

JEWISH HERALD VOICE

Immigration reform and the Jewish community

By Aaron Howard

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The idea behind immigration reform is to come up with an improved system that would remove the current U.S. immigration system's faults and abuses. Nearly everyone agrees the current system is broken. However, reform can embrace any solution, from increasing legal immigration to reducing all immigration to the United States.

Given the historical experience of the Jewish people, it is reasonable that we have something of value to contribute to the immigration reform debate. Our centuries-long need to flee our homes to escape oppression, violence and economic starvation has made the Jews "an immigrant people." In addition, Jews were one of the immigrant groups specifically excluded from entering the United States after passage of the National Origins Quota legislation in 1921 and 1924.

Therefore, for historical and religious reasons, the Jewish community should support sensible and generous immigration reform that serves American interests, including economic and social development, family reunification and humanitarian values, said Hebrew Immigrant Aid Society senior director Melanie Nezer. HIAS is part of a coalition of 15 national and 39 local Jewish Community Relations Councils and Federations that have signed on to support a set of principles that must be included as part of any immigration reform legislation. These principles may be accessed at www.hias.org/en/pages/a-jewish-vision-for-the-future-of-american-immigration-and-refugee-policy.

(Editor's note: the Jewish Federation of Greater Houston is not one of the Federations that has signed this statement of principles.)

"From our perspective, we look to our faith tradition, what the Bible instructs and our own Jewish history to inform our vision of what should be included in immigration reform," Nezer said. "One of our priorities is keeping families together. Right now, the waiting times for spouse and minor children to immigrate to the U.S. are five to seven years, if you have a green card and want your family to join you. That is unconscionable.

"Another important issue is national security. We need an immigration system that brings people out of the shadows. We need to know who are these 12 million people who are not documented. The framework for this has been proposed in prior legislation. The preferred goal is to give people a pathway to citizenship. The specific pathway is in the details.

"Another element that is important is integration. More resources must be put into English-language and civics classes, so once people are here, they are given the tools to integrate and become Americans."

HIAS has assisted and settled refugees since 1881. In advocating for a particular Jewish vision of comprehensive immigration reform through its "We Were Strangers, Too" campaign, HIAS has sought to link a Jewish "just and compassionate" view of immigration with immigration legislation that promotes family reunification and a path to citizenship for undocumented immigrants.

Nezer believes the Jewish community can play an important role through contacting members of Congress and by engaging Jewish leaders and rabbis on the subject of immigration reform.

"There's no point in us talking to those who say America is a white nation and we should keep all nonwhites out," Nezer said. "In terms of the Jewish community, it's very important to educate about how broken our immigration system is and about some of the ways to fix it. We need to hear Jewish concerns and to try to address their concerns and to perhaps change some hearts and minds.

"We have to create an immigration system that makes sense. I'm hopeful we can do that. We've reached a point where most people of goodwill understand the status quo is not acceptable and we need to find the strength to get it reformed."

There's one point that Ira Mehlman finds agreement with Melanie Nezer: There's an absolute need for immigration reform. In contrast, Mehlman proposes shutting the door to immigration. Any immigration reform legislation must stop illegal immigration, limit legal immigration levels to about 300,000 a year and increase border security. Mehlman is media director of the Federation for American Immigration Reform. FAIR advocates a new immigration policy that would be in the "best national interest" as defined by the objectives of achieving a stable population in the United States and providing a path for legal immigrants who "best serve the interests of the U.S. in the 21st century."

The first guiding principle to any immigration reform, Mehlman said, is to cut the numbers. Any level of illegal immigration is unacceptable, and the current legal immigrant admissions of about 1 million each year is entirely too many.

"We now take in a million people a year through our legal process, which is, in our view an excessive number," Mehlman said. "There is no national need or interest for immigration at that level. This isn't a vast or empty continent as it once was.

"Nuclear families ought to be kept together. But, our system today offers opportunities for entire extended families to come here. The reality is that each time we admit someone, the line to enter gets longer, not shorter. We admit an immigrant, his wife and kids. And, all of a sudden, there's an entire extended

family of brothers and sisters and so on. If you make the decision to immigrate to the U.S. and leave your extended family behind, you make that decision. There need not be a mechanism in the law that enables you to reunite an entire extended family that you left behind. If we want you and you have something to offer this country, do we necessarily want your brother-in-law? Under the current system, we don't get to make that assessment."

Mehlman also opposes any amnesty program for undocumented immigrants. Referring to the Immigration Reform and Control Act of 1986 (also known as the Simpson-Mazzoli Act), which was the last legislative attempt to reform immigration, Mehlman dubbed the legislation "a failure."

"Rather than reducing illegal immigration, it led to an increase. Any new amnesty measure will further weaken respect for our immigration law. Therefore, all amnesty measures must be defeated. Laws against illegal immigration must be enforced."

FAIR advocates an "immigration time out," an immediate halt to all immigration, pending immigration reform.

Mehlman cautioned that FAIR, as a national organization, did not have any program that specifically addresses the Jewish community in the immigration reform debate.

As a Jewish individual, Mehlman said that Jews, like any other group of Americans, have unique interests in this debate. "In the immigration reform debate, I think we should ask: What are the long-term implications for American Jews? I look at Europe and see what have been the long-term ramifications of immigration on European Jewry, primarily in Britain and France. I think that any Jew looking at it objectively would say it hasn't been great. On what basis do our interests lie on the immigration issue?"

"The question that ought to be posed to ADL and the AJC: Why are you doing this [promoting policies that would not decrease the number of immigrants]? Immigration is going to have consequences. Look at what has happened recently in Western Europe regarding foreign policy toward Israel as a result of immigration. These are things which American Jews ought to be thinking about."

Karen Katz Feldman also agrees our immigration system is broken and in need of reform. An immigration lawyer with the Houston firm of Foster Quan, LLP, Feldman said she constantly hears citizens say: Why have all those people entered illegally? They should have done it the right way.

"It is important to recognize that there are no legal options to immigrate to the U.S.," Feldman said. "That means most people who call me on the phone don't qualify to come legally. Our current system does not provide good options for unskilled workers, but even for the highly educated and skilled workers."

For example, take an electrical engineer from India with a college degree. Our government currently is processing people who started this process on May 1, 2001, Feldman explained. That's an eight-and-a-half-year backlog. Many of these skilled foreign nationals are not allowed to remain in the United States during that backlog period unless he or she qualifies for another kind of visa. There is the possibility of obtaining an H-1B visa (for professional people only) to temporarily work here in their profession. But often, in employer-sponsored cases, the sponsoring employer must be willing to continue the sponsorship of that individual throughout the process.

"Another big issue is the cap on the number of temporary visas that can be issued each year," Feldman said. "That's important because employers who file for their employees often reach that cap during the first week of each fiscal year. The cap is reached because so many petitions are filed. Even if we want to have a system that admits only the most educated, highly skilled individuals as immigrants, our current system fails in that respect.

"For low-skilled and unskilled workers, the reality of our current immigration system is that it is almost impossible for them to qualify for either a temporary work visa or temporary residency in the U.S. Even with the downturn in today's economy, there are many industries where employers cannot find U.S. workers. Some examples include meat packing, waste disposal, construction, agriculture, landscaping, housekeeping and childcare. In my work, I hear employers say every day: If I could find an American worker to fill this position, I would. But, I cannot find American workers. The work is too hard, too dangerous. I cannot fill the demand.

Is it because wages in these industries have decreased? Feldman said no. "The clients I am working with are offering very fair wages that satisfy the prevailing wages by location. And, they cannot find any American workers to fill those positions," Feldman said.

Feldman believes that any considered legislation on immigration reform should reinstate provision 245(i), which allows people who are otherwise eligible to apply for permanent resident status to pay a fine in order to process in the United States, rather than in their home countries.

She also advocates increasing the number of H-1B visas for professionals with college degrees, eliminating the three- and 10-year bars created by the 1996 legislation, creating options for low- and unskilled workers to qualify for temporary visas, creating a path to permanent residency and passing the DREAM Act.

What about the Jewish community? "We were immigrants and should remember what our ancestors experienced when they fled persecution and economic

adversity," Feldman answered. "We should have compassion on those seeking a better life for themselves and their families."