



## **JCPA RESOLUTION ON COMPREHENSIVE IMMIGRATION REFORM AND THE PROBLEMS OF UNDOCUMENTED MIGRATION TO THE UNITED STATES**

*Adopted by the 2004 JCPA Plenum*

Migration has been a central element of the Jewish experience since biblical times when famine forced the Jewish people to flee Canaan and resettle in Egypt. This experience has been mirrored in American-Jewish life with the immigration of Jews to the United States in search of religious freedom and economic opportunity. As a reflection of our history, and based upon the biblical imperative to welcome the stranger, the American Jewish Community has long advocated for fair and just immigration and refugee policies.

Our American-Jewish values necessitate confronting difficult immigration challenges facing our country and our community. At present, one of the most critical issues is the problem of undocumented migration to the United States. Undocumented migration involves a set of interrelated issues including: the existence of millions of individuals living in the United States without legal status; the dangerous reality of unauthorized border crossings that has resulted in thousands of deaths and increasingly violent conditions in the border regions; the extensive backlogs for family immigration visas that result in prolonged and inhumane separation of families; and the United States' pressing security needs that require the government to focus resources on individuals who pose grave dangers to the country.

Of particular concern is the United States government's "Blockade Strategy," begun in the early 1990's to stem the tide of migrant workers crossing the border from Mexico to the United States. While the goal of this strategy – stopping illegal entry – is legitimate, it has had an array of negative consequences. The lure of a better quality of life in America drives tens of thousands of migrants each month to risk their lives on dangerous journeys to find work in America, now in more remote and perilous areas along the border. During the past decade at least 2,500 have died while attempting to cross the border. Furthermore, an atmosphere of vigilantism has developed in the border states and poses a threat to security and rule of law.

Despite stricter border controls, the number of migrants living without legal status has continued to grow. Current estimates are that approximately eight to ten million undocumented migrants live in the United States. Over half are from Mexico and approximately 20% are from Central American countries like El Salvador. These migrants contribute to our economy, fill needed jobs and frequently pay taxes, all while remaining beyond our country's social safety net. They are vulnerable to exploitation by unscrupulous employers, and often face lengthy separations from their families because they cannot risk the dangerous border crossing back into Mexico.

Undocumented migration is also encouraged by the lengthy backlogs in the family immigration visa categories. For example, spouses and children of legal permanent residents must wait at least 5 years for a visa; and siblings of United States citizens must wait from 10 to 22 years, depending on their country of nationality. These backlogs have had particularly negative impacts in the Chinese, Filipino and Indian communities, among others and in some cases have kept families apart for generations.

While compelling humanitarian reasons exist to address the problem of undocumented migration, tackling this problem in a comprehensive manner also creates an extraordinary opportunity to enhance the overall security of the United States. By offering migrants – both those already residing in the United States and those seeking admission – a legal process to obtain a desired benefit, the government can establish a security screening system to bar admission to terrorists and dangerous criminals while facilitating the immigration and acculturation of hard-working migrants. This approach will allow immigration enforcement resources to be targeted on actual threats as part of the continued war on terrorism.

The effort to find an all-inclusive solution to the problems discussed above is often described as Comprehensive Immigration Reform. A previous effort in 1986 to address these problems did not address the future needs of United States employers or provide any new means for foreign workers to work in the United States legally, and immigration authorities largely did not enforce many key provisions.

The JCPA believes that:

- The United States should maintain support for fair and generous legal immigration policies as an expression of our country's core values of refugee protection, family reunification and economic opportunity.
- Unlike in previous cases where the United States government tried to curb the flow of undocumented migrants coming to the United States to find work, a Comprehensive Immigration Reform program, accompanied by a commitment to enforcement, has a great chance of being effective.
- Efforts to respond to the problem of undocumented migration must recognize the economic realities that underlie this flow of migrant workers, and the United States' security needs that necessitate differentiation between individuals arriving for economic opportunities and those who seek entry to threaten American lives as dangerous criminals or terrorists.
- Comprehensive Immigration Reform proposals should respond to this challenge in a manner that respects the human dignity and human rights of those who wish to enter. Such efforts should include programs that will simultaneously recognize economic realities and apply the labor rights and legal remedies to documented and undocumented individuals. They should also create opportunities for undocumented workers to earn legal status while providing needed labor in the United States. New legislation should aim to actually penalize the employers who knowingly hire undocumented workers, rather than the current situation in which the greatest impact is jeopardizing the status of those workers. Finally, they should

address the longstanding problem of unacceptable backlogs in the family reunification visa categories.

The community relations field should:

- Educate to raise awareness of current immigration policies, their consequences including humanitarian issues at the border crossings, and factors that contribute to associated risks for migrant workers.
- Monitor legislative proposals and advocate for Comprehensive Immigration Reform – that addresses flow across the border, earned legalization and family visa backlogs – that effectively values human dignity and allows enforcement resources to be focused on dangerous criminal or terrorist migrants.
- Work with interfaith and ethnic communities in coalitions to advance Comprehensive Immigration Reform.
- Encourage the successful acculturation of new immigrants that includes an appreciation for American democratic institutions, patriotism, and constitutional principles that we all hold dear, including equality under the law and due process.
- Work with the Administration and Congress to shape Comprehensive Immigration Reform. While we applaud the President's January 7, 2004 speech as it reflects the contributions of both documented and undocumented immigrants, and a need to fix a broken system, this initial proposal falls short in helping these newcomers become fully integrated into our society.
- Call on the Administration, 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 United States immigration laws that will insure that our immigration system is secure, more humane, and free from stereotyping and xenophobia.