

# HIAS POLICY RESOLUTION

## *Comprehensive Immigration Reform*

**S**ince its founding in 1881, the Hebrew Immigrant Aid Society (HIAS) has assisted over 4.5 million migrants find new homes, primarily in the United States. As part of its mission, HIAS has long focused on the various factors influencing international migration, including political persecution, family reunification, hope for a better future for one's children and desire for increased economic opportunities. Immigrants and refugees have in turn revitalized communities, supported families, filled essential jobs, paid taxes, and provided cultural diversity that has contributed to the uniqueness and strength of this country.

HIAS' support for immigrants is rooted in Jewish tradition. Leviticus 19:33 commands, "When a stranger resides with you in your land, you shall not wrong him." Here, and in thirty-five other instances in the Bible, Jews are instructed to care for the stranger, recalling their time in the land of Egypt. Following this imperative, HIAS is committed to developing policies that will safeguard the rights of migrants in the U.S.

Approximately 800,000 immigrants and refugees legally enter this country each year. However, because of a variety of conditions in their home countries, many other foreign nationals enter the United States without legal status or overstay their temporary visas. This undocumented migration has led to the creation of an underground population of an estimated eight to ten million people living and working in the shadows, without legal status. This figure is more than double the estimate from the 1990 census. Undocumented migrants are deeply vulnerable to exploitation. At the same time, their existence creates the damaging impression that the country is willing to look the other way while its laws are broken.

Thus far, the strategies undertaken by the United States government to curb the flow of undocumented migrants coming to the U.S. to find work have been



largely ineffective. Sanctions on employers who hire undocumented migrants, expanded patrols along the U.S. borders, and denial of public assistance have not succeeded in ending or substantially alleviating this situation. The large and increasing backlogs of close family members who must wait many years to reunite with their relatives in the United States, due to strict per-country limits on family-based immigration, have contributed to the influx of illegal immigrants. The need for a solution to the problem of illegal migration has been highlighted by the deaths of over 2,000 migrants since 1998, due to drowning, exposure, heatstroke, dehydration, and hypothermia, when they attempted to cross the U.S. border in this era of stricter border controls.

In response to the reality of migration and the continued failure of policies designed to stem illegal immigration, numerous societal forces - including organized labor, service industries, Latino, Asian and other ethnic organizations, faith-based organizations, legal associations, libertarian activists, and even government officials - have called for the United States government to address this problem with new and creative thinking on comprehensive immigration reform. This dialogue has also taken an international dimension with ongoing discussions between Presidents George W. Bush and Vicente Fox and the governments of the U.S. and Mexico that appeared to be nearing an agreement in the period just prior to the September 11, 2001 terrorist attacks.

In the post 9/11 era, the security concerns created by a shadow community of undocumented migrants have become unacceptable. Systems must be designed to eliminate or at least drastically reduce the numbers of migrants living in the country without status. Such systems would bring them out of hiding so that possible security threats could be identified and, where possible and appropriate, enable migrants to legalize their status so that their ability to contribute to our society would be enhanced.

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For many years, HIAS has supported policies that provide limited solutions to the problems of the undocumented. These have included the use of Temporary Protected Status; updating the Registry Program; utilization of section 245(i) of the Immigration and Nationality Act, which enables immigrants who are out of legal status to adjust their status without leaving the United States; and support for several small-scale legalization programs focused on individual nationalities such as Central Americans or undocumented students.

### **RESOLUTIONS**

As an underlying principle, HIAS supports U.S. government policies that encourage a generous flow of legal immigration so as to meet our country's core values of refugee protection, family reunification and economic opportunity. However, the continued flow of illegal migrants and the ongoing existence of an undocumented population is a clear sign that our nation's immigration system is not working.

In light of the ongoing reality of undocumented migration, HIAS calls on the Administration, the Congress, the Jewish community and all Americans concerned about the country's future to recommit to the complex process of developing a comprehensive proposal to reform U.S. immigration laws that will make our immigration system both more secure and more humane. While this will not be an easy or rapid process, it is crucial step in defining ourselves as a nation for years to come.

With the transition of most immigration functions from the Immigration and Naturalization Service to the newly created Department of Homeland Security, HIAS views this as the appropriate time to begin discussions - both govern-

mental and within the NGO sector - on comprehensive immigration reform, based on the following considerations:

- To reduce the numbers of undocumented migrants living in the U.S., opportunities to earn legal status while providing needed labor in the United States should be developed.
- To stem the continuing flow of illegal migration, new temporary worker programs should be considered that will recognize economic realities and protect the labor rights of the immigrants. Since many of the illegal entrants have no desire to immigrate permanently to the United States, well-designed temporary worker programs could facilitate commerce while removing a major cause of illegal entry and the associated deaths on the U.S-Mexico border.
- So as to prevent unfair treatment of family members waiting in long backlogs for visas to become available, and to eliminate an incentive for illegal migration, the availability of visas for the family preference system should be expanded.
- In order to ensure that resources are available to identify and deport terrorists and others who endanger our country, security screening should be an important part of comprehensive immigration reform. Resources should be focused on removing terrorists, not on deporting millions of non-threatening undocumented migrants who are working, paying taxes, raising families and making other significant contributions to the United States. Procedures should be developed to screen all undocumented migrants who apply for any newly created immigration status, and those who are found to be a threat to national security - as well as those who refuse to apply for the program - should be the primary targets for removal.

*Approved, HIAS Board of Directors, June 3, 2003*