

**Immigration: Why Should We Care**  
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Why is AJC so engaged in this issue and why should we care? There are compelling pragmatic reasons for us --as Americans and as Jews-- to support comprehensive immigration reform (CIR). Quite simply-- we believe that it will make America safer and stronger and it will keep us true to our democratic principles and Jewish values. But since there is nothing simple about immigration, let's understand the landscape.

From top to toe the broken system needs reform to address the current and future economic and security needs of America; the transnational movement of people and information; the dramatic population shifts that have taken place in America, the receiving country; the political and economic conditions in sending countries; and the way in which we create a more cohesive society when we work to integrate immigrants.

There is also that which is not broken--the 14<sup>th</sup> "Birthright" Amendment, for example--and the current effort to "fix" it is a distraction from the real work that needs to be done.

## **1. A Broken System**

### **a. Legal Immigration**

The legal application process is cumbersome and lengthy, discouraging the skilled and motivated applicants we need in America.

There is no way that unskilled immigrants without U.S. relations can apply; yet we have hundreds of thousands of jobs that native-born Americans will not fill. For example, the only category available for applicants from Mexico and the Philippines is for those who are immediate dependents of U.S. citizens. Obtaining that visa will take 3 to 5 years. Even more daunting, even in the best case scenario of any applicant's close relationship to a U.S. citizen--it will take 14 to 20 years for adult children and 12 to 28 years for siblings to obtain a visa, and then further 6 years before they can apply for citizenship.

Those who are able to acquire on a temporary visa to study or for seasonal work cannot convert this document to immigrant status. A totally insufficient number of H1-B visas (65,000) are issued annually for foreign applicants for unfilled high skill jobs. These visa-holders must apply for permanent residence separately, and their visas do not help them at all in this process. Bill Gates has testified in Congress that our leadership in science & technology is severely hampered by this.

English is the language of exchange, commerce, information, and culture in America. We complain that immigrants do not speak the language and do not integrate (forgetting that thus it ever was for the first generation of immigrants), yet we do not provide or fund appropriate venues that will teach English or inculcate democratic and civic values.

### **b. Illegal Immigration**

There are about 11 million undocumented immigrants in the U.S. Approximately 4 million of this number overstay tourist and student visas and melt into the general population. Federal and local law enforcement has no knowledge of who is in the country. Undocumented immigrants do not report crimes because they naturally fear drawing the attention of the authorities. These two factors contribute to the security concerns for our communities and nation.

Only the most extreme radical groups are advocating for wholesale deportation of the 11 million who are undocumented--as if that were even feasible practically and economically. There is, however, no pathway for these undocumented immigrants to become legalized. They are caught in the bind of the illegal status that they themselves created and their inability to correct this situation. Some have been here for decades, have built their lives, businesses and families here, and see this country as home. Most would be willing to start down this path, even if it means going to the back of the line of legal applicants, proving the absence of any criminal record, and paying a penalty. This process, which could take 20 years or more, is an stringent earned legalization and provides a pragmatic solution to an intractable problem that in no way can be defined as an "amnesty program," as many opponents would have it.

We would want immigrants to be ever-more committed stakeholders in America, but that is less likely when their upward mobility is severely curtailed. They cannot acquire a driver's license, open a bank account, buy property, or ever benefit from any Social Security payments they have made (and it is estimated that 5.6 million undocumented immigrant workers paid a net contribution of \$12 billion in 2007), because they most likely have not used their own names in doing so.

Primarily a young cohort, many undocumented immigrants brought very young children with them to America. These children have been raised and educated here. However they cannot apply for in-state tuition in most states; and even if they are able to afford college, they have no legal status to apply for a job once they graduate. The DREAM Act that failed in Congress last December would open those doors. It would encourage young people to be better prepared for a competitive world of work, to serve in the military, and to follow their dreams because they have a path to legalization.

Senator John McCain, a past supporter of immigration reform, leads the argument that we must first secure the borders and then we can look at the other issues. Indeed the only aspect of immigration reform that we are currently addressing is border and employment security. Despite extensive efforts and costs, we have slowed but have not, nor ever will, prevent illegal immigration by people who are desperate to provide a better life for their families or escape intolerable conditions where they live.

There are also serious problems with some of the enforcement measures that are being voted into law. The most egregious of these is Arizona's SB 1070 which authorizes police to arrest without a warrant any person that they suspect is undocumented (by name? by appearance?). It criminalizes the failure to carry immigration documents, even by those who are legal residents or citizens, and it empowers the police to detain people until their status is verified. Although the racial profiling aspect of the law is so troublesome, it is being challenged by the Attorney General as running up against federal immigration law. Several other states rushing to emulate this law may face challenges which will embroil them in heavy costs.

Two similar enforcement programs—287(g) and Secure Communities—that work to identify undocumented immigrants for deportation, raise serious issues of racial profiling and have caused many cases of cruelly dividing families over minor misdemeanors.

## **2. Looking Back for Perspective**

The pendulum on immigration policy has swung back and forth between open and restrictive policies many times in American history. Those who came before have often treated the newcomers with suspicion, bigotry, discrimination, and all-too frequently, with violence. Let's recall a few:

### **Irish Americans (1860-1900):**

The Irish were stereotyped as uncivilized, unskilled and impoverished. They were forced to live in crowded ethnic ghettos and to work at least desirable occupations--that is if there was no posting that stated "No Irish Need Apply." Irish Catholicism was seen as an alien religion, and there were continuing acts of violence against Irish immigrants. The vandalism against their institutions were so frequent that many insurance companies refused to cover their churches and schools.

### **Italian Americans (1876-1924):**

In New Orleans in 1891, after the unsolved murder of an Irish policeman, the most infamous and largest multiple lynching of Italians in American history (11 victims), a newspaper reported as follows: "The little jail was crowded with Sicilians, whose low, receding foreheads, dark skin, repulsive countenances and slovenly attire proclaimed their brutal nature."

### **Jews:**

Peter Stuyvesant, governor of New Amsterdam, wrote to his bosses, the directors of the Dutch West India Company in 1654 to prevent the settling of 23 Jews from Recife in Brazil, saying "The Jews who have arrived would nearly all like to remain here, but [requesting that]...the deceitful race -- be not allowed to further infect and trouble this new colony"

The Company rebuffed his request. In 1665, he again wrote, this time to prevent the building of a synagogue: "they have many times requested of us the free and public exercise of their abominable religion, but this cannot yet be accorded to them." It was only in the 18th century that Jews in New York won the right to worship in public.

We should also recall the **Chinese Exclusion Act (1882)**; the **Japanese internment camps** of WWII, and of course, the appalling history of slavery of and racism against **African Americans**, by no means willing immigrants to these shores.

Now it is the turn of **Latino immigrants** to be demonized. Why? In the past few decades there has been a huge influx of undocumented immigrants, at least 7 million from Mexico. Many are undocumented, poor, unskilled, brown-skinned, not speaking English, and thus not integrating easily. Following low-skill work opportunities they have moved to towns and villages where there are few, if any, people of color, and the fear that is frequently expressed is that they will change "our culture" or "our way of life."

Compounding the perception of the foreignness of the newcomers, there is the explosion of drug-related crime near the Mexican border, and the current severe U.S. recession. We have seen a dramatic rise in anti-Latino hate crimes--up 40% between 2003 and 2007, according to the Southern Poverty Law Center.

Today we mostly hear from the restrictionist and hate-mongering people on the subject of immigration, amplified by the media (remember the nightly rant by Lou Dobbs on CNN?).

Here are 2 more:

**Glenn Beck** speaks about "Communist or Socialist Marxist Mexican-First Groups" that "may" want to give U.S. land "back to Mexico"

**Rush Limbaugh** asks: "has the CDC<sup>1</sup> ever published a story about the dangers of catching disease when you sleep with illegal aliens?"

Sadly, similar rhetoric and visuals by our officials—those who are elected / those who would be elected:

**Sharron Angle (R)**, a losing Senate candidate in Nevada released a vicious anti-immigration ad during her campaign that portrayed Latinos as criminals and thugs.

**Arizona Gov. Jan Brewer** has stated that: "Our law enforcement agencies have found bodies in the desert, either buried or just lying out there, that have been beheaded." This reckless claim was refuted by all medical examiners in Arizona. Sadly, however, what they did report, however, was their past decade's work in examining the bodies of some 1,700 men, women and children, deaths caused by dehydration and other natural factors from desperate cross-desert and cross-border attempts.

There are legitimate and pressing concerns regarding illegal and legal immigration. However the subject cannot be discussed rationally when so much prejudice against the "other" turns into such demagoguery about immigration itself

### **3. The Reasons to Support Comprehensive Immigration Reform (CIR)**

CIR aims to overhaul the nation's immigration system by addressing the following:

- ensuring the security and economic well-being of our country, and
- creating a path for undocumented immigrants to become fully contributing citizens and stakeholders.

Time will only permit me to address three reasons to support it, in the broadest outlines. As Americans, and as American Jews, we have a vested interest in the **economic well-being** of our country; in a new era of domestic and international terrorism, we are **concerned about its security**; and in a time of **rapid demographic change** we must find common ground with other groups. Immigration reform is central to these three issues.

#### **a. The Economic Rationale**

- Americans' low birthrate and the aging of the native-born population (increasing by 67%) will leave the U.S. economy short just when more workers and taxpayers are needed to support the

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<sup>1</sup> Center for Disease Control

increasing number of retirees.<sup>2</sup> A new cohort of young workers will do so. One only needs to understand the looming social security problems of Europe and Japan to know what happens when birthrates are low and immigration is restricted.

- Social Security actuaries estimate that 2/3 of undocumented immigrant workers (5.6 m.) paid into a net contribution of \$12 billion in 2007 alone. Few will receive any benefits, ever, unless they become legal and they had paid their withholding taxes using their true names. Perversely, the decline in illegal immigration, plus the current tighter workplace enforcement, means that contributions from the undocumented will decrease.
- A revised guest worker program (H-2A) will benefit U.S. agricultural production, providing employers with a more reliable flow of seasonal workers, give the workers protection from abuse, and provide them with a chance to earn legal immigration status by meeting stringent requirements. This is the essence of the AgJOBS bill.
- The E-Verify program which creates a national data base for employment verification is potentially helpful to employers. It has in the past been fraught with errors and inadequate safeguards for workers, although there is a serious effort currently to correct these problems.
- A 2010<sup>3</sup> UCLA study showed that legalizing the undocumented through CIR would yield \$1.5 trillion to the U.S. GDP over a 10 year period, and generate billions in additional tax revenue and consumer spending.
- Legalizing these immigrants would lessen the burden on local and state budgets for education, health care, and law enforcement of the undocumented (although contrary to popular opinion, CBC economists find that this accounts for less than 5% of total spending for those services).<sup>4</sup>
- In a 2009 study, the conservative Cato Institute found: “increased enforcement and reduced low-skilled immigration have a significant negative impact on the income of U.S. households...In contrast, legalization of low-skilled immigrant workers would yield significant income gains for American workers and households. In stark contrast, a deportation-only policy--result in a loss of \$2.6 trillion in GDP over 10 years.”<sup>5</sup>

## B. The Security Rationale

All of us as Americans and as Jews want to live in a country that is secure, and immigration reform will do its share in making it so.

- It is critical that we strengthen and maintain border enforcement and security, but our ability to document the undocumented and know exactly who is in the country will add significantly to that security. That must include better tracking methods for the 4 million who have overstayed their student or tourist visas.
- When 11 million immigrants naturally fear and resist contact with law enforcement and do not report crimes, the security of our neighborhoods is diminished.
- As upholders of civil and human rights, we must be vigilant in ensuring that our enforcement measures do not a) allow racial profiling, b) misdirect state and local resources away from more pressing priorities, and c) be driven by misguided fears of crime. Crime is actually dropping nationally (and in Arizona), even as immigration is on the rise, which negates the correlation that many people make between the two issues.
- There has been an estimated drop of undocumented immigration of more than 1 million in the past 2 years, due to a combination of the recession and increased border control.<sup>6</sup> However while the budget for border control has grown exponentially,<sup>7</sup> the Cato Institute states: “The bottom line is that our ‘enforcement only’ approach to controlling the border has failed, and it will continue to fail until we create a legal alternative to illegal immigration.”<sup>8</sup>

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<sup>2</sup> IPC May 2009

<sup>3</sup> UCLA’s Dr. Raúl Hinojosa-Ojeda, *Raising the Floor for American Workers: The Economic Benefits of Comprehensive Immigration Reform*,

<sup>4</sup> Congressional Budget Office, 2007

<sup>5</sup> Cato Institute, *Restriction or Legalization? Measuring the Economic Benefits of Immigration Reform*, Dixon & Rimmer, Aug. 13, 2009

<sup>6</sup> Pew Hispanic Center and the DHS

<sup>7</sup> (U.S. Border Patrol’s annual budget is up by 714% since 1992--from \$326 m. to \$2.7 b; number of Border Patrol agents grown from 3,555 to 17,415.

<sup>8</sup> Cato, May 2010

We are all safer when everyone in this country has a stake in it—their families, businesses, communities, economic opportunities and dreams for the future.

### 3) The Demographic Rationale

- The dramatic demographic change of the past few decades has been led by the growth of Latino population, now at 45 million is the largest minority nationally and already in several states it is the majority minority.
- Latino leaders are seeking and winning elected office, and Latino organizations are urging the move to citizenship and working to get out the vote. The result of those efforts can be seen in the 2010 mid-term elections California, Colorado and in Nevada, where immigration was a key factor in how Latinos voted and was a strong indicator of their growing power.
- Throughout its history, AJC's active and ongoing commitment to civil liberties for all has laid the groundwork for relations with minorities in America. Since the 1980s, AJC has been committed to a systematic effort to build Latino-Jewish relations. We need to strengthen this and other partnerships so as to sustain Jewish political influence, and advance the universal concerns we share and open the door to the particular issues of the Jewish community.
- We cannot come to the coalitional table empty-handed, however, on the core issues of our partners. We must be able to find the common ground. Advocacy for CIR is one such meeting point with Latinos, Asians and other immigrant groups—which as I have tried to show, is as much in *our* interests as in theirs.

### Conclusion

AJC's archives recall a long commitment to fair, effective and generous immigration policies throughout our history. As early as 1912--1917, Louis Marshall, AJC President, petitioned Presidents William Taft and Woodrow Wilson respectively, that they not adopt a literacy test in a pending immigration bill: "it is not a test of character and would deprive the U.S. of valuable economic forces. Some of our best families are the descendants of illiterate immigrants, and it would be the height of cruelty to deprive men and women...industrious and law-abiding, of the right to take up their homes here..."

Currently, with generous funding from The Ford Foundation, AJC has been able to intensify those efforts. The *Bridging America Project*, now in its 2<sup>nd</sup> year, is building Latino - Jewish relationships around country with advocacy and intergroup workshops. Simultaneously it is helping AJC strengthen the base of support for CIR by bringing in new leaders from every sector of our communities to engage in the effort.

I believe that AJC's policies are on target. What we need is the energy, activism and "stick-to-it-ness" from Jewish leaders, in the face of difficult challenges at least for the next two years, who will bring about the serious changes that I have outlined as needed in our system.

Notably, other Jewish organizations have long been active on immigration policy, including the JCPA and JCUA, and of course, HIAS, which since 1881, has advocated for policies affecting refugees and immigrants. That must be telling us something, so I turn to Noam to tell us why Jews, in particular, are so engaged in this issue.