



“THE ALIEN AMONG YOU”

AN IMMIGRATION ADVOCACY NETWORK

The Episcopal Church
Office of Government Relations

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HUMANE IMMIGRATION REFORM

ADVOCATING FOR IMMIGRATION REFORM

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Why is immigration reform important?

Immigration reform is an issue that generates contrasting positions; extreme discourse regarding many issues about what America is and what America should be are at center stage. Beyond the heated debates, the misinformation, and the passionate speeches remains an immigration system in need of urgent reform.

The task is not easy and there is a lot to be done to be able to accomplish a reform that provides real solutions, workable programs and a response to future flows. The situation generated by the immigration raids, the massive reliance on detention, the separation of families, the backlogs, etc. are situations that urge us to act. The only certainty is that not finding a solution to the immigration issue is not the answer; there is real urgency to many of our immigration challenges. The Interfaith Immigration Coalition (IIC), of which the Episcopal Church is a member, expressed the need for reform in its Platform on Humane Immigration Reform: “we call for immigration reform because each day in our congregations, service programs, health-care facilities, and schools we witness the human consequences of a bro-

ken and outdated system. We see the exploitation of undocumented workers and the plight of separated families, as well as the escalation of community fear due to indiscriminate raids and local police acting as federal immigration agents. Humane immigration reform would help put an end to this suffering, which offends the dignity of all human beings.”



The Episcopal Church and the IIC have been working on numerous efforts presenting our platform to the Obama transition team, to new and key members of Congress, to the media, to our networks and to the new administration. There have been some signals from the new administration, for example the reviews put forward by Secretary Napolitano, that many of the issues addressed in our platform and some of the specific recommendations made to the transition team in December will be addressed ad-

ministratively. We continue working on the Hill with a goal of seeing reform this legislative year, although it remains unclear when we are going to see comprehensive immigration reform introduced.

The Episcopal Church will continue to work for comprehensive reform that includes a plan to fix our broken immigration system while also gaining operational control of our borders. The United States needs an immigration system that would allow workers to enter the U.S. legally, offer protection under laws and regulations that pertain to U.S. workers, and re-unite families that have been kept apart due to the family backlog.

The 75th General Convention, through “The Alien Among You,” called the Church to commit to welcoming strangers as a matter of Christian responsibility, to advocate for their well being and protection and to urge its members to resist legislation and actions which violate our fundamental beliefs as Christians, including the criminalization of persons providing humanitarian assistance to migrants. A lot of work remains to be done, but together we will strengthen the voice for immigration reform.

What does the Episcopal Church consider humane immigration reform?

The key public policy issues concerning migrants are laid out in the principles adopted by the 2005 Executive Council resolution (link to: http://www.episcopalarchives.org/cgi-bin/executive_council/EXCresolution.pl?exc_id=EXC062005.40).

The Reform Must Be Comprehensive:

The proposal must simultaneously address the following issues: 1) undocumented immigrants working and living in the United States; 2) the future flow of workers and close family members; 3) the need for tailored, targeted, effective enforcement of more realistic policies; and 4) support for the successful integration of newcomers in the communities where they settle. It should offer:

A legalization program that provides a path to citizenship: a broad-based legalization process that provides the opportunity to acquire legal status for undocumented migrants who have settled in the United States. It should provide a path to lawful permanent residency, and eventually citizenship, to undocumented migrants already settled in the United States. Opportunities should be provided for undocumented immigrants currently living in the U.S. to receive work permits and travel permission and access educational opportunities once they undergo background and security checks.

Family based immigration reform: Family unity should be a central value of our

immigration system. Restrictive laws and bureaucratic delays too often undermine this cornerstone of our legal immigration system. Waiting times for separated families should be significantly reduced.

Protection of workers: Reform should not only provide new and wider legal channels for workers needed in the United States but be oriented to protect worker rights and avoid exploitation and abuses for both foreign and U.S. workers. The worker visa program should adequately protect the wages and working conditions of U.S. and immigrant workers. It should also allow workers to change employers, provide a path to permanent status, family unity, and mobility between U.S. and their homeland. The program should be designed in relation to labor market test to ensure U.S. workers are not negatively affected.

Restore the rule of law and due process protections: the enforcement of immigration laws should be realistic and enforceable, respecting the rule of law and civic and human rights. Reform should include provisions that restore due process protections.

Enhance security and borders: true reform should guarantee that enforcement and security mecha-

nisms are consistent with humanitarian values. The enforcement process should focus on criminals, including unscrupulous employers who exploit vulnerable workers, human and drug smugglers, human traffickers, etc.

Facilitate integration: the federal and state governments should provide assistance to local communities and governments to facilitate the comprehensive integration of immigrants into the community, including language, civics, culture, etc.

Addressing root causes of migration: comprehensive immigration reform would also consider long term solutions to address the causes of migration such as underdevelopment in sending communities.

"The strangers who sojourn with you shall be to you as the natives among you, and you shall love them as yourself; for you were strangers in the land of Egypt" (Leviticus 19:33-34).

In the New Testament, Jesus tells us to welcome the stranger, for "what you do to the least of my brethren, you do unto me" (Matthew 25:40).

The Episcopal Church on Migration Issues

Executive Council EXC062005.40 Support for US Immigration Reform

Resolved, That the Executive Council of the Episcopal Church, meeting in Louisville, Kentucky from June 13-16, 2005, concerned about serious flaws in the US immigration system, supports the enactment of legislation which would:

permit the orderly entry of legal workers to the US to respond to recognized labor force needs; ensure that close family members be allowed to enter or be reunited with individuals legally entering the US to accept employment; permit undocumented migrants residing in the US at the time of

the enactment of legislation to pursue legal residence and eventual citizenship if they are employed or responding to an offer of employment; and ensure that migrants working legally in the US be granted the rights and benefits accorded US workers, including the right to change employment.

FAMILY UNITY: TRADITIONALLY A CORE VALUE OF OUR IMMIGRATION SYSTEM

Family unity has been a central piece of our immigration system for more than 40 years and one that faith groups believe is key. Even though our immigration system makes family immigration a priority, lengthy backlogs, inadequate caps and preference categories are undermining that goal. For families seeking reunification the process can become complicated, time consuming and a burdensome. Family members residing in the United States must first petition the government in order to bring immediate family members to join them. This filing establishes a priority date which effectively holds the family member’s place in line. Ideally, the applicant is then put through a screening process and background check and, if they are deemed to pose no threat to national security, there are no backlogs, and the spouse, minor child or parent of a citizen or legal permanent resident is given a green card. The realities of the obstacles facing these families, however, are much more sobering.

Imagine that you are a lawful permanent resident of the United States. You hold a steady job and have petitioned for your wife and young child (under 21 years of age and unmarried) to come and join you. If you filed your petition in 2002, your wife and young child would have waited until 2007 to be granted their visas (five years is approximately the waiting time for this category, but can take up to seven years). During those five years you must reside predominantly in the U.S due to your permanent legal resident status and your wife and child, due to their pending application, are not permitted to travel to the U.S to see you. Even if they are granted Green Cards in 2007 you will have lost 5 years of your son or daughter’s childhood and endured 5 years of separation in your marriage. If you are seeking to reunite with a sibling, backlogs are even longer. If in 2002 you also petitioned for your twin brother to come from your home in the Philippines, you

could face up to 22 years of separation while waiting for the immigration system to allow your reunification. The system as it stands clearly does not serve the American people or their loved ones and systematically separates and destroys

create a strong and cohesive society and that many of these families have been immigrant families. Under the current immigration system, however, family members such as children, parents and siblings are facing increasingly lengthy backlogs and painful years of separation. The systemic backlogs are caused by more family visa applications than the number of visas available. The visa numbers, which have not been updated for two decades, should be adjusted to reflect the current demand for immigrants seeking to legally enter the country and reside with their families. This process is not the “chain migration” some have criticized but simply everyday citizens and residents seeking the right to live with their families.

The immigration of families to the United States not only benefits the individuals but also our country as a whole. Strong communities, economies and individuals are rooted in healthy and happy families. The current backlog of visas not only hurts the entire country but punishes law abiding residents and citizens who simply seek to bring their spouses, children, parents and siblings together.

Legislative Recommendations:

- *Update the outdated immigrant quotas to fit the current need*
- *Place a cap on how many years a family must wait for reunification*
- *Some visas go unused due to security screenings, backlogs or country quotas. These visas should be allowed to roll over to the next year in order to serve greater numbers of applicants.*
- *Protect eligible immigrants eligibilities from extended delays. If a child changes category during the delay they should not be shuffled to the back of another lengthy line.*
- *Government administrative resources should be increased in order to process applicants in a timely and efficient manner so that families can be quickly reunited.*

families. Throughout US history it is easy to see that healthy families

Ana G. White and Katie Conway

Visa Category	Citizenship Status of U.S Family Member	Relationship of Intending Immigrant to U.S Family Member	Length of Wait for Visa in this Category (as of Jan 2007)
Immediate Relative	U.S Citizen	Spouse, unmarried minor child, parent	No quota limit processing may be several months
1st Family Preference	U.S Citizen	Unmarried adult child (21 years or older)	5 years, 8 months for most countries
2nd A Family Preference	U.S Legal Permanent Resident	Spouse, minor child	4 years, 9 months for most countries
2nd B Family Preference	U.S Legal Permanent Resident	Unmarried adult children (21 years or older)	9 years, 8 months for most countries
3rd Family Preference	U.S Citizen	Married adult children	8 years for most countries
4th Family Preference	U.S Citizen	Brothers and sisters	11 years for most countries

A legalization process is central for immigration reform

One of the most contentious issues in the immigration debate today is the future of over 12 million undocumented immigrants currently working and living in the United States. The Episcopal Church supports the creation of an efficient and humane pathway to legal status for the majority of these individuals. Far from being the “free pass” or “amnesty” criticized by some, the pathway will provide avenues for the undocumented to earn their legal status while allowing Border Patrol and U.S law enforcement to focus on direct threats to our national security. A pathway to citizenship would make our country safer by informing the government of who is here as well as bringing individuals out of the shadows to become part of our communities.

A pathway to legalization should be efficient and based on reasonable criteria rather than punitive measures. For example, individuals applying for legalization should be able to do so from the United States rather than having to return to their country of origin. Not only would this “touch back” measure destroy families and strip businesses of valuable employees, but it would also place 12 million people back into the broken system which could not adequately serve them in the first place. Rather, these individuals should pay a *manageable* fine, pass security background checks, pay back taxes when appropriate, fulfill requirements such as a command of the English language and knowledge of our nation’s laws and history, register their records

with the government and pass a background test like all applicants for legal residency. Immigrants should also be free from threat of enforcement when they choose to come out of the shadows as they are declaring their violation of immigration law and following the aforementioned criteria. Detention and/or deportation are neither humane nor fiscally responsible solutions to the millions of immigrants who pose *no threat to society*. While immigrants complete the legalization process they should be permitted to remain as key members of their families and continue their employment so as not to disrupt the function of vital industries. The past few years have shown the ineffective nature of enforcement based immigration solutions, from the terrible consequences of raids to the degradation and dangers of an expanding detention system. In a legalization process based on honesty, cooperation and due process the current “enforcement first” strategy clearly has no role. Undocumented people are part of

*Bishop Prince Singh of the Episcopal Diocese of Rochester, Prayer Vigil for Immigration Reform, February 16th 2009 :
“We are a pray-active people. Run and make our prayers a reality until justice will run down like water.”*

Interfaith Platform on Humane Immigration Reform:

“Create a process for undocumented immigrants to earn their legal status and eventual citizenship

We urge the Administration and Congress to enact immigration reform that allows undocumented immigrants and their families to earn lawful permanent residency upon the satisfaction of reasonable criteria, with a pathway to citizenship. The workability of such a program should not be hindered by overly punitive criteria, such as mandating that immigrants leave the country or pay exorbitant fees, or by making the process conditional upon the implementation of enforcement measures. Communities and congregations around the country are prepared to provide legal services to those eligible, as people of faith are committed to an effective and humane system that keeps families together and values the dignity of our friends and neighbors.”

millions of families, parishes and communities across the country. While the legalization process will not be easy, these entities are willing to provide support needed for individuals to complete this process. Many dioceses and organizations already provide legal assistance to immigrants who qualify and if a pathway to citizenship were available to these members the faith community would continue to work to uphold family unity and the humane treatment of immigrants in our country.

Katie Conway

Prayer, Renewal & Action on Immigration

National Interfaith Prayer Vigils Campaign for Immigration reform

As members of the 111th Congress returned to their districts over President's Day weekend faith communities across the nation spoke out for humane immigration reform. The Interfaith Immigration Coalition, a partnership of faith-based organizations committed to enacting fair and humane immigration reform, organized the prayer vigil campaign of **Prayer, Renewal and Action on Immigration**. The campaign was a national effort to organize prayer vigils coinciding with the first recess of this session of Congress, **February 13-22**.

Hosting prayer vigils around the country gave people of faith an opportunity to reflect on the deep scriptural, spiritual



roots of our work to support immigrants in this country, highlight the moral aspects of the immigration issue and remember the real-life consequences of our failed policies on immigrant families. These vigils also enabled us to make our voices heard; reminding representatives in Congress that humane immigration reform is a top priority for people of faith. Along with Methodist, Jewish, Evangelical, Lutheran, Catholic and other faith groups, Episcopalians across the country hosted and participated in vigils. The following are some of the prayer vigils hosted by Episcopalians:

*On Monday 16th Bishop Prince Singh of the Episcopal Diocese of Rochester participated with other faith leaders of an interfaith church vigil in Rochester, NY.



About 150 people gathered at the First Unitarian Church seeking reforms to immigration policy. The vigil was designed as a way to unify the call for immigration reform.

*On Sunday 22nd, St. Paul's Episcopal Cathedral, Sand Diego, CA hosted a prayer for comprehensive immigration reform, the protection of immigrants and their families, and for humane border policies will be lifted up at all worship services.

*El Buen Pastor Episcopal Church, Redwood City, CA used the Immigrant's Mass on Sunday 22nd, to offer prayers of protection for immigrants, empowerment for people of faith to speak out for justice, and moral courage for Members of Congress to act for humane immigration reform.

"On Saturday February the 21st, more than twenty children bearing candles processed up the darkened aisles of St. Matthew's Episcopal Church Hyattsville, bringing light to the sanctuary. Their procession commenced a prayer vigil for comprehensive immigration reform, and the light they carried brought to mind the hopes of a new generation. The vigil, hosted by the six Latino congregations of the Diocese of Washington, focused on three moral imperatives: Comprehensive reform of our nation's immigration system; An end to the Immigration and Customs Enforcement raids that have divided families in our community; and the spiritual empowerment of our congregations for prophetic action. Lay and clergy leaders from the six congregations lead reflections and prayers. Community leaders, among them, Gustavo Torres, executive director of CASA of Maryland, gave specific insights into the challenges, opportunities and struggles ahead on the road to comprehensive immigration reform. The nearly two hundred participants finished the night with fellowship and hot chocolate in the parish hall."

Padre Peter Schell, el Misionero Latino de la iglesia Nuestro Salvador

*On 2/22/09 at 2pm, at the Chapel of Saint Matthew/San Mateo Episcopal Church the community prayed for protection for immigrants and the empowerment of people of faith to speak out more boldly for immigrants.

*On Sunday 22nd from 6-7pm the Episcopal Diocese of WNC hosted an Immigration Vigil at All Souls Cathedral to lift our voices and prayers for justice in immigration policy.

*A prayer vigil was hosted at St. Mathew's Episcopal Church, Hyattsville, MD on Saturday 21st at 7 pm to pray for humane immigration reform. This event is organized by the Hispanic Ministries of the Episcopal Diocese of Washington

*Episcopal Santa Maria Virgen in Oklahoma City, OK hosted a prayer Vigil calling for immigration reform.

Vigil Highlights

167 events

133 cities

31 states

45 stories in newspaper, radio, internet media outlets

45TV clips, total estimated value of \$150,000

HUMANE IMMIGRATION REFORM

Ana G White
Immigration and Refugee Policy Analyst

110 Maryland Ave. NE Suite 309
Washington DC, 20002
Phone: 202-547-7300
Fax: 202-547-4457
E-mail: awhite@episcopalchurch.org

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AND REPRESENTATIVE
AND LET THEM KNOW
THAT YOU SUPPORT
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Legislative and Administrative Updates



President Obama signed SCHIP - the Children's Health Bill

President Obama signed the legislation (HR 2) extending health care coverage to approximately 4 million children across the United States, including many immigrants. The bill also lifts the five year waiting period for legal immigrant children and pregnant women to apply to these programs.

Immigration Oversight and Fairness Act

Rep. Roybal-Allard (D-CA) reintroduced the Immigration Oversight and Fairness Act of 2009, HR 7255. The 2009 bill has substantially the same text as the 2008 version with the exception of minor technical amendments and a few improvements. The 2009 bill adds new provisions on the following: 1) a new confidentiality section governing the release of information about unaccompanied alien children; 2) a new section requiring training of all personnel in all facilities in which non-citizens are detained. The 2009 bill improves upon the existing sec-

tions from the 2008 version: 1) transfer of detainees; 2) the location of facilities; 3) legal visits to detainees; 4) access to detention facilities for NGOs and other independent observers.

E-Verify Stripped from the Stimulus Package by Conference Committee

E-Verify for all recipients of stimulus funding was stripped out of the conference report for the economic stimulus package.

Temporary Protected Status (TPS) for Haitians

Rep. Hasting reintroduced a bill (HR 144) intended to grant TPS to Haitian immigrants in this country.

Omnibus Appropriations. The omnibus appropriations bill (where funding for several agencies is wrapped up in one big package) will fund the government through the end of this Fiscal Year (September 30). The bill contains funding for English literacy and civics education services. The existing E-Verify and Employment-Based fifth prefer-

ence programs are extended until the end of the Fiscal Year.

State and Local Enforcement of Immigration Laws: On March 4th, the House Committee on Homeland Security held a hearing on ICE's "287(g)" program, to determine whether the program has been targeted as intended - to remove non-citizens who might pose a danger to the community. This program, named for the provision of law which authorizes it, allows state and local police agencies, under contract with ICE, to enforce immigration laws as specified in Memorandums of Agreement between the participating local agencies and ICE. A witness from the Government Accountability Office, which released a report on 287(g) earlier this year, testified that ICE lacks controls to ensure that the program is being used as intended. In fact, GAO found that 4 of the 29 state/local program participants it examined used the program to pick up individuals for minor infractions. (Speeding was named as an example.) All of the testimony, as well as a recording of the hearing, is available on the Homeland Security Committee's [Web site](#).