed. Numerous national and regional religious bodies adopted policies opposed to the proposed legislation. They opposed the criminalization of undocumented workers and those who would assist them, including churches and faith-based organizations which would consider it imperative under the Church's teachings to assist a stranger in need. The emphasis was on enforcement over comprehensive reform for legal and illegal immigrants alike. Many denominations adopted policies that welcomed the stranger and sought a just and humane immigration system.

### **A. Denominational Statements Calling for Immigration Reform**

#### **1. *Evangelical Free Church of America***

"During periods of rapid change and economic uncertainty, it is often the vulnerable and marginalized people who are blamed for the misfortune that everyone else experiences or expects to experience. Today a significant amount of attention and blame for a perceived threat to the American way of life is being directed at immigrants. As Christians, we must ensure that our response to the issue of immigration is directed by a world view that is shaped by Biblical principles rather than secular rhetoric." – From EFCA's declaration on immigration, adopted at assembly in 1996.

#### **2. *Episcopal Church USA***

"The Episcopal Church has a long tradition of advocating for the just and humane treatment of immigrants and refugees."

"The Episcopal Church...identifies with expressions of other faith based bodies who have expressed opposition to proposed legislation that would inhibit the ability of churches, their members and agencies to relieve the suffering of those whom they are

called to serve.” (Under *Religious statements and Resources on Immigration Reform* at <http://www.emoregon.org/action1.php>)

3. *Catholic Bishops*

In November of 2006, we American Bishops issued a statement entitled *Welcoming the Stranger Among Us: Unity in Diversity*. At that time we said, “We Catholic bishops commit ourselves to continue to work at the national level to promote recognition of the human rights of all, regardless of their immigration status, and to advance fair and equitable legislation for refugees and prospective immigrants.” (From *Full Immigration Reform, Not Just Enforcement, Will Solve Ills* by Archbishop John Vlazny)

4. *United Methodist Church*

“The United Methodist Church is advocating for comprehensive immigration reform that must:

- a. **Provide a Path to Citizenship:** Opportunities with minimal obstacles should be provided for those who want to settle in the United States and become eligible for permanent residence and citizenship.
- b. **Protect Workers:** The nation needs a worker visa program that adequately protects the wages and working conditions of US and immigrant workers and provides a path to permanent status.
- c. **Reunite Families:** Those waiting in line should have their admission expedited, and those admitted on work visas should be able to keep their nuclear families intact.
- d. **Restore the Rule of Law and Enhance Security:** Enforcement only works when the law is realistic and enforceable. This can best be achieved by a comprehensive overhaul that combines reform—a path to permanent status for immigrants here and wider legal channels for those coming in the future—with effective enforcement. (United Methodist Principles on Comprehensive Immigration Reform: General Board of Church and Society)

B. Ecumenical Organizations’ Statements

1. *National Council of Churches*

“As Christians we believe we are called to advocate for policies and mindsets that do not foster hate and perpetuate fear and discrimination. That is why we strongly urge Congress and the President to pass comprehensive immigration reform that upholds the dignity of all people and reflects the principles for which our nation was founded. Except for Native Americans, who were here when the boat landed, and African Americans who were brought here on slave ships, and Mexicans who were the original inhabitants of most of the southwest, once, we, too were strangers in this land.

The Bible teaches us that we have all been created in the image of God and God expresses love and concern for all humanity-the condition of our lives, as well as the condition of our souls. Developing policies based on hate and fear of those who do not look like us-but, are nevertheless created in the image of God-is contrary to the Gospel of Jesus Christ and bad public policy...

You can't just gather up 11million people. It's impossible. Even more important to bear in mind; the historical precedents of rounding up masses of undesired people are chilling. That is why it is crucial for us to develop comprehensive immigration reform so that we exhibit justice to those immigrants and refugees that seek a home and better way of life in our country.”(From *Statement on Comprehensive Immigration Reform* on <http://www.emoregon.org/action1.php/>)

2. *Ecumenical Ministries of Oregon*

“As both a social service provider to immigrants and refugees and a religious voice of conscience, Ecumenical Ministries of Oregon supports the most humane and just approach to immigration issues... While we do not support illegal immigration, we believe that we are all children of God, and therefore, we all have a responsibility to treat all fellow human beings with respect, regardless of their legal status.” (From *Statement on Immigration Reform*, March 2006)

3. *Church World Service*

“The nationwide movement for comprehensive immigration reform grows. Church World Service, the global humanitarian agency, will continue to advocate with the Administration and Congress by calling for the development of comprehensive immigration reform that benefits both residents and immigrants, documented and undocumented, in the United States. CWS supports reform that enables faith-based and human rights organizations to continue to offer hands of help, hope and hospitality to all persons in need.”

“We stand with other faith bodies in expressing opposition to proposed legislation that would criminalize churches and their members who assist persons in need without regard to their immigration status. We advise and encourage our fellow faith-based organizations and compassionate individuals to continue to extend the hand of hospitality, welcome, and sanctuary to all in need without questioning their immigration status or considering pending legislation.” (From *Statement on Comprehensive Immigration Reform*, April 2006)

C. When a comprehensive Federal immigration bill failed to pass in 2006, more State and local bills were proposed. In 2006, 570 immigration-related bills were introduced. As of May 2007, nearly 1200 bills and resolutions had been introduced. This trend will likely continue in the absence of Federal reform legislation.

1. Some of the proposed State and local legislation was pro-immigrant. In general they included measures that would:

- b. Prohibit state and local police from enforcing Federal immigration laws.
  - c. Fund integration programs, including citizenship services and ESL.
  - d. Propose local ordinances urging state legislatures to support comprehensive immigration reform.
  - e. Require that localities provide identification cards to residents.
2. Proposed anti- immigrant ordinances would:
- a. Restrict housing – making it illegal to rent to (“harbor”), undocumented immigrants, imposing fines on landlords and suspending rental licenses.
  - b. Prohibit funding or aiding day labor sites that do not verify immigration status.
  - c. Impose state employer sanctions for hiring/employing undocumented.
  - d. Impose English-only laws.
  - e. Require states and counties to contract with Department of Homeland Security to perform federal (immigration) functions.
  - f. Empower state law enforcement agencies to inquire into legal status, charge and detain illegal immigrants, and/or hold for deportation those deemed to be here illegally.
3. Additional measures that were proposed would:
- a. Require state educational institutions to verify status and prohibit admission of undocumented persons
  - b. Eliminate all but emergency health services to the undocumented.
  - c. Deny in-state college tuition to in-state undocumented residents
  - d. Make unlawful presence a state crime
  - e. Strip charities of state/local funding if they use any monies to serve undocumented persons.
  - f. Restrict services that social service agencies can provide to undocumented persons.

For example, a bill called the “Development, Relief and Education for Alien Minors Act” (or the DREAM Act) has come before Congress several times since 2001. It would allow students who came to the U.S. as young children with their parents (and are not citizens or permanent residents) to attend state colleges at the resident student tuition provided that the student provides the school with an affidavit that they will file an application for permanent residency as soon as they are eligible to do so. It did not pass in the most recent session of Congress.<sup>49</sup>

- D. Many of the anti-immigration laws that pass do get overturned by the courts, because Federal law takes precedence in immigrant law. For example, unauthorized immigrants are not *criminals* unless they commit a crime after coming to this country. Simply being in this country without permission is not a criminal offense.<sup>50</sup>

## **XI. POLICY RECOMMENDATIONS**

- D. The Minnesota Council of Churches proposes the following principles to direct the Program Commission, as well as MCC programs and staff when our work relates to immigration:
5. All people, regardless of immigration status, should be treated with dignity and respect, respecting their rights under the International Declaration of Human Rights, United Nations charter, and the U.S. Constitution.
  6. Comprehensive reform is needed to address the problems created by the immigration system, which affects legal and illegal immigrants alike.
  7. All relief agencies, religious groups, and individuals should be allowed to minister to the human needs of people regardless of their legal status.
  8. Local churches and faith-based organizations should be able to seek ways to welcome, help, and empower the refugee, immigrant, visitor, and undocumented person in their community, and are called upon to denounce the persecution of the stranger.<sup>51</sup>
- E. The Minnesota Council of Churches will continue to provide an array of services to refugees and asylees, regardless of their country of origin.
1. Work in partnership with the Council's national voluntary agencies- (VOLAGS-Church World Service and Episcopal Migration Ministries), and local churches to resettle refugees;
  2. Provide a full complement of direct services to refugees and asylees to secure employment, housing, and other basic needs;
  3. Introduce and educate refugees and asylees in the U.S., and in particular, the Minnesota culture; and
  4. Assist refugees and asylees in the process towards becoming U.S. citizens.
- F. Within its capacity at any given time, the Council will provide support to all categories of immigrants.
1. Introduce and educate other immigrants to the U.S., and in particular, the Minnesota culture;
  2. Integrate immigrants into local communities, empowering them to build upon the assets that they bring with them to Minnesota;
  3. Strengthen local communities and neighborhoods to integrate new immigrants;
  4. Assist immigrants in the process towards becoming a U.S. citizen; and
  5. Assist churches and local communities to provide support to families when undocumented immigrants face a crisis, such as detention and/or deportation.
- E. Within its capacity at any given time, the Council will pursue internal and public policies that further live into the principles above.

## **XII. Definitions, Terms and Endnotes**

### **Refugee**

A person who is unable or unwilling to live in his or her native country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion. Like many countries, the U.S. has made a commitment to allowing refugees to settle here.

### **Immigrant**

A person who moves to a country where he or she intends to settle permanently. Legal immigrants have permission of the government to live in the U.S. Undocumented, or illegal, immigrants do not.

### **Guest or Temporary Worker**

A person who has temporary permission to work in the United States

### **Visa**

A legal permit to enter the US There are many different types of visas, granted according to the purpose, such as travel, work, or study.

### **Foreign-born Person**

A US resident who was not a citizen at birth.

### **Undocumented Worker**

A -person living and working in the US without legal -permission to do so.

### **Green Card**

A colloquial term for a permit that enables someone who is not a citizen to live and work in the United States; also called “permanent status”.

### **Family Reunification**

The process by which citizens and legal immigrants, including refugees, are allowed to sponsor close relatives, enabling them to come live in the US Every year, approximately two-thirds of this country’s legal immigrants join family members already living here.

### **Naturalization**

The process by which an immigrant becomes a U.S. citizen. With a few exceptions (such as the right to run for president), naturalized citizens have all the rights, privileges, and responsibilities as native-born citizens.<sup>52</sup>

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## XI: APPENDIX:

### **Executive Summary:** **U.S. Immigration: A Legislative History**

#### **Introduction**

Immigration to the U.S. is one of the most dynamic and fiercely argued public policy issues – often around the questions of how many and from where. Poor economic conditions overseas, a relative abundance of opportunity here, flight from persecution and upheaval, and revolutions in communication and transportation are often cited as the major factors explaining the historic waves of immigrants to U.S. shores. U.S. immigration legislation is also a key factor in determining the numbers and composition of America's new residents. This overview highlights the history of U.S. immigration legislation and the parallel rise and fall in numbers and changing ethnic makeup.

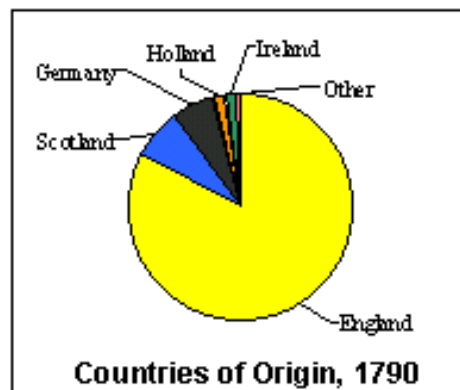
#### **1790: The Start**

##### Colonial America

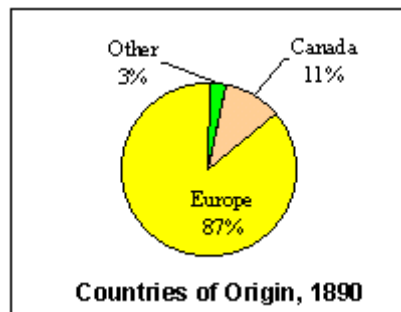
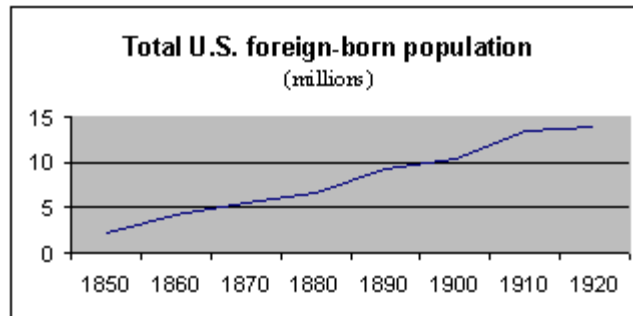
- Peoples of English nationality made up about 50% of 3.9 million U.S. population
- African Americans were almost 20%
- Germans and Scottish were each about 4%
- Native Americans not counted in first Census

##### Immigration numbers

- Immigration is relatively small, averaging only 6000 per year, in U.S.'s early years
- Conclusion to War of 1812 resumes immigration from Britain, Ireland and Western Europe at increased pace
- Legislation follows increased immigration. Steerage Act of 1819 requires ship captains to keep detailed records of immigrants.



#### **1820 – 1920: "Century of Immigration"**



Immigration Restricting Legislation: Limiting "Undesirables", Not Immigrant Numbers

\* 1862 and 1875 Immigration Acts

- First act aimed at a specific group
- Outlawed the transporting of Chinese "coolies" on American ships
- Made the supplying of Chinese "coolie" labor a felony
- Prohibited entry to criminals and prostitutes
- Additional acts in 1882, 1885, 1891, 1903, 1907, and 1917 excluded immigrants for a variety of economic, health, moral, and physical reasons

1882 Chinese Exclusion Act

- Suspended Chinese worker immigration for ten (10) years
- Barred Chinese from naturalization
- Chinese exclusion laws made permanent in 1904, until repealed in 1943

1907 Gentleman's Agreement

- Restricted Japanese laborer immigration
- Followed in 1924 by the Japanese Exclusion Act
- 1917 Immigration Act
- Created the Asia-Pacific "Barred Zone," further limiting Asian immigration

Numbers and percentages of US foreign born rise sharply

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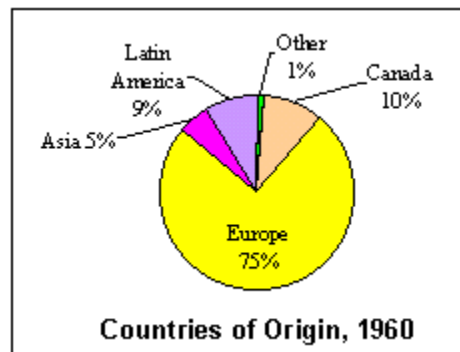
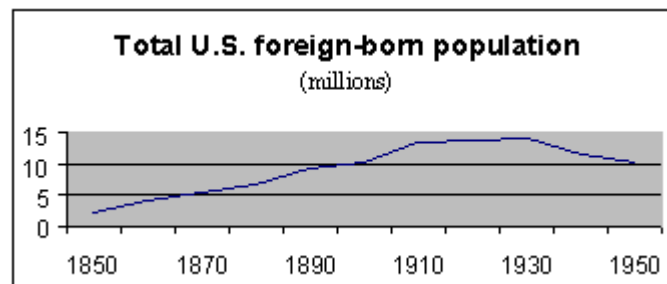
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- European poverty, rapid industrialization and western expansion in the U.S., and vastly improved communication (telegraph, improved mail) and transportation (trains, steamships) leads to a large inflow of European immigrants
- 2.2 million foreign born in 1850 expands to 13.5 million in 1910
- 9.7% of population in 1850, grows to 14.7% in 1910

During the "Century of Immigration", almost 36 million people came to the U.S., 20 million through Ellis Island, including approximately 6 million Germans, 4.8 Italians, 4.6 million Irish, 4.3 million from the collapsing Austro-Hungarian empire, 4.3 million English/ Scot/ Welch, 3.4 million Russians, and 2.3 million Scandinavians

Nearly 8 million immigrants came to the US in one decade alone, 1901-1910

**1920 – 1965: Quotas and External Factors Decrease Numbers**



**1921 Quota Act**

- First quantitative immigration law
- Restricted any Eastern Hemispheric nationality coming to the U.S. to 3% of their 1910 resident population. The 350,000 "quota immigrants", therefore, came mostly from Northern and Western Europe
- No limit on immigration from Western Hemisphere

**1924 National Origins Quota Act**

- Established the "national origins quota system"
- Annual quota cap was 150,000 immigrants (plus wives and children)

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- Eastern Hemispheric nationalities were limited to their U.S. population proportion of 1920, again favoring the early immigrant countries of UK, Germany and Scandinavia
- Limits didn't apply to Western hemispheric natives

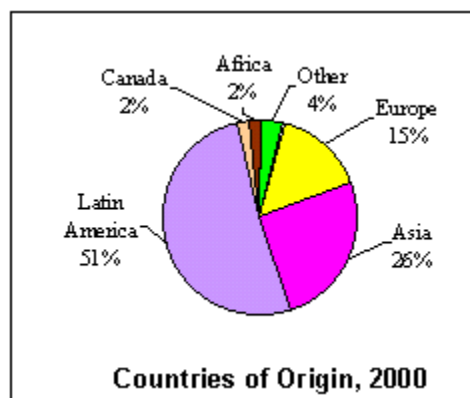
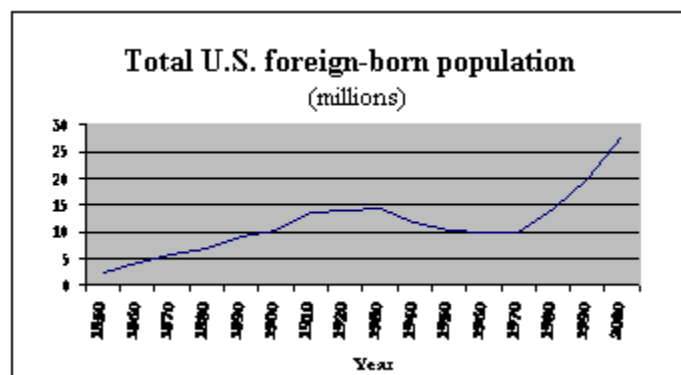
1925-1930

- Restrictive legislation cuts immigrant inflows approximately 50% to about 220,000 per year, during the 1925-1930 timeframe
- Italian, Russian, Polish numbers fell. Only 15,000 Italians per year were admitted, for example, in 1925-1930 timeframe versus 222,000 in 1921.

Quotas, Depression, and WWII: Numbers Decrease

- 500,000 admitted in 1930s
- 1 million admitted in 1940s

**1965-Present: Growing Numbers Again**



1965 Immigration and Nationality Act:

- Eliminated country-specific quotas
- Broad numerical limits were nearly doubled from 154,000 to 290,000

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- Changed Eastern Hemispheric annual quotas to 170,000 (20,000 per country)
- Created a first time annual cap of 120,000 for the Western Hemisphere
- Special preference rules making immediate family members exempt from numerical quotas, however, caused the 290,000 official ceiling to be shattered.
- Coupled with European economic prosperity in mid 1960s, European immigrants to the US dropped to less than 20%. Latin America and Asia become the leading sources of immigrants.

Refugee Act of 1980

- U.S. broadens definition of allowable refugees
- 125,000 refugees allowed annually
- From 1981-1986, more than 450,000 refugees and asylum seekers

1986 Immigration Reform and Control Act (IRCA)

- Legalized 2.7 million unauthorized aliens (about 1.6 million illegal residents who entered prior to 1982, and 1.1 million illegal agricultural laborers who had worked in the U.S. for at least 6 months)
- Sought to curb illegal immigration by establishing penalties for employers who knowingly hire illegal aliens

1990 Immigration Act

- Raised the annual ceiling from 270,000 to 700,000 for 1992-94 and 675,000 afterwards (including 480,000 family-sponsored, 140,000 employment-based, and 55,000 "diversity" immigrants)
- Allows an unlimited number of visas for immediate relatives –children, parents and spouses – of US citizens, not counted under the cap
- The 125,000 allowable refugees are also not counted under the cap
- Almost nine (9) million immigrants came to the U.S. in the 1990s

1996 Immigration Reform Law

- Addressed concerns about illegal immigration through a variety of law enforcement measures, including increased border control personnel, equipment and technology.
- Doubled, for example, the number of border patrol agents from 5,175 in 1996 to almost 10,000 by 2000.
- Confronted concerns about *illegal immigrants* access to government benefits by making undocumented immigrants ineligible for Social Security benefits
- Illegal immigrants still currently enter the U.S. at an estimated rate of 300,000 per year. Seven million illegal immigrants are currently estimated to be living in the U.S.

1996 Welfare Reform Law

- Barred *legal immigrants* entering the U.S. after 1996 from most federal means- tested programs (food stamps, CHIP, Medicaid, etc) for 5 years
- Raised the income and legal standards for U.S. residents who sponsor immigrants

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- Barred *illegal immigrants* eligibility from most federal, state and local public assistance

2000 H-1B Visa Legislation

- Increased the number of temporary immigration visas for high-technology workers from 65,000 in 1990 to 115,000 for fiscal years 1999-2000 to 195,000 for fiscal years 2001-2003. In fiscal year 2004 the number was returned to 65,000.

2004 Proposed Immigration Reform

- On January 7 President Bush proposed a series of changes to immigration regulation, it is still pending.
- Workers in the United States illegally can join a temporary labor program, administered by the Department of Homeland Security.
- Workers in the temporary labor program can apply for permanent U.S. residency.
- Employers hiring these workers must show they cannot find U.S. laborers to fill the jobs.
- Workers get guaranteed wage and employment rights.
- Workers receive a temporary three-year visa, renewable once. They are expected to return to their countries once their visas expire.
- Annual limit of 140,000 green cards increased.

Four and a half (4.5) million immigrants were admitted in the 1970s. Six (6) million immigrants were admitted in the 1980s. Over eight (8.6) million immigrants came in the 1990s, surpassing the previous decade record of 8 million (1901-1910).

This executive summary was updated by Andrew Batchelor of the Population Resource Center in December 2004. Sources include: Center for Immigration Studies, Immigration and Naturalization Service, Population Reference Bureau, and U.S. Census Bureau, and CNN. For further information, please contact the Population Resource Center at (202) 467-5030; 1725 K Street, NW, Suite 1102, Washington, D.C. 20006; [prc@prcdc.org](mailto:prc@prcdc.org); or (609) 452-2822; 15 Roszel Road, Princeton, NJ 08540.

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