

Thoughts on Immigration Reform and the Presence of Both Documented and Undocumented Immigrants

The proper place for immigrants - especially those deemed “illegal” (I prefer the term “undocumented” or “out of status” when characterizing the between ten and thirty thousand such residents of our state) - has again become a major issue in public discourse, especially in the political arena. This spring Congress is making an effort to “reform” our system of processing and classifying immigrants. Whether this effort will result in “comprehensive reform” or not remains to be seen. Here at the International Institute of Rhode Island, we have known for a long time that our current immigration system needs to be fixed. We serve thousands of individuals every year who simply want to realize their “American dream.” Part of the American dream is becoming a U.S. citizen. Being a U.S. citizen gives a person the ability to fully participate in U.S. civic life: vote, run for political office, and travel abroad with greater access to services from American embassies.

There have been many proposals in the U.S. Senate in the last few months regarding immigration reform. None of them would provide “amnesty” of undocumented residents and all of them require undocumented residents to take a series steps including paying fines and fees to legitimize their status.

The proposal that the International Institute and its constituency support is the McCain-Kennedy bill, the Secure America and Orderly Immigration Act of 2005. In this bill, undocumented residents would have to pay a large fine, apply for a temporary work authorization for three years, and then apply to renew this work authorization for another three years. After six years, a person could apply to become what’s called a permanent resident (a.k.a. green card holder). Once a person becomes a permanent resident, they can’t apply for citizenship for another five years unless they obtain their permanent resident status through marriage or if they are serving in the armed forces. Therefore, under this proposal, it would take a *minimum* of eleven years for most eligible persons to become U.S. citizens.

An alarming proposal called the Martinez-Hagel “compromise” was reached just before the Senate left for its spring recess on March 24th. Under this proposal, undocumented residents would be able to get on a path to citizenship without having to leave the country only if they: prove they have been in the U.S. for more than 5 years, prove they have worked a minimum of 3 years, pass a national security and criminal background check, show their proficiency in English, demonstrate payment of all federal and state taxes, and prove they are registered for selective service if eligible. Undocumented residents who have been in the U.S. for less than five years would face even harsher barriers to obtaining legal status.

The Martinez-Hagel “compromise” that was apparently reached several weeks ago broke down because agreement on procedural questions could not be reached in the Senate. Therefore, it is our understanding that a bill of some sort has a chance to reach the floor of the Senate for a vote. We are urging the Senate leadership - especially Senator Frist - to ensure that any legislation includes the following six principles, as adopted by the New American Opportunities Campaign, a national campaign for comprehensive immigration reform. Reform

must be: a) comprehensive rather than piecemeal; b) provide a path to citizenship; c) protect workers; d) reunite families; e) restore the rule of law and enhance security; and finally, f) promote citizenship and civic participation in order to help local communities.

It is important to keep in mind that much of the discussion of immigration reform is driven by the events of 9/11. In other words, many of the changes in policy that have already been implemented or contemplated in connection with immigration reform have been made in the name of security – or at least someone’s idea of security. Certainly attempts to “tighten security” in the wake of 9/11 have had several unintended consequences. Tighter caps on worker visas have driven more people underground, making it even tougher for the government to identify who is here, period. Harsher restrictions on immigrants who wish to obtain a driver’s license eliminated one of the few tools the government had to identify the 9/11 bombers (Mohammed Atta was identified through his driver’s license and was the key to identifying others involved in 9/11). The hastily enacted and now-disbanded special registration program resulted in arrests of law-abiding Muslims and has seriously eroded faith and trust in government – while at the same time failing to capture a single known terrorist.

The aforementioned Martinez-Hagel “compromise” also includes many negatives. Among others, it would allow people to be detained indefinitely, make minor offenses a cause for deportation, and compel local police to enforce complicated immigration laws. These provisions, among many others, illustrate the deeply disturbing trend in American policy toward criminalizing immigrants – as opposed to embracing them as essential to the character and ever-evolving identity of the United States.

We ought to remember who the immigrants of Rhode Island really are. Maybe you are an immigrant, or your neighbor, or co-worker. Quite probably - if you aren’t an immigrant yourself - your parents or grandparents were immigrants. Immigrants built Rhode Island and continue to do so. Our 16,000+ clients who walk into our agency every year come from 105 nations around the world; 85% of them are employed. Our students come to us to learn English, get their GED or Pre-CNA certificate, or take citizenship classes. We have 680 people on our waiting list just for our English classes. Immigrants make great contributions to Rhode Island and, if we are looking at their presence in strictly financial terms, it is well documented that they pay more in taxes than they receive in benefits.

In short, we feel strongly that Rhode Islanders should stand up and demand that immigrants receive basic protections and human rights: the freedom to travel as they please, see their families, choose their jobs, and have equal protection under the law.

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