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COMPREHENSIVE IMMIGRATION REFORM: FAITH-BASED PERSPECTIVES

HEARING

BEFORE THE

SUBCOMMITTEE ON IMMIGRATION, REFUGEES AND BORDER SECURITY

OF THE

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UNITED STATES SENATE

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CONTENTS

STATEMENTS OF COMMITTEE MEMBERS

	Page
Cornyn, Hon. John, a U.S. Senator from the State of Texas	4
Leahy, Hon. Patrick J., a U.S. Senator from the State of Vermont, prepared statement	152
Schumer, Hon. Charles E., a U.S. Senator from the State of New York	1
Sessions, Hon. Jeff, a U.S. Senator from the State of Alabama	5

WITNESS

Anderson, Leith, Senior Pastor, Wooddale Church, Eden Prairie, Maintenance	8
Gerson, Michael, Senior Research Fellow, Institute for Global Affairs, Washington, D.C.	7
McCarrick, His Eminence Theodore, Cardinal Archbishop Emeritus, Diocese of Washington, Washington, D.C.	10
Rodriguez, Reverend Samuel, President, National Hispanic Christian Leadership Conference, Sacramento, California	12
Tolle, James, Senior Pastor, The Church on the Way, Van Nuys, California	13

QUESTIONS AND ANSWERS

Responses of Leith Anderson to questions submitted by Senator Sessions	20
Responses of Michael Gerson to questions submitted by Senator Sessions	29
Responses of His Eminence Theodore McCarrick to questions submitted by Senator Sessions	30
Responses of Reverend Samuel Rodriguez to questions submitted by Senator Sessions	33
Responses of James Tolle to questions submitted by Senator Sessions	34

SUBMISSIONS FOR THE RECORD

Anderson, Leith, Senior Pastor, Wooddale Church, Eden Prairie, Maintenance, statement	41
Anti-Defamation League, Washington, D.C., statement	45
Catholic Charities USA, Baltimore, Maryland, statement	47
Center for Immigration Studies, Washington, D.C.:	
Catholics, Immigration, and the Common Good, August 2009, article	51
A Biblical Perspective on Immigration Policy, September 2009, article	61
No 'Progress by Pesach', August 2009, article	73
Foltin, Richard T., Esq., Director, American Jewish Committee, Washington, D.C., statement	101
Friends Committee on National Legislation, Washington, D.C., statement	106
Gerson, Michael, Senior Research Fellow, Institute for Global Affairs, Washington, D.C., statement	108
Hybels, Lynne and Bill, Willow Creek Community Church, South Barrington, Illinois, statement	110
Individual, Local and State Faith Statement	115
Interfaith Immigration Coalition, San Francisco, California, statement	136
Interfaith Platform on Human Immigration Reform, statement	138
Lutheran Immigration and Refugee Service, Baltimore, Maryland, statement	153
McCarrick, His Eminence Theodore, Cardinal Archbishop Emeritus, Diocese of Washington, Washington, D.C., statement	155
National Faith Statement, misc. letters	173

VerDate Nov 24 2008 08:30 May 11, 2010 Jkt 056073 PO 00000 Frm 00003 Fmt 5904 Sfmt 5904 S:\GPO\HEARINGS\56073.TXT SJUD1 PsN: CMORC

Page

National Hispanic Christian Leadership Conference, Sacramento, California, letter 200
Network, A National Catholic Social Justice Lobby, Washington, D.C., letter .. 202
Pelavin, Mark J., Associate Director, Religious Action Center of Reform Judaism, Washington, D.C., statement 203
Sisters of Mercy of the Americas, Silver Spring, Maryland, letter 205
Steinlight, Stephen, Center for Immigration Studies, Washington, D.C., letter 206
Tolle, James, Senior Pastor, The Church on the Way, Van Nuys, California, statement 212

COMPREHENSIVE IMMIGRATION REFORM: FAITH-BASED PERSPECTIVES

THURSDAY, OCTOBER 8, 2009

U.S. SENATE
SUBCOMMITTEE ON IMMIGRATION,
REFUGEES AND BORDER SECURITY
COMMITTEE ON THE JUDICIARY
Washington, DC.

The Subcommittee met, pursuant to notice, at 3:10 p.m., in room SD–226, Dirksen Senate Office Building, Hon. Charles Schumer, Chairman of the Subcommittee, presiding.

Present: Senators Sessions and Cornyn.

OPENING STATEMENT OF HON. CHARLES SCHUMER, A U.S. SENATOR FROM THE STATE OF NEW YORK

Chairman SCHUMER. The hearing will come to order. I want to welcome our guests and my colleagues. We have two more witnesses that are on their way from Senator Grassley's office right now. So we will begin because time is of the essence for everyone.

Before I begin, I want to extend the good wishes of our Chair, Senator Leahy, who I believe was here. Said hello to you, Cardinal, and maybe said hello to the other witnesses as well. And he has a statement which, without objection we'll submit for the record.

[The prepared statement of Chairman Leahy appears as a submission for the record.]

Chairman SCHUMER. I am going to be brief to accommodate the travel schedules of a few of our witnesses who were generous enough to come and have flights to catch and other events to attend this afternoon. But I want to welcome all of our witnesses.

For the past few months this Committee has held hearings and invited America's foremost immigration experts to discuss the most difficult problems that exist in our current immigration system and to propose solutions for reform. As a result of this process this Committee has seen the many ways in which America's immigration system is broken. I think we all agree to that. And just about everyone in the country thinks it needs fixing, will have different views as to how, but no one is happy with the present system.

More needs to be done, of course, to secure our borders, prevent businesses from hiring illegal workers, and track people who are in the country to determine whether they are here legally or illegally are a few examples. More also must be done to encourage the worlds' best and brightest individuals to come to the United States and create the new technologies in businesses that will employ countless American workers.

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At the same time, it is my belief we must also convert the current flow of low-skilled, illegal immigration into a more manageable and controlled flow of legal immigrants who can be absorbed by our economy.

The good news is that we have learned through these hearings that we possess the technological capability and administrative know-how to solve many of these serious problems. And the comments of my colleagues in this Committee reflect consensus as to how to fix our broken immigration system to improve our security, help our economy and remain true to America's tradition of welcoming immigrants to our shores.

I have always believed that the American people are both, pro-legal immigration and anti-illegal immigration. The American people will accept practical legislation that authorizes the current population of illegal immigrants to obtain legal immigration status, but only if they are convinced we are fully committed both resource-wise and politically to prevent future waves of illegal immigration. But even though we know the problems and actually agree on many of the solutions, we have all seen, in the past few months, how the political discourse and the public discourse have reflected increasing hostility toward immigration in general and immigrants in particular regardless of their legal status.

The tone of this debate has led some to ask whether this is indeed the best time to be talking about fixing our broken immigration system. And whether at this particular moment immigration is simply a third rail which any public official broaches at their peril.

Well, if you ask me, I think this is the right time to deal with immigration reform.

And, today, for the first time, the National Association of Evangelicals has made history and officially announced its support for immigration reform. The National Association of Evangelicals is the leading voice of the American evangelical community. It represents 30 million paritioners in over 45,000 churches from over 40 evangelical denominations. This announcement is, in my view, a significant step forward toward finally achieving the enactment of much needed immigration reform this Congress.

It is now no longer possible to think of immigration as an issue that only matters to the Latino community. As these witnesses attest, this issue crosses faith lines, party lines, ideological lines. The evangelicals' community support for immigration reform is a moral imperative for all people of faith, shows that a broad coalition of Americans now believe what Pastor Joel Hunter eloquently told this Committee in April, quote, "[T]he urgency for immigration reform cannot be overstated because it is so overdue."

Just like many Americans turn to their religious leaders for guidance on the most important decisions in their lives, all of us in this room and in this country can learn a tremendous amount by turning to the distinguished witnesses on this panel for their unique insight and counsel on how we could address this important issue that will affect America's future for decades to come.

For this reason we are asking them to give us their best pastoral counseling on how to move forward with immigration policy that

Americans will embrace and that will finally provide the long overdue forums we desperately need.

These leaders are here to remind all of us that the same immigrants who many are so quick to demonize are the very people who often most embody the spirit of America. The leaders of this panel can tell you that immigrants they have met and counseled have a deep and abiding religious faith. They can tell you stories about immigrants in their communities who demonstrate strong work ethic, entrepreneurship, and commitment to individual responsibility. And they have seen first-hand the strong family values that exist within immigrant communities which serve to reinforce all Americans' commitment to family values. These leaders understand that because immigrants are first and foremost human beings, made in God's image, many of whom came here to feed their families, it's critical that civility guides our rhetoric whenever we discuss immigration.

Any attempt to enact long-needed reforms to our immigration system will not succeed unless our friends, neighbors and colleagues believe we are not motivated by a desire to destroy the fabric of America, but rather to fix a broken system that is tragically leading to the creation of broken people, broken families, and broken communities.

So, I am glad to be here. We have several distinguished witnesses to counsel us as how to best conduct the ongoing immigration debate going forward and how they think we should reform the system to fix the problems they encounter on a daily basis.

I look forward with great interest to their testimony. And I want to recognize all of the religious groups that have submitted statements in support of comprehensive immigration reform.

For the record, I will ask unanimous consent to submit these statements and make them part of the record. They include the American Jewish Community, the Interfaith Immigration Coalition, the Sisters of Mercy of America, the Friends Committee on National Legislation, the Network of National Catholic Social Justice Lobby, the Union for Reform Judaism, the Anti-Defamation League. All of these groups and many others have been and will continue to be critical players in any discussion regarding immigration reform.

[The prepared statements appears as a submission for the record.]

Chairman SCHUMER. I want to especially point out a historic statement sent to us by Pastor Bill Hybels of the Willow Creek Community Church in Illinois, one of the largest and most important evangelical churches in America, who along with his wife Lynn Hybels wanted to be here today but could not due to missionary work they're conducting in Africa. They indicate as follows, quote, "Bill and I are committed to immigration reform and hope it will pass Congress soon. We believe that most Americans would be moved to pass comprehensive immigration reform if they could see the faces of immigration as we have seen them." unquote.

I ask unanimous consent that this statement be added to the record as well and recognize Senator Cornyn for an opening statement.

[The prepared statement of Pastor Hybels appears as a submission for the record.]

STATEMENT OF HON. JOHN CORNYN, A U.S. SENATOR FROM THE STATE OF TEXAS

Senator CORNYN. Thank you, Mr. Chairman. If there is a group that is in need of pastoral counseling, it is the U.S. Congress. I can attest to that.

But I want to welcome all of the witnesses for being here today. Thank you for your insights. I want to acknowledge some who, like Senator Schumer said, couldn't be here. For example, Reverend Louis Cortez who I met with recently in my office and others with Esperanza.

I want to also acknowledge other important people in the faith community who I have had a chance to talk about this subject at length with like Archbishop Gomez, Father Elasando, and others.

We know our Nation was founded by immigrants many of whom came to this country seeking religious freedom. Four hundred years ago the Puritans were persecuted by their government in England. They sought a new life where they could practice their religion in peace. And, of course, we know their story aboard the Mayflower and when they got here one of the first things they did was to create the Mayflower Compact, one of the first written constitutions in North America.

The Mayflower Compact established the principle that religious freedom and democratic governance go hand in hand. A principle later enshrined in our own constitution.

That first generation of immigrants set a good example, I believe. Today the United States of America welcomes immigrants from all over the world, respects traditions of many faiths, and defends and upholds the rule of law. Today leaders of faith communities offer a valuable perspective on their experience with the consequences of the current broken system.

As Senator Schumer knows in 2005 Senator Jon Kyl and I introduced, I think, one of the most—one of the first comprehensive immigration reform bills in this last decade, something we called "The Comprehensive Border and Security Immigration Reform Act of 2005;" which addressed all components of what I think we need to address in dealing with this challenging system.

I remain convinced that Congress needs to act on reform. The problem we had the last couple of times we tried to do this is I don't think the American people trust us when it comes to do some very basic things. For example, to enforce our laws, to secure our borders, and the like. I believe if they had greater confidence in their Congress and their elected representatives, they would recognize the challenging situation we find ourselves in with some 12 million non-citizens here who live in great fear and threat. The current broken system is bad for everyone, but particularly bad for undocumented immigrants who are here in this country.

I think of a young woman who is the victim of domestic violence who is afraid to turn to the police because of the consequences it might have for her; the worker who works for cash from an employer who then denies him his fair wages because that employer knows they have no where to turn because they don't have the pro-

tection of our laws being here in violation of our immigration laws; and others who like the immigrant who comes into our country in the hands of a coyote who cares nothing for their life, but for whom that means nothing but a paycheck. All of these individuals are victims of our broken immigration system and our need to restore order out of chaos and to restore the rule of law and to regain the confidence of the American people.

So I think immigration reform has to secure our borders, has to facilitate the legitimate trade in commerce, has to enhance our global competitiveness, has to strengthen and simplify the employment verification and eligibility rules, it has to uphold the rule of law more generally and develop a practical and compassionate solution for the current situation for those who are here as non-citizens who I described earlier. And, ultimately, to restore public confidence that Congress is competent and interested, not only in dealing with the problem on the front end, but following through and actually see that what we pass into law is implemented by appropriate oversight and appropriations and the like.

So we will be looking to each of our witnesses for their counsel. But we will also be looking to you for your leadership after we have new laws on our books.

You can help the members of your faith community understand what they need to do in order to comply with whatever new laws that we put on the books. And you can help them understand what services are available to them if they comply with our laws. And you can help Congress understand how immigration reform is working in your communities and whether we will need to make additional changes as I am sure we will over time.

So at the end of the day, I think we are talking about a core responsibility of the Federal government. That is to create an immigration system that is lawful, brings order out of chaos and protects the most vulnerable in our society.

Faith communities and other organizations can be helpful partners. But I want to say I also think it's not responsible of Congress to impose on others, non- governmental organizations, the duties that we properly bear as elected representatives and officials in the Federal government. Accountability for success squarely rests with us here in Washington, the elected representatives of the American people.

So I thank all of you for joining us here today and I look forward to your testimony and your answers to our questions.

And thank you, again, Mr. Chairman, for your leadership on having what I think have been a series of productive hearings. I look forward to working with you to accomplish our common goal.

Chairman SCHUMER. Senator Sessions, would you like to make an opening statement?

STATEMENT OF HON. JEFF SESSIONS, A U.S. SENATOR FROM THE STATE OF ALABAMA

Senator SESSIONS. Thank you, Mr. Chairman. I think a number of our witnesses in their statements that I have had a chance to review some, some of them in some depth are correct to say that every soul, every individual is a child of God and deserves great respect and humane treatment, and that is a challenge all of us have.

And so I think a lot of the anger that is out there should not be interpreted so much as an anger against immigrants or anger against certain individuals. But I do think a lot of it is directed at us in Congress. Because the American people concluded rightly, I believe, last time that we were proposing a legalization scheme for people who were here illegally and suggestions and promotions that we were developing a system that would work in the future was wrong and I don't think it would have worked.

So, gosh, Mr. Chairman, you've said some good things about how we have to work, what we are going to have to do. But I am not going to be supportive of any plan that is going to, in effect, legalize millions of people and then send a signal that our borders remain open still and attract even more millions. So we are having this problem again. So how we work our way through it, I don't know, but it needs to be done in the right spirit. And I appreciate each of you for sharing your thoughts.

Chairman SCHUMER. Thank you, Senator Sessions. I do agree with you that we have to convince Americans that there will not be future waves of illegal immigrants in order to succeed with the present group that are both here and future people who might come.

Senator SESSIONS. I agree with you.

Chairman SCHUMER. We have a very distinguished panel. I am honored, I think we are all honored to have all of you here and very much appreciate your caring and your taking the time. That is panel will really help us come together on immigration. So we appreciate it.

I am going to give a brief introduction to each of our five panelists and then let them proceed. And your entire statements will be read into the record fully. And so you may proceed as you wish once we finish the introductions.

First, Michael Gerson is a Senior Research Fellow at the Institute for Global Engagement, Center on Faith and International Affairs. He is also a Washington Post columnist who writes about politics, global health, development in religion and foreign policy. I for one enjoy and look forward to your columns all the time, even if I don't agree with every one of them.

He served as a policy advisor and chief speech writer to President Bush from 2000 to 2006 and has been recognized by Time Magazine as one of the 25 most influential evangelicals in America.

Pastor Leith Anderson is President of the National Association of Evangelicals which represents the interests of the churches of over 30 million—of the churches that over 30 million Christians attend every Sunday. He is also the senior pastor of the Wooddale Church, one of the largest churches in Minnesota. He has published many periodicals and has written ten books. I admire anyone who has written any book. I wrote one and it's very hard to do. So, very impressive as well.

His Eminence, Cardinal Theodore Edgar McCarrick is a well-known figure, of course, to many of us. He has served as Archbishop of Washington from 2001 to 2006. Now serves as Archbishop Emeritus of Washington, D.C. And for the last 40 years he has been a leading voice in the Roman Catholic Church on all of the important issues of our time.

Cardinal McCarrick recently presided at the funeral of our dear colleague, Senator Kennedy, who we all miss tremendously. And we know Senator Kennedy would be thrilled to see you here today, Cardinal.

Reverend Samuel Rodriguez is the President of the National Hispanic Christian Leadership Conference. An organization that represents approximately 15 million Hispanic Christians in issues of leadership, fellowship, networking partnerships and public policy. He was named by Newsweek Magazine as the religious leader to look for in 2008. So we have both Newsweek and Time represented here today.

Pastor James Tolle is the Senior Pastor of The Church on the Way in Van Nuys, California. That is one of the largest churches in America with over 20,000 members. It has been recognized in several publications as one of the most influential churches in America, and one of the fastest growing churches in America. When you are that big, it is hard to be one of the fastest growing. So that is a major accomplishment.

We are really honored to have all five of you here today. As I said, your entire statement will be read into the record. And we will just go from left—my left to my right.

So, Mr. Gerson, you may proceed.

STATEMENT OF MICHAEL GERSON, SENIOR RESEARCH FELLOW, INSTITUTE FOR GLOBAL ENGAGEMENT AND INTERNATIONAL AFFAIRS, WASHINGTON, D.C.

Mr. GERSON. Mr. Chairman, Senators, thank you. There is no more important difficult task than defining the American community and determining how we treat those who wish to join it. This work has many economic and national security implications. I believe that a relatively open immigration system ultimately is good for the economy though it causes dislocations that must be addressed.

I believe that an orderly guest-worker system would make it easier to have an orderly border.

But the debate on immigration is not nearly utilitarian. Not just a matter of costs and benefits. It also concerns our deepest values as a people; values often informed by faith.

Concerning one issue in particular those values are urgently needed. Sometimes the real passion in the immigration debate is not economic, but cultural. A fear that American unity and identity are being diluted by Latino immigration.

Samuel Huntington of Harvard has claimed that Mexican migration compromise the quote, "core of American culture identity." Which he calls, quote, "a Protestant society."

During the last immigration debate this charge took cruder forms with some commentators warning that immigration reform would quote, "erase America." And this argument on the fringes has sometimes become a cover for raw bigotry. With Hispanics called quote, "leaches" and "the world's lowest primitives," and carries of, quote, "the fajita flu."

On this matter religious people have no choice but to speak because these arguments are entirely false, inconsistent with the teachings of faith, and destructive to American ideals.

First, you are forced to speak when your neighbors are libeled. It is true that Latinos in some ways are different from mainstream culture. Higher percentages attend church regularly. Higher percentages of Latin immigrants are married. Lower percentages are divorced. These differences hardly threaten our unit or identity.

Every new immigrant group has challenges. But Latinos, including illegal immigrants often display values emblematic of America, risking much for the sake of economic and political freedom. They make our country more, not less American.

Second, people of faith believe that the image of God is universal and uniform. That a passport or a Green Card does not confer human worth and dignity. It is a principle that forbids dismissive abstractions. No one is an "illegal." They are human beings with stories and struggles. Every alien is also a neighbor.

This concern for individual dignity requires the making of certain moral distinctions. People of faith affirm the importance of the rule of law. But the law is made for human beings, not human beings for the law.

A young woman who dies in that desert during a perilous crossing for the dream of living in America is not the moral equivalent of a drug dealer. And millions of hardworking, religious, family oriented neighbors make unlikely criminals.

The biblical tradition teaches a positive duty to care for the stranger in our midst. Christian ministries provide help to anyone, whatever their legal status. Because if righteousness were the requirement for mercy, none of us would deserve or receive mercy. And it is a great theme of the biblical story that God's purposes are often fulfilled through refugees—in Egypt, in the wilderness, in Babylon, in the flight from Herod, in the temporary troubled kingdoms of this world. These beliefs do not translate simplistically into open borders and amnesty. They do mean, however, that immigrants should never be used as objects of organized anger or singled out for prejudice and harm.

Finally, the argument for national unity based on birth and background is inconsistent with the American ideal. An ideal informed by a belief in God-given universal rights. The core of American identity is not cultural purity. It is social mobility and shared principles. This model of unity has done better than any other even after the massive forced migration of slavery and it is certainly equal to this moment.

Thank you.

[The prepared statement of Michael Gerson appears as a submission for the record.]

STATEMENT OF LEITH ANDERSON, SENIOR PASTOR WOODDALE CHURCH, EDEN PRAIRIE, MINNESOTA

Mr. ANDERSON. Thank you, Mr. Chairman, and the Senators for the opportunity to speak to you on what is a very important topic. And Senator Schumer, you are correct; yes, this is the time. This is the time.

I represent the National Association of Evangelicals which has 40 plus denominations and we think about 45,000 churches. And we have been through a 2-year process of examining what our constituency has to say. And that has led to the approval by our lead-

ership today of a resolution in favor of comprehensive immigration reform.

Evangelicals have long been engaged in this process. But one of the things we have increasingly discovered is that they are us. That is to say, that many of our large denominations are growing primarily through immigration and that a significant percentage, in some cases a third to a half of those that are in evangelical denominations are first-generation immigrants.

So our churches have long been open to immigrants. We welcome them. We do not ask someone's status in relationship to the government for being part of one of our congregations. That may sound as if an open borders policy is proposed. That is certainly not the case. We are for strong borders and want the borders to be regulated and think that is an essential part of public order.

However, we also, as already stated, value immigrants and are convinced that they are important to not only the evangelical churches here represented, but also to the strength of the United States.

And family values is one of those key elements that there are not only strong family values that are coming with those who come into our country, but also that our policy give high priority to the reunification of families and that that be a key element in comprehensive immigration reform. And that relates to the issuing of visas under the current law as well as any that is proposed.

Occasionally we are asked questions regarding lawbreaking and are reminded of teaching in the New Testament that those who are Christians are to be obedient to the law and we certainly espouse that. Although that is not an absolute principle. And we also recognize that immigration laws have changed significantly throughout the history of this country. And it is the time to change those laws again.

One of our agencies is the World Relief Corporation and that organization has been strongly active in the relocation of immigrants since the Immigration Reform and Control Act of 1986. And we have been directly engaged through our churches in the relocation of 100,000 immigrants into the United States.

A lot of concerns are typically raised including the issue of jobs and whether or not that will displace current workers. It is in our opinion something that is different in different communities. But in the overall perspective that it is good for our economy to have those who come and are willing to work in our country.

For employers there has been, as you well know, significant issues that it is difficult for employers to comply with laws and therefore those laws need to be changed so the responsibility does not rest primarily with them.

But often it comes down to real people. So I am a pastor of a local church in Minneapolis and talked to a woman in our community who came to the United States as a refugee. She is legally in the United States as is her family. However, when her son reaches his 18th birthday it will be necessary for him to leave to return to Africa to a country where he does not speak the language or know anyone. And it is just an illustration of where change is possible.

So we have a growing commitment to the following in our recent resolution: No. 1, that there be fair and humane treatment of im-

migrants; No. 2, that we have strong borders; No. 3, that we prioritize family reunification; and No. 4, that we provide a reasonable path to legal status and citizenship for those who are currently undocumented in the United States.

Thank you.

[The prepared statement of Leith Anderson appears as a submission for the record.]

STATEMENT OF HIS EMINENCE THEODORE MCCARRICK, CARDINAL ARCHBISHOP EMERITUS, DIOCESE OF WASHINGTON, WASHINGTON, DC

Cardinal MCCARRICK. Thank you, Mr. Chairman. I want to thank Chairman Schumer for having this hearing today and for his leadership on this very important national issue.

I would also like to thank Senator John Cornyn for being here and Senator Sessions, I think. It's a sign of the importance of this very, very key problem that we are facing and the hope that we can working all together we can find out some solution for it.

I know that this issue of immigration is important to our entire country. I rejoice at the great position taken by the National Association of Evangelicals. They are a very important group. And the fact that the presentation that Pastor Anderson made is extremely important for all of us and a great step forward for the whole country.

Today I am testifying on behalf of the United States Conference of Catholic Bishops where I serve as a consultant to the U.S. Bishops Committee on Migration. My views, therefore, reflect those of my brother bishops across the country.

As a contributor to this debate, the Catholic Church brings institutional knowledge gained by assisting newcomers for over 200 years in our parishes, social service programs, schools, and hospitals. More importantly, we also bring the teachings of the gospel, both the Old and the New Testament in which the Israelites were told that they too were once aliens in your own land and where our Savior told us in Saint Matthew's gospel "to welcome the stranger for what you do for the least of my brethren you do for me."

It is from this unique perspective, Mr. Chairman, and while acknowledging its vast complexities, we look at immigration through a simple lens. While immigration has social, economic, and legal aspects which must be addressed in any reform legislation, from the perspective of Catholic teaching immigration is ultimately a humanitarian issue. The axis around which its other aspects should resolve.

In our view immigration laws ultimately must be just by how they impact the basic dignity and God-given rights to the human person.

Let me outline for you today, Mr. Chairman, very briefly what we believe are the elements needed to ensure that any immigration reform legislation considered by the Committee meets this standard. These recommendations are outlined in more detail in my written testimony.

First, we must bring the undocumented population in this country out of the shadows and give them a chance over time to achieve permanent residency and citizenship.

Second, we must preserve family unity by strengthening family based immigration which has served our Nation so well for decades. Waiting times for families to reunite legally in our country must be reduced.

Third, we must create legal avenues for migration so that migrant workers who labor in so many important industries in our Nation are able to enter the country legally and in a safe and orderly fashion. This would help reduce the high number of migrant deaths we see each year on our southern border.

Fourth, we must give immigrants their day in court consistent with American values by restoring due process protections removed in 1996 legislation. Asylum seekers and refugees should also receive special consideration.

Finally, we must work with our neighboring countries in the international community to address the root causes of immigration such as economic inequities so that immigrants and their families ultimately can remain in their home countries and support their families in dignity. At a minimum, we must not as an economic super power pursue international economic and trade policies which leave persons in poor countries without the means to support their families.

While these recommendations do not reflect the totality of our concerns, they are areas that at a minimum the U.S. Bishops believe should be addressed in reform legislation.

Mr. Chairman, I must also address concerns that many Americans, including Catholics, have concerning the rule of law and how it applies to immigration. In truth it's the Church's position in favor of reform seeks to restore the rule of law and provide order and legality to an otherwise chaotic system. Our nation requires an immigration system that joins legal immigration with our long-term economic needs, the principle of family unity and basic human rights. This will help restore the rule of law to our immigration system. Now our system accomplishes none of these—none of these goals as you yourself pointed out a little while ago.

Our democracy was founded on the premise that unjust and unworkable laws should be changed for the common good of all. In this vein we call on our elected officials, not to base their immigration policies on political views, but to work together for a just and lasting solution in the best interest of our Nation.

The Bishops of the United States are hopeful that the national debate on immigration will focus on the many contributions that immigrants make to our Nation and not scapegoat them for unrelated economic or social challenges we face.

I ask the Subcommittee today to help ensure that the coming debate refrains from labeling and dehumanizing our brothers and sisters which the Chairman mentioned so eloquently earlier. While we may disagree on the substance and merits of a position, we should never disagree that the conversation should remain respectful.

As our elected officials, it is your opportunity and responsibility to lead our Nation toward a humane and just economic system—immigration system—which both restores the rule of law and respects the inherent human dignity of the person created by our creator.

We know it will be a difficult challenge. It will require patience and forbearance. And I tell you today that the Catholic Church stands ready to assist in this important and historic effort so that together we can help to restore with out brothers here and the other churches that are so joined vitally with us. We can join to restore America's tradition as a nation of immigrants founded on the values of fairness, cooperation, and opportunity.

Thank you very much.

Chairman SCHUMER. Thank you.

[The prepared statement of Cardinal McCarrick appears as a submission for the record.]

STATEMENT OF THE REVEREND SAMUEL RODRIGUEZ, PRESIDENT, NATIONAL HISPANIC CHRISTIAN LEADERSHIP CONFERENCE, SACRAMENTO, CALIFORNIA

Rev. RODRIGUEZ. Mr. Chairman, Senators, I am honored to be here.

Embedded within the fabric of the American faith community lies a clarion call and a prophetic supplication for national unity accompanied by an alignment of our core values. Values that include both security and compassion, the rule of law in welcoming the stranger, mercy and justice.

The lack of comprehensive immigration reform has created a reality where our borders are yet fully secured and the immigrant families along with the entire Hispanic/American community we find ourselves facing racial profiling, discrimination and a hostile, ethnically polarized environment not seen since the days prior to the successes of the Civil Rights movement. For at the end of the day this is not a political issue but rather one of moral and spiritual imperative. An issue of justice firmly grounded on biblical truth.

In scripture the number 12 emerges as the foundational pillar of the Nation of Israel and as the initial followers of Jesus Christ. My prayer is that this Congress remembers another 12; 12 million people living in the shadows, 12 million hiding in fear, 12 million without rights, without a nation, without legal covering, 12 million not knowing if today is the day that they will be separated from their children, 12 million people living in a land without the opportunity of ever experiencing the fullness of life, embracing the hope of liberty, or pursuing the promise of happiness. Yet, these 12 million people carry one commodity. And that commodity is hope.

Hope that this President and members of this Congress that ignited a movement and ushered in change will bring down the walls of political expediency and incorporate with an immigration reform the bridge to assimilation and a pathway to the American dream. Hope that this Congress who stands committed to saving the auto industries, our banks, homeowners and health care will similarly apply that saving grace and spirit to these 12 million souls. Hope and faith that this Congress will pass comprehensive immigration reform.

We are 25,434 churches. We stand committed in framing the moral imperative for comprehensive immigration reform by reconciling both Leviticus 19, treating the stranger amongst us as one of our own, and Romans 13, respecting the rule of law.

Let us be clear, Hispanic Christians stand committed to that message, the message of the cross, one that is both vertical and horizontal. And as we deal with immigration reform, via the same prism, we humbly encourage Congress to finally pass and sign into law legislation that will protect our borders, put an end to all illegal immigration. Create a market-driven guest worker program, and an avenue that facilitates a way by which millions already here that lack the legal status can end—can earn such a status in a manner that reflects the Judeo-Christian value system this nation was founded upon.

But here is the challenge. Can we reconcile Leviticus 19 and Romans 13? Can we repudiate xenophobia and nativism rhetoric? Can we push back on the extremes both on the right and the left and converge around the nexus of the center cross where righteousness meets justice and border security meets compassion, where common sense meets common ground. The fact of the matter is that these immigrants are God-fearing, hard-working, family-loving children of God who reflect the values of our Founding Fathers and embrace the very tenets of the American Constitution, the Declaration of Independence, and the Bill of Rights.

Our desire, let me be clear, is for every immigrant in America to become a productive citizen. To demonstrate proficiency in the English language, to embrace the core values of the American idea and realize the American dream.

Finally, we understand that every day that passes without comprehensive immigration reform adds tarnish to the soul of our Nation. The question arises, can this Nation be saved? Let us save this Nation. Not by providing amnesty, but by providing an earned pathway to citizenship. In the name of justice, in the name of righteousness, in the name of the Divine, I encourage this Congress to pass comprehensive immigration reform. By doing so we will protect our borders. We will protect all of our families, we will protect our values, and then, and only then, can we truly protect the American dream.

Thank you.

Chairman SCHUMER. Thank you.

[The prepared statement of Rev. Samuel Rodriguez appears as a submission for the record.]

STATEMENT OF JAMES TOLLE, SENIOR PASTOR, THE CHURCH ON THE WAY, VAN NUYS, CALIFORNIA

Mr. TOLLE. Thank you, Mr. Chairman, Mr. Cornyn, thank you, Senator—thank you Senator Sessions.

I am extremely heartened about this meeting and the topic of immigration reform. It is one that is important, one of the top three or four most important ones that we face as a country. For the past five years I have been coming to Washington to visit Congressional leaders on this very topic. I have visited with the DNC, the RNC. Unfortunately the legislation in previous years has never been passed. I hope today, I pray today, marks a new beginning.

And with you, Senator Schumer, I say this is the right time. I agree with you that this is the time.

The consequences of our previous failures are readily visible to people like myself who try to treat people as one's neighbor. I was instructed by Christ to love my neighbor as myself.

Young Hispanic men and women whom I pastor, some are legal and some are illegal. I pastor over 10,000 Hispanics, most of them without documentation. I pastor equal amounts of English-speaking people. These young men and women of undocumented status have a paradox. They are caught in a legal paradox. In California they can go to institutions of higher learning, but once they graduate they cannot get into the legal workforce. And so their education cannot be used. They have little place to implement their skills, talents, and abilities.

Fifteen percent of the 12 million that we describe as undocumented immigrants, or 1.8 millions, are children who came here from their countries of origin with their parents. They have no official status. The children in my congregation who have grown up of documented workers or residents are pilots and school teachers, they are police officers and some of them are even working up here on the Hill in Congressional offices. Others serve in the military. Some of them are customs agents, many of them are athletes and entertainers and small business owners. But unfortunately those same groupings of people have friends in my own congregation who have also graduated from college and cannot participate in our workforce.

Ten percent of undocumented students out of our high schools go on to college whereas 50 percent of the children of resident or citizen Hispanics go on to college. That's a big, big disparitive.

So I would suggest that we find a solution so that we can improve the lot of these young men and women who have come to this country, through no choice of their own, but are caught in a paradox.

Other consequences are obviously visible. There have been raids close to my church building of recent date where Hispanic citizens have been taken into custody and they have had to wait while their documentation has been certified as being true. Unfortunately, these legal residents and citizens have had to wait while our cherished value of innocent until proven guilty was applied to their situation.

We need immigration reform. Criminals in our community continue to exploit and take advantage of the undocumented immigrant.

In seeking comprehensive immigration reform I am motivated by the phrase in the Declaration of Independence which states that all men are created equal with certain unalienable rights. "Unalienable rights" are those human rights which transcend law. We all have them. We have all been given them by God.

Everyone agrees that a Federal misdemeanor law has been broken by an undocumented immigrant. However, the overwhelming majority of the undocumented immigrant population in this country are law-abiders. They are not criminals as many suggest. Their guilt is that of answering the unalienable rights, voice embedded deep within their consciousness in much the same way as millions of Irish, Italian, or German, or Polish, or English immigrants have done all throughout our rich history.

In my opinion, these people are no different than the rest of us. They want to obey law. The safety that this immigrant seeks in our country, for they seek safety, is proof of their true appreciation for law rather than the other way around. In my opinion, the rule of law which we wish to be upheld by the incoming immigrants has just as equally been violated by business owners who have opened wide their arms and used them for subpar jobs and substandard wages.

I offer that the rule of law should not have these glaring inconsistencies and contradictions. As a faith leader I have responded to the instruction of scripture. My pursuit of comprehensive immigration reform comes from Leviticus which states, "the stranger who dwells with you shall be unto you as one born among you and you shall love him as yourself." The Prophet Malachi further admonishes, "every believer to not turn away the alien." Jesus' instructions were, "to invite the stranger to come in." Jesus ultimately adds his confirmation to that of Isaiah's when he said, "make sure that you proclaim liberty to all."

Thank you.

Chairman SCHUMER. I want to thank every one of you.

This was powerful testimony. I hope that my colleagues will either read it, or better, see it as these are recorded, at least internally here. And I thank all of you for caring so much and for eloquent words that combine both our religious and our secular culture and unity as Americans. So thank you.

I have a few questions that everyone can answer, and then a few for different individuals.

First, to each of the panelists, because you each represent, maybe not Mr. Gerson, he represents the people at his institute, but to the other four, maybe he doesn't even represent everyone at his institute. But to the other four, how many of your colleagues would you say agree with your views on immigration? Do you know of specific leaders who are not here today who would like to be. And let's start with Pastor Anderson.

Mr. ANDERSON. We actually had a vote today of the leadership of the National Association of Evangelicals and on this resolution there was no dissent.

Chairman SCHUMER. Wow. How many people voted?

Mr. ANDERSON. I think on the board there are about 75.

Chairman SCHUMER. Wow.

Mr. ANDERSON. But these represent the heads of denominations. The endorsements here are the Assemblies of God and the Church of the Nazarene and denominations that are the main center of evangelicalism in America.

Chairman SCHUMER. Thank you, Pastor. Cardinal.

Cardinal MCCARRICK. My testimony was the testimony prepared and supported by the United States Conference of Catholic Bishops. So there are 300 active bishops and about 120 of us retired, old geezers, but the position has been——

Chairman SCHUMER. Neither word is true in your case.

Cardinal MCCARRICK. You are very kind. The position has been clear in the last few years and I would say there is a unanimous acceptance of our enthusiastic support for what you are trying to do, sir.

Chairman SCHUMER. Thank you. Reverend.

Rev. RODRIGUEZ. My statement comes with the full endorsement of the Hispanic National Association of Evangelicals in our 25,000 plus churches.

Chairman SCHUMER. And Pastor Tolle.

Mr. TOLLE. Senator, I don't sit here in any official capacity today. But I have been in charge of all the Hispanic churches in America for our denomination and they obviously would endorse this fully.

I have also been a past director of Fourscore Missions with over 50,000 churches. I would just venture a guess that 75 percent would stand fully in support of comprehensive immigration reform.

Chairman SCHUMER. And let me ask each of you this, do you think there are some religious leaders who do not speak out in favor of immigration reform particularly to their congregants for fear of reprisal from the congregation or fear of disfavor or anything like that? Tell me what you think. Anybody. Reverend.

Rev. RODRIGUEZ. Absolutely. There's a disconnect between the pulpit and the pews, particularly in non-ethnic congregations. That's why today's resolution by the National Association of Evangelicals is historic. This is no longer a Latino thing or a Hispanic church issue, now it's the collective evangelical community saying, we're in favor of comprehensive immigration reform.

Chairman SCHUMER. Pastor Anderson.

Mr. ANDERSON. Well, yes, of course there are people that disagree and I don't know what their numbers would be. And there are pastors who would be reluctant to speak to this. Not so much over the moral issue, actually, rather avoiding the politicization of the issue and that's where the fear is, not a fear of their constituency.

Chairman SCHUMER. Right. Okay. Let me ask you this, some religious leaders—well, you answered most of the questions that I have which is very, very good. Maybe for any of you, I have this for Pastor Anderson, but it could go for anyone. There are those who say that the scriptures written in a very different historical time cannot inform U.S. immigration policy in the 21st century. What do you think of that view? Cardinal.

Cardinal MCCARRICK. Well, I think the scriptures are written for all times because they're written for human beings. They are—they are based on the inherent dignity of the human person. That doesn't change no matter what modernity comes into life. And basically, I think all oppositions are based on the fact that we are dealing with our brothers and sisters. We are one human family and we have to take care of each other. That's where we're all coming from, sir.

Chairman SCHUMER. Anyone else?

Mr. TOLLE. I believe that the scriptures teach us how to morally live and this is an issue of morality. And I think that that's an opportunistic interpretation of scripture, sir.

Chairman SCHUMER. Right. Let me ask you this question, because, again, we have the issue which I think a few of you mentioned of amnesty. And so I hear people who come up to me, as somebody who has been active in this area, and say, Senator Schumer, I would not mind if we legalize the people who are currently illegal or provide a path to citizenship. I just want people to admit

that they know they did something that was wrong, and get right with the law by paying their debt to society, working, paying taxes, and then, of course, get a Green Card and become a citizen. I've heard this enough times. It's had an effect on my thinking. Do you think that more Americans would embrace the cause of immigration reform if they knew that there would be some recognition of wrongdoing on the part of the immigrant as part of the legalization process?

Mr. TOLLE. I have found that most immigrants readily recognize that violation. What I have found is in the politicizing of this, is that people want to make one guilt bigger than other guilts and make this into something that is extremely larger in its payment to society; larger than the infraction is. I do believe that we do need to maintain security in our borders to stem the flow of massive amounts of entry of people so that we can maintain a balanced economy. There are many things that we need to address. However, I don't think that we have a situation where there is anything, but maybe political situation in nature.

Chairman SCHUMER. Thanks, Pastor. Now they've just called a vote, so we have about 15 or 20 minutes to vote. I think we could give every member a first round of five minutes and then either come back or we could submit questions in writing. So I know some of our guests have places to go. So I think that the second way would be the best way to do it.

So let me call on Senator Cornyn. And for a rare time I obeyed the 5-minute rule. So I will ask everybody else to do it too.

Senator CORNYN. I think this is a fascinating discussion. It's kind of—I was fascinated, I think, Pastor Anderson, by I think you said that Christians are instructed to be obedient to the law and in Romans 13, submit to authorities. I happen to be a Christian. That's an article of my faith as well.

I guess the question I would have is, many of the violations of our immigration laws have put immigrants in a terrible situation. I recounted some of those earlier where many immigrants find themselves victims of serial criminal activities because of their initial error in entering the country illegally. So certainly you are not saying that the laws—that the immigration laws are unimportant when you say it's not an absolute principle? Could you explain that?

Mr. ANDERSON. Yes, I would say that we have to be cautious in saying that all laws should always be obeyed because we know that there are countries where there are unjust laws. So, it's not absolute in that regard. And there are thresholds here. So Senator Schumer just admitted that he goes over the 5 minutes.

[Laughter.]

Mr. ANDERSON. And I would like to see him admit to the guilt before we move on, you know, to the next testimony.

[Laughter.]

Mr. ANDERSON. But that's a low threshold infraction. And I think that—I am not saying it is unimportant. It is extremely important. And to tie your question to what Senator Schumer said earlier, there are people who have knowingly broken the law, but there are people who came across our borders who were 3 weeks old who did not knowingly break the law. So it's just difficult to give a com-

prehensive answer to what seems like a simple question. But it really isn't that simple.

Senator CORNYN. Well, I don't think it's that simple either. And I've heard some suggest—we've heard the citation of Leviticus, taking the stranger, and as if violating our immigration laws was somehow not important. But all of you would agree it's important for everyone, to the extent of their ability, to comply with our laws; correct?

Mr. ANDERSON. I would say it is very important and we need to provide means for people to rectify the infringement that they have committed.

Senator CORNYN. Right.

Mr. ANDERSON. But they need to be reasonable in fair ways of rectifying that.

Senator CORNYN. Fair enough. Many immigrants who illegally enter the country also employ identity theft and document fraud claiming the Social Security numbers of others so they can get employment. And there are other sort of variations on that theme of people who commit other crimes while they're here illegally in the country. And those who have had their day in court and are subject to final removal orders, but who then go underground and never leave, never comply with that lawful order of the court.

And then there are those who after they have left the country and been deported by immigration authorities reenter on a serial basis. And we know, unfortunately, that there are illegal immigrants, like American citizens who are born here who commit serious driving offenses, drunk driving offenses, sexual offenses, and the like. And just so I understand, if I understand what you are saying, please, I am not putting words in your mouth, you're saying that the punishment ought to match the crime and the crime that we were talking about initially at least is illegal entry into the United States or entering legally and then overstaying a visa. You are not suggesting that any of these other sort of more serious crimes ought to be treated on the same basis as a visa overstay or entering the country without a visa?

Mr. ANDERSON. No, absolutely not. You know, I am saying that there are different thresholds and that we need to be reasonable and fair on what those thresholds are.

However, when it's egregious breaking of the law, when it's the commission of a felony, then that needs to be—the law needs to be heavy-handed in dealing with that type of infraction.

Senator CORNYN. I appreciate your comment and I am going to ask—Mr. Gerson, I'm going to ask you a question. Unfortunately our time is so constrained here. I hope we can do more of this over time and not just be limited to here.

My questions are really trying to shine a little light on the fact that there is no sort of one situation. This is a complex situation. But I would like to ask you about what you said about the importance of a guest-worker program, Mr. Gerson. I believe, Reverend Rodriguez, you mentioned as an important component to you of a comprehensive bill.

Mr. GERSON. Related to the earlier discussion, I think laws that forbid basic human aspirations get generally violated. I think laws that violate basic economic principles get generally violated. We do

have a major problem with illegal immigration. And there are implications to that for the rule of law and security and a lot of other things. But it exists because there is a market demand for a certain type of labor in the United States.

Unless you have a system, a legal system, that approximates and meets some element of that demand, you are going to have a generally ignored system. And that, I think, is the importance of a guest-worker system; to allow people to come who don't want to come here permanently, but want to come and contribute in ways that are important to the American economy and return.

I actually believe related to the earlier question that it's also—combining that with a difficult but genuine and realistic path to citizenship is really the only way to determine who is in our country. It's the best way to determine—you know, to control our borders is to make sure that we have a regular way to meet a labor demand that's a genuine demand that nobody can deny. And also to accommodate the aspirations of people that want to become American citizens.

Senator CORNYN. I know my time is expired, Mr. Chairman.

Senator SESSIONS. We don't want to miss this vote, that's what they pay us to do here.

Well, Mr. Gerson, you know, we've got a growing unemployment rate that may hit 10 percent. And if I had a criticism of a man you and I both admire, President Bush, who I think is a fabulous person, his phrase, well, basically he was heard to say to the world, "as long as there is a willing worker and a willing employer, we're happy." That was never a legitimate leadership statement in my view. I think it undermined—it sent a message that made people believe if they could succeed in entering our country illegally, 1 day we're going to—we don't care really, and sooner or later we'll just make you legal. And so the deal about comprehensive immigration reform is no little matter. What we are talking about is policy. What government policy——

Chairman SCHUMER. Senator, could we come back on that? I know——

Senator SESSIONS. Well, I would just—thank you, Mr. Chairman, we should go vote. And thank all of you for coming. I do have something. I'm not sure I'll get back, but I have read almost all of your statements and it is something that I am going to try to internalize as we go forward with this debate and make sure that we don't cross the line in unfairly dealing with people who are here illegally, but who are children of God and who deserve respect and compassion by all of us.

Thank you, Mr. Chairman.

Chairman SCHUMER. Well, I think that's an appropriate way to end. I want to thank our witnesses. This is going to have real effect. And I know that many of you went out of your way to be here. I wish we had more time, but we have the vote, and I know people have to catch airplanes. So I thank you for being here. And your words will mean a lot, not only to the three of us, I think, but to all of our colleagues.

The hearing is adjourned.

[Whereupon, at 4:14 p.m., the Subcommittee was adjourned.]

[Questions and answers and submission for the record follow.]

QUESTIONS AND ANSWERS

national association of Evangelicals
COOPERATION WITHOUT COMPROMISE

November 6, 2009

The Honorable Patrick J. Leahy, Chairman
Committee on the Judiciary
The United States Senate
Washington, DC 20510-6275

Attention: Kelsey Kolbelt
Kelsey_Kolbert@judiciary-dem.senate.gov
Senate Judiciary Committee
224 Dirksen Office Building
Washington, DC 20510

Dear Senator Leahy,

Thank you for the opportunity to testify before the Senate Judiciary Committee, Subcommittee on Immigration, Refugees and Border Security hearing regarding "Comprehensive Immigration Reform: Faith-Based Perspectives" on October 8, 2009. Also, thank you for your October 26, 2009 follow-up letter and questions affording further opportunity to present and clarify the position of the National Association of Evangelicals in our October 8, 2009 Resolution on Immigration.

Here are responses to each of your eight questions:

1. Question:
   Dr. Stephen Steinlight testified at a recent House hearing entitled "Faith-Based Approaches to Immigration Policy" regarding, what he would characterize as an inappropriate use of Leviticus 19:34. This is what he said: "The word in the Hebrew Bible for strangers is "Ger v'toshav." The precise English equivalent is sojourner. It first appears in Genesis 4:23 describing Abraham when he dwells briefly with the Hittites in what is now Hebron. It last appears in Chronicles 29:15 where King David employs it to contrast the transitory nature of human existence with the eternality of God, creator and steward of the earth on which we briefly dwell as wanderers. Richard Elliot Friedman, a leading authority on biblical Hebrew, translates it as "alien" and "visitor." Every English dictionary defines sojourn as a temporary stay. Thus, this passage offers no scriptural sanction to argue some 12 million illegal aliens should be permitted to remain permanently in the United States." Is Dr. Steinlight correct about what the true meaning of sojourner is and if not, has the definition changed since the writing of Leviticus?

   Response:
   Because of the technical nature of your question I secured a response from Dr. M. Daniel Carroll R., Distinguished Professor of Old Testament at Denver Seminary. Dr. Carroll earned a Ph.D. from the University of Sheffield, England, a Master of Theology degree from Dallas Theological Seminary, and a B.A. from Rice

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University. For a full review of his credentials and scholarly publications see http://www.denverseminary.edu/about-us/our-faculty/dr-m-daniel-carroll-r/ Dr. Carroll wrote the following answer to your question.

Several statements in this [question] are incorrect. Let me explain:
• The term for "stranger" (or "sojourner", "alien," or "resident alien" – depending on the English version one uses) is *ger* (the verbal root is *gwr*). What is cited ("Ger v'toshav") is actually two words (*ger* and *tôshab*) joined by the conjunction "and." This combination does appear at Genesis 23:4 (see below). Whereas some English versions will collapse this combination into one word in their translation to reflect the gist of what Abraham is saying, others do not (e.g., NRSV: "I am a stranger and alien"; NIV: "I am an alien and a stranger"). Sometimes, like here, these two words are parallel; on other occasions, they are clearly distinct. The meaning of *tôshab* is disputed, but *ger* is by far the more common term in the Old Testament (it occurs 92 times).
• The citation of Genesis 4:23 is incorrect. I assume by the descriptor, that what is meant is 23:3-4. Even if that were the case, this is not the earliest use of the term. The noun *ger* first appears in Genesis 15:13 (the verb first occurs in Genesis 12:10).
• This first use of the term contradicts the statement that the word implies a temporary stay, because that verse says that the stay of the Israelites would be 400 years! It is true that the length of sojourn can be short in the biblical narratives, but the length is determined only in the context of the particular passage. The essence of the verb is not the length of stay, but rather that one is residing in a land not originally one's own. (Methodologically, it is inappropriate to appeal to how "every English dictionary" defines the word to determine the significance of a *Hebrew* term.)
• Finally, Leviticus 19:34 is important, because in the very same chapter one finds the statement, "love your neighbor as yourself" (v. 18). Verse 34 reads, "love him [i.e., the sojourner] as yourself." In other words, the chapter is suggesting that one of the neighbors one should love as oneself is the sojourner.

2. Question:
In "Catholics, Immigration, and the Common Good," Father Dominique Peridans an Associate Pastor at a Roman Catholic in Maryland wrote the following: "It has been stated elsewhere by the same local leadership of the Church that the United States currently has 'hard and unjust immigration laws.' I ask in what way are they 'hard and unjust?' The United States has the most generous immigration policy in the world. In 2008, 1,107,126 people were granted green cards. Where is the hardness and injustice? If, however, we are speaking of the *application* of immigration laws — which is a very distinct issue, it ought to be articulated clearly. The distinction is paramount.

There are perhaps issues to be addressed regarding the application of immigration laws, but the leap from humane treatment of illegal immigrants to open borders, as is — for all intents and purposes — suggested, is enormous and erroneous. One cannot pass from incidents of injustice in the application of laws to generalizations about the laws themselves, thereby undoing their intelligibility. It is a slippery intellectual

slope. As suggested above, a very important theological principle regarding the Christian life is negated: "grace does not destroy nature." And a very important truth about the nature of faith is equally negated: "faith does not destroy reason." Is Father Peridans correct in his analysis and do you believe reason is being destroyed?

Response:
People of faith may also be people of reason. Christians should look to the Bible for direction but also exercise good reason.

Inappropriate and unjust application of immigration laws does not negate or illegitimatize existing immigration laws. However, inappropriate and unjust application of laws may inform us about the laws and call us to examine whether the laws themselves contribute to unjust application. This is a reasonable approach to the review and evaluation of any law and may contribute to changes in the law.

3. Question:
Father Peridans states in the same article: "Reference to respect for immigration law is so often made by the bishops who then, in the same breath, seem to invite disrespect for law. How could anyone want to enforce immigration law when they are pushed back against the wall, 'Dare we look at them with and through the eyes of Christ for whom no one is illegal?' Such statements are ambiguous, and frankly guilt-inducing. Let us not forget that Jesus Christ said, 'Render unto Caesar that which belongs to Caesar.' Jesus had great respect for the reality of the state, and thus civil authority. To claim that someone who has entered a country illegally is law-abiding makes no sense, and is to suggest that immigration laws are morally irrelevant. Our welcome of immigrants ought to be *generous*, not unconditional. The latter is disrespectful of the common good." How can disrespect for law be embraced and how we can ever inspect immigration laws to be enforced if we are willing to simply disregard them for religious sake?

Response:
Respect for law is a civil responsibility and an integral aspect of perpetuating the common good. However, questioning and changing laws should not be mistaken as disrespect.

The laws of the United States have been changed many times throughout our 233 year history. Changes have occurred often in tax law, criminal law and in immigration law. Few, if any, would support the immigration laws of the United States from the 1800s or the early 1900s as appropriate for 2009. They were challenged and changed.

With respect, we believe that now is another time to change our immigration laws as we have changed them in the past.

4. Question:
In "A Biblical Perspective on Immigration Policy" James Edward, noted: "In recent amnesty proposals, 12 million or more illegal aliens would be legalized. These

amnestied lawbreakers would tie up the immigration bureaucracy; introduce through chain migration millions of relatives into an already clogged system; qualify for scarce public resources such as Medicaid, welfare, and other public assistance; and the costs of all these things would be borne by American taxpayers. Furthermore, the scale of such "mercy" would do harm to many Americans and communities, and lead to more illegal immigration by the signal such policies would send (and indeed have sent with previous amnesties)." I think past amnesty programs provide a very good indication that Mr. Edwards analysis is correct. Do you disagree with this analysis?

Response:
This question assumes support for amnesty. I do not support amnesty. To the contrary, the resolution of the National Association of Evangelicals recommends that "the government establish a sound, equitable process for currently undocumented immigrants in a manner that provides earned legal status for those that desire to embrace the responsibilities and privileges that accompany citizenship."

The government is asked to establish a process that takes into consideration today's realities as well as past experiences with immigration laws and immigrants throughout our long history as a nation of immigrants.

5. Question:
Mr. Edwards also notes that sometimes hospitality was not shown in the Old Testament: "During the Israelite journey, Moses sought permission for the Hebrew people to travel into Edom. He petitioned the Edomite king (Numbers 20:14-21). The king denied permission; Moses appealed, and the king again denied entry. Edom sent its army out to enforce its borders. While this action by Edom was not "hospitable," it was legitimate. The Canaanite king of Arad (Numbers 21:1-3) launched a preemptive military strike against the Hebrews. That aggression resulted in the Lord's favoring Israel in a counterstrike, in which the Hebrew army defeated Arad." The Edomites feared being overtaken by the Israelites and wanted to protect resources. Would you agree that America should be concerned about an immigration policy that does not allow enforcement at the border?

Response:
The story of Israel and Edom is an unusual comparison to America's current immigration policies and practices. Moses asked permission for an army to march through the land of Edom on their way to their Promised Land. He was not proposing that they stay. Edom refused right of passage through the country's borders and Balaam predicted the subsequent conquest of Edom as a nation (Numbers 24:18). This prophesy was fulfilled when the army of Israel under King David conquered Edom (2 Samuel 8:13-14.).

Today we are talking about individuals who are migrating in search of employment and a better life, not an army marching through a country.

Borders are important and necessary. That is precisely why the resolution of the National Association of Evangelicals calls for the United States to maintain secure borders: "That the government develop structures and mechanism that safeguard and monitor the national borders with efficiency and respect for human dignity."

6. Question:
Father Peridans makes clear that we should not blur the lines between illegal and legal and that the United States is under no obligation to simply embrace every individual who decides to enter our country illegally: "Generosity is a must. Fair international economic policy is a must. Open borders, however, are not a must — if there is such a thing as a national community. If there is such a thing as a national community, open borders are the negation of the common good, and blurring the lines of legality of status in a country is a lack of healthy and respectful realism regarding the common good. If the common good of the national family is to be protected and promoted by all members of the community, including Catholics, then the distinction between legal immigrant and illegal immigrant is not morally irrelevant. It is, in fact, a fundamental distinction that cannot be ignored, a distinction between persons who respect the common good and persons who do not respect the common good. "The Church is (indeed) the place where illegal immigrants are recognized and accepted as brothers and sisters," for the Church is the place where *all* are recognized and accepted as brothers and sisters. But the illegality of such brothers and sisters — as harsh as this may sound to certain ears — cannot be promoted if Catholics are to respect the common good of the national family. Open borders advocacy is civilly and socially disrespectful. Immediate, temporary, transitional assistance for a person in distress who is here illegally is a mandate from Christ, but it is not on the same level as public policy." I could not agree more. How can Father Peridans be incorrect?

Response:
I have never heard anyone within the community of evangelical Christians propose or support open borders. I certainly do not and the National Association of Evangelicals does not. Our NAE resolution clearly recommends, "That the government develop structures and mechanism that safeguard and monitor the national borders with efficiency and respect for human dignity."

We acknowledge that there have always been large migrations of people and that the migrations of the 21st century are not limited to the United States. There are millions of immigrants in countries around the globe. Most are seeking employment, food, safety and a good life for their children.

7. Question:
Do you favor ending illegality by creating a lawful system, or open borders and granting amnesty to those who enter the country regardless of our immigration laws?

Response:

No. I do not support open borders and the National Association of Evangelicals does not support open borders. Our resolution says: "That the government develop structures and mechanism that safeguard and monitor the national borders with efficiency and respect for human dignity."

8. Question:
Should the immigration policy of the United States and other countries serve the legitimate interest of the nation or the interest of those who want to immigrate?

Response:
This is a good question that calls for careful and balanced response. We should not assume that the interests of the United States and the interests of immigrants are mutually exclusive. There are many immigrants who bring skills to greatly benefit our nation. Many of the recent Nobel prizes awarded to Americans were awarded to immigrants to America.

Our nation has generously welcomed refugees from war-ravaged nations in acts of compassion even though some might argue that was not in the economic best interests of our country.

We must balance the many needs of America with the values of America embodied in the inscription on the Statue of Liberty:

Not like the brazen giant of Greek fame,
With conquering limbs astride from land to land;
Here at our sea-washed, sunset gates shall stand
A mighty woman with a torch, whose flame
Is the imprisoned lightning, and her name
Mother of Exiles. From her beacon-hand
Glows world-wide welcome; her mild eyes command
The air-bridged harbor that twin cities frame.
"Keep, ancient lands, your storied pomp!" cries she
With silent lips. "Give me your tired, your poor,
Your huddled masses yearning to breathe free,
The wretched refuse of your teeming shore.
Send these, the homeless, tempest-tossed to me,
I lift my lamp beside the golden door!"

Finally, here is the Resolution on Immigration adopted by the National Association of Evangelicals. It begins with a biblical basis for a Christian approach to immigration and concludes with principles for today's immigration laws in America.

NAE Resolution on Immigration 2009

The significant increase in immigration and the growing stridency of the national debate on immigration compel the National Association of Evangelicals to speak boldly and biblically to this challenging topic. The complexity of immigration issues provides an

opportunity to mine Scripture for guidance. A biblically informed position provides a strong platform for the NAE to make a contribution in the public square that will be explicitly Christian. Out of commitment to Scripture and knowledge of national immigration realities comes a distinct call to action.

Biblical Foundations

Discussion of immigration and government immigration policy must begin with the truth that every human being is made in the image of God (Genesis 1:26-28). Immigrants are made in the image of God and have supreme value with the potential to contribute greatly to society. Jesus exemplifies respect toward others who are different in his treatment of the Samaritans (Luke 10:30-37; John 4:1-42).

The Bible contains many accounts of God's people who were forced to migrate due to hunger, war, or personal circumstances. Abraham, Isaac, Jacob and the families of his sons turned to Egypt in search of food. Joseph, Naomi, Ruth, Daniel and his friends, Ezekiel, Ezra, Nehemiah, and Esther all lived in foreign lands. In the New Testament, Joseph and Mary fled with Jesus to escape Herod's anger and became refugees in Egypt. Peter referred to the recipients of his first letter as "aliens" and "strangers," perhaps suggesting that they were exiles within the Roman Empire. These examples from the Old and New Testaments reveal God's hand in the movement of people and are illustrations of faith in God in difficult circumstances.

Migration was common in the ancient world. Outsiders were particularly vulnerable. They stood outside the kinship system that regulated the inheritance of property. They did not have extended family to care for them in case of need. The Law recognized their helplessness and stipulated measures that served as a safety net. The motivations behind this generous spirit were that the people of God were not to forget that they had been strangers in Egypt (Exodus 22:21; Leviticus 19:33-34) and that God loved the foreigner (Deuteronomy 10:18-19). The New Testament adds that all believers are spiritual sojourners on earth (Phil. 3:20; 1 Peter 2:11). Christians should show compassion and hospitality to outsiders (Rom. 12:13; Heb. 13:2).

The Bible does not offer a blueprint for modern legislation, but it can serve as a moral compass and shape the attitudes of those who believe in God. An appreciation of the pervasiveness of migration in the Bible must temper the tendency to limit discussions on immigration to Romans 13 and a simplistic defense of "the rule of law." God has established the nations (Deut. 32:8; Acts 17:26), and their laws should be respected. Nevertheless, policies must be evaluated to reflect that immigrants are made in the image of God and demonstrate biblical grace to the foreigner.

National Realities

Immigration is a worldwide phenomenon. People migrate due to economic globalization, armed conflicts, and a desire to provide for their families. The United States of America is a country founded by immigrants, and its history has been characterized by waves of immigrants from different parts of the world. Immigrants will continue to be an essential part of who we are as a country. Our response to

immigration must include an understanding of this immigrant history and an awareness of the positive impact of multiple cultures on national life over the last 250 years. The challenge today is to determine how to maintain the integrity of national borders, address the situation with millions of undocumented immigrants, devise a realistic program to respond to labor needs, and manifest the humanitarian spirit that has characterized this country since its founding.

The problems related to immigration are many and complicated. In many instances the arrival of a large number of immigrants has compromised the border. Some communities now struggle with significant stress on infrastructures in education, health care, social services, and the legal system. At the same time, many jobs and industries rely on immigrant workers. Current quotas do not grant enough visas to meet these needs, nor does federal immigration law provide sufficient opportunities to others who also come seeking gainful employment. Many immigrants who obtain legal entry yearn to be reunited with families, but backlogs under family-based immigration law result in excessive periods of family separation.

Due to the limited number of visas, millions have entered the United States without proper documentation or have overstayed temporary visas. While these actions violate existing laws, socioeconomic, political, and legal realities contribute to the problematic nature of immigration. Society has ignored the existence of an unauthorized work force due to the economic benefits of cheap immigrant labor. Without legal status and wary of reporting abuses, immigrants can be mistreated and underpaid by employers. Deportation of wage-earners has separated families and complicated the situation for many. Most undocumented immigrants desire to regularize their legal status, but avenues to assimilation and citizenship are blocked by local, state, and federal laws. This has generated an underground industry for false documentation and human smuggling.

These quandaries offer fresh opportunities for the church. Immigrant communities offer a new, vibrant field for evangelism, church planting, and ministry. Denominations have launched efforts to bring the gospel to these newcomers, establish churches, and train leaders for immigrant believers. Millions of immigrants also come from Christian backgrounds. These brothers and sisters in Christ are revitalizing churches across the country and are planting churches and evangelizing. Their presence is a blessing of God. These spiritual realities remind evangelicals that an evaluation of recent immigration cannot be reduced to economics and national security issues.

Call to Action

Motivated by the desire to offer a constructive word for the country's complicated immigration situation and guided by the Scripture, the National Association of Evangelicals calls for the reform of the immigration system. We believe that national immigration policy should be considerate of immigrants who are already here and who may arrive in the future and that its measures should promote national security and the general welfare in appropriate ways. Building upon biblical revelation concerning the

migration of people and the values of justice and compassion championed in For the Health of the Nation: An Evangelical Call to Civic Responsibility, we urge:

• That immigrants be treated with respect and mercy by churches. Exemplary treatment of immigrants by Christians can serve as the moral basis to call for government attitudes and legislation to reflect the same virtues.

• That the government develop structures and mechanisms that safeguard and monitor the national borders with efficiency and respect for human dignity.

• That the government establish more functional legal mechanisms for the annual entry of a reasonable number of immigrant workers and families.

• That the government recognize the central importance of the family in society by reconsidering the number and categories of visas available for family reunification, by dedicating more resources to reducing the backlog of cases in process, and by reevaluating the impact of deportation on families.

• That the government establish a sound, equitable process toward earned legal status for currently undocumented immigrants, who desire to embrace the responsibilities and privileges that accompany citizenship.

• That the government legislate fair labor and civil laws for all residing within the United States that reflect the best of this country's heritage.

• That immigration enforcement be conducted in ways that recognize the importance of due process of law, the sanctity of the human person, and the incomparable value of family.

Sincerely,

Leith Anderson
President

Answers to Questions
Michael Gerson

1) I would defer to others more qualified on the proper biblical exegesis of this passage in Leviticus. But the Bible, taken as a whole, is very clear that human rights are universal, that human dignity does not depend on national or legal status, and that the people of God have a particular obligation to care for strangers in need.

2) Compared to many other nations, America's immigration policy has been generous. But our nation would certainly be more just if it realistically addressed the presence of millions of people in America without legal status who come seeking opportunity, contribute to our economy and culture, but live in fear and isolation.

3) As I said in my testimony: "This concern for individual dignity requires the making of certain moral distinctions. People of faith affirm the importance of the rule of law. But the law is made for human beings, not human beings for the law. A young woman who dies in the desert during a perilous crossing for the dream of living in America is not the moral equivalent of a drug dealer."

4) The kind of earned legalization that I would support – involving a work record, a fine, proficiency in English, a criminal background check – would be a more gradual process than immediate amnesty. In the long run, America would be a more productive and law-abiding society – as well as gaining a better knowledge of who is living in our country.

5) There is nothing inconsistent about pursing a generous immigration policy and enforcement of the border. In fact, it is difficult to imagine a successful approach to border enforcement that does not also provide for the legal, regulated transit of temporary workers – so border agents can concentrate on drug dealers and other genuine threats.

6) The overbroad critique of "open borders" does not address serious proposals for immigration reform – which include border enforcement, a temporary worker program and a path to earned citizenship.

7) I favor a new approach to immigration that makes our laws more just and realistic. Our current system is neither. And it is unjust and unrealistic laws that encourage lawlessness and disrespect for law.

8) It has been the predominant America view that motivated immigrants, seeking the promise of our country, eventually contribute to our economic and moral strength.

56073.010

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November 9, 2009

Honorable Patrick J. Leahy
Chairman
Committee on the Judiciary
U.S. Senate
Washington, D.C. 20510

Att: Kelsey Kobelt

Dear Mr. Chairman:

I appreciated the opportunity to testify October 8th before the Senate Judiciary Committee's Subcommittee on Immigration, Refugees, and Border Security, on "Comprehensive Immigration Reform: Faith-Based Perspectives." I am happy to respond to the questions of Senator Jeff Sessions (R-AL) below.

Response to Question #1:

The position of the Catholic Church is that our immigration laws should be reformed so that those who are here undocumented and have built equities in their communities should have an opportunity to pay their debt to society and then earn, over time, a chance to get in the back of the line and apply for permanent residency.

The reference to "stranger" as a temporary visitor, based on the Hebrew definition, depends upon the use of the term and its context. The root word for stranger in Hebrew is "ger," which at its core refers to someone who is in a foreign land. There are other uses of the term in Genesis and other parts of the Bible which suggest a longer stay. When Christ states in Matthew 25:35 that we should "welcome the stranger," because "what you do for the least of my brothers, you do for me," (25:38-41) He places no condition on the welcome.

Response to Question #2:

Faith does not negate reason; instead, it provides guideposts which helps govern reason. They are not mutually exclusive. In the case of our current immigration laws, both faith and reason lead one to conclude that reform is needed to ensure humane treatment of human persons, which is a principle derived from the Judeo-Christian ethic.

To suggest that the Catholic Church advocates for "open borders" is inaccurate. We support the right of the sovereign to secure its borders. It is the view of the U.S. Conference of Catholic Bishops (USCCB), however, that portions of our immigration laws should be changed because they lack fairness and due process protections. It is also the view of the U.S. bishops that the application of these laws should be examined.

Response to Question #3

This question and assertions contained in it misrepresent the Catholic position. We do not show disrespect for the law; in fact, by attempting to change the law through the democratic process we are showing respect for it. The Catholic Church conducts it ministries and service programs to immigrants within the confines of the civil law. We also have stated that the sovereign can put reasonable limits on immigration.

It is the position of the U.S. Conference of Catholic Bishops, however, that our generous history as a nation of immigrants has helped build our great nation and that, even today, the work of immigrants continues to do so. Immigration continues to help our nation overall. We cannot accept the work and taxes of these persons and at the same time not provide them the protection of the law.

Response to Question #4

The U.S. Conference of Catholic Bishops strongly disagrees with the analysis in the question. According to the USCCB, a program properly administered and funded by government could be effectively implemented; chain migration would not occur, given that family-based categories are limited; and legal immigrants are currently not eligible for public benefits for at least five years and, even after that period, rarely depend upon such services.

The USCCB does not support an amnesty, which has been defined as forgiving a transgression without penalty. USCCB supports a path to citizenship in which immigrants would be required to pay a fine, work, begin learning English, and get in the back of the line.

Response to Question #5

Again, the question misrepresents the position of the USCCB. We do not oppose enforcement of the border, and we certainly do not oppose the use of enforcement if the border were approached by another army, as the Scripture passage suggests. This is an inappropriate comparison. The reality today is one of migrants attempting to come and work in order to support their families, not a national security threat.

Response to Question #6

It is the position of the Catholic Church that the common good of our country would be served by reform of our nation's immigration laws, consistent with the Church's stated

position in my testimony. We are not in support of "open borders," as the author incorrectly asserts.

Illegal immigration is not good for the migrant or society. Our position seeks to replace illegality with legal status and legal avenues for migration, within limits, in order to serve the common good of the nation and the rights and dignity of the migrant.

In addition, persons without legal status in a country maintain their intrinsic worth as human beings and children of God and thus basic human rights and human dignity. Theses rights and dignity should be respected.

Question #7

The Catholic Church favors creating a legal system that ends illegality—this lawful system would include a legalization program, the creation of legal avenues for workers to enter lawfully and for families to be reunited, and policies to look at the root causes of migration. The premise of the question is incorrect, suggesting that a position in favor of immigration reform is equal to a position favoring "open borders."

Question #8

According to Catholic teaching, a nation's immigration policy should serve the common good of the nation but also serve the international common good, where possible. This would include the accommodation of immigration, reasonably limited by what is in the best interest of the nation. As the most powerful economic nation in the world, the United States has a higher obligation toward meeting the international common good than other nations.

The disagreements in the current immigration debate lie as to what is good or not good for the interest of the United States. Regardless of what may be considered in the national interest, however, the basic rights and dignity of migrants should be respected.

It is the position of the Catholic Church that immigration reform, consistent with my testimony, would serve the common good of the United States while also serving the international common good.

Mr. Chairman, thank you for the opportunity to answer these questions.

Sincerely,

Theodore Card. McCarrick

Theodore Cardinal McCarrick
Archbishop Emeritus of Washington

11/10/2009 11:47AM

Responses from **Rev. Samuel Rodriguez**, President, National Hispanic Christian Leadership Conference, to the Follow Up Questions of Senator Jeff Sessions: **Comprehensive Immigration Reform, Faith Based Perspective: 10/8/09**

Question 1: Is Dr. Steinlight correct about what the true meaning of sojourner is and if not, has the definition of sojourner changed since the writing of Leviticus?
Response: I wholeheartedly agree with Richard Elliot Friedman, a leading authority on biblical Hebrew, analysis. The term in Leviticus 19 does mean alien and stranger.

Question 2: Is Father Peridans correct in his analysis and do you believe reason is being destroyed?
Response: Father Peridans' analysis is flawed on multiple levels, including but not exclusive to the fundamental argument of humane treatment for those currently here. What may be unjust is the treatment of those currently here that are identified as undocumented. The system is flawed and broken. It enters into the realm of the unjust when children are separated from their parents and deportations take place without measure of emotional and psychological consequences. Reason is not the issue; the issue is compassion and practical solutions to a complex problem.

Question 3: How can disrespect for the law be embraced?
Response: No one associated with respectable faith traditions adheres to any philosophical or ideological stipulation in advocacy of breaking or disrespecting the law. Once again, the issue before us frames the argument for a viable solution to those currently undocumented. I support punitive consequences for those that broke the law including the payment of fines, going to the back of the line, demonstration of proficiency in the English language, admonition of guilt and other steps.

Question 4: Do you agree with Mr. Edwards Analysis?
Response: No. First of all the argument lies flawed in the premise of amnesty. Oxford, Webster and all other legitimate defining volumes concur, amnesty is a pardon. Requiring payment, and subsequent actions to compensate for a violation of the law, by definition cannot be amnesty.

Question 5: Would I be concerned with an immigration policy that does not protect our borders?
Response: Of course. Any Just Assimilation Immigration Policy must begin with border security. We must stop all illegal immigration in order to protect our sovereignty, the rule of law and protect the innocent who stand to be exploited by coyotes and narco traffickers.

Question 6: Open Borders
Response: Open Borders does not exist as a viable, sustainable or practical public policy.

Question 7: Do I favor a legal system, open borders or amnesty?
Response: I favor a legal system that secures our borders, stops illegal immigration, provides a market driven guest worker program and a pathway towards assimilation and citizenship for those currently here.

Question 8; should the immigration policy serve national interests or the interests of those desiring to migrate?
Response: Our national interests of course. Let us not forget that embedded within the narrative

of our nation stands the ideas engraved in the Statue of Liberty. We have, are and will be a nation of immigrants. We must address immigration in a manner that serves our interests, not just national security but also our intrinsic interests, our values our core ideas or life, liberty and the pursuit of happiness.

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FOLLOW-UP QUESTIONS FROM SENATOR SESSIONS
"COMPREHENSIVE IMMIGRATION REFORM: FAITH-BASED PERSPECTIVES"

1. Dr. Stephen Steinlight testified at a recent House hearing entitled "Faith-Based Approaches to Immigration Policy" regarding, what he would characterize as an inappropriate use of Leviticus 19:34. This is what he said: "The word in the Hebrew Bible for stranger is 'Ger v'toshav.'" The ***precise*** English equivalent is **sojourner**. It first appears in ***Genesis*** 4:23 describing Abraham when he dwells briefly with the Hittites in what is now Hebron. It last appears in ***Chronicles*** 29:15 where King David employs it to contrast the transitory nature of human existence with the eternality of God, creator and steward of the earth on which we briefly dwell as wanderers. Richard Elliot Friedman, leading authority on biblical Hebrew, translates it as "**alien**" and "**visitor**." Every English dictionary defines ***sojourn*** as a ***temporary stay***. Thus, this passage offers no scriptural sanction to argue some 12 million illegal aliens would be permitted to remain **permanently** in the United States."

Senator Sessions' Question: Is Dr. Steinlight correct about what the true meaning of sojourner is and if not, has the definition of sojourner has changed since the writing of Leviticus?

Dr. James Tolle's Answer: Dr. Steinlight's definition of the word "stranger" is only partially correct. I believe it is a limited definition to suggest that the Hebrew Bible word for "stranger" found in Leviticus 19:34 only means a person who is transitory. The full definition of the word involves a person who has come among a people distinct from his/her own national experience. This stranger or newcomer lacks the native privileges normally provided by birthplace. However, although it is true that this stranger is someone who is not native to a location, the word can also afford a definition which includes the stranger as being one who seeks to dwell or remain in the land, who without inherited or native rights may have them given or conceded to him/her.

Dr. Steinlight's usage of the Chronicles 29:15 passage should be seen in an expanded light. We can all accept that human experience is transitory in nature compared to the eternality of God, as King David contrasts. However, to use that concept as an analogy with which to deny the earthly stranger any acquisition of rights in his/her new land is equivalent to saying that God, who has native rights and privileges over all creation, will never share those rights with humans. We all know this is not correct. Logic demands, if we are using the fact that God is the "creator and steward of the earth," that we view God as thoroughly benevolent in allowing the human personality the privilege of participating in the earthly experience without being expunged. Additionally, good theology teaches that notwithstanding God's eternality, which places Him transcendentally above the human personality, humans can in fact gain access to the enjoyment of God's eternal benefits by accepting His conditions.

Consequently, in the Hebrew Bible record, there are cases where the stranger did not have the privilege of property rights (Exodus 6:4), while at other times they could enjoy similar rights as a native (Deuteronomy 1:16 and Ezekiel 47:22-23). At all times the native born was instructed to not oppress the stranger (Exodus 22:21), and was further commanded to accept, love and treat the stranger as oneself (Leviticus 19:34).

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2. In "Catholics, Immigration, and the Common Good," Father Dominique Peridans an Associate Pastor at a Roman Catholic in Maryland wrote the following: "It has been stated elsewhere by the same local leadership of the Church that the United States currently has 'hard and unjust immigration laws.' I ask in what way are they 'hard and unjust?' The United States has the most generous immigration policy in the world. In 2008, 1.107,126 people were granted green cards. Where is the hardness and injustice? If, however, we are speaking of the application of immigration laws – which is a very distinct issue, it ought to be articulated clearly. The distinction is paramount.

There are perhaps issues to be addressed regarding the application of immigration laws, but the leap from humane treatment of illegal immigrants to open borders, as is – for all intents and purposes – suggested, is enormous and erroneous. One cannot pass from incidents of injustice in the application of laws to generalizations about the laws themselves, thereby undoing their intelligibility. It is a slippery intellectual slope. As suggested above, a very important theological principle regarding the Christian life is negated: 'grace does not destroy nature.' And a very important truth about the nature of faith is equally negated: 'faith does not destroy reason.'"

Senator Sessions' Question: Is Father Peridans correct in his analysis and do you believe reason is being destroyed?

Dr. James Tolle's Answer: Reason is not being destroyed as some suggest when legal pathways to some type of "legal status" are not afforded to those who arrived in the United States having been motivated by employment opportunities. These undocumented immigrants are working at jobs which 79% of Americans, according to a Gallup poll, say they do not want.

Notwithstanding the fact that the United States presently finds itself in an economic downturn with pressing unemployment, projections for future workforce demands outstrip the normal population growth which would supply the country's necessary workers. A judicious, well thought out bipartisan comprehensive immigration reform bill would solve this.

In this case, I suggest that reason can be destroyed by either of two polemics: a wholesale and continuing disregard for law or an avoidance of considering the contributing factors which drives much of the illegal immigration.

Whereas the United States has the most generous immigration policy in the world, the United States greatly lacks a truly functional immigration policy. It's unfortunate that those who are pursuing comprehensive immigration reform are categorically being considered proponents of an "open border" policy by those who oppose the reforms. The truth can easily be seen. We cannot presently handle the immigrants already within our boundaries. Nor can we handle the children of the undocumented immigrant. These children crossed the borders without full understanding. Our present laws are inadequate. Further, portions of previous laws have never been implemented. These inadequacies and failures to implement are not the fault of the immigrant, although they have greatly contributed to the present dilemma.

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3. Father Peridans states in the same article: "Reference to respect for immigration law is so often made by the bishops who then, in the same breath, seem to invite *dis*-respect for law. How could anyone want to enforce immigration law when they are pushed back against the wall, 'Dare we look at them with and through the eyes of Christ for whom no one is illegal?' Such statements are ambiguous, and frankly guilt-inducing. Let us not forget that Jesus Christ said, 'Render unto Caesar that which belongs to Caesar.' Jesus had great respect for the reality of the state, and thus civil authority. To claim that someone who has entered a county illegally is law-abiding makes no sense, and is to suggest that immigration laws are morally irrelevant. Our welcome of immigrants ought to be *generous*, not unconditional. The latter is disrespectful of the common good."

   Senator Sessions' Question: How can disrespect for law be embraced and how can we ever expect immigration laws to be enforced if we are willing to simply disregard them for religious sake?

   Dr. James Tolle's Answer: I agree with Father Peridans that we should not use faith to produce a guilt-inducing motive for our country's need of comprehensive immigration reform. I also agree that the Bible validates the basis for civil authority. Both Jesus and the Apostle Paul express this. Yet neither of them acquiesces to an avoidance of true discourse and change when the situation at hand warranted such. The present situation in the United States regarding the undocumented immigrant is one of these legitimate discourses which needs extensive dialog and clear-headed resolution. To do nothing makes us guilty of contributing to further confusion and harm.

   As some are implying, no one who is advancing the need for comprehensive immigration reform is encouraging a disrespect for law. A close study of laws will reveal that not all laws are equal. Some are better than others. Some laws are transcendentally true, while others need refinement, abolition or massive overhaul. Our present laws are incomplete. And there are aspects of already established immigration law which have never been implemented.

   It's unfortunate to make the point that the undocumented immigrant who entered the country illegally is therefore a categorical law breaker in every other aspect of daily living. It's abundantly clear to everyone that the undocumented immigrant violated a federal misdemeanor law upon entering the country illegally, yet most of the undocumented immigrants do not continue living with a careless disregard for the law as is suggested. As the statistics bear out, the vast majority adhere to the laws of the land.

   Christian belief recognizes that all people do commit wrongs. It also makes provision for those who commit wrong. Jesus evidenced this in the graphic account of a woman who was caught in the act of adultery. Her accusers wanted Jesus to adjudicate a severe punishment, death. Jesus avoided the extreme adherence and application of the law. He meted out grace, but not cavalierly and not without reason. He also avoided "the disregard for the law" argument by telling the woman to "go and sin no more." In other words, Jesus expected her to adhere to the law as she moved forward into life.

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4. In "A Biblical Perspective on Immigration Policy" James Edward, noted: "In recent amnesty proposals, 12 million or more illegal aliens would be legalized. These amnestied lawbreakers would tie up the immigration bureaucracy; introduce through chain migration millions of relatives into an already clogged system; qualify for scarce public resources such as Medicaid, welfare, and other public assistance; and the costs of all these things would be borne by American taxpayers. Furthermore, the scale of such 'mercy' would do harm to many Americans and communities, and lead to more illegal immigration by the signal such policies would send (and indeed have sent with previous amnesties)." I think past amnesty programs provide a very good indication that Mr. Edwards analysis is correct.

   Senator Sessions' Question: Do you disagree with this analysis?

   Dr. James Tolle's Answer: James Edwards summarizes many people's fears into four points. First, the giving of amnesty to the undocumented immigrant would overload the immigration system. Second, through "chain migration" millions of relatives could also enter the system. Third, additional financial burdens would be borne by the American taxpayer through the undocumented immigrant's entry into the welfare, public assistance and health care systems, etc... Fourth, through a comprehensive immigration reform, it is suggested that future generations of foreign nationals, would be further motivated to migrate illegally.

   The first two possibilities suggested by James Edwards could be mitigated by policies and procedures written into the new immigration law.

   The third possibility, that of placing a larger financial burden on the American taxpayer as stated by Mr. Edwards, might not be as likely. The Los Angeles Times has stated that 40% of all undocumented immigrants in Los Angeles County work for cash. If these and other immigrants were to enter the "tax system," there is the possibility that the entry of the undocumented immigrant into the taxpaying system would not place as large a burden on the system or ultimately the American taxpayer as first believed. Notwithstanding the many economic pressures facing the American taxpayer, there is strong evidence, when one studies the vast statistics that the Hispanic undocumented immigrant is a net contributor to the economy, rather than the other way around.

   The fourth scenario advanced by Mr. Edwards is understandable. To believe that the present immigrant's receipt of a pathway to legality, or amnesty, or the passage of comprehensive immigration reform might be catalytic to further illegal immigration is fair. However, if one studies past immigration bills which were made into law, one will realize that many of the policies of those laws were never enforced. I offer that the pervasive lack of enforcement of laws is the problem. If a new immigration law is enacted, an intentional application and enforcement of the policies of the new law will be a deterrent to ongoing law-breaking. This is true in our own cities when we increase our policing. It should also be true for our country.

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5. Mr. Edwards also notes that sometimes hospitality was not shown in the Old Testament: "During the Israelite journey, Moses sought permission for the Hebrew people to travel into Edom. He petitioned the Edomite king (Numbers 20:14-21). The king denied permission; Moses appealed, and the king again denied entry. Edom sent its army out to enforce its borders. While this actions by Edom was not 'hospitable,' it was legitimate. The Canaanite king of Arad (Numbers 21:1-3) launched a preemptive military strike against the Hebrews. That aggression resulted in the Lord's favoring Israel in a counterstrike, in which the Hebrew army defeated Arad." The Edomites feared being overtaken by the Israelites and wanted to protect resources.

   Senator Sessions' Question: Would you agree that America should be concerned about an immigration policy that does not allow enforcement at the border?

   Dr. James Tolle's Answer: In the case noted by Mr. Edwards above, the movement of the Israelites through the region of the Edomites must be understood in the light of Israel being an entire nation of people. Our present scenario in the United States has not been fostered by an entire nation's entry or attempted entry into our land. Instead, the movement of people into the U.S. is by individuals. Therefore, it is important to enact a comprehensive immigration reform bill so as to deal with the people we find in our country who have entered illegally.

   In the end, in this era of increasing terrorism, human and contraband trafficking, it is jus as important to maintain strong border security and enforcement as it is to secure the access points to one's house of one is living in a problematic neighborhood.

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6. Father Peridans makes clear that we should not blur the lines between illegal and legal and that the United States is under no obligation to simply embrace every individual who decides to enter our country illegally: "Generosity is a must. Fair international economic policy is a must. Open borders, however, are not a must – if there is such a thing as a national community. If there is such a thing as a national community, open borders are the negation of the common good, and blurring the lines of legality of status in a country is a lack of healthy and respectful realism regarding the common good. If the common good of the national family is to be protected and promoted by all members of the community, including Catholics, the distinction between legal immigrant and illegal immigrant is not morally irrelevant. It is, in fact, a fundamental distinction that cannot be ignored, a distinction between persons who respect the common good and persons who do not respect the common good. 'The Church is (indeed) the place where illegal immigrants are recognized and accepted as brothers and sisters,' for the Church is the place where *all* are recognized and accepted as brothers and sisters. But the illegality of such brothers and sisters – as harsh as this may sound to certain ears – cannot be promoted if Catholics are to respect the common good of the national family.

   Senator Sessions' Question: Open borders advocacy is civilly and socially disrespectful. Immediate, temporary, transitional assistance for a person in distress who is here illegally is a mandate from Christ, but it is not on the same level as public policy." I could not agree more. How can Father Peridans be incorrect?

   Dr. James Tolle's Answer: Open borders is not the issue. The overwhelming majority of Americans do not advocate this. To make the open borders topic into the disqualifier for comprehensive immigration reform is unfortunate.

   As Father Peridans correctly states, the Church cannot and should not promote illegal immigration. The Church as well as society, through its public policies, should seek to contribute a solution to the situation at hand; rather than do nothing.

   As virtually every one knows, Christian theology does not promote wrongdoing. Yet, once wrongdoing has occurred, Christian tenets instruct the believer to help solve the wrongdoing. We have not done so.

   In the end, civil authority, society at large and the Church must weigh the business, economic, safety and development goals of the national community accurately, rather than arbitrarily saying, as some do, that there are never any other contributing elements which factor into the immigration reality.

7. **Senator Sessions' Question:** Do you favor ending illegality by creating a lawful system, or open borders and granting amnesty to those who enter the country regardless of our immigration laws?

   Dr. James Tolle's Answer: I favor creating an understandable and enforceable pathway to legal status for the undocumented immigrants in our country.

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8. **Senator Sessions' Question:** Should the immigration policy of the United States and other countries serve the legitimate interest of the nation or the interest of those who want to immigrate?

   Dr. James Tolle's Answer: The immigration policy of the United States should serve the interests of the nation! However, it must be clearly understood that we Americans benefit greatly from the help given to us by undocumented immigrants.

   From the meat packing plants in the center of our country to the agriculture fields everywhere… to the construction sites in our cities and suburbs… to the janitorial crews in high rise buildings… and to the restaurant workers where we eat, we find immigrants everywhere. Directly and indirectly, virtually all Americans are benefitted by their presence.

   The undocumented workers perform tasks in the garment industry, in assembly plants and thousands of small businesses. We even court them to clean our houses, mow our lawns, do odd jobs and wash our cars. They work hard, while raising families, working in jobs which most Americans do not want.

   It is not merely a Judeo/Christian principle to love our "neighbor" who in many senses has earned the "right" to be loved by us.

   We must also view this as a societal reciprocal responsibility. We must acknowledge that as we have gained for ourselves the enhancements of life while being served by immigrants in so many venues we must also respect these immigrants. Theirs is not a disconnected relationship with America.

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SUBMISSIONS FOR THE RECORD

Statement of Leith Anderson
President, National Association of Evangelicals

Senate Judiciary Subcommittee on Immigration, Border Security and Refugees

Hearing on Faith Based Community Perspectives on Comprehensive Immigration Reform

Thursday, October 8, 2009

Thank you Chairman Schumer and distinguished members of this subcommittee for the opportunity to speak on desperately needed reform of our nation's immigration policies and practices.

I have the privilege of serving as President of the National Association of Evangelicals, a network of 40 denominations comprising more than 45,000 local churches located in every congressional district and every state. The NAE membership also includes evangelical universities, seminaries, ministries, local congregations, and individuals. I also serve as Senior Pastor of Wooddale Church in Eden Prairie, MN, a diverse congregation of committed Christ-followers.

Evangelical churches have long reached out to both established and newly arriving immigrant populations. Our fastest growing churches are found in immigrant communities. In some of our denominations more than half of the congregations have substantial numbers of immigrant members.

There are no immigration or citizenship requirements for membership in our churches. Our churches embrace the biblical invitation: "Whoever is thirsty, let them come; and whoever wishes, let them take the free gift of the water of life." (Revelation 22:17) We believe, with St. Paul, that "God does not show favoritism." (Romans 2:11) Our churches are open to all who seek God's grace and mercy, regardless of their immigration status. And that is as it should be.

Does this mean that evangelicals do not recognize the right and responsibility of nations to regulate their borders? Far from it. Evangelicals believe that government is a gift of God for the common good. Borders are necessary for public order. We support intelligent enforcement of our

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nation's immigration laws as long as the enforcement measures are consistent with respect for human dignity, family values and the sanctity of human life.

Our nation has been renewed throughout its history by successive waves of immigrants who arrive filled with hope, optimism, and a willingness to sacrifice and work hard to achieve the American dream. These virtues are found in all lands, but they are overrepresented among those who are enterprising and energetic enough to uproot themselves and travel long distances in order to rebuild their lives in a new land of opportunity. Others have come as refugees, people with the strength to stand up for what they believe, people with the courage of their convictions. Most of our churches were founded by these immigrants, or their immediate descendants.

Today's immigrants are a diverse group, but most of them are strongly committed to family values. Evangelicals believe the family is the basic and indispensible building block of society. Our nation has been built by strong families, but today the American family is in deep trouble. Immigrants often model for us forgotten truths about the importance of love, commitment and mutual support within the family.

If we are true to our deepest values, our immigration policies must prioritize the incomparable value of family. The current backlog in family reunification petitions, with waiting periods stretching into years and even decades, is shortsighted, and immoral. It causes much suffering, and tempts desperate people to work around our laws, where our system offers no realistic possibilities for timely family reunion.

Evangelicals do not condone law breaking. In fact, evangelicals recognize that all human beings have broken God's laws, and need God's grace, mercy and forgiveness. Jesus taught that those who are forgiven must in turn be willing to forgive others (Matthew 6:14-15). Laws must serve the good of society and create law and order; when they do not, they need to be changed. We believe that undocumented immigrants who have otherwise been law abiding members of our communities should be offered the opportunity to pay any taxes or penalties owed, and over time earn the right to become U.S. citizens and permanent residents. The process of redemption and restitution is core to Christian beliefs, as we were all once lost and redeemed through love of Jesus Christ.

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As churches already deeply engaged in immigrant communities throughout this country, we stand ready to assist in this process. Following the passage of the Immigration Reform and Control Act of 1986, many of our member denominations, working in partnership with our humanitarian arm, World Relief, founded Houses of Hope which assisted immigrants with status petitions, English lessons, and civics instruction. More than 100,000 immigrants were helped to become fully accepted and contributing members of our communities. Evangelicals were ready to assist then and are ready to assist now in welcoming and helping to integrate the newest members of our society.

While welcoming immigrants and embracing newcomers to our communities often brings out the best in us, we recognize that a poorly administered immigration program can also stir up fear and hostility. Some Americans fear the prospect of additional competition for jobs. Some local communities are disproportionately impacted by our national policies. They deserve special attention and assistance.

America's social problems—unemployment, poverty, crime, substance abuse, family breakup--were not caused by immigrants. The solution is not to exclude immigrants, but to intelligently integrate them. Immigrants bring many assets and are eager to contribute to rebuilding our communities. We need to address the needs of the poor—whether immigrant or native born—with both justice and compassion.

There are in fact legitimate concerns about unscrupulous employers who exploit immigrants while unfairly competing with those who try to play by the rules. Many employers, however, want to do what is right but find our current system confusing and unworkable. In effect, we have a large sign at our border which says "Keep Out" while a few miles inland there is another, much larger sign which says "Help Wanted". It is right to ask American employers to hire those who are already here; but in today's globalized labor market there must also be a workable system for employers to be able to legally hire the help that they need. In many cases there is a stark choice between importing workers and exporting jobs.

Immigration is not only about securing the borders, which is an important part of immigration policy and practice. It is not only about jobs, collecting taxes, earning citizenship, uniting families and reducing years of waiting. When we talk about immigration, we are talking about fellow human beings

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who are pursuing the same dreams that many of us have. A family lives near me and faces a frightening dilemma. They are in our country legally. She is an immigrant from Africa who is now an American citizen. Her son came as a young child and has grown up in American culture, schools and language. However, he will graduate from high school soon and will celebrate his eighteenth birthday when his status will change and he must return to Africa. He has no friends, family, home, job or language skills in the country of his birth. There must be a better way.

Why is immigration policy important to evangelicals? Certainly because we believe what the Bible teaches about treatment of "aliens in the land." It is also because so many Hispanic, African and Asian immigrants are evangelical Christians who are in our denominations and churches by the millions. They are us.

As we begin a new national conversation on reforming our immigration policies, evangelicals offer you a pledge of civility and humility in public discourse. We recognize that the issues are complex, and that any policy changes may have unintended consequences. When you conduct town hall meetings on immigration reform in your home states, we look forward to an honest, intelligent and respectful dialogue. We ask you to model civility in your deliberations in the Congress, and in the media. We ask you to work in a bipartisan manner to enact urgently needed reforms, for the sake of the immigrants among us, and for the health of the nation.

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Statement of Anti-Defamation League
For
Senate Judiciary Committee
Subcommittee on Immigration, Border Security and Citizenship
Hearing on Comprehensive Immigration Reform: Faith-Based Perspectives"

October 8, 2009

The Anti-Defamation League is pleased to provide testimony to the Senate Subcommittee on Immigration, Border Security and Citizenship concerning the critical need in this nation for an immigration reform policy that is comprehensive, strategic, fair and humane. As a country built by and for immigrants, it is incumbent on all of us to look at this issue in its totality.

The Anti-Defamation League is a nearly 100-year old human relations and civil rights organization that has committed itself to the fight against anti-Semitism, bigotry and hate of all kinds, to defend democratic ideals and protect civil rights for all. Throughout the years, the League has been an advocate for civil rights and liberties and has worked to expose hatred in all forms. At the same time, ADL has been an aggressive supporter of law enforcement and the government's important efforts to fight terrorism and has appreciated the necessity of a strong national security.

With this as its background, ADL is steadfast in its stance that national immigration policy reform must be imminent, must be comprehensive and must be humane. The Jewish community unfortunately knows all too well the consequences of a restrictive immigration policy. Our community's history, faith and traditions are our guide and require that we "welcome the stranger" with fairness, with care and with compassion.

To be sure, the Jewish community recognizes the need for a secure America and for the need to be vigilant. Particularly in a post-9/11 environment, we cannot be too careful about our security or about any counterterrorism measures. However, many of the proposed immigration reform policies that focus solely on enforcement measures are ineffective, and fail to deal with the broader issue of how to maintain a secure America. Further, while security measures are critical, it is equally critical that they be conducted with the utmost respect for civil liberties, consistent with our nation's basic ideals.

There is no benefit to our nation's growth if part of its population is treated as an underclass and is denied basic human rights. Yet, there is currently a large population of undocumented workers living in our communities who lack meaningful rights under our law and are subject to exploitation. This group poses both security and civil rights problems. Without a comprehensive approach, out of frustration and perhaps community pressures, localities will continue to create haphazard and inconsistent regulations that attempt to "handle" the issue of immigrants in their communities. These ordinances, which are mostly hostile towards immigrants, affect not only the undocumented population, but also legal residents and U.S. citizens. They send a message that "you are not welcome in our community."

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These troubling ordinances are not enacted in a vacuum. For years, ADL has been monitoring and reporting on the toxic environment surrounding the immigration policy debate and the growing atmosphere of bigotry and violence targeting immigrants and those perceived to be immigrants, particularly Latinos. And for the fourth consecutive year, the FBI has recorded an increase in hate crimes directed against Latinos.

This environment is troubling, and antithetical to the pluralistic principles of our democracy. This is why immigration reform is urgent. However, immigration reform must also be responsible and, in order to truly be considered comprehensive, must include certain vital elements.

- It is imperative that effective immigration reform include border security screening enhancements, the use of improved databases, more extensive international and federal-state-local coordination, and more effective visa tracking of aliens permitted to enter the country.

- It is essential that any border security strategy include fair and humane treatment of those who enter or attempt to enter the United States.

- It is necessary that an orderly system of authorized entry for temporary foreign workers, which takes into consideration fairness and humane treatment of the participants, replace the current illegal flow.

- It is crucial that students brought here as children, and educated here, but who face barriers to higher education, be granted the opportunity to be an integrated, contributing part of their community.

- It is significant that immigration policy include a path to legalization for immigrants who are already contributing to this country, to enable them to regularize their immigration status upon satisfaction of reasonable criteria.

- It is vital that U.S. policy make it a priority for immigrant families to remain together, and undertake efforts to clear current backlogs in the system which have kept families separated for many years and, in some cases, have split families apart.

- Finally, as a nation of immigrants, America must have an immigration policy that takes into consideration, and strives to protect, civil and human rights.

We are proud to be a nation of immigrants. It is one of the dramatic success stories of world history. Most of the people who cross our borders today contribute positively to our society. However, our system has problems and there is an urgent need for comprehensive immigration reform that balances fairness, compassion and security. The outcome of this policy reform, and the fate of undocumented persons in the United States, will speak volumes about our national character and ideals.

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Hearing on "Comprehensive Immigration Reform: Faith-Based Perspectives"

Catholic Charities USA Statement Submitted to the

U.S. Senate Committee on Judiciary, Subcommittee on Immigration, Refugees and Border Security

October 8, 2009

Chairman Schumer, Ranking Member Cornyn, and members of the Subcommittee, Catholic Charities USA appreciates the opportunity to submit written testimony to the record for the Hearing on "Comprehensive Immigration Reform: Faith-Based Perspectives," held on October 8, 2009, by the U.S. Senate Committee on Judiciary, Subcommittee on Immigration, Refugees and Border Security. Catholic Charities USA is a network of 167 main agencies and 1,668 affiliates that serve more than 8.5 million people annually. On behalf of Catholic Charities USA, our member agencies and affiliates, I hereby submit the following statement for the record:

Despite their gifts and contributions, many newcomers struggle to establish themselves in a nation that is ambivalent about their presence. While the United States allows thousands of immigrant families to reunify each year, backlogs in its legal immigration system, insurmountable obstacles to legal status and unforgiving deportation standards divide and impoverish these families. As a nation, we depend on immigrant labor, but do not offer sufficient legal avenues for workers to enter. We worry that newcomers depress wages and adversely impact working conditions, but we do not adequately enforce labor and workplace protection laws. We cherish civic equality, but watch the steady growth of an undocumented population with few rights, little security and scant prospects. We take pride in our heritage as a haven for the dispossessed, but impede many from securing refuge or even from reaching our shores. We trust newcomers to care for our children, our sick and our elderly, but we embrace measures that treat broad categories of them as security threats. We honor the forbearance of our immigrant ancestors, but sit by passively as anti-immigrant media, policy makers and advocacy groups attribute to today's newcomers—as they did to our ancestors—all manner of social ills.

In the Catholic community, we honor migrants and newcomers. We identify them as our brothers and sisters, and see in them the face of God. They live in our families, fill our pews, work in our agencies and receive our services. Our experience of newcomers could not be more at odds with much of the public discourse about them.

Immigrants contribute to the economic vitality of our nation. Nearly 60 percent of newly created jobs between 1996 and 2000 were filled by immigrants; these rates were higher for service and construction jobs. Many immigrants work in professional highly skilled jobs while others perform the often thankless, necessary work that benefits us all. An Urban Institute study found that immigrants paid $70.3 billion in taxes per year, but received only $42.9 billion in services.

Just and comprehensive policies addressing the needs of newcomers – as well as the security and economic health of our nation – should be a priority as Congress seeks to reform our nation's immigration laws. Our nation's immigration system is broken, separating families with bureaucratic backlogs; keeping 11-12 million undocumented workers in the shadows and causing undue hardship to those who are seeking to build a new life in America. It is shameful that our national policies keep families apart when we

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should be seeking to keep families intact. Families are the cornerstone of a strong society, and provisions should be made available to ensure family unity.

How our nation's leaders fix this broken immigration system will say a great deal about who we are and what we value as a nation.

To make the necessary comprehensive repairs to this broken system, Congress needs a better set of plans, a different set of tools and stronger political will. America should have an immigration policy that promotes the dignity of individuals and supports families as the most important unit of society.

Catholic Charities USA's position is based on more than 100 years of experience in aiding and employing immigrants. Each year, Catholic Charities agencies help nearly half a million immigrants and refugees with legal services, language instruction, job training and placement, and social services.

Our agencies are witness to the incredible capacity for hard work and strong family life of newcomers who are looking to succeed in their adopted country. At the same time, Catholic Charities staff and volunteers each day observe the unjust and counterproductive effects of U.S. immigration policies which separate families and undermine workplace fairness.

Catholic social teaching instructs us to recognize the natural rights of every human being, including the right to migrate. Our experience reminds us of our nation's history as a welcoming home for people in search of a better life.

Catholic social teaching calls us to seek justice for newcomers. Our history as a faith community in the United States is as an immigrant Church in an immigrant nation. The Church's biblical experience of migration has taught all Catholics to empathize with migrants as Jesus himself was a migrant.

Broad reforms will better integrate and promote the success of newcomers to our nation while also improving the economic prospects, health, labor protections, and stability of all U.S. residents. Human dignity represents the precondition and ultimate end of a just society. The opportunity to reform our nation's immigration system is also an opportunity to advance the cause of human dignity.

Catholic Charities USA calls on Congress to:

- Enact comprehensive immigration policies that would not only promote the security of our nation, but also put undocumented workers and their families on a path to lawful permanent residency and citizenship.
- Create greater legal avenues for necessary workers to enter the U.S.

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- Integrate and promote the success of newcomers, and improve the economic prospect, health, labor protections, and stability of all U.S. residents.
- Support policies that address the tragedy of immigrant children who grew up in the U.S., graduated from high school, but can not afford college because current immigration laws prohibit states from allowing these students to attend schools at "in-state" tuition rates. These children derive their immigration status solely from their parents, and if their parents are undocumented, they often have no mechanism to obtain legal residency even though they lived here most of their lives.
- Promote policies to provide a path to legalization for temporary workers while providing them with the protection of U.S. labor laws, job portability, and a just wage.

Catholic Charities USA applauds the subcommittee's efforts to highlight the many challenges facing newcomers and for soliciting the faith community's perspective on these important issues facing our nation. Catholic Charities USA stands ready to work with you as move forward in developing comprehensive immigration reform that addresses the needs of newcomers – as well as the security and economic health of our nation.

Respectfully submitted,

Fr. Larry Snyder
President

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Center for Immigration Studies

Backgrounder

August 2009

Catholics, Immigration, and the Common Good

By Fr. Dominique Peridans

The following are considerations offered by someone engaged in the complex arena of Christian ministry. They are reflections by a Christian pastor, a minister in the Roman Catholic tradition, prompted by a statement on immigration issued in November 2007 by the three Bishops of Maryland — Edwin F. O'Brien of Baltimore, Donald W. Wuerl of Washington, and Michael A. Saltarelli of Wilmington — entitled "Where All Find a Home: A Catholic Response to Immigration." (See the full text of the bishops' statement in the Appendix at the end of this *Backgrounder*.)

These thoughts primarily seek to be a respectful response and a forthright questioning of that statement (and thus the immigration views of the American Catholic hierarchy more generally, since the statement reflects the views of many other bishops). Much of the content of this *Backgrounder* is thus necessarily theological. Indeed, it speaks first to the bishops, authors of the statement, and concerns persons of Christian faith. As such, it takes us beyond the immediate political sphere. And yet, as I try to articulate, Christian (or any other) ministry is not exercised in a social or cultural vacuum. Christian ministry eminently takes root in human experience (and is meant to lift human experience) and finds itself always in the context of a human community, of a body politic, be it local or national. The community, therefore, and the reality of the common good, can never be ignored if ministry is to be honest and true, and truly effective.

"Where All Find a Home: A Catholic Response to Immigration" is a pastorally sensitive statement. However, in the vagueness of its expression, the statement can lead to confusion. It is my intention to raise a few respectful questions, and to attempt to offer a few elements of response. I raise these questions not only as a Christian minister, but also as a citizen, and as a child of (Belgian) immigrants. My concerns are articulated in greater depth in the pages that follow. Hereunder are a few of them in summary fashion:

- A seemingly simplistic passage is made from the mandate to love (which, of course, includes the mandate to "welcome the stranger") to public policy, as though "catholicity of heart" immediately translates into open borders. The statement gives no tools for discernment, because the important distinctions between a philosophical perspective and a theological perspective are not made.

- There is an acknowledgment of the need for law ("Illegal entry is not condoned,") but, in the same breath, practically speaking, such respect for law is disregarded ("but undocumented immigrants are embraced.") Indeed, the qualification "undocumented" — as distinguished from "illegal" — is ambiguous because, as mainstream media seem so often to try to do in using the former, it implies that the distinction between "legal" and "illegal," when it comes to immigration, is morally irrelevant.

- Little mention is made of the common good of the *national* family, only of the universal human family, when an important discussion needs to be had regarding the reality of a sovereign state.

- No mention is made of the current imbalance in immigration, i.e. the fact that the majority of current immigrants are "Hispanic."

Fr. Dominique Peridans is an Associate Pastor at a Roman Catholic parish in Maryland.

Philosophy vs. Theology

The question of immigration is one that I have pondered at length, encouraged to do so by life in a bilingual (French-English) home, and, later, by seven years of ministry in Laredo, Texas, the busiest port between the United States and Mexico. I share with utter simplicity some of the fruit of my reflection on this issue.

The bishops' statement is a rather *general* statement, so general that it becomes vague, such that many key questions are left untreated, and, dare I say with all due respect, few tools are given for healthy, wise, and thus truly compassionate discernment. Too many important distinctions are missing. Catholics need not only to be encouraged to love, but need to be given tools for the discernment of *how to love* intelligently and respectfully.

The statement, and those who read it, would be served well if a more explicitly philosophical perspective were articulated, one that is clearly communicated as such. The issue of immigration is for Christians also a *philosophical* one, without which perspective the Church contributes to the tensions and confusion. The philosophical perspective is the one that allows us to dialogue in the political arena, and is the only one that can be used to forge public policy. Catholics ought to be urged not only "to consider prayerfully the question of immigration," as the bishops recommend, but also to consider *philosophically* the question of immigration, that is to say, with sound and thoughtful consideration based on the human reality of the common good. Not to do so is to fall into a form of *fideism*. In other words, not to do so is to eliminate the role of reason in rightly ordering the sphere of the "authentically secular" (as Pope Benedict XVI calls it), making, for example, a "facile move from Bible quoting to public-policy prescription" (to quote Fr. John Neuhaus in his critique of the stance on immigration of Roger Mahoney, Archbishop of Los Angeles[1]), against which the Church (most recently, both John Paul II and Benedict XVI) cautions Catholics. Indeed, in the bishops' statement, there are abrupt shifts from philosophical consideration to theological consideration and back, with no mention of the distinctions between the two. There is suggestion of passing from the "universality" of love (to which the Christian believes God indeed calls) to a public policy of limitless welcome of immigrants. Paragraph five of the statement typifies this, and leaves the reader wondering on which foot he or she is to dance:

> In the Church, a universal body united through Christ, all find a home. Illegal entry is not condoned, but undocumented immigrants are embraced. "In the Church no one is a stranger, and the Church is not foreign to anyone, anywhere… the Church is the place where illegal immigrants are also recognized and accepted as brothers and sisters."

The divisions regarding immigration in the public forum, to which the bishops' statement alludes, in fact, stem from fundamentally differing *philosophical perspectives* of community. We indeed have two fundamentally different philosophical perspectives: that of the legitimacy of a sovereign state whose common good must be protected and promoted (and, of course, in which increasing numbers can participate), and that of the *il*-legitimacy of a sovereign state, an increasingly popular perspective in certain circles of Western civilization, which underlies the promotion of the elimination of borders. The statement seems to suggest that, as Christians, we ought perhaps to embrace the latter perspective, a perspective which is, again, philosophically unsound, for it disrespects the reality of the political community.

The human family is the basic cell of society, and thus the first analogue for trying to understand the nation, that is to say, the sovereign state, and for trying to understand the question of the common good. Quite simply, what is true of the family is analogously true of the nation. In both communities, we speak of the common good, in the light of which and in reference to which any community — from the family to the nation — is understood. The common good is that which the members of said community share. The common good is comprised essentially of a community's patrimony, a community's traditions, and it bears a community's general mindset, a community's social and political vision. When the common good disappears, so does the community. A community, therefore, has a right, and an obligation, to protect its patrimony and to invite others to join the community *respectful* of this patrimony. The common good *must* be protected and promoted. The common good grows as the community's members *together* grow in quality and quantity (number).

To these ends laws are established, *for the sake of the common good*. The bishops' statement says that "the rule of law must be respected." Why? In the end, it is because the common good, which is real, must be respected. The bishops make insufficient mention of the common good. To the degree members of a community transgress the law, they transgress the common good, and thus their neighbor. If certain laws are perceived as not truly serving the common good (immigration laws, for example), they ought to be changed (through channels respectful of the common good), not transgressed

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— even in the name of charity. Indeed, "our Catholic faith urges us to participate in the public debate with charity," but it is the common good that, practically speaking, *determines* the debate, the common good in which Catholics participate and which Catholics must respect.

It has been stated elsewhere by the same local leadership of the Church that the United States currently has "hard and unjust immigration laws."[2] I ask in what way are they "hard and unjust?" The United States has the most generous immigration policy in the world. In 2008, 1,107,126 people were granted green cards. Where is the hardness and injustice? If, however, we are speaking of the *application* of immigration laws — which is a very distinct issue, it ought to be articulated clearly. The distinction is paramount. There are perhaps issues to be addressed regarding the application of immigration laws, but the leap from humane treatment of illegal immigrants to open borders, as is — for all intents and purposes — suggested, is enormous and erroneous. One cannot pass from incidents of injustice in the application of laws to generalizations about the laws themselves, thereby undoing their intelligibility. It is a slippery intellectual slope. As suggested above, a very important theological principle regarding the Christian life is negated: "grace does not destroy nature." And a very important truth about the nature of faith is equally negated: "faith does not destroy reason."

If a nation is a natural human reality, then any faith statements by the Church must respect the reality of the nation. If a nation is a sovereign community of persons who have the right and human obligation to protect their common good, then they have the right and human obligation — all the while being generous in their welcome — to control the influx of persons into the community, so not excessively to disturb the community socially, culturally, economically, and environmentally. Any theological perspective, and thus any faith statements by the Church, must take into account and respect the common good. And so, at least three important questions arise:

- What is the Church's responsibility toward the common good?
- Should the Church be actively encouraging new immigrants to embrace the common good, i.e. American patrimony and culture?
- To what extent is the Church's promotion of parallel cultural realities disrespectful of the common good?

The real lack of acknowledgement of the common good is manifested, for example, in the primacy given to the welfare of immigrants. Such a perspective obviously shifts the focus away from the more basic truths of the common good, and thus does a disservice to any clarification of the issue. There is an order in charity. As Thomas Aquinas states, "In matters concerning relations between citizens, we should prefer our fellow citizens."[3] In other words, the welfare of the community is a more immediate concern than that of immigrants — which, of course, does not mean that we should not be very sensitive to the latter. Such is the realism, however, of being part of a community. Do we not say that "well-ordered charity begins at home?" Given the reality and legitimacy of the sovereign nation, it is, therefore, important to state that free migration is not a basic human right. Frequent statements like "the Church stands with undocumented immigrants"[4] can easily suggest the contrary. The vagueness of Church statements on immigration leaves one truly wondering what exactly it means to "stand with undocumented immigrants"?

Legal vs. Illegal: An Issue for Believers?

The question then is, "To what extent is a nation, any nation, obliged to welcome anyone and everyone who wishes to enter it?" There is indeed tremendous, unfortunate economic disparity in the world. To speak of a "third world" is a grave embarrassment. But such a question is largely that of *foreign policy*, distinct from that of *immigration policy*. Does the United States have an obligation to welcome anyone and everyone who wishes to cross her borders, and join her? Do Catholics have an obligation in charity to promote such policy, that is to say, an open-border policy? Does the common good of the universal human family truncate or negate the common good of the national family? Or, again, does well-ordered charity not begin at home?

Generosity is a must. Fair international economic policy is a must. Open borders, however, are not a must — if there is such a thing as a national community. If there is such a thing as a national community, open borders are the negation of the common good, and blurring the lines of legality of status in a country is a lack of healthy and respectful realism regarding the common good. If the common good of the national family is to be protected and promoted by all members of the community, including Catholics, then the distinction between legal immigrant and *il*-legal immigrant is not morally irrelevant. It is, in fact, a fundamental distinction that cannot be ignored, a distinction between persons who respect the common good and persons who do

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not respect the common good. "The Church is (indeed) the place where illegal immigrants are recognized and accepted as brothers and sisters," for the Church is the place where *all* are recognized and accepted as brothers and sisters. But the illegality of such brothers and sisters — as harsh as this may sound to certain ears — cannot be promoted if Catholics are to respect the common good of the national family. Open borders advocacy is civilly and socially disrespectful. Immediate, temporary, transitional assistance for a person in distress who is here illegally is a mandate from Christ, but it is not on the same level as public policy.

The history of the United States — as the history of every nation — is unfortunately marked by intolerance and discrimination. It is here above all, that Catholics — respectful of the rule of law — are to be ferment of communion and change of hearts. Catholics must, beginning with themselves, be converted unto unconditional love of neighbor. But looking lovingly on your neighbor does not necessitate blurring the line of distinction between legal and illegal. In fact, in respecting the distinction, the Church manifests her respect for the common good, and brings clarity and peace to those who, feeling overwhelmed by the large influx of recent immigrants, are tempted to group together unfairly legal immigrants with illegal immigrants, and to make sweeping statements about them, in particular about the largest group of them: "Hispanics." Immigration policy is a question of respect for the common good. Protection of a nation's borders is a question of respect for its common good. Such policy and such protection in no way preclude kindness and sensitivity. Enforcement of law is not necessarily a question of harshness (as is so often portrayed in the media).

It also would have been helpful if the bishops' statement framed the reason for recent debate more precisely and accurately. The question of immigration has indeed moved to the center of public debate. But why? The question of immigration has moved to the center of public debate because of unbridled, unchecked *illegal* immigration that has left the majority of the American population terribly uncomfortable.

The statement seems to have a subtext, suggested from its very title ("Where *all* find a home"), a subtext that is oddly and disappointingly similar to the majority of mainstream media. There is vague, even weak, reference to the need for law concerning immigration (for, one might presume, it is obvious that, without law, there is social chaos), but any policy that is seemingly anything less than unconditional welcome of any and all immigrants in "need" (i.e. open borders) is (or at least comes across as being) hastily qualified as "tense" and "confused" and "intolerant" and "discriminatory" (to use the statement's adjectives that qualify the current debate).

Reference to respect for immigration law is so often made by the bishops who then, in the same breath, seem to invite *dis*-respect for law. How could anyone want to enforce immigration law when they are pushed back against the wall, "Dare we look at them with and through the eyes of Christ for whom no one is illegal?"[5] Such statements are ambiguous, and frankly guilt-inducing. Let us not forget that Jesus Christ said, "Render unto Caesar that which belongs to Caesar."[6] Jesus had great respect for the reality of the state, and thus civil authority. To claim that someone who has entered a country illegally is law-abiding makes no sense, and is to suggest that immigration laws are morally irrelevant. Our welcome of immigrants ought to be *generous*, not unconditional. The latter is disrespectful of the common good.

What Is "Hispanic" Ministry?

I spent seven years in Laredo, Texas. There I lived 15 minutes by bicycle from the bridge that crossed into the heart of Nuevo Laredo, a large Mexican border city of approximately 400,000 people. Laredo was fascinating in many ways, and obliged reflection on questions of community, the common good, cultural assimilation, and how the Church ought to navigate such issues.

I found myself a "minority," so to speak, in the midst of a people who surprisingly (for the most part) does not consider itself to be Mexican. And yet, I was "Anglo." "Anglo" is, of course, an appellation essentially predicated on that of "Hispanic" (or "Latino"). Such an intriguing appellation manifests the superficial and simplistic (and, dare I say, counter-productive) labeling of persons that has become an American pastime. In the case of "Anglo" and "Hispanic" we see how confusing such labeling has become, for, in order to "accommodate" the latter, the categories of race and language have been combined under the nebulous heading of "ethnicity," leaving even the Census Bureau at a loss.

The bishops of Maryland statement regarding immigration is indeed largely with respect to this currently predominant group of recent immigrants to the United States, of those whom we call "Hispanic." The terms "Hispanic" and "Latino" are actually terms that do not really exist outside of the United States. They are American mental constructs, that create a generic category of persons, and, might I add, the facile, univocal adoption of the term "Hispanic" by the Church (with little philosophical reflection as to its significance)

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frankly poses questions, and indeed merits further discernment. The very important question of the nature of "Hispanic ministry" beckons sound exploration.

I asked the National Council of La Raza, "the largest national 'Latino' civil rights and advocacy organization in the United States," to define "Hispanic" for me. Their initial (quickly received) response was entirely dissatisfying. They in fact hide behind the confusion of the Census Bureau:

> The terms Latino and Hispanic are used interchangeably by the U.S. Census Bureau to identify persons of Mexican, Puerto Rican, Cuban, Central and South American, Dominican, and Spanish decent; they may be of any race.

In my response, I made the following statement and asked the following questions, which I believe the Church, who has adopted the category "Hispanic," must answer. By the way, the questions have yet to be answered by La Raza. If I allow myself a note of cynicism, I can only guess that real answers to them might undermine an agenda.

Given the racial and cultural diversity of this vast grouping, it would seem that the only real thing that associates such persons is the Spanish language. If so, a few questions arise:

- What becomes of those Americans of such descent who do not speak Spanish?
- What of persons from these countries who speak indigenous languages rather than Spanish?
- If the associative factor is the Spanish language, does not this appellation give primacy to the Spanish colonization over the indigenous cultures?
- Are persons "Hispanic" in these various countries? *Or*
- Is "Hispanic" a mental construct conceived in the United States?
- Do not persons from Spain prefer to be called *Spaniard*, since such an appellation recognizes *their* culture?
- Why use the categorization, given how generic and vague it is and how it eliminates racial and cultural diversity?

The Church's evaluation of the current immigration situation must avoid the generalities common to civil society. One would hope that it is in the Church where the most nuanced thinking would be found. For the Church, whose mission entails highlighting and embracing the uniqueness of each individual, of each child of God, to use sweeping categories such as "Hispanic" (or "Latino") is unfortunate and simplistic. To be truly philosophically sound and consistent, and to be truly respectful of diversity, the Church ought to refer to this portion of her flock as a whole as Hispanophone ("Spanish-speaking"). Otherwise, we ought to speak of Mexicans and Puerto Ricans and Bolivians, etc., that is to say, of real cultural groups, and this only to the extent that persons have a real (not imagined) association with them.

Latinos: "Objects of Suspicion, Intolerance, and Discrimination"?

The Hispanophone population is, by many standards, quite privileged. We are, in fact, in many places, experiencing the bilingualization of the United States with little or no input from the American people. What reasonable American would ever expect such privileges abroad? We are experiencing this bilingual phenomenon (to the exclusion, by the way, of other linguistic groups, including the 1.8 million French-speakers) when language is constitutive of the *koinonia* (fellowship or sharing) that maintains social cohesion — in the midst of other forms of diversity. A little trip to Belgium, for example, would erase any doubts about the cultural and national divisiveness of bilingualism.

I recall a recent year spent at a parish with a fairly large "Hispanic" population, such that there was a full-time associate pastor from El Salvador, to minister to them. In the parish there is a separate Religious Education program for this community within the community (that is to say, a fairly *separate* community) when all of these young people attend the same schools as the larger body of the parish's young people, are friends with them, and when many of them socialize among themselves in English. My office was next to that of this other associate pastor. Most of the time, I would hear the children playing in the hallway in English. And I was told that many of them actually wish to be part of the larger youth program.

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When I asked this associate pastor why he supported the extra logistical and financial burden to the parish for a program that, as far as I could tell, was largely unnecessary, he told me that it was the parents who wanted it. Through interaction with some of the members of the "Hispanic" community (who were often invited to broader parochial gatherings, but most often declined the offer), I came to realize what I had heard and still hear in various circles: They have little intention of participating in the larger common good. They will do what they can to retain their cultural heritage even if it means creating a new, supposed "heritage" called "Hispanic," and even if it means ignoring the existent cultural reality that is "American."

Two questions arose in my mind:

- Are we serving the common good of the parish, when what has been created, thanks to such cultural gymnastics, is *two* communities, whose true common good, i.e. membership in this spiritual entity, the Church — which transcends culture, is largely being ignored?

- Is the parish supposed to be a cultural tool that supersedes the spiritual reality of the one body that we are meant to be?

The fact that "Latinos" have become the "objects of suspicion, intolerance, and discrimination" is, dare I say, *almost* understandable. What is to be thought of persons who, in apparently large numbers, often do not seem to respect the common good by not wanting to integrate? What is to be thought when more than 10 percent of the Mexican population has moved north of the border? It is the equivalent of two million North Koreans moving into South Korea, of 130 million Chinese crossing the border into Russia, of 14 million Russians pouring into Germany, of 30 million Americans landing in Iraq. If well-ordered charity begins at home, then the Church ought to extend compassionate understanding to *American citizens* as they struggle with what amounts, in many ways, to an "invasion." The American people are understandably uncomfortable: when they see their neighborhoods quickly changing, large numbers of persons with whom they cannot communicate, large numbers of persons who sometimes do not seem to want to communicate with them, persons who, after many years in the United States, still refer to another country as their country. The discomfort is, once again, exacerbated when the important distinctions between civil duties and Christian duties is blurred. When an official statement by members of the hierarchy includes in the definition of neighbor "undocumented immigrants" as though the distinction between legal and illegal is ethically neutral, and without articulating that obligations to the common good remain, light is not shed, but obscured.

The Church and the Promotion of Fair Immigration

Moreover, fair immigration means allowing equal-opportunity immigration, which is not the current case in the United States. As Yale professor Amy Chua has written:

> That the 11 million to 20 million illegal immigrants are 80 percent Mexican and Central American is itself a problem…if the U.S. immigration system is to reflect and further our ethnically neutral identity, it must itself be ethnically neutral, offering equal opportunity to Sudanese, Estonians, Burmese, and so on. The starkly disproportionate ratio of Latinos — reflecting geographical fortuity and a large measure of law-breaking — is inconsistent with this principle.[7]

As regards the question of fair immigration, two questions arise:

- Why is the Catholic Church in the United States not addressing the imbalance in immigration, i.e. the disproportionately high numbers from Mexico? Why does the Church seem to be contributing to it, for example, by equipping our seminarians to be able to exchange linguistically with them and no others from outside the Hispanophone world?

- Why do we not decry the immigration policies of countries such as Mexico which make our borders look like the pearly gates?

No Comfortable Solution

Serving basic human needs is indispensable (cf. I John 3:17). And charity urges us to provide for whomever may appear on our doorsteps. But, again, such concrete and generous love does not translate directly into public policy. The argument that is based on circumstance ("Well, you cannot simply deport 12-20 million people") and not an understanding of the common good is not an

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argument, but rather resignation or the promotion of an ideology. Resignation and/or ideology are always, in the long run, contrary to love.

What ought to be done is obviously a question with no easy solution. The Catholic finds him or herself with a heavy heart, caught between various options: that of legalizing a massive influx of persons, which seems to be the higher road of charity, and that of enforcement of existent law, which will lead to some attrition, and which is more respectful of the common good. Whatever option is pursued as a nation, we need to grow in love, which will hopefully purify us of the greed that has so greatly contributed to our getting into this immigration bind, the same greed that has induced so many to turn a blind eye.

It would be extremely helpful for the Church hierarchy to articulate for the faithful the need for great sensitivity and generosity in immediate, emergency care for illegal immigrants, but also the fact that they remain *illegal*, and that our ministry should not and cannot circumvent their illegality. The fact that the eyes of Christ first see all of us as children of God does not mean that they do not see the human reality of the community, and thus such illegality. It makes discernment perhaps more emotionally challenging. But, at least, there is some clarity, for the fundamental truths of the human community, which our faith respects, remain. It is indeed my wish that true, honest dialogue on this terribly sensitive issue in the Church can some day be had.

End Notes

[1] "Who Speaks for the Church?" *First Things*, June 15, 2007, http://www.firstthings.com/onthesquare/2007/6/who-speaks-for-the-church.

[2] "The Church's Beacon Shines Brightly," *The Catholic Review*, Archbishop Edwin O'Brien, July 16, 2008, http://www.catholicreview.org/subpages/storyworld-new-new.aspx?action=4072.

[3] Summa Theologica II-II, Q. 26, "Of the order of charity", art. 8, respondeo.

[4] "The Church's Beacon Shines Brightly," op. cit.

[5] *Ibid.*

[6] Matthew 22:21.

[7] Amy Chua, "The Right Road to America?" *The Washington Post*, December 16, 2007, http://www.washingtonpost.com/wp-dyn/content/article/2007/12/14/AR2007121401333_pf.html.

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Appendix: Where All Find a Home: A Catholic Response to Immigration

A Statement from the Bishops of Maryland, November 2007

Increasingly, immigration is moving to the center of the public debate, not only in the halls of Congress and in Annapolis and other state capitals, but also in our neighborhoods, schools, churches, and homes. Too often, discussions are marked by tension and confusion; at least as often, they are accompanied by a sincere longing to understand…and to be understood. Questions of legality, economics, and the mix of cultures often dominate the immigration debate. As Catholics, we must move past divisions and remain focused on the dignity of the human person and the welfare of families.

We therefore urge Maryland Catholics to consider prayerfully the question of immigration, including illegal immigration. The rule of law must be respected. The discussion, however, cannot end there. Undocumented immigrants are persons with dignity — a reality that obliges us to learn about the immigration system, understand the motives for migration, and consider the needs of individuals and families. Our American ideals call us to participate in the public debate; our Catholic faith urges us to do so with charity.

All people have the right to have their basic needs met in their homelands. When the means to fulfill those needs do not exist at home, people have the right to seek them abroad.[1] At the same time, sovereign nations have the right to control their borders, provided the regulations promote the common good of our universal human family. Not surprisingly, these two rights may conflict. When they do, receiving nations with the ability to accommodate migrants are urged to respond with generosity so individuals have the opportunity to meet their basic needs and so families remain united.

This teaching flows not only from our profound respect for the human person and families, but also from Sacred Scripture. Strangers and sojourners, as St. Paul calls them, appear on the biblical scene in Genesis and remain prominent throughout the Old Testament. They are regularly referenced along with widows and orphans as vulnerable persons who must be treated with justice and compassion.

In the New Testament, we encounter our faith's most precious migrants — the Holy Family. St. Matthew's Gospel recounts the flight of St. Joseph, the Virgin Mary, and the Infant Jesus into Egypt to escape the wrath of a jealous king: "Jesus, Mary, and Joseph … are, for all times and all places, the models and protectors of every migrant, alien, and refugee of whatever kind who, whether compelled by fear of persecution or by want, is forced to leave his native land, his beloved parents and relatives, his close friends, and to seek a foreign soil."[2]

In the Church, a universal body united through Christ, all find a home. Illegal entry is not condoned, but undocumented immigrants are embraced. "In the Church no one is a stranger, and the Church is not foreign to anyone, anywhere… the Church is the place where illegal immigrants are also recognized and accepted as brothers and sisters."[3]

The history of the Church in the United States compels us to care in a unique way for the welfare of today's immigrants. Our immigrant ancestors helped build the Church here and helped establish a thriving American political system. The first American citizen to become a saint — Frances Xavier Cabrini — was a naturalized immigrant from Italy and is now the universal patroness of immigrants. Catholic immigrants of every generation have experienced discrimination and intolerance at the hands of those who arrived before them. In the 1600s and 1700s, Maryland Catholics were denied the right to vote, hold public office and celebrate Mass in a church. "No Irish Need Apply" was a staple of employment ads in the 19th and 20th centuries. Descendants of enslaved Africans continue to suffer the bitter fruits of slavery and segregation. Today, like their immigrant predecessors, Latinos often are the objects of suspicion, intolerance, and discrimination. Maryland Catholics should wel-

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come discussion of immigration and the challenges it can present. We must also recognize distinctions in the debate: The legality of a person's entry into the United States is one issue; our response to him now that he's here is a separate one. The former is the government's responsibility; the latter is also ours. When we exercise that responsibility, we should keep in mind the command of the Lord in the Old Testament: "You shall treat the alien who resides with you no differently than the natives born among you; have the same love for him as for yourself; for you too were once aliens in the land of Egypt."[4]

The Catholic Church reaches out to migrants in many ways. Catholic dioceses and parishes throughout the world strive to meet not only the spiritual needs, but also the basic human needs, of all people. Catholic Relief Services, headquartered in Baltimore, assists 80 million people worldwide, including many who have been displaced by war, genocide, and the threat of starvation. The United States Conference of Catholic Bishops works for a just federal immigration policy and promotes economic initiatives that help people stay in their homelands. In Maryland, immigrants are served through the good work of organizations like the Hispanic Apostolate in Baltimore, the Spanish Catholic Center in Langley Park, and the Seton Center in Princess Anne.

The Church's work at all these levels is essential, but so too are the work and words of individual Catholics. Marylanders of good will must come together to honestly, respectfully, and prayerfully discuss their concerns about immigration. These discussions may not produce a change in national policy or impact the numbers or legal status of immigrants in our communities, but they will help us find local solutions to local challenges. Most importantly, they will help neighbors — citizens and documented and undocumented immigrants alike — see Christ in each other.

To facilitate these vital conversations, we commend to you four simple informational pieces produced by the Maryland Catholic Conference. These documents — focusing on the process, history, economics, and root causes of immigration — are intended to foster thoughtful discussion and have been made available to all parishes. These resources and others may be found at www.mdcathcon.org. We hope you take advantage of them and pray that this season may produce a harvest of goodwill and fraternal charity among all who call or seek to call the United States home.

Most Rev. Edwin F. O'Brien, Archbishop of Baltimore

Most Rev. Donald W. Wuerl, Archbishop of Washington

Most Rev. Michael A. Saltarelli, Bishop of Wilmington

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[1] "Strangers No Longer: Together on the Journey of Hope," a pastoral statement concerning migration from the bishops of the United States and Mexico, 2005.
[2] "Exsul Familia," Apostolic Constitution of Pope Pius XII, 1952.
[3] "Undocumented Migrants," Message of Pope John Paul II for World Migration Day, 1996.
[4] Leviticus 19:34.

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Backgrounder

Catholics, Immigration, and the Common Good

By Fr. Dominique Peridans

The following are considerations offered by someone engaged in the complex arena of Christian ministry. They are reflections by a Christian pastor, a minister in the Roman Catholic tradition, prompted by a statement on immigration issued in November 2007 by the three Bishops of Maryland — Edwin F. O'Brien of Baltimore, Donald W. Wuerl of Washington, and Michael A. Saltarelli of Wilmington — entitled "Where All Find a Home: A Catholic Response to Immigration."

These thoughts primarily seek to be a respectful response and a forthright questioning of that statement (and thus the immigration views of the American Catholic hierarchy more generally, since the statement reflects the views of many other bishops). Much of the content of this *Backgrounder* is thus necessarily theological. Indeed, it speaks first to the bishops, authors of the statement, and concerns persons of Christian faith. As such, it takes us beyond the immediate political sphere. And yet, as I try to articulate, Christian (or any other) ministry is not exercised in a social or cultural vacuum. Christian ministry eminently takes root in human experience (and is meant to lift human experience) and finds itself always in the context of a human community, of a body politic, be it local or national. The community, therefore, and the reality of the common good, can never be ignored if ministry is to be honest and true, and truly effective.

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Backgrounder

September 2009

A Biblical Perspective on Immigration Policy

By James R. Edwards, Jr., PhD

The immigration issue often highlights fissures between faithful parishioners and denominational clerics. Many Catholic bishops have called for amnesty for illegal immigrants, and their conference's lobbying arm works continually with open-borders special interests. Catholic and "mainline" Protestant church officials have decried the federal government's enforcement of immigration laws. Some liberal religious leaders re-initiated a "sanctuary" movement to harbor illegal aliens, including in churches. A Southern Baptist official has sided with amnesty proponents as pragmatism, and the National Association of Evangelicals plans to weigh in, likely on the pro "comprehensive immigration reform" side.[1]

Yet such self-described "compassion" among religious elites differs from the perspective of most rank-and-file Christians. The laity generally opposes legalization and supports enforcement of immigration laws.[2] One may ask: How else could Christians approach immigration policy matters?

This *Backgrounder* examines the immigration issue from the perspective of biblical Christianity. Both policy makers and private citizens who are Christians may wish to consider how Scripture might inform their views on immigration. This report intends to aid those faithful readers.

The faith principles of many Americans inform their politics and public policy. And the United States has a long, historical connection with Christian influence, dating to the country's earliest days. Today, the vast majority (about four fifths) of Americans belong to the Christian religion. Some of the most prominent recent examples of faith-influenced politics are freedom of religious expression in public life, abortion, and same-sex marriage.

On some matters of public policy, the Bible speaks clearly. On other issues, there is less clarity and more room for prudential judgment. The rub comes where there is a lack of scriptural clarity on a particular issue, significant differences between the particular society of Old Testament Israel and the United States, or some other factor. Christianity teaches that God, His word, and His precepts are unchanging, but believers may struggle to find the most appropriate guidance from Scripture for handling a very specific public policy issue for their day and age in their nation. This conundrum of finding and applying the right, timeless principles to a modern policy issue in a specific nation challenges both the laity and clerics. This report attempts to shed helpful light, in the best tradition of reasoning from the Scriptures (Acts 17:2).

First, this *Backgrounder* examines the biblical role of civil government. This includes its weighing justice and mercy, as well as determining which biblical guidance more appropriately applies to individuals and which to society. Second, migration in Scripture is considered. Third, what is the responsibility of immigrants and would-be immigrants? The *Backgrounder* concludes with the application of biblical principles to 21st century American immigration.

Civil Government's Biblical Role

A central question must be answered before a biblically informed immigration policy may be determined: What role does God intend civil government to fulfill? After all, earthly government will be the mechanism through which public policy is formulated.

Scripture clearly indicates that God charges civil authorities with preserving order, protecting citizens, and punishing wrongdoers. A prime passage is Romans 13:1-7:

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Let every person be subject to the governing authorities. For there is no authority except from God, and those that exist have been instituted by God. Therefore whoever resists the authorities resists what God has appointed, and those who resist will incur judgment. For rulers are not a terror to good conduct, but to bad. Would you have no fear of the one who is in authority? Then do what is good, and you will receive his approval, for he is God's servant for your good. But if you do wrong, be afraid, for he does not bear the sword in vain. For he is the servant of God, an avenger who carries out God's wrath on the wrongdoer. Therefore one must be in subjection, not only to avoid God's wrath but also for the sake of conscience. For because of this you also pay taxes, for the authorities are ministers of God, attending to this very thing. Pay to all what is owed to them: taxes to whom taxes are owed, revenue to whom revenue is owed, respect to whom respect is owed, honor to whom honor is owed.[3]

Similar teachings, such as I Peter 2:13-17 and Titus 3:1, urge citizens to obey secular authorities, because they hold godly agency, whether the individuals in charge are personally characterized by godliness or not. This conduct of good citizenship is one means of revering God. Earthly governors "bear the sword" on behalf of those under their authority — for instance, preserving law and order, fighting off invaders, and meting out punishment to those who break the law.

The authority God delegates to civil government focuses on justice, not mercy (though this is not to say laws should not be tempered by mercy). Biblical teachings of mercy generally apply to individual conduct, not to civil authorities. Further, standards of justice are not fully moral if they are not accompanied by judgment and punishment. These two elements (judgment and punishment) are integral, or else justice is not just.

In other words, civil government has been delegated authority to use force because government fulfills the role of protector of a specific body politic and the members of that political society. The reason the sword of justice has been delegated to earthly governments is for protection of a defined set of people who live under a government's jurisdiction. It is not power for power's sake, but power to protect and defend a state's own people and resources. Earthly rulers are to guard their own citizens against evil in the world and in the hearts of men. And God holds rulers accountable for their official conduct (e.g., Deut. 17:14-20). Christians understand this delegation of authority to protectors in the civil realm to be a tangible safeguard against the consequences of the sin nature that inherently resides in every person.[4] Hence, national defense and police powers manifest the central role given to the government. A given government's responsibility under God is to safeguard its citizens.

These points concerning civil government relate to immigration policy in several ways. One is the implication of national sovereignty, which includes the right to determine the grounds for admitting foreigners into the jurisdiction, and on what conditions. It also leads to the deduction that immigration policies should principally benefit citizens, not harm citizens' well-being. Further, its implications include the prerogative of punishment or expulsion of those foreigners who do not abide by the civil laws, including immigration laws, as well as determining the criteria and conditions for foreigners' admission. These sorts of prudential judgments may change according to the prevailing situation.

Old Testament Principles. Even the passages of Scripture most often cited by religious advocates of mass immigration and amnesty plainly do not argue for open borders. Rather, these writings generally reflect "equal justice under law" principles.

Consider Leviticus 19:33-34: "When a stranger sojourns with you in your land, you shall not do him wrong. You shall treat the stranger who sojourns with you as the native among you, and you shall love him as yourself, for you were strangers in the land of Egypt: I am the Lord your God." Similarly reads Exodus 22:21: "You shall not wrong a sojourner or oppress him, for you were sojourners in the land of Egypt."

Dr. Stephen Steinlight has noted that the Hebrew term for "sojourn" means temporary stay.[5] A related term used in some scriptural translations is "stranger." One Bible dictionary says, "This word generally denotes a person from a foreign land residing in Palestine. Such persons enjoyed many privileges in common with the Jews, but still were separate from them. The relation of the Jews to strangers was regulated by special laws (Deut. 23:3; 24:14-21; 25:5; 26:10-13)."[6] This Bible dictionary defines "two classes of aliens: 1) those who were temporary visitors, who owned no landed property; and 2) those who held permanent residence without becoming citizens (Lev. 22:10; Ps. 19:12). Both of these classes were to enjoy, under certain conditions, the same rights as other citizens (Lev. 19:33, 34; Deut. 10:19)."[7] Again, those rights amounted to equal standing under the law, or having the benefit of the rule of law. Therefore, it is biblically inaccurate to incorporate, automatically and dogmatically, permanent immigration into every such term.

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Nor is it reasonable to jump to the conclusions many on the open borders side do about related passages. These activists claim that such passages mandate that a society welcome any and all foreigners presenting themselves. No such passages state or imply overlooking illegality committed on the part of the alien in his entry. Nor is there any requirement of unlimited or uncontrolled admittance of those who are members of another nation or society. Assertions like those are, at a minimum, a wrong reading. Such verses actually indicate nothing about the grounds for alien admission to ancient Israel.

In fact, as Steinlight and others have noted, a fair reading of the relevant Old Testament passages makes clear that foreign residents were to comply with Israelite laws, such as Sabbath observance (e.g., Deut. 16:9-15). Furthermore, the law God laid down for Israel allowed legal distinctions to be drawn between native Jews and resident aliens. For instance, Deuteronomy 15 commands the remission of the debts of fellow Israelites every seven years, but "[o]f a foreigner you may exact" his debts (v. 3). A chapter before, Hebrews receive permission to sell or give foreigners "unclean" [[non-kosher?]] food (see Deut. 14:21).

Another theme stands out in the Bible. God regards borders as meaningful and important (see, for instance, Prov. 22:28 and Prov. 23:10-11). Consider Deuteronomy 32:8: "When the Most High gave to the nations their inheritance, when he divided mankind, he fixed the borders of the peoples according to the number of the sons of God." Ezekiel 47:13-23 details the Promised Land's boundaries. Numbers 34:1-15 describes the borders the Lord established for each tribe of Israel. Deuteronomy 19:14 commands against moving a neighboring tribe's boundary stone marking a given tribe of Israel's inheritance in the Promised Land. Another example appears three months after the Israelites left Egypt. The base of Mount Sinai was made off-limits (see Exodus 19:12ff), under penalty of death, until the people had been consecrated. Resident aliens who had children and settled in Israel (largely because of Israel's failure to complete the mandate to remove them) were allowed private property in Israel (Ezek. 47:21-23). However, numerous times Israelites are warned against letting the aliens' pagan practices corrupt God-given moral standards.

God also employed foreigners as instruments of His justice, with invasion as a curse (just as he used the Israelites to exact justice against the pagans residing in the Promised Land). For example, II Chronicles 36 describes the decline of Judah [[Judea?]], the culmination of kingships and continual disobedience by God's people. This sad passage tells of the Chaldean conquest of Israel and the judgment meted by the Babylonian captivity. The curse in Deuteronomy 28:43-44 reads: "The sojourner who is among you shall rise higher and higher above you, and you shall come down lower and lower. He shall lend to you, and you shall not lend to him. He shall be the head, and you shall be the tail." That curse plays out throughout Old Testament history.

In short, the Old Testament teaches fair treatment of resident foreigners, with certain requirements of the aliens related to religious and civil legal standards. It also instructs that aliens were to assimilate to the Hebrew culture. Boundaries are meaningful, as well, and foreign presence among the Hebrews on several occasions was a curse. Few details of immigration procedures, standards, or other policy prescriptions appear. To infer some open-borders or mass-amnesty mandate from what actually appears in Scripture is wrong.

Justice and Mercy. Believers have long grasped the instruction of passages such as Micah 6:8: "He has told you, O man, what is good; and what does the Lord require of you but to do justice, and to love kindness, and to walk humbly with your God?" Some translations use the word "mercy" instead of "kindness." American University Professor Daniel Driesbach has found Micah 6:8 to rank among the most cited scriptures by America's founding generation.

Justice and mercy, along with a godly life, are fundamental principles of biblical conduct. Justice and mercy are complementary principles. They informed the thoughts of America's Founders as they fashioned a government for the new nation.

Government's wielding of the sword of justice is well established, biblically, as discussed earlier. Jesus did not challenge that principle, either toward Rome or other earthly authorities, nor did He question the legitimacy of civil (or religious) government.

Government's exercise of mercy is more challenging than its role in ensuring justice. Examples of mercy in public policy exist; for instance, granting a criminal a pardon or parole before he serves out his prison sentence, having proportionality for punishment of a crime (e.g., an eye for an eye, rather than a life for an eye). But most such policies aim in a rifle-shot fashion at individual cases, and often they involve some level of merit. U.S. immigration statutes have provided for suspending deportation in certain exceptional hardship cases. The adverse effects of not carrying out the justice due against guilty individuals are reduced somewhat by these acts' limited scope and infrequent application.

When considering mercy as public policy, however, an important distinction must be drawn. Not

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every moral or ethical teaching in the Bible fits cleanly or applies equally to both individuals and societies. This is certainly true with justice and mercy. The case for civil authorities executing justice is much plainer, while their application of mercy in public policies is merely tempering, not predominant. Legislating mercy requires prudence, restraint, and good judgment.

Similarly, Jesus affirmed the place of civil government, the executor of justice. Christ said in Matthew 21:22: "Therefore render to Caesar the things that are Caesar's, and to God the things that are God's." And Jesus Christ told the rich young man to sell his belongings and follow Him (an individual act of obedience with merciful effect), yet he never advocated a public policy of extorting or impoverishing the better off. From such facts we may infer certain actions as appropriate by individuals and not by civil government, and vice versa. This principle accords with the idea that not every sin (moral offense) should necessarily be against the civil law in a particular land.[8]

A classic teaching on mercy comes in Luke 6:27-31. In this passage, Jesus says:

> *"But I say to you who here, love your enemies, do good to those who hate you, bless those who curse you, pray for those who abuse you. To one who strikes you on the cheek, offer the other also, and from one who takes away your cloak do not withhold your tunic either. Give to everyone who begs from you, and from one who takes away your goods do not demand them back. And as you wish that others would do to you, do so to them."*

The last sentence readers will recognize as the Golden Rule. Christ's instruction here applies to individuals instead of governments.

The reason is the difference between actors and agents. As an agent for members of the body politic, civil government acts on behalf of a larger group of people. Civil authorities have no resources other than what citizens entrust to them. Every obligation civil authorities take on they do in their capacity as public agents, not personally (other than, say, as individual taxpayers themselves).

In other words, these agents (or representatives) are delegated to weigh what obligations the body politic will take on, and their decisions obligate individuals living under their jurisdiction to fulfill them. For instance, policy makers may decide to establish a program to provide for the widows and orphans of fallen military servicemen. This may be regarded as a policy on the mercy side of the equation. However, the government has just obligated individual citizens at large to fund and maintain this program. Thus, the practical consequences of civil government's "mercy" actually are borne by the citizenry.

Related to this is the familiar passage about treatment of "the least of these my brothers" — the hungry, the naked, the stranger, the prisoner. The passage in Matthew 25:31-46 plainly concerns the eternal reward or punishment of individuals. The judgment here is based on individual acts of kindness, as private persons. It becomes highly problematic to ascribe the specific mercy ministries this passage cites to bodies politic.

It invites skepticism to conclude that feeding the hungry or welcoming the stranger as a matter of public policy at public cost is implied here. And given that immigration policies pit the interests and well-being of citizens of a body politic against those of people subject to other national jurisdictions, laws that privilege foreigners, wealthy elites, and special interests over the welfare of citizens (particularly average and less fortunate members of society) are, at a minimum, morally obtuse. "The least of these" in this context are those with a claim to particular authorities' protection, not foreigners or native elites.

Similarly, the notion of neighborliness illustrates the individual (versus societal) obligation. The Good Samaritan parable exemplifies the commandment to love one's neighbor as one loves oneself. It appears in Luke 10:25-37, where the social outcast in the story Jesus tells acts more as a true neighbor than do more outwardly upstanding characters. It shows one's investing himself in someone in need, taking mercy, as the example of loving neighbor.

While principles from this example may serve in certain public policy areas, the model largely applies to individuals. At the policy level, it would be too easy for the state to demand conduct best exercised voluntarily by individuals, not under compulsion.[9] Such is not mercy, nor is it motivated by love. The same goes for the state erroneously regarding foreigners as "neighbors" and treating them better in certain ways than its own citizens.

And while the general principles of mercy Christ mentions here may inform certain public policies, it would be wrong to jump to particular policies as justified (or mandated) here (such as U.S. funding of foreign programs that perversely result in dependency and illegitimacy). For each national government, "the least of these" will be native-born sufferers, the less fortunate of its own nation, those who stand to lose if forced to compete for jobs or education, for example, with people who would immigrate from some other nation (whose

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own civil authorities are responsible for their welfare). Further, in the United States, federal authorities are constrained by the U.S. Constitution, which limits their authority to certain denominated duties.

It is important to note another element of justice. God brings reward and punishment to human societies this side of eternity. Corporate entities such as civil societies have no existence except in the here and now. Thus, they temporally experience consequences affecting the whole. Scripture teaches that individuals are ultimately responsible for their personal sin or righteousness, but those personal moral dimensions affect the life of the body politic, as well. An aspect of this principle involves God's empowering specific civil rulers over particular peoples (e.g., Deut. 32:8; Prov. 8:15-16; Acts 17:26).

Every ruler acts in accordance with God's sovereignty, knowingly or not, though the reasons for certain political actions may not always be discernable to finite human beings (e.g., Prov. 21:1; Prov. 28:16; Prov. 29:26). Those who rule justly achieve a kind of temporal blessing for their body politic (e.g., Prov. 21:15; Prov. 29:4; Prov. 29:14). National character matters and has ramifications for a people, and the nation characterized by righteousness pleases God (e.g., Prov. 11:10-11; Prov. 14:34; Prov. 16:12).

The Old Testament constantly illustrates this notion of dealing with corporate reward or judgment. Before the Israelites entered the Promised Land, Moses gathered the people and stated the corporate blessings and curses the nation would receive based on whether the people obeyed God's commands. Deuteronomy 28 spells out the blessings and curses. Verses 43-44 list among the Lord's curses the resident alien's rise above the natives: "The sojourner who is among you shall rise higher and higher above you, and you shall come down lower and lower. He shall lend to you, and you shall not lend to him. He shall be the head, and you shall be the tail."

Later on, God brought judgment upon the Hebrew people, corporately, and other nations and kingdoms, corporately, such as through the Babylonian conquest of Israel. Temporal entities cannot be rewarded or punished in the hereafter; that realm is reserved for reward or judgment of individuals. Civil government should therefore heed the lesson that public conduct carries corporately shared consequences.

Getting back to Christ's pronouncement to Christians in Luke 6, government can only exercise mercy through its agency. Compassion and mercy, when individuals exercise them, amount to their decision willingly to bear an injustice. It is merciful when a private person turns the other cheek, gives up his tunic, and gives to a beggar. However, the government cannot do any of those things; it only can obligate the members of its society to do so.

A compassionate act, when exercised by an individual, often becomes an injustice when compelled by civil government — the agents who are supposed to be the guardians of justice and protectors of the innocent, "the least of these," the citizens or subjects of their jurisdiction. Thus, for example, writing into the U.S. Constitution a prohibition against cruel punishment (e.g., torture, which European governments had instituted, such as in the Spanish Inquisition or the English Star Chamber) is an appropriate adaptation of the biblical standards of mercy; freeing thieves and batterers from facing imprisonment, restitution, and accountability to society is inappropriate and not merciful.

How might this concept apply in U.S. immigration policy? Take amnesty, for example. Forgiving foreigners for entering the country illegally or staying when their visas expire might be seen as "merciful" or "compassionate," at least in its effect on the people gaining legal status without having to suffer the consequences the law otherwise would require of them. However, the government, as agent, has acted in such a way that coerces innocent citizens and law-abiding immigrants to suffer the consequences.

In recent amnesty proposals, 12 million or more illegal aliens would be legalized. These amnestied lawbreakers would tie up the immigration bureaucracy; introduce through chain migration millions of relatives into an already clogged system; qualify for scarce public resources such as Medicaid, welfare, and other public assistance; and the costs of all these things would be borne by American taxpayers. Furthermore, the scale of such "mercy" would do harm to many Americans and communities, and lead to more illegal immigration by the signal such policies would send (and indeed have sent with previous amnesties).

Migration in the Bible

While movement of people spans the Old Testament from Adam to Abraham to Moses to Ruth, no immigration policy (the terms and conditions for admission or expulsion of aliens) is spelled out. Moreover, Scripture provides no uniform immigration policy mandate intended to apply to every body politic throughout human history.

Each instance of migration in the Old Testament is different. These movements span hundreds of years and diverse conditions. It would be foolish to assert an

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immigration policy for the United States based on such passages. The best Christians can do today is to identify the principles that aptly fit their particular society's circumstances.

Most instances of migration in biblical history are particular to the individuals involved. For instance, God ordered Adam and Eve to flee the Garden of Eden or face certain death (Genesis 3:23-24). This forced migration occurred because of their disobedience.

God Himself led certain individuals or households to move to different locations. Each move recorded in Scripture helped fulfill His purpose in biblical history. None appears to have involved illegality. Each segment of the biblical narrative and the people in that historical line have a unique, specific purpose leading toward the coming of the Messiah and the subsequent spread of the Gospel.

More routine human movement in biblical times was governed by each particular destination. City-states had walls and gates and thereby controlled entry and exit. Much migration was temporary or nomadic. For example, traders, shepherds, and others traversed open spaces. Sojourners would move from location to location, in different city-states and kingdoms, to ply their trades and made a living on the move. Craftsmen would spend periods away from home hiring themselves out. At all times, the local governments or rulers held ultimate control over admission, expulsion, and the terms of stay (see, for example, Nehemiah 13:15-22).

During the Israelite journey, Moses sought permission for the Hebrew people to travel into Edom. He petitioned the Edomite king (Numbers 20:14-21). The king denied permission; Moses appealed, and the king again denied entry. Edom sent its army out to enforce its borders. While this action by Edom was not "hospitable," it was legitimate. The Canaanite king of Arad (Numbers 21:1-3) launched a preemptive military strike against the Hebrews. That aggression resulted in the Lord's favoring Israel in a counterstrike, in which the Hebrew army defeated Arad.

Similarly, Moses petitioned the Amorite king, Sihon, to pass through his territory (Numbers 21:21-31). Sihon, too, sent out his army, initiated combat, but lost the battle and consequently his life and his land. Israel stopped short of neighboring Ammon (v. 24) because of its fortified border. Israel similarly won possession of Bashan, when its king, Og, deployed troops and engaged the Hebrews. In none of these or similar instances does the securing of one's border per se appear to have provoked God's wrath. Where exercising border security in a defensive posture, local kingdoms escaped punishment.

Of course, forced migration occurred as a result of national conquest. In many of these instances, God used pagan nations as instruments of punishment. Occasions such as the Babylonian exile of Israel in 586 B.C. (II Kings 24:10-25:21) illustrate God's hand of judgment against the offending party to the Mosaic Covenant (see Exodus 20:1-17, 24:1-12). This mass migration was unwanted by the deportees.

New Testament times involved changed political circumstances. The independent Israelite kingdom was no more. Palestine had become conquered territory of the Roman Empire. Hence the Jewish religious leaders' seeking Jesus' political entrapment when he replied to "render to Caesar" one's temporal, public duties (Matt. 22:15-22). Caesar maintained local authorities (e.g., King Herod) with Roman governors (e.g., Pontius Pilate) (see Luke 3:1-2). The imperial regime's Pax Romana in certain ways eased travel and increased safety, as well as extended the privileges of Roman citizenship.

Caesar Augustus ordered a census (Luke 2:1-3). Thus, people like Mary and Joseph traveled to the hometown of their lineage. The couple later fled to Egypt for protection against King Herod (discussed below). The Jewish religious leaders persecuted followers of Jesus, recorded in the first several chapters of Acts. Acts 8:1-3 relates that the crackdown in Jerusalem scattered believers to other parts of Judea and Samaria. After Saul the Pharisee persecutor became Paul the apostle of Christ, he traveled throughout the Mediterranean region, from Jerusalem to Damascus to Crete to Athens to Rome. His missionary journeys were integral in spreading the faith, planting and growing churches. Acts 21 and 22 record that Paul was a Roman citizen by birth, and he relied on the rights of a Roman (see especially Acts 22:25-29).

The point here is that those subject to Roman rule, citizen or not, Christian or otherwise, benefited in tangible ways, such as lawful travel within the empire. And temporal citizenship served both God's and early Christians' interests, affording individuals such as Paul certain civil rights and privileges. Despite a less than perfect or moral civil authority, Christians of the early church "rendered unto Caesar the things that were Caesar's." There is no evidence here that early Christians broke any laws when crossing borders.

Humanitarian Migration. Some people mistake examples of fleeing persecution in particular instances in the lives of biblical characters with a broad mandate of open borders, where none exists. These examples most closely match modern refugee and asylum policies. Today, nations will accept foreigners as temporary or permanent residents, depending on the circumstances,

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because of warfare, natural disasters, or political or religious persecution in their homelands that makes it impossible for these people to continue residing there without exceptional danger.

Perhaps the most notable example comes in Mary and Joseph's flight to Egypt. They fled King Herod's murderous decree to kill all male Hebrew children under age two, after the Magi from the East failed to inform him who and where Jesus was. Matthew 2:16-21 recounts this event in the life of the very young Jesus. An angel warned Joseph of the danger and specified Egypt as the family's destination. Verse 15 gives the scriptural reason for that destination, which was the fulfillment of prophecy pertaining to the Messiah.

Misguided modern misinterpretation notwithstanding, this act did not constitute illegal immigration. Nothing indicates that the holy family broke any Egyptian laws. Their intent was finding temporary humanitarian relief. They stayed only until they could return to Israel.[10]

Another example comes when David fled King Saul's attempts to kill him. The book of I Samuel records Saul's growing hatred of David, how David's popularity as a war hero outshone his own military reputation (popular slogan at that time: Saul has slain his thousands and David his ten thousands), and his self-imposed exile. First, David sought asylum with King Achish of Gath (in Philistine territory). This was hometown to David's old archenemy, Goliath. David resorted to acting insane there, for safety, before returning to Judah [[Judea?]] to take refuge in a cave.

David fled — to his former enemy's nation — to seek sanctuary (his destination maybe not the best judgment call, and apparently not specifically directed by God). But there was no illegal immigration involved. Nor was he punished for any sort of illegal entry (Achish's advisors worried for national security reasons, though).

Instances such as the migration of Abraham (who fled to Egypt to escape famine; Genesis 12:10) and of Jacob's entire household (invited by Pharaoh to Egypt, as Joseph's family, to gain relief during a famine; Genesis 45-46) do not provide modern-day immigration or refugee policy prescriptions. They simply exemplify times in which ancestors of Christ sought humanitarian help and God provided it through governing authorities.

No illegal immigration occurred here. The rulers of the receiving states were aware of the visitors' presence. Importantly, Christians believe that God is sovereign over everything. Thus, if or when, in His providence, a state denied a believer entrance into its territory, God provided another means for meeting his needs. On occasion, Scripture shows the refusal to be part of God's discipline or judgment. The answer, for the true faithful, is not to take matters into one's own hands.

Something else should not be missed. Because Abraham lied about his wife's marital status and the consequences that followed, Pharaoh ordered Abraham and Sarah (called Abram and Sarai at this time) to be deported from Egypt (Genesis 12:20). And the circumstance of the Hebrew people residing in Egypt soured as their stay became increasingly permanent and their presence became an internal security threat. Settlement by invitation led to enslavement and harsh measures, such as the killing of their offspring (Genesis 50:8ff).

Therefore, instances of migration chronicled in Scripture provide no sanction for open borders. These movements of people across territories generally deferred to the national sovereignty of the local authorities regarding whether or not to grant entrance. The theme given the Hebrews of fairly treating aliens and sojourners resembles "equal justice under law" more than an admonition to take all comers without conditions. Even humanitarian migration (fleeing persecution, etc.) did not trump national sovereignty, as preserving law and order even as it relates to immigration is a duty of governing authorities and a manifestation of general blessing (under common grace) of all lawful residents of a jurisdiction.

Additionally, particular movement on the part of certain individuals and of the Hebrew people to the Promised Land were elements of God's carrying out His will through the affairs of men. They should not be generalized beyond their context of time, place, and actors. Absent perfectly clear direction by God, such as leading His chosen people by pillars of cloud and fire, believers after the age of Christ should default to immigration standards that particular states may enact, within their delegated sovereignty. That would seem the most in keeping with the will of a God whose character includes the quality of order.

The Immigrant's Responsibility

Advocates for illegal immigrants like to blur moral lines. They offer up illegal aliens who purport to be Christians.[11] Yet, wrapping their lawbreaking in Christian terms stands at odds with the clearer teachings of Scripture. It becomes all the more curious when a supposed Christian justification overlooks conduct that might be regarded as inconsistent with biblical standards. For example, purportedly Christian illegal aliens set the poor example of a criminal life, often abandon their young children to grow up without a parent's daily guidance, and leave

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their community back home without the influence of "salt and light."[12]

Thus, what is the biblical position relating to those who would be immigrants? Have they the right to impose themselves on a sovereign nation, an established society?

First, the biblical standard for immigrants is that they obey the laws of a nation (the general standard for all, discussed above). Obviously, this relates to abiding by a nation's decision whether or not to admit an alien, and on what terms and conditions. It also includes an assimilationist ethic. Foreigners duly admitted into a particular society are expected to assimilate, not impose their own customs, language, etc. and remake the receiving society in their own image.

Scripture passages such as Deuteronomy 16:9-15 illustrate the biblical assimilation ethic. Here, the Lord establishes for the Israelites the Feast of Weeks and the Feast of Tabernacles. These were religious observances, but also civil laws. In both cases, these laws required resident aliens to participate in the observance of these holidays. Likewise, the Fourth Commandment, calling for observance of the Sabbath day, also binds the resident alien (Deut. 5:14). Thus, in their public life, those aliens granted permission to reside in a nation owe a moral duty to the accepting nation to abide by its laws and assimilate to its customs. Such is morally responsible individual conduct in the context of immigration.

Second, forcing oneself on an existing nation is both unjust and unjustifiable. In other words, illegal immigration is morally wrong. Lawbreaking aliens bear moral responsibility for their unlawful actions.

Even desperate circumstances do not justify illegal immigration. Proverbs 6:30-31 says, "People do not despise a thief if he steals to satisfy his appetite when he is hungry, but if he is caught, he will pay sevenfold; he will give all the goods of his house." The New International Version (NIV) translates the terms as "hunger" and "starving." Here, a man steals food to keep from starving. Everyone can understand the desperation that led to his lawbreaking. But despite his sympathetic circumstances, the fact remains that he stole. He took what belonged to someone else. Caught for stealing, he now faces punishment. He has to make restitution, even to the point of his own bankruptcy.

Could we not make an exception for a starving man? The private owner can; civil government cannot. The larger principles in this example involve his willfully breaking God's commandment against stealing. The man in this proverb could have looked for other, lawful options to satisfy his need. He could have asked people for bread. He could have prayed and asked God to supply his need. Even this desperate man was not at liberty to take matters into his own hands with unlawful acts. Scripture does not leave him free to become a law unto himself.

Even this understandable, but lawless, act wars against the peace of society. Civil government exists to preserve the peace. Were the government not to hold lawbreakers accountable, that laxity would send the wrong message to others who might not be in quite as dire circumstances. The forgiven lawbreaker might take the government's mercy as lack of will to enforce its laws. In other words, the actions here of both the government and the lawbreaker have consequences for the rest of society.

Obeying a nation's immigration laws (this applies to employers, as well as aliens) is a practical application of the two paramount commandments, loving God and one's neighbor (e.g., Matt. 22:37-40, Mark 12:29-31). It also follows Christ's directive to "render unto Caesar" matters in the temporal government's jurisdiction (Mark 12:17; Luke 20:25). Such obedience shows one's trust in God's promised provision and faith in His ability to meet one's needs. Jesus taught such contentment and trust in God in the Sermon on the Mount (Matt. 6:25-34; 7:9-11) and elsewhere (Matt. 19:29-30; Luke 12:22-34).

Almost no illegal aliens to the United States are fleeing starvation or physical danger. A Pew study found that most illegal aliens quit a job in their home country in order to break U.S. immigration laws merely to make more money here.[13] Thus, illegal immigration is at its core principally a matter of greed and envy on aliens' part.

Those illegal aliens and those purported Christians who defend their illegality, advocate mass amnesty, and argue against the lawful enforcement of U.S. immigration laws particularly veer far from what would seem a more sound, biblical position. Illegal aliens who claim to be Christians especially would do well to own up to their responsibility under God to be content in their home nation.

Instructive are such passages as I Timothy 6:6-10; "Now there is great gain in godliness with contentment," verse 6 reads. Hebrews 12:1-13 notes how the difficulties each person faces serve a purpose; for the believer, that purpose is conforming one's character to Christ's. "It is for discipline that you have to endure. God is treating you as sons" (v. 7). James 1:2-18 expands on this theme: "Count it all joy, my brothers, when you meet trials of various kinds, for you know that the testing of your faith produces steadfastness" (v. 2-3). So too states James 5:7-11.

Foreign lawbreakers' envy toward Americans' material and political blessings may bring upon

VerDate Nov 24 2008 08:30 May 11, 2010 Jkt 056073 PO 00000 Frm 00072 Fmt 6633 Sfmt 6633 S:\GPO\HEARINGS\56073.TXT SJUD1 PsN: CMORC

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themselves eternal consequences: "It is through this craving [love of money] that some have wandered away from the faith and pierced themselves with many pangs" (I Tim. 6:10b). Violating immigration laws, just as violating other civil laws, manifests one's failure to trust God to meet His people's needs. Illegal aliens and their activists must ask themselves what the cost of such sin is worth to their souls. "For what does it profit a man to gain the whole world and forfeit his life?" Jesus asks in Mark 8:36. The NIV translates the word as "soul" instead of "life."

The question each of those vocal advocates of illegal immigrants and those who have perpetrated this offense must face up to is where their true love lies. I John 2:15-17 warns believers of exactly this: "Do not love the world or the things in the world. If anyone loves the world, the love of the Father is not in him" (v. 15). "World" here refers to enticing things that become objects of desire, including material, sensual, and prideful things. The point is that someone has put temporal treasures ahead of loving God. Those misplaced treasures may include breaking civil laws regulating immigration in a nation's interest in order to make more money, accumulate more material goods, and live outside the bounds of laws adopted by God's agents of justice within a certain nation.

Similarly, apologists for immigration law-breaking and mass amnesty tread on hazardous ground, because their words blur moral lines that are brighter than they admit. But their tactics fall under sobering light from passages such as Isaiah 5:20-21: "Woe to those who call evil good and good evil, who put darkness for light and light for darkness, who put bitter for sweet and sweet for bitter! Woe to those who are wise in their own eyes, and shrewd in their own sight."

Thus, breaking immigration laws flouts God's provision for each person's well-being, because civil authorities made those laws and, as seen earlier, those authorities act under God's delegated authority. "But let none of you suffer as a murderer or a thief or an evildoer or as a meddler," I Peter 4:15 reads. In context, this passage means Christians should only suffer in righteousness for the cause of Christ, not as those who disobey civil laws that should be accorded with. Except in the rarest of instances, disobedience of duly adopted laws, therefore, dishonors God; it displays hatred toward one's neighbor. I John 5:20 says, ". . . [F]or he who does not love his brother whom he has seen cannot love God whom he has not seen." In the context of members of nations, one's neighbors are those people who share one's citizenship, patriotic allegiance, and sacred duty to the body politic.

Conclusion

We may fairly conclude that it displays questionable judgment to rigidly construct an immigration policy for 21st century America based on a handful of Scripture passages taken out of context or from particular instances of migration spanning centuries, vastly different nations and kingdoms, wholly different circumstances, etc. found in Scripture. Rather, carefully discerning applicable principles better fits the situation.

Further, obeying civil laws is the normative, biblical imperative for Christians, as discussed above. National sovereignty is part of the authority God has delegated to civil authorities. Whatever the immigration laws of a particular nation, determining the policies of how many immigrants to admit and the terms and conditions applying to immigrants are the prerogative of the national body. Each society may set or change its nation's immigration laws. Those decisions rest within the society, and outsiders have no legitimate voice in that exercise of national sovereignty.

The Reformer and statesman John Calvin wrote of the sovereignty of the state. The duty of its lawful authorities is to dictate the course of justice and the sword. This extends to individuals crossing sovereign borders:

> *If they [civil authorities] ought to be the guardians and defenders of the laws, they should also overthrow the efforts of all whose offenses corrupt the disciplines of the laws. . . . For it makes no difference whether it be a king or the lowest of the common folk who invades a foreign country in which he has no right, and harries it as an enemy. All such must equally be considered as robbers and punished accordingly.*[14]

Though varying in manner in different jurisdictions, Calvin noted that civil laws have the same general end in mind, including such offenses as murder, theft, and false witness. "But they [states] do not agree on the manner of punishment. Nor is this either necessary or expedient. There is a country which, unless it deals cruelly with murderers by way of horrible examples, must immediately perish from slaughters and robberies. There is a century which demands that the harshness of penalties be increased. There is a nation inclined to a particular vice, unless it be most sharply repressed."[15] In other words, different places rightfully may craft laws that deal with their unique circumstances of time, place, and character. This is a matter of the sovereignty delegated by Heaven.

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The immigration laws of the United States have been adopted through lawful, legitimate, democratic processes. None of us may agree with every policy represented in the laws on the books, and many of us might advocate certain changes in U.S. immigration law. But this nation is blessed with a republican process for making laws. There is a just and fair way, through the political process, to modify statutes. Thus, the will of the Congress, as manifested in U.S. laws, represents the collective wisdom of the people's representatives, and the will of the American people as a whole as it informed lawmakers' decisions throughout the political process. This is how "the consent of the governed," a solemn principle in American life, operates — as messy and unsatisfying as that at times may be.

As for mass amnesty, by legalizing millions of illegal immigrants, government does not show mercy. Rather, it obligates its citizens to bear the injustices aliens have committed against the body politic, as discussed earlier. This fact stands all the clearer in light of Calvin's point above.

An instructive understanding of the temporal allegiances of each person comes from Francis Scott Key, a lawyer and the author of "The Star Spangled Banner." A Christian himself, Key explains how believers appropriately, biblically fulfill their calling as citizens of both the City of God and the City of Man.

> . . . *Finding himself associated with numberless fellow-creatures, "framed with like miracle, the work of God," he has been solicitous to learn his relation to them. He is told that they are his brethern, that he is to love them, and that it is to be his business to fill up the short measure of his life by doing good to them.* Engaged in this work, he has perceived himself peculiarly connected with some, who are brought nearer to him, and therefore more within the reach of his beneficence. He has observed that he is a member of a particular social community, governed by the same laws, exercising the same privileges, and bound to the same duties. His obligations therefore to this community, are more obvious and distinct. His own country, to which he is immediately responsible, by whose institutions he has been cherished and protected, has therefore a peculiar claim upon him *(emphasis added)*.[16]

Today, Americans find immigration policy causing their nation to suffer unnecessary consequences. Legal immigration is four times the historic average. Legal and illegal immigration are interrelated through distant relative (chain migration) visa categories, source countries, and enabled by the ease of modern travel and communication.[17] The failure to require adequate educational, literacy, skills, and other qualities in prospective immigrants results in the significant subsidization of immigrants by American taxpayers.

The adverse effect of immigration today on the economic well-being of our most vulnerable fellow Americans, particularly blacks and those with a high school education or less, results in economic injustices that advantage the foreign worker over the American in the American's own nation. Mass immigration, exacerbated by large-scale illegal immigration, distorts the U.S. labor market and drastically inhibits the ability of the market to regulate itself into the "virtuous circle" that makes for a "win-win" situation for both labor and business owners. And both a criminal and a national security threat exist as a result of overly liberal immigration policies and lax enforcement of the laws on the books.

Therefore, it is time for Americans, particularly those who are Christians, to "be wise as serpents and innocent as doves" (Matt. 10:16) about this country's immigration policies at the start of the 21st century.

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End Notes

[1] For example, see Karen Lee Ziner, "Across U.S., church leaders have been calling for reform," *Providence Journal*, August 22, 2008; Ray Henry, "RI bishop wants U.S. to halt mass immigration raids," Associated Press, Aug. 21, 2008; Randy Hall, "Liberal Christians call for end to immigration hate speech," CNSNews.com, Nov. 16, 2007; Julia Duin, "Safety under the steeple," *Washington Times*, May 27, 2008; John Dawson, "Defining immigration," *World*, May 13, 2006; Jaqueline L. Salmon and Michelle Boorstein, "NAE's Cautious Look at Immigration Reform," April 2, 2009.

[2] For instance, see "Catholic bishops to left of flock on immigration," *Washington Times*, April 17, 2006; Ruth Melkonian-Hoover, "Christian views on immigration policy: Are laity following leaders?" paper presented at Midwest Political Science Association, April 3-6, 2008, Chicago, Ill.

[3] All Bible citations are English Standard Version, http://www.gnpcb.org/esv/search/?q=Romans+13%3A1-7.

[4] See, for example, Genesis 3's account of the Fall, Psalm 53:1, and Romans 5:12-17. Also, see commentary on the God-given authority of the state to execute justice in G.I. Williamson, *The Westminster Confession of Faith* (Philadelphia: Presbyterian and Reformed Publishing, 1964), p. 242.

[5] Stephen Steinlight, testimony before the U.S. House Judiciary Subcommittee on Immigration, May 22, 2007, http://www.cis.org/articles/2007/steinlighttestimony052207.html.

[6] T.A. Bryant, et al., *Today's Dictionary of the Bible* (Minneapolis: Bethany House, 1982), p. 596.

7 Bryant, et al., *Today's Dictionary of the Bible*, p. 29.

[8] For a more detailed look at this concept, see Gerald R. Thompson, *The Lawgiver: A Study of Biblical Jurisprudence* (Annandale, Va.: Christian Legal Society), 1995.

[9] See Arthur C. Brooks, *Who Really Cares: America's Charity Divide; Who Gives, Who Doesn't, and Why It Matters* (New York: Basic Books, 2006) for a fascinating study of charitable giving and conduct in the United States, and how certain quarters of the population tend to withhold their own money and resources and feel they are being magnanimous when they advocate for taxpayer dollars and public resources to be allocated in "charitable" ways. The principle would seem to hold that those segments of society that define charity as government action funded by taxpayers are likely also to be the ones who regard liberal immigration policies as generous and merciful, despite the fact they personally bear little actual impact of such policies.

[10] See Mark D. Tooley, "Jesus Christ: Illegal Immigrant?" FrontPageMagazine.com, September 15, 2006, www.frontpagemag.com/Articles/Printable.asp?ID=24407.

[11] See, for instance, Associated Press, "Second Illegal Immigrant Takes Refuge in Chicago Church," January 29, 2008; Jennifer Riley, "Hispanic Christian Groups Split on Illegal Immigrants, U.S. Census," *Christian Post*, April 24, 2009; or Julia Duin, "Safety Under the Steeple."

[12] This phrase comes from Jesus' teaching in the Sermon on the Mount, found in Matthew 5:13-16 and reprised in Luke 14:34, regarding Christians having a positive influence upon society.

[13] Rakesh Kochhar, "Survey of Mexican Migrants, Part 3: The Economic Transition to America," Pew Hispanic Center, December 6, 2005, p. 4, www.pewhispanic.org/files/reports/58.pdf.

[14] John Calvin, *Institutes of the Christian Religion*, Ford Lewis Battles, translator (Grand Rapids, Mich.: William B. Eerdmans Publishing Co., 1975), p. 214.

[15] John Calvin, *Institutes of the Christian Religion*, p. 217.

[16] Edward S. Delaplaine, *Francis Scott Key: Life and Times* (Stuarts Draft, Va.: American Foundation Publications, 1998), pp. 114-115.

[17] See James R. Edwards, Jr., "Two Sides of the Same Coin: The Connection Between Legal and Illegal Immigration," Center for Immigration Studies, February 2006, http://cis.org/node/263.

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Backgrounder

A Biblical Perspective on Immigration Policy

By James R. Edwards, Jr., PhD

The immigration issue often highlights fissures between faithful parishioners and denominational clerics. Many religious have called for amnesty for illegal immigrants and decried the federal government's enforcement of immigration laws.

Yet such self-described "compassion" among religious elites differs from the perspective of most rank-and-file Christians. The laity generally opposes legalization and supports enforcement of immigration laws. One may ask: How else could Christians approach immigration policy matters?

This *Backgrounder* examines the immigration issue from the perspective of biblical Christianity. Both policy makers and private citizens who are Christians may wish to consider how Scripture might inform their views on immigration. This report intends to aid those faithful readers.

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Center for Immigration Studies

Backgrounder

August 2009

No 'Progress by Pesach'
The Jewish Establishment's Usurpation of American-Jewish Opinion on Immigration

By Stephen Steinlight

The American-Jewish policy establishment is restless, eager for a "good war." But the one it's chosen to wage doesn't rise to the definition. The first offensive was "Progress by Pesach" (Pesach is the Hebrew name for Passover), the counterfeit "civil rights" campaign for illegal aliens, aimed at achieving citizenship for 11-12 million who have repeatedly mocked the rule of law and stolen employment from unemployed and working Americans as the economy hemorrhages jobs, reducing wages and worsening working conditions for the nation's most vulnerable citizens and legal residents while bloating the profits of its worst exploiters. The campaign also seeks an exponential increase in immigration, a disastrous policy for all Americans and one that particularly threatens Americans who are Jews.

Nor can one readily dismiss the suspicion the bogus good war is being fought, in part, for the Establishment to prove to itself it hasn't become a relic or phantasm. Phantom armies have been deployed behind the grandiose, collapsing façades of the aging, depopulated Potemkin villages that constitute the secular and religious policy wings of the American-Jewish Establishment.

The misappropriation by Progress by Pesach of the term "civil rights" is morally offensive, ahistorical, and bereft of political and jurisprudential validity. That is no small matter in-itself, particularly when those debasing its currency are self-appointed American Jewish leaders. The honorable, often heroic involvement of many Americans who are Jews in the authentic American Civil Rights Movement should have better educated, or at least chastened, contemporaries. It should not be forgotten that American-Jewish young people constituted nearly 75 percent of those whites who went south for "Freedom Summer" in 1964, and American-Jewish involvement in the movement's historic court battles, marches, voter registration drives, and even in founding and funding several of its principal organizations was also unparalleled until the movement morphed into African-American identity politics. The misuse of the term "civil rights" has particular salience and a decidedly sardonic character because the impact of illegal immigration has been disproportionately harsh on the African-American community.

But evidently this history pales in comparison to contemporary multicultural fashionability. With drums beating, house-organ and website editorials blaring, and sanctimonious pronouncements flooding its media and resounding from pulpits, the Jewish Establishment and a cadre of far-left independent Jewish groups commenced hostilities with a spring campaign in favor of illegal immigration. Progress by Pesach — which ended ignominiously with scarcely an audible whimper — represented an initial push for an end to immigration raids while pressing the Obama Administration to make "comprehensive immigration reform" a higher, more urgent priority.

One thing is certain: The humiliating failure of Progress by Pesach (about which more below) won't prevent the zealots from regrouping and trying again to enlist American-Jewish opinion as well as that of other groups in their cause. Their persistence is evidenced by the recent award of $500,000 by the Ford Foundation to the Belfer Center for American Pluralism of the American Jewish Committee (AJC), a sponsor of Progress by Pesach. The grant will support advocacy on behalf of "comprehensive immigration reform," training Hispanic leaders in four states in advocacy skills (given the hostility such top-down relations engendered between well-intentioned Jews and African-American leadership in the course of the troubled, ultimately broken black/Jewish alliance this approach has already been revealed historically to be dangerously fraught), and, finally, for holding a civil "national conversation" — presumably open discussion — among Americans on immigration reform. But this goal cannot be pursed with a scintilla of intellectual integrity by AJC while it simultaneously advocates a polar position on immigration policy. One cannot be an honest convener as well as partisan who has determined at the outset where the discourse will lead.

Dr. Steinlight began his affiliation with the Center for Immigration Studies in 2001 when he was named a Fellow. Since joining Center staff, he has written on the impact of mass immigration on the status and political power of American Jewry. Dr. Steinlight has long experience in community affairs, having been an official at the National Conference of Christians and Jews, the U.S. Holocaust Memorial Council, the American Anti-Slavery Group, and the American Jewish Committee. He is a graduate of Columbia College, Columbia University and was a Marshall Scholar at the University of Sussex, England, where he received his doctorate.

The likelihood, however, is they will find the project of convincing Jews and other Americans increasingly difficult. There is much brave talk these days by "immigration reform" advocates regarding the President's commitment to moving "immigration reform" speedily ahead and White House meetings were held with advocates and members of Congress on two consecutive days in late June — raising expectations in some, the *New York Times* included,[1] that this agenda's time has come. But this is likely little more than wishful thinking, or even desperation. In the wake of these meetings, Rahm Emanuel, whose blunt comments clearly reflect the softer-spoken, more opaque President's thinking, pronounced his skepticism about immediate action; as he told the press: If we had the votes to pass "comprehensive immigration reform" we'd be seeking a roll-call vote right now, not holding meetings. Emanuel spoke of "next year," or perhaps the year after. It's worth remembering that during the Presidential election campaign of 2008, the consummately self-confident, hard-driving Emanuel exhibited unusual caution when approaching this subject. His recognition of the difficulty of the issue and its political pitfalls led him to speak of "immigration reform" as being part of the President's agenda during his *second* term. In the wake of Niki Tsongas' near-defeat to a political unknown in a special election in October of 2007 in Massachusetts's Fifth Congressional District (an eminently safe Democratic seat under normal circumstances, but Tsongas made the error of announcing her support for driver's licenses for illegal aliens just days before the election and squeaked out a 51 percent victory), it was Emanuel who sounded the wakeup call. As he told the *Washington Post*, "For the American people, and therefore all of us, it's [immigration] emerged as the third rail of American politics. And anyone who doesn't realize that isn't with the American people."[2]

Purging Dissent

Gideon Aronoff, chief strategist of Progress by Pesach, preceded the campaign with a purge, targeting anyone opposed to its goals, especially those perceived as persuasive political opponents. Opponents, or rather "enemies" in the Manichean worldview of its leaders, have been the victims of attempted character assassination, assertions of guilt by falsely alleged association, and baseless charges of racism and nativism. The vilification of dissidents was and will remain the responsibility of Gideon Aronoff, President and CEO of the Hebrew Immigrant Aid Society (HIAS), "point man" in the Jewish Establishment on immigration, and recently appointed Chair of the National Immigration Forum (NIF), the leading umbrella organization in the country pushing for open-borders immigration and amnesty for illegal aliens.

Aronoff's actions likely represent an attempt to ingratiate himself with the more extreme factions within NIF, including Occidentalist racial and ethnic identity groups, several of which, like NIF itself, are creatures of the Ford Foundation, and all of which are little cadres; none is a mass membership organization. This ilk advocates the most balkanizing variety of multiculturalism, one that denies the existence of America or American culture. America (or, perhaps better, "Amerika") is seen as nothing more than an assemblage of aggrieved diaspora communities, and they support open-borders immigration and the surrender of U.S. sovereignty as deserved punishments for American hegemony. I'm familiar with their worldview from first-hand experience; I've heard them rant unguardedly. The American Jewish Committee (AJC) belongs to this coalition, and during my years as its Director of National Affairs I attended NIF meetings as AJC's representative. I served in many different coalitions in those years: This is the one I detested. Such is NIF's culture that among the more "mainstream" figures long associated with it is Jeanne Butterfield, longtime executive director of the American Immigrant Lawyer's Association, and former executive director of the Palestine Solidarity Committee, a political arm of the Popular Front for the Liberation of Palestine.

Partnering with Aronoff in the purge is the Southern Poverty Law Center (SPLC), the nation's leading enforcer of political correctness "by any means necessary," but chiefly by "attack dog research" whose hallmark is not accuracy but the capacity to smear the reputation of opponents through the repetition of scurrilous charges. Its working definition of "hate speech" is broad enough to encompass the espousal of almost any position with which it strongly disagrees. To give the devil its due, it's certainly made a profitable business of it. The chief tactic HIAS has employed in its McCarthyite campaign is sending poison pen e-mails. The first — the "secret" poison e-mail — signed by Roberta Elliot Wantman, HIAS's VP for Communications and Media, was sent to the editors of hundreds of Jewish newspapers prefaced with the bolded phrase "**Not for Publication**" warning them not to accept op-eds opposing "Progress by Pesach," especially none that might come from my think tank, the Center for Immigration Studies (CIS), and me.

A follow-up e-mail, signed by Aronoff, provides a link to SPLC's smear. The personal assault pales in significance set against its larger objective: extinguishing freedom of expression and freedom of the press in the Jewish community. Aronoff also sent poison pen e-mails to Jewish organizations I've addressed, intended to stifle my freedom of speech through slander. Borrowing language

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reminiscent of paranoid allegations of ubiquitous "communist conspiracies" in the 1950s, he has characterized my speaking engagements at some 160 Jewish religious institutions and secular organizations, where my remarks have been received with overwhelming enthusiasm and solid agreement, as "attempts to penetrate the Jewish community," (*his* community, not mine). "Penetrating?" Having spent three years as Vice President of the National Conference of Christians and Jews (NCCJ), two years as Director of Education for the U.S. Holocaust Memorial Council, and nearly eight years as Director of National Affairs (domestic policy) and Senior Fellow at the American Jewish Committee (AJC) it is fair to say I'm a community insider. I grew up in the bosom of the Conservative Movement. For 10 summers I attended its Hebrew-speaking Zionist summer camp, Camp Ramah, starting out in Bunk 1 in its Connecticut camp and ending up leading canoe trips in Camp Ramah, Canada. Before my freshman year at Columbia College, I had also spent two summers working on a kibbutz in Israel. I retain continuing, warm and respectful relationships with many prominent figures in the organized Jewish world, American-Jewish public intellectuals and writers, the clergy, and local community leaders.

Politically Correct McCarthyism

Aronoff describes CIS and me as "white supremacists." The obscene accusation would be comical except for its extreme ugliness. It will also shock David Duke, who seems obsessed with the evil Jew Steinlight; he frequently quotes me and describes me, preposterously to be sure, as "one of the leading Jews in America."[3] Aronoff's false allegations are meant to cast a shadow over the work of a lifetime dedicated to promoting racial justice, minority rights, and comity. As Director of National Affairs at AJC, some of the highpoints of my "white supremacist" career included: founding and serving as Senior Advisor to the critically-acclaimed *commonQuest: The Magazine of Black/Jewish Relations* partnered with Howard University; working closely with Wade Henderson of the NAACP Legal Defense and Education Fund; meeting regularly with the Leadership Conference on Civil Rights; taking part in the Ford Foundation's "Conversations on Race;" playing a key role in defeating Houston's Proposition A that would have ended affirmative action in city contracts; setting up the first leadership meetings with Hispanic and Jewish leaders to seek common ground; and directing the first publication on Latino/Jewish relations.

Prior to joining AJC, I was Vice President of the National Conference of Christians and Jews (NCCJ) whose "white supremacist" mission is fighting "bias, bigotry, and racism and promoting positive inter-religious relations." (It was the result of my insistent lobbying that NCCJ's board added the word "racism" to its mission statement.) At NCCJ, my agenda included a strong focus on issues affecting Native Americans, particularly media treatment; meeting with police chiefs across the country to promote adoption of community-oriented policing; overseeing the development of its "Workplace Diversity Network;" redesigning significant elements of its signature anti-bias residential youth program *Camp Anytown*; coordinating the first global inter-religious dialogues involving Muslim scholars, primarily key dissident "freethinkers" (meetings were held in England, Germany, and Jerusalem); and producing the largest survey of intergroup attitudes ever undertaken in America, *Taking America's Pulse*.

After leaving AJC, my supposed contributions to bigotry were rewarded by my selection by the Soros Open Society Institute and the United States Institute for Peace to go to Macedonia to help maintain the ceasefire in its civil war by bringing together Orthodox Christian and Muslim leadership and seeking changes in its constitution to better protect the rights of minority Muslims. I participated in meetings involving Macedonia's president, his key advisors, and Orthodox and Islamic religious leaders. Before joining CIS I further exhibited "white supremacist" beliefs as executive director of the American Anti-Slavery Group that seeks to enlighten American public opinion about the persistence of chattel slavery in Sudan and Mauritania, aids in slave rescue, supports refugees from Sudanese slavery in camps in Chad, and seeks to focus attention on the enormity of global trafficking.

Though David Duke may consider me one of the most dangerous Jews in America, that signal honor belongs to Gideon Aronoff. The danger Aronoff represents, however, is not to bigots like Duke but to the basic decency and moral and intellectual integrity of the American-Jewish community; to exercising the freedoms guaranteed in the First Amendment; to independent-minded Americans who are Jews; and to the most economically and socially vulnerable of our fellow citizens for whom he apparently cares nothing. Illegal aliens that stole across the border last night are dearer to him and more deserving of his moral sympathy and advocacy than are our 14-16 million unemployed or the working poor in the African-American community, who are our fellow citizens with 300 years of history in this country, a great many of them tragic and purgatorial, or the hard-pressed seasonal rural workers of America's economically depressed farm country; or our impoverished elderly who still must work; or our young people with no more than a high school education seeking their first jobs.

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A Coalition of Usurpers

Its tone set by Aronoff's McCarthyism, few campaigns with a putatively moral premise have begun on so low a note as Progress by Pesach. Though one might have thought HIAS's unethical behavior would have raised red flags for other Jewish organizations involved in the effort, particularly the two religious denominations headed by clergymen, all were evidently prepared to countenance it. They have forgotten or else chosen not to heed the moral precept that the end is contained in the means. The disturbing truth is that other members of this coalition have engaged in McCarthyite vilification of opponents regarding immigration policy, including Rabbi Eric Yoffie, the head of the Union for Reform Judaism, who made a serious error in this regard, tarring many unfairly with a broad brush. (See "Compassion Knows No Borders," *Reform Judaism*, Winter 2008.)

Virtually every constituent part of the American-Jewish Establishment engaged in domestic public policy signed onto this effort. The coalition includes the following organizations that HIAS's website terms "national groups:" the Jewish Center for Policy Analysis (JCPA), a tiny umbrella organization that runs the annual conference for national Jewish organizations with domestic public policy agendas; the Anti-Defamation League (ADL); the American Jewish Committee (AJC); B'nai B'rith International; the Jewish Labor Committee, a small, disappearing old left agency that maintains symbolic ties to the American Labor Movement; Jewish Alliance for Law and Social Action (JALSA), a miniscule far-left Boston-based organization; Uri l'Tzedek: the Orthodox Social Justice Movement, another tiny local group seeking recognition in the NYC area and which played a role in exposing ultra-Orthodox hypocrisy over AgriProcessors; the National Council of Jewish Women; the Rabbinical Assembly (the Conservative Movement); Union for Reform Judaism; Women of Reform Judaism (whose membership will be included in an overall figure of liberal members of the Reform Movement); and the Reconstructionist Movement.

In addition to what are styled "national" organizations, the roster of endorsers is given the appearance of grandeur by a motley collection of others (under the heading "endorsed locally" on HIAS's website) whose numbers range from small to infinitesimal, among them four far-left JCRC's (Jewish Community Relations Councils) that likely represent a maximum of a few dozen people each; the New York Chapter of AJC (which for reasons best know to itself chose to affiliate separately from its parent organization and may represent a few hundred active members), as well as a smattering of independent far-left groups. These include: Jews for Racial and Economic Justice; MIKLAT: A Jewish Response to Displacement; the Progressive Jewish Alliance; Jewish Community Action; Am Kolel Jewish Renewal Center; Jews United for Justice; and the Chicago-based Jewish Council on Urban Affairs. The total combined membership for all these groups cannot exceed a thousand (a very generous estimate and one only theoretically possible because of the inclusion of AJC's New York chapter), but these zealots exercise influence on this campaign completely disproportionate to their numbers. Any claim these groups might advance to speak for a significant proportion — or even an impressive-sounding raw number — of American Jews would be not merely dishonest, but delusional. In fact, they represent such a statistical nullity within the Jewish community I cite them only because they are listed as sponsors. In political or ideological terms, the spectrum of opinion of the endorsers of Progress for Pesach, ranges from left-liberal to loony left.

In light of the monolithic, autonomic support by the American-Jewish Establishment for "comprehensive immigration reform" and, more broadly, open-borders immigration, one might infer these views represent those of most Americans who are Jews. Wrong. Taking that inference would constitute an unjustifiable, untenable leap. In the American-Jewish community, as within virtually every other U.S. demographic, a chasm divides the opinion of tiny self-appointed leadership cadres and those of the rank-and-file with regard to immigration policy. As is the case with other demographics, a privileged elite, or, in the case of the tiny leftist groups, a mouthy elite, has usurped the voice of the many. The divide may be slightly narrower among American Jews as a result of nostalgia for a sentimentalized, ahistorical, mythologized version of their immigration story; false analogies resulting from projecting the experience of Jewish immigrants — actually refugees — during the Great Waves who fled pogroms and persecution onto the very different one of contemporary economic immigrants and transnational migrants (predominantly Mexican and Central American) who fail to assimilate, acquire English, or naturalize at a significant rate; as well as the disinformation disseminated by the Jewish Establishment. Nonetheless, the divide is indisputably wide. Unlike the self-proclaimed leadership that approaches open-borders immigration like a sacred cow, the holy of holies in the temple of political correctness, ordinary American Jews do not. They are deeply concerned about the impact of massive immigration on the country they love and on the security of their faith community.

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Justified Anxiety vs. Elite Denial

The prominent role of so-called "Jewish defense agencies" (ADL and AJC) in the Progress by Pesach campaign for "comprehensive immigration reform" is particularly disturbing. It represents a betrayal of their raison d'être: protecting the well-being of the American-Jewish community within a nation dedicated to equal justice, democratic decision-making, pluralism, and respect for the rule of law. That historic obligation should remain paramount, especially in an era witnessing a global explosion of anti-Semitism that is a byproduct of mass immigration. But adhesion to political correctness has supplanted it. The "defense agencies" should be profoundly risk-averse in the light of Jewish historical experience, but they are apparently prepared to gamble with the most basic social conditions in what has proven to be the safest nation for Jews in history (Israel excepted) by supporting a transformational demographic leap in the dark. Historical precedent counsels opposition to, strong skepticism of, or, at the very least, wise passivity about this gigantic experiment in social engineering. Instead, the "defense agencies" have endorsed unreservedly a proposition to transform American society radically. Language taken from the *Ahl Het* recitation (which details the sins we have committed against God) in the afternoon service on Yom Kippur, the Day of Atonement, comes to mind in this context: the phrase in Hebrew is "*reetzaht raglayim l'hara*." The English translation is, "The sin we have committed against You by running to do evil." For Jewish defense agencies to take the lead in running to support open-borders immigration is the policy equivalent of this sin.

Like other Americans, most ordinary American Jews believe illegal immigration and large increases in legal immigration threaten national security, U.S. sovereignty, the social safety net, the dignity of American labor, sane population growth, social cohesion, environmental sustainability, and our quality of life. But Americans who are Jews have an additional, urgent reason for feeling profound apprehension regarding mass immigration: Mass immigration has become the principal global carrier of the contagion of anti-Semitism. The devastating impact of Muslim immigration on Jewish life in Western Europe — with which most American Jews are familiar — ought to represent a blinding, flashing red light for the American-Jewish Establishment that has committed itself to open-borders immigration. But in a strange act of denial, the Establishment has elected to draw no lessons from it. This cannot be excused as ignorance; it is willful, suicidal stupidity, the victory of ideology over common sense.

The Jew-hatred endemic to Islam has, under the banner of contemporary Islamism, become the most virulent form of anti-Semitism since the defeat of Nazism. Like Nazism, it views the Jewish people as its ultimate enemy, the greatest barrier to the fulfillment of Islam's destiny and hence seeks their total annihilation. For the many experts and lay persons who follow this story, including many ordinary American Jews who come to my talks, the nightly viewing of YouTube videos showing mullahs from Baghdad to Gaza to London calling for the extermination of all Jews is a profoundly sobering, frightening experience, especially as these are the representative voices of the global Muslim community. It is an appalling, unmediated encounter with history in the making. If the Jewish Establishment is in denial or believes that "dialogue" will solve the problem, American Jews are under no illusions about what mass Muslim immigration means. The impact of the Internet is infinitely greater than the reassuring rationalizations offered by spokespersons for organizations to which most do not belong and about which the great majority know nothing.

The wild vituperation of the mullahs as well as members of Hamas, Hezbollah, the Iranian regime, and their Islamist followers throughout the Muslim world is reflected in hard data. In a survey by the Pew Global Attitudes Project[4] of attitudes toward Jews, unfavorable attitudes toward Jews range from "only" 76 percent in Pakistan and Turkey to 95-97 percent in Egypt, Jordan, and Lebanon. Favorable views of Jews were in the single digits, reaching a high of just 7 percent in supposedly philo-Semitic Turkey. These statistics suggest the level and intensity of Jew-hatred among contemporary Muslims is arguably even higher than it was among ordinary Germans in the Third Reich until the radicalization of the regime's anti-Semitic policy began, signaled by *Kristallnacht*, the giant pogrom of November 9, 1938, organized at the very highest levels of state. The indifference by the great majority of Germans to this savage nationwide pogrom evidences the success of five years of systematic Nazi propaganda, especially among the young. Until then, the largest single demographic in German society, the working class, was largely immune to the anti-Jewish campaign, as were working class and middle class Social Democrats. Prior to 1938, anti-Semitism was concentrated principally among the petty bourgeoisie that formed the social base of National Socialism, with the extent of anti-Semitism varying significantly from region to region.[5] Though public opinion research was non-existent in the 1930's and there is no statistical means of proving it, it is probable that not until Nazi anti-Semitic policy went into high gear with the onset of WWII and the systematic mass murder of Jews began, anti-Semitism among ordinary Germans did not approach the level we see among contemporary Muslims. It should also be noted that while the Nazi regime's Ministry of Propaganda had only five years to incite this level

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of anti-Semitism, Islam has had 1,387 to indoctrinate its followers.

The disease of anti-Semitism, borne by mass Muslim migration, has spread throughout an increasingly Islamized Europe. It is demographic axiom that a fertility rate of 2.1 children is the minimum required for a culture to sustain itself, and thus the handwriting is on the wall. Demography is much the greatest part of a nation's destiny, and the fertility rate of Christian Europeans is somewhere around 1.4, a cultural death knell. The Muslim growth rate is conservatively estimated to be three times higher (some demographers have suggested four), and the great majority of Muslims in Western Europe are under age 30, in the most fertile stage of life. Some 30 percent of all Western Europeans under 30 are Muslim.[6]

Accurate figures for the percentage of Muslims in Western European countries are notoriously hard to find owing to government reticence about releasing numbers; assertions that it does not possess the data because it does not use religion in census gathering (a claim made by the French government); the politicization of these hot-button figures by all camps; and, most importantly, the large number of Muslims entering and residing in Western Europe illegally. Compounding the problem, Muslim countries of origin do not keep statistics for their citizens who leave and live abroad legally or illegally. The problem of illegal immigration likely trumps all others in its ability to frustrate the effort to gain an accurate estimate of Europe's Muslim population. In *The Islamic Challenge in Europe*, Raphael Israeli gives great weight to this factor: "the countless illegal migrants tend to baffle the arithmetic and leave many data of this massive human movement in the dark."[7] Indeed, so "dark" is the data that estimates by responsible academics, research institutions, and journalists vary as widely as 20 million to 52 million, though there appears to be a consensus among the most respected research bodies that a figure in the neighborhood of 35 million is about right at present.

Recent studies (cited above) by the Council on Foreign Relations, Brookings, and the National Intelligence Council conservatively predict Europe will be 20 percent Muslim by 2050. Many experts acquainted with the data, including the noted scholar of Islam Bernard Lewis, estimate Europe will have a Muslim majority by the end of this century.[8] Muammar al-Qaddafi has remarked that Islam will finally conquer Europe without firing a single shot. On this point, Muammar al-Qaddafi and Mark Steyn agree. It is critical to point out — though it should go without saying — that Europe with a Muslim majority would be politically and culturally unrecognizable, deeply hostile to Western values. Muslim communal leaders, fanatic mullahs who mold Muslim opinion on the street, and the millions of young ignorant pan-Islamists who constitute the vast majority of Muslims in Europe have no desire to become European. Rather, they seek to impose Islamic law in Europe and uproot both its Judeo-Christian and Enlightenment traditions. Their ascendancy would mark the end of Western civilization in its birthplace.

Even in parts of Western Europe with modest current Muslim populations countrywide, the Muslim presence in many of the largest cities, also home to the great majority of its Jewish population, is high — ranging from 10-35 percent in such centers as Antwerp, Berlin, Brussels-Liege, Copenhagen, London, Lyon, Malmo, Marseilles, Oslo, Paris, and Rotterdam.[9] Corroborating evidence for these high figures comes from what seems an unlikely source, a Muslim website, *Islam in Europe,*[10] which one might have expected to lowball figures to dispel fears of Islamic religious/ethnic succession. But *Islam in Europe*, in fact, reports higher numbers than most for several key cities: a 25 percent Muslim population in Malmo, 25 percent in Marseille, 20 percent in Stockholm, and 20 percent in Moscow. This is "balanced," to some extent, by lower figures for Brussels, Copenhagen, London, Paris, and the Hague, but the latter percentages seem too low. A figure of just 7 percent for Paris, for example, when France has the largest Muslim population in Western Europe would be hard to find in any other reliable source. However accurate current guesstimates, there's no debate about the trend: It will increase exponentially, creating a Muslim demographic tidal wave in urban Western Europe in the near future. According to Sir Andrew Green, chairman of Britain's leading think tank on immigration, Migrationwatch UK, 100,000 native British left London in 2006 alone, part of an ongoing pattern creating what Sir Andrew calls, "a very unfortunate" apartheid-style segregation of the city. In addition, other demographers predict the immigrant share of London's population will grow from a very high current percentage of 40 percent to a stratospheric 60 percent within 12 years.[11]

Life for Jews in these historic settings is already becoming untenable. Muslim anti-Semitism expresses itself in physical assaults on Jews, especially Jewish school children and anyone who can be readily identified as a Jew, such as men wearing the traditional head covering, with attacks reaching into the thousands annually in France; vandalizing Jewish businesses; desecration of synagogues and cemeteries; widespread distribution of the most demonic and violent anti-Semitic and Holocaust denial literature, including the *Protocols of the Elders of Zion*; the resurrection of the barbarous medieval blood libel; continuous calls by Islamist mullahs to commit violence and even murder against Jews and Christians; and the recrudescence of pogroms — Muslim riots in Jewish

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neighborhoods aimed at Jewish homes, businesses, houses of worship, and people — usually coinciding with newsworthy events involving Israel and the Palestinians, Jewish holidays, and even Ramadan.

The upsurge of anti-Semitism generated by Muslim Jew-hatred has been a key factor in a sharp rise in anti-Semitism within Europe's Christian population, re-awakening its own dormant but latent hostility to Jews, and the "otherness" of Muslims rekindles notions about the "otherness" of Jews. Everywhere in Europe, Muslim organizations have been busy disseminating the *Protocols* and *Mein Kampf*, which have once again become best sellers in Europe — as they are throughout the Muslim world — giving renewed life to paranoid conspiracy theories about Jewish control of the world. Islamism, from its inception, borrowed heavily from European fascist sources. The same Pew Global Attitudes survey cited above found unfavorable attitudes toward Jews among 46 percent of Spaniards, 36 percent of Poles, 34 percent of Russians (Russia is home to half of Europe's Muslims), 25 percent of Germans, and 20 percent of Frenchmen. These figures reflect a significant increase in Christian European hostility to Jews over a very short period. From 2005-2008 there was a 25 percent increase in Spain; in that same period a 9 percent increase in Poland, a 7 percent increase in Russia, and a 5 percent increase in France. Only Great Britain has not witnessed any rise in anti-Semitism during this period, with hostility to Jews holding at a relatively low rate of 9 percent.

I have discussed these developments in detail with several of the most important Jewish leaders in America who now spend much of their time in Western Europe assessing the crisis. It is no exaggeration to state the situation in Europe has become a legitimate obsession. They are uniformly despondent. The phrase I've heard repeatedly is that "Jewish life in Europe is finished." In scores of meetings American Jewish leaders have held with rump Jewish leadership across Western Europe they tell me they routinely encounter people mired in cognitive dissonance. On the one hand, European Jewish leadership will detail the increasingly horrific realities of day-to-day life, but on the other it refuses to face the full implications. They tell me European Jews today are exactly like German Jews in the early to mid-1930s: They are living in denial. They cannot accept the fact — it is an excruciatingly difficult fact to accept — that the Western European chapter of Jewish history is inexorably concluding. American-Jewish leaders are already counseling Western European Jews to relocate to Israel, the United States, or elsewhere in the English-speaking world.

No Implications for U.S. Immigration?

Yet the same American-Jewish leaders who are prepared to face the grimmest facts in Western Europe and forcefully encourage European Jews to do the same are incapable of following their own example with regard to immigration to the United States. Given the magnitude of what is at stake that failure is incomprehensible. The handwriting on the wall may not be precisely the same but it is extremely menacing. If ordinary Jews can decipher it, what makes the Establishment leadership incapable or unwilling? As I have repeatedly pointed out, the mass immigration being pushed by the Jewish Establishment is bringing into the United States the two most anti-Semitic groups in the world in very great numbers: Muslims and foreign-born Hispanics. The threat isn't speculative: It is clear and present. Yet some unspoken, unnamed fear keeps the Establishment silent. Though the very possibility is painful to contemplate and embarrassing to consider, it is likely the Establishment is more willing to harm their own country and risk the future of their own faith community than offend the gods of political correctness.

It's also likely some in the Jewish Establishment are beguiled by representatives of the school of thought on global migration that argues nothing can be done to prevent it. Cheap labor, so the argument goes, will inevitably gravitate to the magnets of employment wherever they happen to be. Immigration is perceived as an uncontrollable byproduct of globalization, or something resembling a Hegelian historical force, or even a law of nature. None of this airy-fairy abstract theory of inevitability is true or provable. Immigration policy, like any other social policy in America, is not determined by an iron law or unseen hand. Mass immigration and the toleration of mass illegal immigration result from conscious choices. The choices are made by groups seeking to further their power, influence, ideology, or increase their profits, including, among others, the government of Mexico; the U.S. Administration and members of Congress pandering to Hispanic voters; representatives of ethnic lobbies; corporate interests, particularly in the service sector; the farm lobby; the Chamber of Commerce; environmental groups; and organizations focused on population growth. It is a multilateral policy free-for-all, and all of us, the Jewish Establishment included, are as powerful or as weak as we choose to be.

But for the Jewish Establishment to chose weakness, to surrender its values and interests on the basis of a mistaken theory, to take the wrong side in a policy dispute — in many cases knowing it to be the wrong side — falsely believing the outcome is a fait accompli to which it must adjust in order to survive, to cut the best deal it can with the group prematurely declared the winner — is

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cowardly and morally and intellectually indefensible. No one can confidently predict the outcome of the battle over immigration policy, and now is the time for American-Jewish leadership to recognize it is not too late to vouchsafe the future safety and security of our country and community. The Establishment must not betray country and community through fear of a chimera. The Jewish Establishment has a choice: It can dismiss that phantasm from its consciousness or collude in bringing to life. Do American Jewish leaders really wish to engage in "shtadlonus" politics once more? That this awful question must be posed suggests we are at a crisis point. There is always time to grovel and practice the accomodationist ghetto politics of the powerless. Have you forgotten this is America, our home, where we are not guests in another man's house, where we are free citizens with the power to make critical choices about our country's future and that of our faith community? There is no one we need to placate. We are at home and have many friends. Our surest guide at this hour is our patriotism. This is a plea to American-Jewish leadership to remember that.

In terms of simple willingness to recognize the danger of mass immigration by anti-Semitic groups, the gulf between ordinary American Jews and the Establishment is chasm-like. I have not spoken before a single Jewish audience in which fear of Muslim immigration as well as awareness of Hispanic anti-Semitism does not surface almost immediately — they are right to be deeply worried about both — and ordinary Jews cannot fathom the Jewish Establishment's logic in supporting their massive immigration. It is not only grassroots Jews who have the capacity to see what is unfolding. Increasing numbers of independent influential American-Jewish thinkers are coming to the same recognition. One of the leading liberal journalists in America, Martin Peretz, publisher of the *New Republic*, is growing deeply uneasy about jihadist Jew-hatred in the United States. In a letter to John Judis repudiating the latter's unwillingness to confront the reality of jihadism in America, Peretz wrote the following in the *New Republic* on January 1, 2009, about an ugly anti-Semitic rally by Muslims (as well as a few extreme leftist hangers-on) in Fort Lauderdale protesting Israeli action in Gaza:

> As it happens, jihadism has less deadly manifestations than murder. As the Ku Klux Klan had less deadly manifestations than lynching. This morning I watched a frightening episode in the public life of America. It was a demonstration by, say, 200 Muslim immigrants in Fort Lauderdale against the Israeli air strikes over Gaza. Now, the first amendment protects such demos, and I would not for a moment want to curb them. But I ask each of you to pay attention to the details of what was being shouted. Especially by the young women screaming, "Jews to the ovens." No jihad in America, huh? Do we want such immigrants in our country? Well, John, do we?[12]

With regard to both Muslim and Hispanic immigration to the United States, the leadership of the American-Jewish Establishment has shown itself to be breathtakeningly data-averse as well as grossly irresponsible in failing to protect the interests of all Americans and American Jews. Though Muslim immigration to the United States is far lower than in Europe and America's capacity to acculturate immigrants has been far greater than Europe's, it would be foolhardy to understate or minimize present and potential dangers. Islam represents a danger to the West worldwide, and that is also true in America: It has not undergone a magical transformation by virtue of being brought to these shores. Muslims are decidedly more "other" than populations of Western-oriented East Asian or Christian immigrants, and a high percentage may well be "unmeltable." Echoing the concern about "unmeltable" immigrants from the Islamic patrimony, albeit in the European context, in an unusual display of candor on the part of a ranking public official: Austria's Interior Minister, Liese Prokop, stated in May 2006 that some 45 percent of the Muslim immigrants in Austria are incapable of being integrated into Austrian society and should find another country in which to live.[13]

The difficulty of Muslim assimilation in America is evidenced by the fact that virtually every organization that represents the Muslim community in this country is Islamist, and many have been shut down as terrorist fronts. Even the Muslim Student Association (MSA), present on hundreds of college campuses in the United States and therefore perceived as "normal" and which receives its financial support in part through "student mandatory fees," is an offshoot of the Muslim Brotherhood. The Council on American-Islamic Relations (CAIR), the leading self-proclaimed Muslim "civil rights" organization in America, not only has its roots in Hamas, but also has ongoing connections, a point proven beyond any doubt by the prosecutors of the Northern District of Texas when CAIR was named as an "unindicted co-conspirator" in the trial in Dallas that investigated the activities of the Holy Land Foundation in support of Hamas terrorism.[14] Despite the organization's success in gulling the unsuspecting and mainstreaming itself by creating a plausible "American" identity — its slick website uses a folksy/hip colloquial American diction — and while members of CAIR have been received in the White House, have participated in major public events, and have access on the Hill, no fewer than five of its employees and board mem-

VerDate Nov 24 2008 08:30 May 11, 2010 Jkt 056073 PO 00000 Frm 00084 Fmt 6633 Sfmt 6633 S:\GPO\HEARINGS\56073.TXT SJUD1 PsN: CMORC

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bers linked to terrorist activities have been arrested, imprisoned, or deported.[15]

Though it's especially difficult for dominant-culture multicultural dilettantes, immigration fetishists, and sentimentalists to believe or admit, many Muslims have not immigrated to America to become Americans; they have immigrated in order to Islamize it, as one of the most publicized "controversies" involving CAIR reveals conclusively. Omar Ahmad, CAIR's co-founder and chair of its board of directors from its founding in 1994 until he resigned in 2005, spoke at a public conference for Muslims in California on the Fourth of July, 1998, where he made a number of incendiary supremacist statements in his speech titled "How Should We as Muslims Live in America." The most inflammatory remarks were reported in the local paper, the *San Ramon Valley Herald.* CAIR's leadership is normally exceedingly circumspect in all its public utterances and communications — it's bogus "moderate" image is its most important cache — but Mr. Ahmad's religiosity was evidently irrepressible on this occasion, and he let down his guard and provided an in-depth view of the Islamist frame of mind. The local paper's reporter on the scene quoted him as stating "Islam isn't in America to be equal to any other faith, but to become dominant. The Koran ... should be the highest authority in America, and Islam the only accepted religion on earth."[16]

It took Ahmad five years to recognize he ought to try denying having made these remarks, and he held a press conference where he sought to retract them. The *San Ramon Valley Herald's* reporter, Lisa Gardiner, stood by her story. Other examples of the Islamist supremacism that CAIR quietly cultivates within the American Muslim community are illustrated in comments made by Ibrahim Hooper before CAIR was founded. Hooper is now CAIR's National Communications Director and its public face. In an interview with a reporter for the *Star Tribune* of Minneapolis in 1993, he stated, "I wouldn't want to create the impression that I wouldn't want the government of the United States to be Islamic sometime in the future." He returned to the same theme in a radio interview with Michael Medved in 2003 in which he stated that if Muslims became the majority in the United States at some point in the future it would be a safe assumption they would wish to replace the United States Constitution with Islamic law.[17]

According to prominent Muslim-born intellectual "free thinkers" such as Jamal Hasan, Tashbih Sayyed, and Khalid Durán — unyielding enemies of jihadism who have had to live in safe houses because of death threats and are astute observers of the rise of Islamism in the West — the great majority of mullahs, the most influential members of any Muslim community, are extreme jihadists in their sympathies. Mark Steyn makes the same point in his big-think, book-length essay *America Alone: The End of the World As We Know It.* He estimates the percentage of radical Islamist mullahs preaching in U.S. mosques as 85 percent, extrapolating from data he asserts has been amassed by undercover agents of the Royal Canadian Mounted Police that identified some 80 percent of mullahs in Canadian mosques as jihadists. It must be emphasized this statistic is non-sourced. But a similar, parallel, independent judgment is available from Sheikh Hisham Kabbani, a "moderate Muslim" cleric, who has cited an estimate that some 80 percent of American mullahs are jihadists.[18]

Suspicion within the Muslim community in America that the FBI surveils mosques, has great numbers of informants in the Islamic community, and that reports of aborted terrorist schemes are actually plots fabricated by FBI agent provocateurs who draw in "innocent" Muslims are so widely believed that CAIR, among other Muslim organizations, has ceased to cooperate with the agency. Several Muslim organizations have also enlisted the help of the ACLU in their campaign against FBI undercover work in their community, including within its mosques.

Despite a multiplicity of flashing lights and screaming sirens warning Americans about the worldview of the Muslim community, some Jewish groups, often local synagogues, Jewish Community Relations Councils, or chapters of national organizations, crave dialogue with Muslims. American Jews love "to dialogue" with virtually anyone, and they have historically projected their own tolerant (if often uninformed) liberalism on all their interlocutors — and continue to do so despite a wealth of evidence that these attitudes are neither shared nor reciprocated. There is a point at which well-intentioned ignorance becomes a positive danger. In the past these naïve people have helped briefly legitimate Muslim figures later revealed to be connected to terrorist groups. The list is long, a reflection of the ultimately futile quest for authentically "moderate" Muslims. When I worked at AJC our expert on American Islam, Judith Barsky, sought to caution Jewish groups about meeting with suspect individuals, almost invariably meeting with resentment by people disappointed at being told not to engage interesting exotics with whom they could showcase their liberalism, and her efforts often failed.

Not content with seeking comity with a group that wholeheartedly wishes their demise, some even make it their business to act as their agents, attacking so-called "Islamophobes," a nasty epithet for individuals who understand the danger Islam represents and call things by their right names. Only recently the Florida area director of the ADL, one Andrew Rosenkranz, attacked Geert Wilders, the Dutch Parliamentarian who has been risking his life trying to awaken a supine Europe to the future

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that awaits it. Wilders had been speaking at synagogues across Florida. Rosenkranz condemned him for his alleged "message of hate" which refuses to distinguish between the religion of Islam and jihadism. Making that distinction is, in fact, a more difficult intellectual and theological undertaking that Mr. Rosenkranz evidently understands. Rather than condemning Wilders' view of the Quran, perhaps Mr. Rosenkranz should actually read it (making a special point to peruse those sections dealing with Mohammed's extermination of the Jewish tribes of the Arabian Peninsula and commentary on Jews). He should also devote some time to reading some of the readily available and highly readable standard references in this field[19] or, indeed, any one of some dozens of current works exposing the anti-Semitic and Machiavellian side of Islam. Rosenkranz's defense of the indefensible recalls Robert Frost's definition of a liberal as "someone who cannot take his own side in an argument."

Though a precise figure for the Muslim population in the United States is hard to arrive at because Muslims over-state their numbers to show they already outnumber American Jews — a reasonable current estimate is approximately four million (this includes a high percentage of African-American converts to mainstream Islam). Though that number is modest, it is already close to the number of American Jews — 5.8 million — and while Jewish fertility is flat, its population aging, and nearly half of Jews intermarry, the Muslim birthrate is much higher. Projecting 25 years ahead, Muslims won't need to exaggerate their numbers to have a significant influence on American politics. The future is even gloomier. Over time, Muslims will significantly outnumber a Jewish population declining in both absolute and relative terms. The implications for Jewish life in the United States will not be nearly as dire as that of European Jews given the very positive relations and rapidly increasing family bonds between American Jews and American Christians — as well as the generally unfavorable attitudes toward Islam on the part of most Americans — but it will potentially have a serious impact on U.S.-Middle East policy.

The Unmentionable Bigotry: Hispanic Anti-Semitism

The Progress by Pesach campaign supported amnesty, a cessation of ICE raids, and "comprehensive immigration reform." The core of that legislation is an exponential increase in legal immigration. Robert Rector of the Heritage Foundation estimated the increase that would have resulted from the stillborn 2006 "Comprehensive Immigration Reform Act" (S.2611) would have been in the range of 66-100 million within 20 years.[20] Since the principal engine driving immigration is extended family reunification or "chain immigration," the greatest part of the increase will come from the country whose residents have already established the greatest number of familial and social-economic networks in the United States — Mexico. This is cause for profound concern to Jewish Americans on parochial as well as patriotic grounds. Yet apart from anxious commentary that accompanied two polls ADL released in 2003, nowhere within the Jewish Establishment does one find any echo, let alone explicit mention, of this well-grounded anxiety. Leadership may express fears behind closed doors, but rarely does so publicly. There is, simply, no leadership on this burning issue within the ranks of the Establishment. The disinclination to confront this huge problem may stem, in part, from the nonsense that was gospel in dialogues on race for decades: "People of color" cannot be racist because they lack power. Some of this owes to denial, always a strong element for those who engage in intergroup relations (so much of which is based on duplicity and self-deception on both sides), and a part is fear of further provoking the anti-Semitic Hispanics. Whatever the reason, this gigantically important fact is left out of the equation.

Anti-Semitism is pervasive in Latin American societies. In fact, it is so high that the only group survey research shows harbors more anti-Semitism than foreign-born Hispanics are Muslims. (Even among Europeans we have noted that anti-Semitism is much the highest in Spain, the Mother Country of Hispanic culture.) Those who come from the country that is by far the largest source of contemporary immigration, Mexico, are steeped in a culture of theological anti-Semitism that's defied the post-Vatican II enlightenment of European and North American Catholicism. Foreign-born Hispanics lack a mitigating history of familiarity with Jews, have little knowledge and no direct or familial experience of the Holocaust, and regard Jews simply as among the most privileged of white Americans. To these sources of prejudice one must add the impact of "Liberation Theology" that identifies with the Palestinians and regards Israelis and their Jewish supporters as fascists and "running dogs" of American imperialism.

The troubling percentage of Hispanics willing to embrace anti-Semitic stereotypes is documented in the largest survey of intergroup attitudes undertaken in the United States, *Taking America's Pulse*[21] (a project of the National Conference of Christians and Jews, NCCJ) carried out in 1992. It surveyed just under 3,000 respondents in phone interviews lasting 28 minutes, with significant over-samplings for Hispanics, Muslims, African Americans, and Jews. In their responses to the four negative stereotypes of Jews in the survey, Hispanics were, overall, the group second most-likely to affirm their validity after African Americans, and exhibited the highest anti-Semi-

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tism of any group that is predominantly foreign-born. Thus, 43 percent of Hispanic respondents, a plurality, agree that, "When it comes to choosing between people and money, Jews will choose money;" 44 percent, again a plurality, agree that Jews "Are more loyal to Israel than to America;" 49 percent, the highest of any group, agree that Jews are "Too preoccupied with their history of persecution, such as the Holocaust; while 37 percent agree that Jews "Have too much control over business and the media." The findings show African Americans are most likely to hold these classic anti-Jewish views (an average of 47.25 percent), but Hispanics are not far behind with an average of 43.24 percent.

A smaller survey (1,000 respondents) conducted by the ADL[22] in 2002 reported almost identical findings as NCCJ with regard to foreign-born Hispanics, showing strong anti-Semitism among 44 percent of respondents. Among U.S.-born Hispanics, 20 percent had anti-Semitic attitudes, a finding ADL chose to hype as hopeful. While the improvement seems impressive at first glance, given the constant replenishment of foreign-born Hispanics from Mexico and Central America and the possibility of an exponential increase in the foreign-born population as a result of "comprehensive immigration reform" (a policy supported by ADL!) the purported "progress" seems ephemeral, at best. Homeland attitudes will be reinforced and reinvigorated by the continuous arrival of the foreign-born into tight ethnic enclaves. It is also the case that a rate of 20 percent still makes Hispanics nearly three times more anti-Semitic than the average American.

At a time when the American-Jewish community was fixated on black anti-Semitism and mourning and dissecting the collapse of the "black/Jewish alliance," it was startling news to find Hispanics registering almost equal hostility, an attitude that quickly inspired attempts at outreach by Jewish Establishment organizations. I attended several of these early meetings with Hispanic leadership groups and produced the first publication on Hispanic/Jewish relations for AJC. It was clear what they wanted from us: Jewish support for open-borders immigration and amnesty; far less clear was what, if anything, Hispanics were prepared to offer in return.

The Jewish Establishment may seek to justify its support for open-borders immigration as an effort to lessen Hispanic anti-Semitism and buy favor with the Hispanic community or, rather, not the community at large so much as the leadership cadres with which it meets from time to time. But considering the outcome of mass immigration will mean the inevitable nullification of Jewish political power by a group with very high levels of anti-Semitism and a wholly different set of policy priorities, it's hard to view the Establishment's support for mass immigration other than through the lens of Lenin's parable about the capitalist who will sell the rope with which he will be hanged.

Defenders of Jewish Establishment policy argue that when Mexican interest in naturalization increases — currently fewer than 20 percent of the huge number residing here have chosen to become U.S. citizens, most being in effect transnationals rather than immigrants) — they will inevitably undergo the process of Americanization that greatly lessened the anti-Semitism of many Europeans who came during the Great Waves. This line has been advanced by ADL in response to its own grim findings about Hispanic anti-Semitism. But the optimism is entirely unfounded because the institutional structures and ideology that facilitated the process in the past no longer exist. It seems almost quaint to have to point out that there are no longer "Americanization" programs. Groups like the National Immigration Forum headed by Gideon Aronoff regard Americanization as "racist," "dominant culture supremacist" claptrap. Our brave new world of multiculturalism is founded on the assumption that we aren't a nation at all and need no common language. It is not only the metaphor of the melting pot that has been tossed into the garbage; the "salad bowl" has joined it there. We have no current metaphor regarding immigration that speaks to the notion that all of us ultimately share a sense of national belonging, that assimilation is a good thing.

In addition, from 1924 until 1965, when the nation's immigration law was radically changed, there was relatively little new immigration to the United States, allowing time for immigrant groups to acculturate, internalize American values, and discover how to live together as fellow Americans. The civic education we have banished from school curricula played a powerful role in this, as did a host of ethnic pride organizations from the Steuben Society and the Knights of Columbus to the Workman's Circle, now largely gone or barely surviving with an aged membership, that served as a halfway house between a particular ethnic/cultural identity and a larger sense of national belonging: While they promoted ethnic pride, the balance was on fostering American patriotism. Finally, given Mexico's contiguity, the deliberate policy on the part of successive Mexican governments to maintain the national loyalty of Mexicans, and the ceaseless nature of immigration from that country — not to mention the exponential population increase we will experience if "comprehensive immigration reform" becomes law — it is not assimilation we can anticipate so much as the constant reinforcement of some of the most atavistic attitudes from that culture, strong anti-Semitism among them.

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The Fading Establishment

The organizations that comprise the Jewish Establishment are not only unreflective of the deep concerns about most Jews regarding mass immigration; it is also critical to recognize that only a small, shrinking fraction of American Jews belongs to them. This is truest of the increasingly skeletal secular ones that engage in public policy. One of the most venerable, one of the so-called "Big Three Defense Agencies," the American Jewish Congress, has all but disappeared within the past year and its survival is uncertain. But the principal religious denominations, Reform and Conservative, are also losing membership at a pace that alarms their leaderships. The Conservative Movement is in crisis at the moment. A letter signed by 12 presidents of congregations who are looking to add 50 more signatories threaten to leave the United Synagogue Movement within 90 days if there is not greater transparency about operations and finances and a more open, less hierarchical approach to governance. The Conservative Movement has recently appointed a new leader to try to cope with institutional drift and slippage in membership. This steady decline is evident across the spectrum of traditional religion in America, whether in mainline Protestantism or in Roman Catholicism, where one in four American-born Catholics leaves the Church. Indeed, the only branch of American Judaism experiencing growth is Modern Orthodoxy, and this is especially true among the young. Like members of every other faith, it is also the case with Jews that the more devout and traditionalist are far less likely to be politically correct.

Contrary to false public perceptions inculcated through classic organizational equivocation about membership or permitting self-serving urban legends to stand uncorrected, *none* of the secular groups can legitimately call themselves mass membership organizations. This is literally the case with several and true, in effect, for the others. The term "mass membership" is meant to conjure the image of an impressively large number; size itself lending credibility to the notion the organization speaks authentically for the broader community. It is also meant to convey the impression the membership as a whole plays a role in organizational decision-making and is well-informed about the positions the organization holds. None of these is the case within the Jewish Establishment.

The Anti-Defamation League (ADL) does not have members. No one carries a card that reads, "ADL Member." Decisions are taken by a small coterie from among its senior staff and board members who operate in the shadow and very much under the thumb of ADL's charismatic one-man show, Abraham Foxman.

HIAS is hardly a Jewish organization any longer except in name — by far the greatest number of its clients are not Jews. It has a staff of 100 (as a service provider we can assume only a relative handful are involved in policy decisions), 57 board members, and "a generous support base of 14,000." Its website does not speak of "members." It is self-evident that its "generous support base" does nothing other than write checks. It is undoubtedly the case that some 15-30 people, perhaps five senior staff (a high estimate) and an executive committee of some 10-25 chosen from its 57 board members make policy decisions. Neither ADL nor HIAS can be called "mass membership" organizations by any definition. Decision-making in these agencies, as is the case with every American-Jewish Establishment organization, is firmly in the hands of a politically correct oligarchic plutocracy.

Smoke and Mirrors: Equivocation About Membership

The American Jewish Committee (AJC), widely regarded as the "dean" of Jewish Establishment organizations, has members, though the actual number is far smaller than it claims. It styles itself a "leadership organization" which can be read to mean, "we are not truly a mass membership organization," despite periodic assertions to the contrary. In speeches delivered at annual meetings, its leadership occasionally boasts 100,000 members (including "friends" who make donations), but those familiar with the agency — I was a senior staff member for almost eight years — know the figure is grossly inflated. A former senior colleague at AJC in a position to know told me the figure of 100,000 includes almost any person who receives an organizational mailing. In fairness to AJC, it should be noted that many organizations inflate their numbers similarly — it is not a criminal offense — but the fact that this behavior is commonplace doesn't make it less misleading. The current Director of Membership Services played phone tag with me once, but finally did not see fit to respond to additional voicemails; I suspect a directive not to talk with me was issued from on high. In the JTA piece about the HIAS/SPLC campaign, HIAS's VP for Media and Communications mentioned that several Jewish organizations contacted her to tell her I had placed calls asking for their membership numbers. Why do I suspect the same person who sent the KGB-like poison-pen e-mails was actually the person who initiated these phone calls?

If one made a point of being highly skeptical about membership claims and coldly analytical in deconstructing AJC's, the exercise would not be especially difficult to undertake. The only persons who could be called members without doing the least violence to the term are national board members (approximately 200-250) plus the boards and membership of AJC's 29 chapters (AJC had 32 chapters when I worked there, another indication

VerDate Nov 24 2008 08:30 May 11, 2010 Jkt 056073 PO 00000 Frm 00088 Fmt 6633 Sfmt 6633 S:\GPO\HEARINGS\56073.TXT SJUD1 PsN: CMORC

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of shrinkage). The current website of its New York City Chapter, the largest in the country, lists 88 individuals by name. These include seven officers, 67 members of its Board of Directors, and 14 Honorary Board Members. Including its professional staff (they average about three to five and occasionally as many as 10 for the largest chapters), we can state confidently that the New York chapter has some 90+ active individuals. When the chapter holds events — I addressed and attended a goodly number in my eight years at AJC — the audience was comprised of some percentage of those 90+ individuals, never more. Something around the same number would come to events when I traveled around the country. That the typical form these events assumed was that of a parlor meeting in someone's home speaks volumes about the real numbers. Current staff, speaking on behalf of the agency, have told me some chapters, including New York's, have as many as 400 members (including "friends") that donate money.

Conflating "friends," anyone who has ever sent a check, with "members" who presumably play a more active role in the organization and can actually detail its policies, is standard procedure in Jewish organizations: It pumps up the numbers and gives an inflated sense of policy endorsement. Though the figure of 400 active members is likely an exaggeration, let us take it at face value. In fact, let us go so far as to posit that all 29 chapters, including staff and "supporters," have 500 active members. That artificially and arbitrarily derived total still leaves the organization with 14,500 active "members" nationwide. AJC's national office in New York City has a large staff, though the percentage of professionals is small; most AJC employees work in support capacities, and the size of the development department far exceeds that of any department involved in policy or programs. The number of professionals who focus on domestic policy averages four or five. There is also a Legislative Affairs Office in Washington with some 10 professionals and additional support staff, but only three to five work on domestic policy (I am including interns). A great deal of energy and resources are devoted to foreign affairs and Israel-related matters; AJC likes to see itself as the State Department of the organized American Jewish community. Taken together, the national staff cannot exceed 250, of which some 80 percent are non-professionals. This generous guesstimate for staff and "members" gives AJC a total of some 14,750, a very far cry from the 100,000 claimed.

Leaving aside the cold, analytical approach, we are prepared to take a leap of faith. To anticipate the objection untold numbers of actual members somehow have been omitted — an unlikely scenario — we will add an arbitrary 10,000 members actively engaged in chapter or national activities and who know in detail as well as advocate the organization's policies. That results in a final figure of 25,000, but even this figure is only 25 percent of the total claimed.

The National Council of Jewish Women (NCJW) asserts it is a mass membership body, too, claiming 90,000. However, it is difficult to gauge what this actually means in terms of raw numbers or when trying to assess active involvement by its membership, their role in decision-making, or the degree of knowledge or identification on the part of members with the policy positions it takes. NCJW has separate categories for those associated with it, termed "members," "supporters," and "advocates" and it is impossible to get a clear answer on what basis these distinctions are made or how many belong to each. Almost any organization would be thrilled if as many as 30 percent of its membership were genuinely active, so let us be charitable and accept 30 percent of what appears to be an inflated, conflated, confusing total, even though this almost certainly represents a considerable exaggeration.

When asked who makes decisions about such things as the organization's sponsorship of Progress by Pesach, a professional from NCJW's membership services department in New York with whom I spoke first drew a complete blank regarding the campaign, then stated she had no clear idea how the decision was arrived at, and finally directed me to pursue the matter with NCJW's director of Washington operations. (My voicemails to the Washington office were not returned.) A fair conclusion is that we are dealing with another oligarchic decision-making process dominated by a small group of senior administrative officers, wealthy volunteer leadership, and, as usual, a far more ideologically zealous paid senior staff, especially in Washington. NCJW has a president, two vice presidents, a treasurer, and two other chief administrative officers. There is a board comprised of 25 members and a total staff of 28 dispersed among offices in New York, Washington, and Massachusetts. However, only a handful, including the executive director, director of Washington operations, senior legislative associate and the three staff that report to her, plus an assortment of the leading and most political volunteer leadership is likely involved in public policy decisions. The others have portfolios with no policy responsibilities. The decision to join the Progress for Pesach campaign could have been made by some 30 persons, at most.

Paradoxically, it is particularly difficult to say much about the Jewish Council for Public Affairs (JCPA) in a discussion of membership or when considering in whose name Establishment organizations purport to speak. At first blush this would seem to be a counter-intuitive proposition. Nominally, JCPA is the policy arm of United Jewish Communities, the chief service provider and single biggest organization in the institutional

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American-Jewish world. In theory, at least, it also "represents" the many Jewish Community Relations Councils (JCRCs) across the United States; these are local entities principally engaged in "intergroup" relations. But public policy is not a priority of United Jewish Communities, whose main work is directing, coordinating, and supporting Jewish charities and social services (in Israel and in the United States, where it focuses its work on Jewish schools, hospitals, care for the elderly, the disabled, needy Jews and non-Jews, new immigrants, synagogues, etc.). It is the Jewish equivalent of Catholic Charities or the Protestant Welfare Board. Frankly, its mission is far too important for it to become embroiled in distracting partisan political campaigns.

JCPA has a miniscule national staff whose principal task is organizing the large annual conference — *the* Conference — where Jewish Establishment organizations deliberate domestic and foreign policy. It exists in a parasitic relationship to the leading national Jewish organizations, depending on their staffs to do most of its thinking as well as filling the panels at its annual meeting. Its home page speaks of its "leading role" in identifying issues and formulating policy and strategies, but it adds, revealingly, this "unique ability" is a product of "our network of 14 national and 125 independent partner agencies."

It should be underscored that the "125 independent partner agencies" are the local JCRCs, and JCPA makes no claim to "represent" them, emphasizing the word "independent." That independence is best demonstrated by the fact that only four of 125 JCRCs chose to lend their names to the Progress by Pesach effort. The local JCRCs are themselves not membership organizations but primarily serve as coordinators of the activity of Jewish organizations in their home communities, including religious institutions. They frequently act as conveners of the many disparate organizations on the ground in any given locality. Some have tiny memberships (perhaps a few dozen at most), but most are entirely staff-driven. The New York Chapter, a monster in comparison to the great majority, has 19 staff total (support included) that services over 60 Jewish organizations in the five boroughs, from charity providers to homes for the aged to religious institutions to Jewish Day School programs, etc. They work at the grassroots level with local organizations, as well as chapters of national ones, but, again, membership in itself is not a component. In most communities across the country, the JCRC may be comprised of no more than three professionals and support staff.

Starting out as a convener — and largely remaining one — some years ago JCPA sought to establish itself as an independent policy shop, something resented by other Jewish organizations, such as AJC, who are doubly irritated that an organization that expects its staff to do much of its work should also, in effect, be competing with them for prominence. JCPA is also notorious for running arguably the most intellectually dishonest policy meetings held since the fall of Soviet Communism — though no enormities occur in their wake, at least to attendees; the typical aftereffect is a bad taste in one's mouth and a sense of shame about having been complicit in the proceedings. It even refers to its conferences as plenums, perhaps in unconscious recognition of the historical origin of its own excesses. During deliberations dissenting voices are routinely ignored or hushed, and minutes of JCPA meetings, which contain a highly redacted "official" version of what transpired at the plenum, habitually do not record minority views, protests from the floor, or even amendments to resolutions the conveners oppose. One of JCPA's leaders joined AJC during my time there, and he confirmed these practices are indeed the norm.

Another sponsor of Progress for Pesach is B'nai B'rith, a national membership organization that claims 150,000 "members and supporters." As noted in the case of the others who make similarly grandiose assertions, the claim is grossly inflated and confusingly conflated. Of that total, it is likely that as many as two-thirds are "supporters," people who occasionally write checks, and of the remaining 50,000, it is highly unlikely that much above a half are active (by any authentic definition) in the work of the organization. Positing as many as 25,000-35,000 active members is probably a good ballpark estimate.

B'nai B'rith's national and international agendas are ambitious, but virtually all of them duplicate those of most other Jewish organizations: avoiding overlap would be nearly impossible in what is arguably the most over-organized single community in the United States! The one area where B'nai B'rith's agenda is unique is its special focus on the rights, economic security, physical well-being, and quality of life of seniors. Its domestic and international policy is formulated and advocated through its Washington-based Center for Human Rights and Public Policy. B'nai B'rith supports "comprehensive immigration reform," favoring a pathway to citizenship for "law-abiding immigrants" who are gainfully employed. The term "law-abiding" is obviously construed in a highly subjective and, to be charitable, extremely expansive way. The organization is prepared to term as "law-abiding" not only an individual who has violated American immigration law by unlawful entry but is also prepared to apply the term to people who have had to engage in other criminal activities in order to remain illegally: identity theft, the creation and/or use of false documents, lying to law enforcement officers, etc.

Though we have generously posited that B'nai B'rith's active membership is in the range of 25,000-30,000, it should be stressed that even "active members"

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appear to have little knowledge of or else are unprepared even to dissimulate enthusiasm for the organization's position on immigration policy. I have spoken before several chapters, and I find agreement with my opposition to "comprehensive immigration reform" to be virtually universal. It is important to add that at no point during my presentations at B'nai B'rith chapters — not on a single occasion — has a member raised a hand to note I am advocating a policy directly opposite to that of their own organization. Though I cannot be certain, my guess is members have no idea what B'nai B'rith stands for with regard to immigration, and they would be extremely unhappy to find out.

Those familiar with major Jewish institutions will note the omission of several large historic ones, but there are sound reasons for this. First and foremost, they are not sponsors of Progress by Pesach. These organizations do not normally attend JCPA meetings or, with the exception of certain canonical causes, advocate Jewish Establishment policy positions, except with regard to the holy of holies: Israel. They tend to be engaged in Israel advocacy or in social service provision and charitable work through a wide range of projects in support of health care generally, women's health in particular, education (often for at-risk populations and the poor), and career training principally in Israel, and largely aimed at poor and immigrant populations. Several work in other countries as well, and their clients include Jews and non-Jews.

One of these organizations, Hadassah, the women's branch of the Zionist Organization of America, claims by far the largest membership of any Jewish organization in the United States: 300,000, distributed among dozens of chapters across the country. But the number of active members cannot remotely approach this total. The vast majority of "members" would be termed "supporters" by other organizations because their involvement consists of paying modest dues, making an occasional contribution to Hadassah's charitable work (building state-of-the-art medical facilities in Israel and funding service provision on behalf of women's health in the United States) and receiving organizational mailings. I have spoken before some 20 Hadassah chapters across the country, and by far the largest audience was 200. The typical audience averages about 120, and the organizational business meetings that invariably precede my address strongly suggest those present constitute the core membership of the chapter. As in the case of B'nai B'rith, if we assume that some two-thirds of the members are "supporters" that leaves 100,000. But surely no more than 30 percent of that total could be called active members in the sense of regular participation at events and a substantive knowledge of the work and policy agenda of the organization. Once again we are speaking of approximately 30,000.

An organization with a thoughtful, civic-minded membership and local leadership, Hadassah, sadly, has recently succumbed to the new McCarthyism — despite its self-definition as non-political. Though members would react with outrage and embarrassment if they were aware of this episode, only recently my invitation to address the Alisa Chapter in Monroe, N.J., was cancelled by order of the legal department of the National Office of Hadassah in New York. Since, as noted, I have addressed some 20 chapters of Hadassah before this occurred, several as recently as three months earlier, the cancellation was undoubtedly a consequence of Aronoff's poison pen e-mails. It is extremely disturbing that his false allegations were accepted at face value, with no effort made to contact CIS or me to refute the slanders. This chilling occurrence is unrepresentative of the organization I know, at least on the local level.

I fear the leadership of Hadassah will not rescind this hasty, ill-considered action. In an article regarding my charge of McCarthyism against HIAS and SPLC in the *Forward*, a Jewish newspaper with a very modest readership (some 30,000) but with many subscribers who work within the Jewish Establishment, a spokesman for the national office of Hadassah, Steve Rabinowitz, states that since I don't endorse Hadassah's policy on immigration I shouldn't be permitted to speak. My speaking, he argues, would appear to constitute an official endorsement of my views by Hadassah. But this is pernicious nonsense. It is also an ominous statement that shows contempt for the value of free, open discourse about public affairs that is the bedrock of American democracy. It also suggests we are witnessing nothing less than the closing of the American-Jewish mind.

As in the case of B'nai B'rith, despite a multitude of speaking engagements at Hadassah chapters — all received with great enthusiasm and expressions of strong support for my position opposing "comprehensive immigration reform" — on not a single occasion has a member of any chapter noted the fact that Hadassah holds a position directly opposite to mine with regard to amnesty and open-borders immigration. No hand goes up to defend organizational policy, including that of the chair of the chapter. Again, while I did not conduct a survey to discover whether the members actually can cite Hadassah's organizational policy on immigration, I very much doubt it. Any reasonable observer would come to the same conclusion: There is a gaping chasm between the organization's "national position" and what the membership knows (or perhaps is permitted to know), attesting to the fact that there is no involvement on the part of membership in framing policy — and no effort on the part of "leadership" to disseminate it.

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The Zionist Organization of America has some 30,000 "families" as members, so a final figure is hard to arrive at, but a generous estimate would be perhaps 60,000 members. This group is entirely devoted to advancing Israel's interests through advocacy on Capitol Hill and mobilizing the American-Jewish community through community relations work, work with pro-Israel Christian groups, and training college students to better defend Israel on college campuses where it has become the favorite target of the left, etc. It is not engaged in domestic public policy. If it were, it would likely find itself out of step with the core organizations of the Jewish Establishment, as its leadership and membership are predominantly right of center on the political spectrum.

Another organization outside the domestic policy orbit is the Women's ORT (Organization for Rehabilitation and Training). ORT is the largest Jewish NGO in the world devoted to education, especially among poor populations, and it concentrates mainly on vocational training. Its programs, which are rated as excellent by NGO evaluators, are based primarily in Israel, but ORT also does substantial work in Russia, Argentina, and in many countries in Africa. Like the others, it has no interest in U.S. domestic policy. Its active membership is 35,000.

Authentic Jewish-American Opinion: Peering Through the Fog Machine

According to the authoritative Mandell L. Berman Institute's North American Jewish Data Bank, which draws on demographic studies from several respected research bodies and whose findings are regularly published in the American Jewish Committee's *American Jewish Yearbook*, estimates for the total American-Jewish population for the most recent year for which there are findings, 2007, range between 5.2 million and 6.4 million. This is not the place to deconstruct or critique methodological differences or varying religious litmus tests or other measures of Jewish identity that produce these widely differing assessments. For our purposes, we will simply split the difference and posit there are 5.8 million American Jews.

What percentage of Jews is affiliated with the secular Establishment and the main religious denominations supporting Progress by Pesach? To what extent can the Establishment, with its politically correct perspective on issues, immigration foremost among them, be termed "representative" of American Jews? The answers to these questions reveal the American-Jewish Establishment, especially its secular policy organizations, to be nearly as empty as Kafka's *Castle*.

Trying to arrive at a precise figure of the total membership of secular national Jewish Establishment organizations sponsoring Progress by Pesach is not possible given the reticence, evasion, and confusion in the membership categories that have been catalogued. Certainly the "official" figures must be taken with a grain of salt. To anticipate the charge numbers are being deliberately suppressed or omitted, but also taking account of the institutional equivocation as well as genuine confusion about numbers of members claimed by the organizations, we will adopt a generous and also very approximate guesstimate of some 200,00-250,000 active members. The organizations that sponsored the campaign will undoubtedly take umbrage at this figure, but it is inarguable we are positing a figure several times their actual number — assuming we are speaking of active members that actually know what the organizations stand for and are prepared to advocate on its behalf.

Let me stress these figures have not sprung fully formed from my forehead. I have discussed these "guesstimates" in detail with several individuals in positions of great responsibility within the American-Jewish Establishment, including regular participants at meetings of the Conference of Presidents, people I have known for years during my career at AJC and after. Without exception, all endorse these estimates; in fact, all shared their pessimism with me about the future viability of these historic agencies and indicated that, if anything, my projected memberships are too high. Mr. Aronoff's "secret" emails notwithstanding, I am hardly someone "penetrating" the community. I have easy and ready access to Jewish leadership at all levels. (No, I will not share their names; if I did, these individuals would undoubtedly also find themselves candidates for someone's blacklist.)

The Religious Denominations

The Reform Movement, the largest branch of American Judaism, claims 1.1 million members. The Conservative Movement has approximately 850,000. We will take these figures at face value. The very small Reconstructionist Movement is unquestionably the most politically correct of all Jewish denominations. Membership on its official website is described as "16,000 member households" and, again, we will accept this figure at face value, though how this translates in actual numbers of congregants is guesswork. A significant segment of gay Jews have gravitated to Reconstructionism, and thus "households" in many cases are comprised of one or two adults. But to dispel the notion we are loading the dice, we will err on the generous side when counting politically correct Jews, and will treat Recontructionist "households" as if comprised of a couple with two or three children for a total of 64,000 members.

A large majority of Reform Jews is politically liberal and their clergy are almost invariably to the left of the

VerDate Nov 24 2008 08:30 May 11, 2010 Jkt 056073 PO 00000 Frm 00092 Fmt 6633 Sfmt 6633 S:\GPO\HEARINGS\56073.TXT SJUD1 PsN: CMORC

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congregation (a phenomenon, I suspect, that is hardly the case solely among Jews). Reform rabbis, with rare exceptions, are almost uniformly politically correct. Past experience, including attendance at many religious services, strongly suggests the contribution of Reform clergy to Progress by Pesach undoubtedly took the form of sermons that trotted out Leviticus 19:33-34 ("for ye were strangers in the land of Egypt", etc.)[23] for yet another round of sanctimonious eisegesis that likely bored their audiences but harmonized with their worldview; while their Conservative colleagues dusted off their "social justice" sermons which they delivered to largely indifferent or hostile congregants. Given the emptiness of their quivers in terms of knowledge and understanding of the issue, the rabbis ran out of ammunition quickly. Once they've butchered Leviticus for the umpteenth time, demonstrated their ignorance of immigration history and policy in general and Jewish immigration history in particular, and libeled opponents as xenophobes and nativists, they have nothing else to say. Though a figure of 70 percent likely errs on the generous side, we will posit this is the share of adult Reform Jews that is liberal. It is conceivable something approaching this percentage would support a campaign like Progress by Pesach, at least from the sidelines.

Again, for the record, this figure is not solely the product of my own speculation; it was arrived at following consultation with 10 Reform rabbis, including old friends, several of whom have held national positions in the Reform Movement and in interdenominational bodies of the American rabbinate. There was a solid agreement that the figure of 70 percent is very much on target.

It sometimes happens that my fiercest antagonist at speaking engagements at Reform Temples is the rabbi, something that is not the case at Conservative synagogues. I would prefer to say "opponent" rather than "antagonist," but if I don't adhere to the Party Line, the most doctrinaire of rabbis perceive me as an enemy of sweetness and light. On occasion, the rabbi's persistent interruptions and vehement, uninformed comments have led congregants to ask them to remain silent until I have finished. I was astounded by the hostility and incivility the first time this took place; I became inured to it after several repetitions. Within the politically correct world of the Reform Congregation, dominated by the most extreme exponent of political correctness, the clergy member, there is little room for dissenting opinion. It is deeply dismaying to see people in positions of spiritual authority who believe they are so right they are incapable of countenancing different points of view.

A figure of approximately 30 percent of politically correct adult congregants in the decidedly more politically centrist world of the Conservative Movement is a reasonable one. If we add that 30 percent to the number of active members of secular Jewish organizations and the majority of Reform and Reconstructionist Jews who are liberal, we have a rough approximation of the core of politically correct *affiliated* American Jews.

The reason for capping the number of politically correct Conservative Jews at 30 percent is the product of consultation with numerous Conservative rabbis (I grew up in the Conservative movement and have retained many ties there), congregational presidents, as well as my personal knowledge that the flock and clergy are at loggerheads over immigration, an insight gained from a wealth of first-hand experience. I would imagine the same is likely the case with regard to other controversial social/political/cultural issues. By far the greatest share of my speaking engagements at Jewish religious institutions have been at Conservative synagogues — dozens across America — while only a relatively modest number have taken place at Reform congregations, a reliable index of the differing political outlooks of the memberships within these denominations. Support for my position on immigration policy at the Conservative synagogues where I've spoken is rock solid. An estimate of 75-90 percent support is not an exaggeration, with the handful of those expressing disagreement usually members of Establishment organizations or paid staff. Congregants are invariably riveted by the content of my remarks; voice strong support for my positions; volunteer it is an immense relief to have someone speaking from the pulpit who is not politically correct or an Establishment representative; and tell me, often with great emotion, they are enormously relieved to hear someone say aloud what the majority thinks but has either been subtly pressured or publicly badgered not to say. Typically when I give a speech, well before I've concluded laying out the data and providing my analysis, people start interrupting to ask what they can do to help politically.

The endorsement of Progress by Pesach on the part those that head the Conservative Movement — its rabbinate and top leadership — represents the most naked and extreme instance of usurpation of the authentic voice of the affiliated community among the organizations that have signed on. It is no surprise this religious movement is in such serious trouble, with congregations in revolt against its hierarchical, unrepresentative leadership style.

Once we have disaggregated the children (about one-quarter of the Reform Movement), who presumably do not have positions on American social policy, at first glance we have a total of some 798,000 predominantly politically correct Reform Jews. However, that number must be further reduced to subtract a reasonable if modest percentage, some 30 percent of Reform Jews, who are not incorrigibly politically correct on all issues and are likely

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to have serious reservations about open-borders immigration. (If anything, the size of this minority is understated.) Many members of the audiences I have addressed at some dozen Reform Congregations, which I have no reason to believe are not representative of Reform Jewry, are deeply concerned about illegal immigration and support the enforcement of immigration law rather than amnesty as the solution.

The Incredible Shrinking Cohort of the Politically Correct

These rough calculations leave us with 562,000 Reform Jews who likely hold politically correct attitudes on this issue. For the sake of this exercise, we will posit 100 percent of Reconstructionist Jews are politically correct, but we still need to disaggregate children. That provides a final total of 47,000 politically correct Reconstructionist adults. Once the same percentage of children is disaggregated from the estimated number of politically correct adult members of the Conservative Movement (255,000), we are left with approximately 184,000. As there is undoubtedly overlap between the memberships of the religious denominations and those of secular Establishment organizations (one affiliation often means another, especially among those with strong political convictions), we must take that into account with a modest reduction of 10 percent or 104,300 of the 1,043,000 for a total of 938,700 of the most politically correct affiliated Jews.

This number, admittedly a rough guesstimate on the generous side, represents approximately 16 percent of Americans who are Jews, leaving the remaining 84 percent, a huge majority of more centrist Conservative Jews, a significant minority of Reform Jews who are not politically correct, non-political or else activist politically conservative Orthodox Jews, and the great majority of secular, "cultural," and unaffiliated Jews outside the tent. Even if we admit a margin of potential error a good deal higher than is typically the case, we are still talking of a very small proportion.

Our figure of 16 percent as the core of the "most politically correct" is remarkably congruent, with minor commonsensical tinkering to gain a more precise image of those who define themselves as "liberal," with the findings of AJC's most recent *Annual Survey of American Jewish Opinion* for 2008 with regard to where Jews place themselves along the political spectrum. The survey, conducted by Synovate (formerly Market Facts), used a random sampling of 914 self-described Jews. Only 5 percent of respondents describe themselves as "extremely liberal." Another 28 percent say just "liberal." Another 11 percent describe themselves as "slightly liberal."

To deconstruct AJC's category just "liberal," we need to recall that liberalism is a highly subjective term, encompassing allegiances to different things and coming in a great many varieties and gradations. It entails a socio-political-cultural response to matters as distinct as politics, race relations, economic policy, lifestyle, religion and society, the role of science, social issues, freedom of expression, sexual orientation, etc. It's important for us to try to get a reasonable sense of how large a percentage of this "liberal" cohort sees itself as closer to "moderate" and how large as closer to "most liberal." In trying to estimate where the greater number would fall, this undifferentiated group needs to be divided, taking account of other data the survey provides. We note that while only 5 percent of all respondents defined themselves as "very liberal" more than twice that number, 11 percent, described themselves as "somewhat liberal." These responses suggest by far the greatest number avoid identifying themselves on the extreme left end of liberalism. It would thus be reasonable to hazard that somewhat fewer than half of the undifferentiated "liberal group" would be to the far left. Just under half is 12 percent. If we add the 5 percent who define themselves as "very liberal" to the 12 percent one might reasonably guess are closer to the left end of liberalism we have 17 percent, almost the same as our guesstimate of the most "politically correct" using organizational and denominational membership as guideposts.

Though a decent percentage of unaffiliated American Jews are liberal, there is no evidence to suggest they follow the marching orders of the Jewish Establishment. Most have never heard of the organizations that comprise it and have no idea what positions they advocate. Assuming Hadassah and B'nai B'rith are not exceptions to the rule — and there's no reason to believe they are — it's not even a given that most members of the organizations that comprise the Jewish Establishment know what public policy positions it takes. More important still, it is very doubtful that the politically correct constitute a majority of unaffiliated American Jews.

If the findings in AJC's 2008 *Annual Survey of American Jewish Opinion* are credible, a clear majority, 56 percent of self-described Jews, characterizes its politics as center-right. (We will return to these findings later.) The guesstimate of 16 percent for the most politically correct is very helpful insofar as it exposes the empty pretension of the American-Jewish Establishment assertions regarding the size of the constituency in whose name it purports to speak. It also suggests the most politically correct tend to cluster within its dwindling ranks. Moreover, the findings also suggest that if a majority of Jews are not already highly skeptical of if not outright opposed to mass immigration — I believe the latter to be the case — they are eminently convertible on this issue.

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Leadership Gone Awry

This gulf between self-proclaimed leadership elites and the rank and file — typical of virtually all identifiable religious, social, cultural, ethnic, racial, and political cohorts in America — is accentuated among affiliated American Jews by the unrepresentative, undemocratic, and hierarchical nature of leadership and decision-making in these organizations, religious and secular. Only handfuls of people (we are speaking actually, not metaphorically) normally chosen, not elected, and if elected, elected by a miniscule group of their peers to leadership positions based primarily on the size of their contributions and financial and political connections make all policy decisions, guided by an even smaller cadre of salaried professionals who tend to be ideological zealots and exercise outsized influence on decision-making, even though they are typically far less accomplished and worldly wise than the successful businesspeople on the boards. (Needless to say, the organized Jewish world didn't invent this institutional model, but it has repeatedly served as a template in the formation of its own organizations.) In some cases we are speaking of 150 persons (though so large a figure is exceedingly rare), in others a few dozen, in others fewer still. It can be no more than 10 members on an executive committee of a board.

Debates over issues never take place within the body as whole. Instead, there are discussions among largely like-minded leadership groups on national boards or subsets of those boards that deal with specialized areas, such as U.S. domestic policy. At the American Jewish Committee, an organization whose workings I know well, its Commission on National Affairs, a subdivision of national board members, makes recommendations to the board as a whole regarding domestic policy. During my tenure it averaged about 150 members and was by far the largest of the commissions. While there was some nominal input by the organization's chapters, it counted for little unless someone once affiliated with a chapter had been elevated to the commission. But the executive committee of the board (averaging 10-12 persons and invariably politically to the right of the National Affairs Commission) could counter the commission's policy recommendations. Other departments of the organization's work (such as Interreligious Affairs) have no "commissions," and the department head, perhaps one or two other staff members, and several prominent board members take decisions.

That members of Establishment organizations are comfortable being ruled by oligarchies and accept intellectually stifling political/ideological regimentation is one of the genuinely tragic cultural changes within Jewish life in America. What happened to the old affectionate stereotype once based in reality: "two Jews, three opinions?" The intellectual heterodoxy and love of vigorous ideological debate that used to characterize this once-significant source of off-center thought, outsider perspectives, challenging ideas, original ways of knowing, and honorable heresies has yielded to the gray, mind-numbing tones of politically correct conformity.

Dissenters, who were once valued for playing the role of "prophets never honored in their own country," are no longer welcome in this world, though in fairness it should be added that most cultures, whatever genuflections they make to the glory of intellectual independence, are happiest with conformists. Dissenters are seen as irritants to be harassed, vilified, and removed as quickly as possible. Once outside the organized Jewish world, those who no longer subscribe to its orthodoxies are often the targets of venomous attacks by their policy opponents within. The personal attack on me and the attack on CIS by HIAS and SPLC, discussed earlier, is simply one illustration of this pattern.

Thankfully, this attitude has not yet infected the great majority of ordinary American Jews who lead their lives outside the confines of this self-congratulatory, smug, oligarchic world where critical thinking has all but died, independent thought is suspect, and conformity is ruthlessly enforced. They have graciously welcomed this heretic into their communities. Even those that disagree with me, and some do passionately, have no wish nor do they think it wise or "American" to seek to silence me.

Splits between the politically correct and the more moderate-to-conservative also reflect social and economic class divides within the Jewish world. The national boards of Establishment organizations are unabashedly plutocratic, and the top leadership serving on executive boards or appointed to oversight positions is invariably comprised of the wealthiest members. These wealthy "sophisticated" folk tend to see themselves as chic, cultivated, trendy "citizens of the world," post-Americans who like to be perceived and see themselves as exemplars of what is intellectually and culturally au courant. These individuals are classic "limousine liberals," a term that brilliantly encapsulates much of what is most absurd about bogus liberalism. This institutional culture so closely approximates its Platonic essence as to verge continually on self-caricature. This is the Jewish incarnation of what a member of the Chicago Council on Foreign Relations meant when he described immigration as the "perfect policy storm" because no other issue so clearly divides the nation's fiscal and political elite from ordinary citizens.

Masquerading Moderation

Widely noted by sociologists and political scientists and long accepted as a truism, achieving greater wealth and

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social status has not normally translated into greater political or social conservatism among Jews, or much in the way of increased Republican Party membership. The most famous articulation of this sociological anomaly was Milton Himmelfarb's aphorism that Jews earn like Episcopalians, but vote like Puerto Ricans. But that bon mot has lost a significant measure of its accuracy in recent years. More Jews now define themselves as "moderate to conservative" than as "liberal." Even the Republican minority is growing, albeit slowly. Himmelfarb's adage is ripe for replacement by another that says, "Scratch an American Jew and you'll probably find a Democrat, but you won't necessarily find a liberal." This change has not registered to any appreciable extent with Jewish Establishment policy with the exception of general though not yet universal opposition to affirmative action (AJC continues to support "goals and timetables"). However, it is fair to say it is reflected in the public relations campaigns of some Establishment organizations.

Case in point: The American Jewish Committee's domestic public policy agenda — the primary focus of its membership if not executive leadership or board of governors — is inarguably left-liberal (to the extent such terminology retains meaning). Needless to say, there is no reason for AJC to apologize for its liberalism or to pretend it upholds a different set of beliefs. AJC supports open-borders immigration (including "comprehensive immigration reform" and the Dream Act; opposes E-Verify; supports the *Matricula Consular* card as a valid ID for illegal Mexican residents of the United States); supports bilingual education for Hispanics; continues, virtually alone in the Jewish Establishment, to support affirmative action; supports reproductive choice as an absolute, including late-term abortion; supports gay rights (though usually short of marriage); opposes school choice; has advocated watering down virtually all legislation proposed to promote national security in the wake of 9/11; and loudly decried alleged enormities suffered by detainees at Guantanamo Bay and Abu Ghraib. Indeed, it upholds virtually any position regarded as a litmus test of left-liberalism. The only thing that makes this otherwise unexceptional list of classic liberal positions noteworthy is the fact that the organization's PR describes itself as "centrist," and its top leadership repeats this fiction robotically, although the individuals that comprise it are much too smart not to recognize it is a misnomer.

During my years as Director of National Affairs at AJC, I took part in many meetings where its top leadership expressed strong, even vehement, opposition to the organization's policies, especially with regard to immigration. Without exception, when top leadership broke with AJC policy it advocated positions widely regarded as more conservative than those endorsed by the organization. However, these sentiments were never publicly expressed — not to the National Affairs Commission, to the Board of Governors, and certainly not to the active membership at large. On one memorably surrealistic occasion, top leadership berated me, as Director of National Affairs, for advocating AJC's own policy on immigration. I responded that the National Affairs Department advocates but does not set institutional policy and strongly suggested they take their case to the National Affairs Commission, the Board of Governors, and AJC's Executive Committee to inaugurate a policy change. This never happened. Evidently, none of the principals possessed the requisite civic courage. It is a great shame in light of AJC's standing within the Jewish Establishment; it is unquestionably the most respected Jewish policy organization in the United States. A shift on immigration policy at AJC would inevitably result in an open debate on this issue across the organized Jewish world — I cannot recall an open debate on anything other than affirmative action in the last 25 years — almost certainly ending in significant change within a majority of organizations in the Establishment and (horrors!) the possible secession of some, such as HIAS.

Given the historical hesitancy among the highest lay and professional leadership at AJC regarding open-borders immigration and in light of AJC's own official policy proclaiming its support for "generous legal immigration," it is ironic at best and hypocritical at worst that AJC's Arthur and Rochelle Belfer Center for American Pluralism received in June 2009 an award of $500,000 from the Ford Foundation to advocate on behalf of "comprehensive immigration reform." It is also extremely troubling to note the grant is intended, in part, to finance AJC's providing "advocacy skills-building workshops to Latino leaders and organizations in Arizona, Chicago, Houston, and New Jersey." As anyone familiar with the troubled history and countless misadventures of black/Jewish relations knows only too well, it was, among other reasons, the perception on the part of many African-American leaders that American-Jewish allies were being "condescending" in proffering advice and "taking over" the leadership of their movement that was a cause — or rationale — for the much of the rancor that ultimately doomed that alliance. It should be noted that Jews who played a significant role in the Civil Rights Movement, indeed who were "present at the creation," perceive this very differently. They were wounded and affronted by these accusations, and what many remember were unrequited feelings of brotherhood, ingratitude, and raw hostility from certain well-known black leaders whose anti-Semitism was of the sort George Bernard Shaw once characterized as the "socialism of fools." Indeed, whether any such thing as "black/Jewish relations" actually existed beyond relationships between leadership cadres in the two communities or involved

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anything more meaningful than a series of increasingly deplorable symbolic media spectacles is debatable.

For the record, it is worth noting that Jewish perceptions of ingratitude and black anti-Semitism are supported by key intergroup data. In NCCJ's 1992 survey *Taking America's Pulse* cited earlier, respondents were not only asked whether they affirmed negative stereotypes of various racial, ethnic, and religious groups, but also whether they embraced positive stereotypes. In response to the positive stereotype that Jews "Back Social Justice for Others" there was sharp disagreement among dominant culture white respondents (Catholic and Protestant) who supported the statement by strong majorities of 68 percent and 61 percent, respectively, and Asians at 65 percent — as opposed to blacks at 44 percent and Hispanics at 42 percent. Considering no group in America outside the black community has been more consistently committed to the Civil Rights Movement and justice for African Americans than Jews, who put their resources and bodies on the line, this is a disturbing showing. It also should be instructive. Jews need to understand there is no political benefit to be derived from pursuing "justice" for others. This is not an argument against pursuing justice for its own sake — indeed, the Torah commands it — but it does constitute a political reality check.

Have we learned nothing from the black/Jewish debacle? Once again, armed with Ford Foundation money, one of the nation's premier Jewish organizations places itself in the highly fraught, tension-inducing position with regard to the largest community of color in America. Further, any American-Jewish organization should be particularly cautious when the Ford Foundation comes bearing gifts in hand, especially grants creating top-down relationships between Jewish organizations and leadership from communities of color. While the causes for the collapse of black/Jewish relations are many, it must always be kept in mind that the chief one is indisputable: the battle and the after effects of the battle in Brooklyn's Ocean-Hill Brownsville school district between African American advocates of decentralization and community control of schools and the largely Jewish and Jewish-led United Federation of Teachers (UFT) that began in May of 1968. The groundwork for the dispute, the decentralization project, was in operation in three school districts and the funding for the project that set Jews and blacks apart came from the Ford Foundation.

Perhaps AJC's leadership also feels duty bound to genuflect toward the "vital center" to align the organization — rhetorically at least — with the findings reported by its own *Annual Survey of American Jewish Opinion*. As we have noted, the most recent (2008) asked American Jewish respondents where they place themselves on a political spectrum from "extremely liberal" to "extremely conservative." The favorite choice is moderate (30 percent), slightly conservative (10 percent), conservative (12 percent), and extremely conservative (2 percent). That adds up to a center-right majority of 56 percent — as opposed to 44 percent that sees itself as slightly liberal (11 percent), liberal (28 percent), or extremely liberal (5 percent). A 10-point spread is a healthy one (in a presidential election that would constitute a landslide), and a clear, if not radical, sign of change within the community. But one would never be able to square the moderate centrism of most Americans who are Jews, assuming these findings are accurate, with the politically correct liberal agenda of the organization that sponsored the poll, whose politically correct default position is that of the entire Jewish Establishment, certainly on immigration.

There's a useful parallel when one considers the professional career paths of young Jews following their college educations. In the past, an extremely high percentage went on to graduate school, earned doctorates, and entered academia; another high percentage went to medical school; and a comparable percentage to law school. While young Jews are still disproportionately represented in the traditional professions, a much higher number than in the past has gone to business school and then Wall Street. In other words, young Jewish Americans are behaving more like upwardly mobile young Americans of all backgrounds in their career choices. Similarly, the movement of most American Jews from the left to the political center suggests they are becoming more typically American. It may be that the Establishment organizations are hanging onto an earlier and increasingly passé conception of what it means to be an American Jew.

Oligarchies vs. Rank-and-File

One of the easiest ways to observe the divide is by comparing the privileged upper-crusty elderly minority that forms the leadership in the American-Jewish Establishment and virtually the entire membership of an elite organization such as AJC to the same age cohort within a very different social world, one with which I have become extremely familiar through my talks across America: the more economically and socially modest one of Conservative synagogue Brotherhoods and Sisterhoods, B'nai B'rith Chapters, Hadassah Chapters, chapters of Brandeis University Women, local groups at Jewish Community Centers (JCCs), groups of young retirees that invite me to golf clubs to speak, etc. The cultures could not be more different. Ordinary American Jews are not upper-crusty in style, conspicuously wealthy, or politically correct, and are most emphatically not post-American.

Unlike some of the more "sophisticated" Establishment organizations, their meetings invariably begin

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with the Pledge of Allegiance, the singing of the National Anthem, and a patriotic hymn, such as "God Bless America." A high percentage of the men in attendance are veterans of WWII and the Korean War (some Vietnam) and proudly wear hats and pins indicating service branches, the names of ships, planes, or helicopters on which they served and unit designations. They also sing the "Hatikva," Israel's national anthem, but there's no conflict of loyalties. They are first and foremost patriotic Americans, the end products of successful old-fashioned patriotic assimilation, people who have married the Jewish part of their identity seamlessly to their core American one and for whom civic virtue, charity, and loyalty begin at home — attitudes reflected in their hostility to illegal immigration, their very strong belief in playing by the rules, their concern over American sovereignty, and their anger about the wholesale violation of the rule of law.

It will undoubtedly be objected these observations are merely subjective, "literary," and politically self-serving, and harder evidence is required. The problem with regard to the attitudes of American Jews toward illegal or mass immigration is there is no credible body of survey data on the basis of which one can prove whether or not most American Jews toe the Establishment line, while a great deal of anecdotal evidence suggests they don't. Though nothing can be proven solely on the basis of anecdotal evidence, it carries evidentiary weight, and my own witness is unparalleled. I have addressed more audiences of affiliated and unaffiliated American Jews nationwide on immigration and immigration policy than any other person, and the great majority of my audiences — as well as the overwhelming majority in each audience — expresses outrage toward the Establishment's immigration policy rather than affirms it. Frequently all that is required to make converts of old-line supporters of immigration is to acquaint them with the most basic facts regarding the scale of current immigration. It is doubtful that HIAS and SPLC would have conducted a secret smear campaign against me if they did not think I was having a substantial impact on Jewish opinion with regard to immigration policy. They also must recognize how strongly receptive my audiences are likely to be to my message, and don't wish to have someone come with the purpose of surfacing and giving political expression to their authentic attitudes.

The Jewish Establishment's near total invisibility within the Jewish community at large as well as its complete lack of influence within it are continually underscored by the fact that my audiences only know what positions the Jewish Establishment advocates because I inform them. (This is even the case when I address the chapter of a national organization with a position on immigration!) When I tell them where the Establishment stands on immigration, the overwhelming majority is stunned and horrified. Though it will come as an unpleasant shock to its leaders and staff, people who live in a self-contained world of great self-importance at a remove from the ordinary life of the community they claim to represent, if they were prepared to look reality in the face they would have to accept that most American Jews know nothing about them. Most American Jews cannot name the organizations that comprise the Establishment, don't know their leaders, let alone have any idea what they do. The Establishment's pretension to represent the Jewish community would be merely laughable except for the fact that many on Capitol Hill and in the White House take it at face value. Destroying this misapprehension, constructed over years through smoke and mirrors, is the most important challenge to those of us reject its views.

Cooking the Data: AJC's Skewed Survey Research on Immigration

The only recent survey data regarding American-Jewish attitudes toward immigration policy are the responses of a small sampling (some 914 self-identified Jews) to two questions in the *Annual Survey of American Jewish Opinion* sponsored by the American Jewish Committee for the years 2006 and 2007. There is one question about what should be done with illegal aliens and four responses, weighted from the outset to prove American Jews are well disposed toward illegal aliens and favor amnesty. Two of the responses constitute illegal immigrant-friendly positions: #2 Remain to work for a limited amount of time (which receives 14 percent approval); #3 Remain to work if they meet certain criteria (which receives 67 percent approval); one is "neutral," #4 "Not sure (which garners 4 percent); and just one "negative," #1 Deport all (chosen by 15 percent). It is critical to note that the option "Deport all" is not in the realm of political reality. No one advocates it. It is a meaningless choice, and is given prominence in the survey for one very important reason: It is so Draconian it impels respondents to select a different one.

The key question — what to do about the illegal population — is articulated in equivocal language signaling we're dealing with a push-poll, one designed to elicit a pre-determined response. The prevarication is so transparent only minimal effort is required to see how the process has been skewed. The survey offers respondents directions explaining what the responses mean, but the actual language of the responses differ. In the deliberately confusing set of instructions to guide respondents in answering the questions, "Remain to work if they meet certain criteria" — the choice the survey seeks to elicit — is explained, or, rather translated, to mean a great deal more

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than the phrase denotes. The directions tell the survey-taker this response "Entails or allows illegal immigrants to remain in the United States and become citizens, but only if they meet certain requirements." (What those "requirements" might be are neither specified nor hinted at.) If the survey were honestly intended to determine how high a percentage of American Jews actually favor a "pathway to citizenship for illegal immigrants" why didn't the survey employ this clear and familiar phrasing when posing the question? Instead, the actual question, as opposed to the explanation, asks respondents whether illegal immigrants should be allowed to "Remain to work if they meet certain criteria." The choice respondents are offered makes no mention of citizenship. This is a distinction with a *huge* difference, a deliberate conflation of two different things, and an effort to confuse the respondent rather than put the question in a straightforward way.

Though the linguistic bait-and-switch raises red flags, it is not the principal reason AJC's survey is a push-poll. Much more important, AJC's findings are meaningless because like all push-polls on illegal immigration designed to register pro-illegal immigrant/pro-amnesty sentiment, it does not offer respondents the option that has proven by far the most popular with the American people. That option would provide respondents a genuine solution not likely to be rejected as Draconian: the incremental self-removal of the illegal population as a result of tighter border control as well as stricter enforcement of immigration and immigration-related law within the United States. The shorthand for this approach is "attrition through enforcement." Unlike AJC, more scrupulous and less nakedly partisan pollsters such as Zogby International and Rasmussen, who do the best and most honest surveying on this subject, offer this choice. Huge majorities — ranging from 67-79 percent — select this option every time it has been offered. AJC is bent on gaining support for amnesty, so attrition is not offered to respondents.

The basis of the procedural sleight of hand in which AJC engages — which the option of "attrition" avoids — is offering respondents a false dilemma that places them between a rock and a hard place. The poll limits its choices to two nearly equally unappealing alternatives — wholesale amnesty and wholesale deportation — pushing respondents to select what appears to be the lesser of two evils. While a wealth of survey research tells us most Americans oppose amnesty, not wishing to reward people who show contempt for the rule of law, refuse to play by the rules, and illegally seek public benefits while waving a foreign flag, and realize that granting amnesty inevitably leads to increased illegal immigration, the only alternative offered, wholesale deportation (in AJC's terminology: "Deport all"), evokes frightening images. It conjures jack-booted Gestapo-like SWAT teams engaged in a mass roundup, loading the illegal population, like Jews during the Holocaust, into boxcars headed to the border. Respondents are unhappy with the first but are horrified by the specter produced by the second. The choice is also chimerical. No one advocates wholesale deportation. It would be morally, politically, and practically impossible in America. This nightmare-like non-choice (in the absence of the far more palatable attrition) is used solely to scare respondents into settling unhappily for amnesty.

Those who see political benefit in advocating legalizing illegal aliens exploit this imagery just the same. Sen. Hillary Clinton did this during her memorably shameful performance at the December 2007 Democratic Primary Debate on NPR when the issue arose. Providing what she knows is a false depiction of what opponents of "comprehensive immigration reform" seek, she described a convoy 1,700 miles long, comprised of 200,000 buses, conveying millions of illegal aliens to the border guarded by armed federal agents. The imagery was one of boxcars headed to Auschwitz, and it was intended to prey upon the pain and fear as well as infuriate particular demographics. The same may be said of AJC, which understands perfectly well the emotional power of the words "Deport All" will have on American Jews who are living only one generation removed from the Holocaust and who have been seared and defined by it.

Juxtaposing responses to the only other query about immigration in the same survey — it asks how serious a problem illegal immigration is — to the findings regarding what to do about it underscores a fundamental incongruence or discontinuity between the concerns people register about illegal immigration and the solution they are pushed to choose. As we've noted, the gimmick is to offer respondents no palatable option to express their strong disquiet. The first question asks, "How serious do you think the problem of illegal immigration is?" There are five possible responses. The highest number of respondents (47 percent) regards the problem as "very serious;" the second choice (37 percent) is "somewhat serious;" the third, (16 percent) is "not too serious;" fourth (5 percent) choose "not a problem;" and the final choice (0 percent) responds "not sure." Thus, 84 percent, a very substantial majority, sees the problem of illegal immigration as "very serious" or "somewhat serious." Despite the high level of concern the polls register, AJC is careful to make the only "solution" short of amnesty so Draconian it appears worse than the problem so as to "push" Jewish respondents to affirm amnesty.

Based on my unparalleled experience of speaking with American Jews about immigration and immigration policy I have little doubt if "incremental self-removal of the illegal population through tighter border control and

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stricter enforcement of immigration law" were offered as an alternative, it would trump the equivocal response that does not so much register attitudes about illegal immigration as it plays on deep-seated fear of the potential for the abuse of power by government.

Of course it's possible — though not probable — a smaller majority than I anticipate would select attrition; perhaps as few as 50 or 60 percent. But even that unlikely scenario ought to constitute a warning to the leaders of the American-Jewish Establishment as well as a reminder about their responsibility to the community. When I worked at AJC, its legal committee had a wise policy that it would file an amicus brief in a Supreme Court case only if a strong majority was in support; it was not sufficient if a mere majority supported it. Shortly after I was hired, AJC's legal committee debated whether or not to enter *Shaw v. Reno*, the North Carolina re-districting case that would have established majority-minority districts, some gerrymandered in the extreme. Most members of the committee wished to enter and support the majority-minority district, but a substantial minority (perhaps no more than 30 percent) dissented, arguing this represented legal and philosophical over-reaching of affirmative action. As a result, AJC stayed out of the case. It determined the legal committee could not speak with authority on behalf of the American Jewish Committee. No overwhelming mandate: no full-court press.

Yet with regard to the enormously important issue of immigration policy, one with the potential to transform America forever, the American-Jewish Establishment is taking the opposite approach. To further a goal opposed by a huge majority of Americans of all backgrounds and with no credible statistical evidence at all regarding the attitude of American Jews, small, ideologically zealous elites heading oligarchic organizations are claiming to represent the American-Jewish community in the monumentally wrong-headed "Progress by Pesach" campaign. This campaign explicitly endorses the wholesale violation of the rule of law and shows indifference to America's most vulnerable citizens at a time of great economic distress. It advances goals that show contempt for America and the safety of its citizens by neglecting the security of our borders. It also risks fundamentally changing the nation's demography in such a way as to imperil the nation's values and the security of its Jewish community.

The rump American-Jewish Establishment does not speak for the vast majority of American Jews. It has no basis, no standing, and no right to pretend otherwise. Its shrinking organizations deny it the legitimacy to do so. Given the undemocratic decision-making processes that prevail throughout its small, aging, increasingly irrelevant institutions, it is not even clear whether its positions reflect a majority of its miniscule memberships. The moral equivalent of its claim to leadership would be that of the members of a military junta that have overthrown a democracy.

Abject Failure Cloaked as Progress

Where does the finale of Progress by Pesach fit into this analysis? What does its outcome tell us? The wild claim by a representative of a far-left sponsor of Progress by Pesach, Jewish Community Action, that Progress by Pesach has "been overwhelmingly embraced by the American Jewish community" has been demolished. (It should be noted the likely membership of this Minnesota fringe group might not add up to a *minyan*, the 10 adult Jews needed to conduct a prayer service.) Indeed, among the strongest proofs the Jewish Establishment is so hollow it gives even Potemkin villages a bad name is the comically minimalist conclusion of Progress by Pesach. In a story in JTA on April 5 titled "Progress Reported by 'Progress by Pesach,'" appearing just three days before the symbolic culmination of the campaign — the eve of Passover — the effort is shown to have been an abysmal failure, a complete flop, despite the oddly upbeat, bizarrely incongruent tone of the article, written as if JTA were trying to put a brave face on the miserable outcome. The failure of this effort to fire up the Jewish community over immigration policy — the central goal of the campaign — is so staggering it would represent a sharp reprimand to its sponsors, in addition to a shocking embarrassment if they weren't purblind.

The final act in the farce was a Washington press conference where Gideon Aronoff spoke about the "sea change" in the Obama Administration's approach to immigration, which, he noted, was the goal of the campaign. This was one of the most transparent attempts on record by a crowing rooster to take credit for the dawn; more flagrant examples of post hoc fallacies uttered for the public record would be difficult to find.

Progress by Pesach sought to arouse the Jewish community to battle on behalf of immigration reform. The result? The culminating moment, following the press conference addressed by Aronoff and attended by a grand total of two Democratic members of Congress, four rabbis, and a crowd of supporters that could fit into a walk-in closet, was the presentation of the final fruit of the campaign: a petition for immigration reform signed by "more than 3,500 people." *More* than 3,500! Could that mean as many as 3,510? (Actually not, we shall see.) The figure is so infinitesimal it was impossible not to check and recheck it. Perhaps one had missed a few zeros. Despite all the sound and fury, rousing endorsements by 26 Jewish organizations claiming to speak in the name of hundreds of thousands of American Jews, and notwithstanding all the publicity manufactured by the Establishment and

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its media flacks, Progress by Pesach ended in a petition with "more than 3,500 signatories." Based on our estimates above, that number would represent .38 percent of affiliated "politically correct Jews," just over a third of 1 percent. As a percentage of the adult American Jewish population as a whole it represents .085 percent. And to think all that was required was signing one's name on a petition available online! No one had to board a bus to a demonstration. No travel was required. In the parlance of TV infomercials, "You could do all this from the comfort of your home."

The only image that does full justice to so huge an effort leading to so tiny a conclusion is a hippopotamus pushing a pebble. Had Aronoff commanded a Roman legion that suffered so humiliating a defeat (a self-inflicted one at that; he walked his phantom legion off a cliff), honor would compel him to fall on his sword.

The outcome is rendered even more preposterous when one realizes even the meager final figure is inflated through incompetence and fraud. A number of signatories, in essence, voted twice because they are listed several times. This may be a mere computer glitch; we'll see if HIAS corrects the finally tally. In addition, there are no names next to some spaces on the list, empty lines counted in the total. Some signatories do not appear to be Jewish, such as Aldo Ramos from Brooklyn Center, Minn., and even if one were to grant that Andres Xu is Jewish — it seems unlikely — he also voted twice. Perhaps some of the Hispanic signers have secret Sephardic ancestry, are descended from Maranos, but I doubt this is the case, say, of Lina Rodriguez of Atlanta, Ga. Nor does one have to be American to sign. There are signatories from Israel and Canada. An accurate final total may be closer to 3,000.

In light of Aronoff's reckless injection of McCarthyism into the life of the Jewish community, an act that already has done and will continue to do great harm over the long run, it is difficult not to feel considerable schadenfreude at the disaster of the campaign he headed and the laughingstock he has made of himself. But that is not the only emotion. The failure of Progress by Pesach says something terribly sad and deeply worrying about the American Jewish community. It is effectively leaderless — despite the many executive directors of a plethora of aging and declining organizations, most with duplicative agendas, that provide an illusion of leadership but are empty suits sitting on the Conference of Presidents of Major American Jewish Organizations.

No one who cares about the values and interests of the community can contemplate this vacuum impassively. The present leadership lacks civic courage; fails to understand what constitutes leadership; misreads its own dwindling constituencies; is far more attentive to the voices of a minority of aggressive, politically correct zealots than the great majority of the community that is moderate; and, finally, it is often afraid to express its opposition to policies it knows to be mistaken (this is true of many leaders who will not go public with their private opposition to open-borders immigration) despite the fact that breaking with outworn positions carries no risk. All the while the great majority of American Jews have voted with their feet and walked away from their putative leaders and unrepresentative organizations. The decreasing number that bothers watching does so with growing impatience, hostility, wonderment, or, in the great majority of cases, utter indifference.

Though younger Jews (those who wish to retain a primary identity as Jews) are decidedly more conservative than their elders, more religious, and see their religious identity trumping their political one, the expectation they will redeem these organizations would be hasty, at best. We live in the age of *Bowling Alone*; young people are not joiners. Many are active in their synagogues, but they have turned their backs on the traditional secular organizations and tend to eschew the politics of the policy arms of the religious denominations. Though it is clear Jewish leadership 20 years from now will look and act quite differently, it is far too early to know what kind of institutions or something other than institutions a new crop of leaders will create. It may first require the withering away of the present Jewish Establishment before a new generation can begin to re-conceive what a different Jewish leadership model should look like. Perhaps even the term "Establishment" is an anachronism too suggestive of hierarchical organization. But there will need to be leaders as well as organizations. The American-Jewish community faces serious challenges ahead. One must hope whatever evolves will better serve the community in meeting its needs than the existing ones.

Rejecting Post-Americanism

American Jews live in the country with the lowest amount of anti-Semitism on Earth, just 7 percent according to the Pew Global Attitudes Project. (The important historical contribution of the American-Jewish Establishment in bringing this about deserves mention.) The tiny figure of 7 percent itself represents a drop of several points over the last five years at the same time anti-Semitism has markedly increased in Europe, indicating as good as things are now in the United States, its minimal anti-Semitism is trending downward. Only Australia, Britain, and India are in the same statistical territory, suggesting there are indeed cultural and political values deeply imbedded in the nations of the English-speaking world that promote the freest and most tolerant societies. Anti-Semitism, at worst, is a marginal phenomenon in America. In com-

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parative terms, historical or contemporary, it amounts to nothing. Where it does exist it is confined to the least educated, most disaffected, and sociopathic members of racial and cultural minority groups (with a few race-card playing demagogues tossed in for good measure) or among members of the political fringe on the left and right.

The Muslim world of some 1.3 billion people is a living nightmare for Jews; it seeks their individual and collective extinction. Eastern Europe and Russia are rife with anti-Semitism. It persists in countries that witnessed the annihilation of essentially their entire Jewish communities between 1939-1945, often with hordes of local collaborators assisting the Germans, and even at a current high level in countries like Poland that are now essentially *Judenrein*. Among the oddest cultural phenomena discovered as a legacy of the Holocaust is that for anti-Semitism to exist, living Jews are not even required. Now Western Europe, itself a charnel house for Jews just 64 years ago, will, in a few decades, become a Jewish ghost land once more. The nations that formed the heartland of Western civilization and the birthplace of the Enlightenment have lost all cultural confidence, and lacking it, they will likely become vassal states of a new Caliphate. It sounds surreal as I write it, but the trends are unmistakable.

With the loss of Europe only a question of time, America will at some point in this century become the last great bastion where Judeo-Christian and Enlightenment values can maintain their alliance, their brilliantly productive, humanizing discourse. America is the greatest force for good in the world and, along with other English-speaking countries and Israel, the only safe home for Jews. Of course the great majority of American Jews know all this; they understand intellectually and feel in their gut that America deserves their undying loyalty. They are not post-Americans or candidates for conversion to that empty construct. Their harsh history elsewhere has taught them to distrust those seductive dangerous abstractions "citizen of the world" and "humanity." They are patriots. The great majority of American Jews recognize that America is the greatest thing that ever happened to the Jewish people, along with the rebirth of Israel.

Though the Establishment elite dabbles in universalism, and some multicultural types cannot listen to the word "patriotism" without hearing "fascism" at worst or "chauvinism" at best, more thoughtful and practical Jews know the fate of the last generation of Jews who chose to be "cosmopolitan." Stalin put many to death. Those historically ignorant, foolish Jews who still wish to be "citizens of the world" will soon discover their fellow global citizens do not want them. As Jew-Zionist oppressors sucking the blood of Palestinian children, they're not welcome in the club, however ardently they may wish to become members. Of course some people who are Jewish by Hitler's definition have joined, but only at the price of betraying all of the allegiances to which they were born.

That the Jewish Establishment is prepared to risk surrendering this bastion — that it will gamble with the future of the freest and most just country on Earth and tempt the fates on a whim of political correctness by supporting an immigration policy guaranteed to make anti-Semitism a central fact of life in the United States — suggests moral, political, historical, and intellectual bankruptcy.

Which inexorably leads to one conclusion: The American-Jewish Establishment cannot engage in a national campaign for amnesty for illegal aliens or "comprehensive immigration reform" in the name of Americans Jews with a scintilla of moral, intellectual, or political credibility. The immigration policy they advocate in our name endangers American culture, values, and interests. It is also synonymous with the mass importation of anti-Semitism. The Establishment should cease speaking in the name of fellow American Jews. We did not elect them to represent us; they are no more than petty oligarchs whom we do not recognize as our "leaders." The American-Jewish community is not up for sale, and they do not own it. Ordinary Jews turned their backs on the mendacious farce that was Progress by Pesach.

What of basic civic loyalty? Mass immigration is also a zero-sum game that pits impoverished illegal aliens and immigrants against poor and working-class American citizens and legal residents. This is always the case, but the stakes are infinitely higher and the clash of opposed interests far more palpable with the economy is in deep distress. Far from "mending the world," Progress by Pesach exemplifies callous disregard for the most vulnerable among us by urging American Jews to show greater concern for illegal aliens than struggling fellow Americans. This post-American version of "justice" reflects incomprehensible ambiguity on the part of the campaign's supporters regarding their conception of national belonging. America and your fellow Americans deserve a great deal more than vacuous, disdainful universalism.

Such confusion over civic identity and ethical priorities does not plague the overwhelming majority of American Jews. Not deracinated elitists, they know they are home, and understand where their sense of right, humaneness, and loyalty begin. Establishment ambivalence over questions of identity as fundamental as membership in the polity and moral responsibility to all its people is final proof it is unfit to lead. Ordinary Jews know the pursuit of justice must never end at one's borders, but it must surely *begin* at home. Especially in this best of all possible homes. They have wisely chosen to follow the prophet Jeremiah's injunction to "seek the peace and welfare of the city where I have sent you…and pray to the Lord on its behalf, for in its peace and welfare you will find peace."

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Backgrounder

No 'Progress by Pesach'

The Jewish Establishment's Usurpation of American-Jewish Opinion on Immigration

By Stephen Steinlight

The American-Jewish policy establishment is restless, eager for a "good war." But the one it's chosen to wage doesn't rise to the definition. The first offensive was "Progress by Pesach" (Pesach is the Hebrew name for Passover), the counterfeit "civil rights" campaign for illegal aliens, aimed at achieving citizenship for 11-12 million who have repeatedly mocked the rule of law and stolen employment from unemployed and working Americans as the economy hemorrhages jobs, reducing wages and worsening working conditions for the nation's most vulnerable citizens and legal residents while bloating the profits of its worst exploiters. The campaign also seeks an exponential increase in immigration, a disastrous policy for all Americans and one that particularly threatens Americans who are Jews.

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Statement of
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American Jewish Committee

Submitted on behalf of the American Jewish Committee to
The Senate Judiciary Subcommittee
on Immigration, Refugees and Border Security

Hearing on
Comprehensive Immigration Reform: Faith-Based Perspectives

October 8, 2009

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American Jewish Committee Statement on
Comprehensive Immigration Reform

From its founding in 1906, the American Jewish Committee (AJC) has been a strong voice in support of fair and generous treatment of immigrants, participating actively in many of the major immigration debates of our time: opposing reductions in the flow of legal immigrants; supporting increased "family unification" immigration; supporting efforts to reduce the flow of illegal immigration and enforce immigration laws within the context of due process and humane treatment; supporting policies that assure that the U.S. fulfill its role as a haven for refugees fleeing persecution; supporting access to public benefits for legal immigrants on the same basis as citizens; and supporting programs designed to educate and integrate new citizens.

In advocating for these policies, AJC acts in accord with the American Jewish community's long-standing interest in, and commitment to, a United States immigration and refugee policy that represents our nation's best traditions. According to Jewish tradition, "strangers" are to be welcomed and valued, as we were once "strangers in the land of Egypt." The Torah tells us: "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). Further, we recall how our parents and grandparents made their way to this country seeking a better life, often fleeing persecution, and know that we have prospered because of all that this country has offered us. That same opportunity should be available for others as well.

AJC continues to reaffirm its commitment to fair and generous immigration policies, as fundamentally good for the United States and consistent with Jewish values. Even today, Jewish immigrants, refugees and asylum seekers immigrate to the United States from all corners of the world, including such places as the former Soviet Union, Yemen, Iran, and Central and South America. But our commitment to appropriate immigration policies is not only about the Jewish community, which today constitutes only a small portion of the immigration flow. It is fundamentally about what we see as in the best interests of our country overall, as well as assuring that our nation acts in accord with its highest values. At the same time, we recognize the urgent need for reform of our visa, border and admissions systems, in order to keep out those who wish to do us harm. American immigration policies must be consistent with safeguarding our national security through maintaining control over our nation's borders and enforcing the nation's immigration laws in a fashion consistent with due process and humane treatment. We are also committed to measures that better incorporate newcomers into American society and culture.

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 broken 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 enforcement measures that are neither smart nor humane. Comprehensive immigration reform would help put an end to this suffering, opening the door to a better life for those who desire to work hard and contribute in a positive way to American society but for now must live in the shadows, a situation that offends the dignity of all human beings.

History has demonstrated that immigrants enrich this nation economically and culturally, and immigration remains a central ingredient to retaining America's economic strength and its proud tradition of democratic pluralism. According to a CATO Institute report, legalization of immigrants would yield significant income gains for American workers and households.[1] The study found that legalization of low-skilled immigrant workers would result in an income gain of 1.27 percent of GDP

or $180 billion for U.S. households. Furthermore, legalization would allow immigrants to have higher productivity and create more openings for Americans in higher skilled occupations. As such, a fair and generous immigration policy not only reflects our highest values of freedom, opportunity, and family cohesion, but would also benefit our nation materially.

Comprehensive immigration reform must provide a holistic approach to reforming our immigration system. Such reform should include:

1. Changes to family immigration laws.

Family is the cornerstone of American society. United families build strong individuals and strong communities. Right now, many immigrant families remain separated for years – sometimes even decades – because of the bureaucratic visa delays. Comprehensive immigration reform means reforming the immigration system to expedite the visa process in favor of family reunification. This includes making family-based visas more accessible, reducing the current backlog of family-based visas, and generally reorienting the visa system to prioritize family unity. Further, it is important that, in reforming the immigration system, we push back against efforts to deny citizenship to immigrant children born in the United States, which violates the 14th Amendment of the U.S. Constitution. Also, we must ensure that family-based visas are not placed in competition with other visa categories. Provisions such as these are inhumane and harmful to the goal of family unity.

2. A path to legalization for immigrants already in the United States.

There are an estimated 12 million undocumented immigrants currently residing in the United States. Comprehensive immigration reform would provide these immigrants with a path to legal status and eventual earned citizenship. This track to citizenship should be realistic, rather than being so burdensome that it prevents integration. Reasonable criteria may include learning English, having a job, maintaining a criminal-free background, and/or paying a modest fine. However, fines should not be excessive, exemptions should be made for vulnerable populations, and immigrants should not have to return to their country of origin to apply for legal status or citizenship. These measures would only deter participation in the legalization process.

3. Facilitation and support for immigrant integration.

Many immigrants desire to naturalize but lack the necessary tools. AJC believes that the successful acculturation of immigrants is fundamental to a sound immigration policy, and urges greater efforts to facilitate newcomers' adjustment to American society. Acculturation efforts should convey an understanding of and appreciation for American democratic institutions, patriotism, and constitutional principles, including equality under the law and due process. At the same time, without a vigorous commitment to pluralism and respect for immigrant cultures, America risks increasing ethnic tension and resentment. Both the successful incorporation of immigrants and a respect for pluralism are necessary to preserve the "American dream" and sustain democracy.

Consistent with these beliefs, AJC supports the creation and/or reinvigoration of, as well as increased funding for programs and practices designed to effectively acculturate immigrants, including increased support for programs for adults and children Also, comprehensive immigration

reform should include greater emphasis on the importance of learning English by newcomers—adults and children—with greater funding for such programs so that all who wish to do so have the opportunity to learn English upon their arrival in the U.S. or soon thereafter. Finally, there must be recognition that acculturation cannot be accomplished without the significant participation of community institutions.

4. Smart and humane enforcement measures that bolster our national security.

Border policies must be consistent with humanitarian values and with the need to treat all individuals with respect, while allowing the United States to implement its immigration laws and identify and prevent the entry of criminals, and of persons who wish to do us harm or otherwise pose a risk to our national security.

In updating and reforming border security measures, there should be (1) greater intelligence sharing regarding potential terrorists among the nation's intelligence and gatekeeper agencies; (2) increased use of state-of-the-art anti-fraud technology to create counterfeit-resistant passports and visas, and analyze suspect documents; (3) layers of security with multiple screening points for those departing for and arriving in the U.S.; and (4) improvements in the system that tracks foreign nationals who enter and leave the U.S., including the vigorous monitoring of those who enter with student, visitor, or employment visas; matching of entries into and exits from the U.S. in order to better alert the government to those who stay in the U.S. beyond the terms of their visas; and improved enforcement of applicable laws for those who overstay their visas.

5. Reforming detention policies and due process protections.

Immigration policies should respect human rights and ensure due process for all persons. We have witnessed how indiscriminate immigration raids have caused trauma and hardship for thousands of individuals. Such raids separate families, destroy communities, and threaten the basic rights of immigrants and U.S. citizens alike. The suffering caused by the overreliance on Immigration and Customs Enforcement (ICE) raids in homes and workplaces, and by the INA 287(g) program (which has led to widespread misuse of local law enforcement in civil immigration matters and racial profiling, and has imposed a chilling effect on communities), underscores the problems with current U.S. immigration policies and the urgent need for reform.

We urge the new Administration and Congress to reduce the use of detention for immigrants, especially vulnerable groups and those seeking asylum, and improve detention conditions by enacting clear, enforceable reforms that include rigorous medical treatment standards and increased access to pastoral care, legal counsel and legal orientation programs. Furthermore, the government should expedite the release of asylum seekers and others who pose no risk to the community, and expand the use of community-based alternatives to detention, which are more humane and cost effective. In short, enforcement measures such as detention and raids should be narrowly tailored, and should be carried out in a humane fashion and in accord with due process.

To the extent Congress considers, as part of comprehensive immigration reform, the creation of a mandatory electronic work-eligibility verification system and action on "employer sanctions" that penalize employers for the knowing employment of unauthorized immigrants, such measures should

incorporate adequate safeguards to protect workers from discrimination in the workplace.

In sum, AJC calls upon our elected officials to enact legislation that includes the following: An opportunity for hard-working immigrants who are already contributing to this country to come out of the shadows, regularize their status upon satisfaction of reasonable criteria and, over time, pursue an option to become lawful permanent residents and eventually United States citizens; reforms in our family-based immigration system to significantly reduce waiting times for separated families who currently wait many years to be reunited; the creation of legal avenues for workers and their families who wish to migrate to the U.S. to enter our country and work in a safe, legal, and orderly manner with their rights fully protected; and border protection policies that are consistent with humanitarian values and with the need to treat all individuals with respect, while allowing the authorities to carry out the critical task of identifying and preventing entry of terrorists and dangerous criminals, thereby bolstering our national security as well as pursuing the legitimate task of implementing American immigration policy.

AJC urges our elected officials to conduct the immigration reform debate in a civil and respectful manner, mindful not to blame immigrants for our social and economic ills or for the atrocities committed by the few who have carried out acts of terrorism. A polarized process lacking in civility hinders deliberative discourse and fails to serve our nation's best interests.

As a faith-based organization, we call attention to the moral dimensions of public policy and pursue policies that uphold the human dignity of each person, all of whom are made *b'tselem elohim*, in the image of G-d. We engage the immigration issue with the goal of fashioning an immigration system that facilitates legal status and family unity in the interest of serving the God-given dignity and rights of every individual, even as it enhances out national security and promotes respect for the rule of law. It is our collective prayer that the legislative process will produce a just immigration system of which our nation of immigrants can be proud.

AJC appreciates the opportunity to submit this statement and welcomes your questions and comments.

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FRIENDS COMMITTEE ON NATIONAL LEGISLATION
. . . a Quaker lobby in the public interest

Friends Committee on National Legislation
Statement in Support of Comprehensive Immigration Reform

Hearing before the Subcommittee on Immigration, Refugees, and Border Security
Senate Committee on the Judiciary
October 8, 2009 on
"Comprehensive Immigration Reform: Faith-Based Perspectives."

The Friends Committee on National Legislation (FCNL) was founded in 1943 by members of the Religious Society of Friends (Quakers), to address a range of issues of concern to Friends. FCNL staff and volunteers work with a nationwide network of tens of thousands of people to advocate social and economic justice, peace, and good government.

As people of faith guided by the spiritual values of the Religious Society of Friends, FCNL's work on immigration—and on civil rights generally—is led by the call for right relationships among all people. We believe that respect for human and civil rights is essential to safeguarding the integrity of our society and the inherent dignity of all human beings. We recognize that governments have an indispensable role in upholding these rights and that citizens have the responsibility to make governments more responsive, open, and accountable.

We have seen the deterioration of the U.S. immigration system over the last twenty years. Overly punitive laws in tandem with increased enforcement and an inefficient bureaucracy have led to systemic violations of rights: indiscriminate raids, detention without due process, worker exploitation, and families separated for years or even decades. Such a system unfairly punishes undocumented workers who were originally invited to the United States by employers and then face terrible working conditions or deportation. **Therefore, we believe that fundamental and comprehensive reform of U.S. immigration policy is needed in order to restore integrity to the U.S. tradition of welcoming immigrants and to provide real solutions to a broken immigration system.**

We thank the members of the Subcommittee for holding this hearing regarding faith-based perspectives on comprehensive immigration reform, and call upon them to:

- **Create Realistic Legal Avenues for Future Migration.** Expand legal avenues for workers (including low-skilled workers) to migrate to the United States in a safe and legal manner. These new legal avenues must protect immigrant workers' rights, including the ability to bring their families with them, to change their place of employment, and to apply for lawful permanent status and eventual citizenship. Such avenues must be designed to meet the legitimate needs of the economy without undercutting workers already in the United States.

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- **Prioritize Family Unity.** Prioritize family reunification, recognizing the critical role of family in the development of healthy individuals and communities. Reform the family immigration system to expedite the processing of visa applications caught up in lengthy visa backlogs, to revise family preference categories and per-country caps, and to remove bars to reentry and adjustment of status for those seeking to reunite with family. Family visas should not be placed in competition with employment visas.
- **Protect Refugees, Asylum Seekers, and Other Displaced Persons.** Support refugee and asylum policy for those displaced by conflict, oppression, environmental change, natural disaster, and economic destitution.
- **Create an Equitable Path to Legal Status and Eventual Citizenship.** Create a reasonable and inclusive path for undocumented immigrants currently in the United States, multi-status families, refugees, and asylees to regularize their status and earn eventual citizenship. Such a program must be workable and not hindered by overly punitive criteria.
- **Protect All Workers.** Enforce laws governing wages, hours, health, and safety; protect the ability to organize; and make available remedies to redress workplace grievances for all workers, regardless of immigration status. Abiding by strict labor and employment laws would remove the economic incentive for employers to import undocumented and temporary labor, practices which can be used to undercut wages, job security, and working conditions for those already in the United States.
- **Support Immigrant Integration.** Ensure that communities are able to welcome immigrants by providing federal support to state and local governments and organizations to provide multi-lingual and civics education, outreach, and naturalization assistance.
- **Protect Due Process and Reform Detention Policies.** Ensure that all immigrants are afforded due process protections, including: the end of mandatory detention and expedited removal; access to legal counsel and law libraries; independent judicial review of individual circumstances before removal; and the ability to challenge detention before an independent judicial body in a timely manner. Develop binding detention standards to ensure protection of basic rights, such as adequate access to health care, protection from unnecessary restraints and arbitrary transfer, access to telephones, and contact with families.
- **Align Enforcement with Humanitarian Values.** Immigration enforcement must be realigned with humanitarian values. None of the enforcement measures of the past twenty years have effectively stemmed undocumented migration, yet such policies continue to desecrate sacred religious sites, violate numerous environmental laws, and induce human and civil rights abuses. Such policies should not be a part of a reformed immigration system.

Reforming the broken U.S. immigration system would uphold the country's commitment to respecting the rights and dignity of all human beings and ensuring that each individual is treated fairly, regardless of their immigration status. Immigration reform can help to support the economy, reunite families, make communities safer, and strengthen the bonds that keep us together. Therefore, we urge the Subcommittee to support and advance legislation on humane comprehensive immigration reform.

56073.088

October 8, 2009
Testimony
Michael Gerson

Mr. Chairman, members of the committee: There is no more important, difficult task than defining the American community, and determining how we treat those who wish to join it.

This work has many economic and national security implications. I believe that a relatively open immigration system ultimately is good for the economy – though it causes dislocations that must be addressed. I believe that an orderly guest worker system would make it easier to have an orderly border.

But the debate on immigration is not merely utilitarian – not just a matter of costs and benefits. It also concerns our deepest values as a people – values often informed by faith.

Concerning one issue in particular, those values are urgently needed. Sometimes the real passion in the immigration debate is not economic but cultural – a fear that American unity and identity are being diluted by Latino migration. Samuel Huntington of Harvard has claimed that Mexican migration compromises the "core" of American cultural identity – which he calls "a protestant society." During the last immigration debate, this charge took cruder forms, with some commentators warning that immigration reform would "erase America." And this argument, on the fringes, has sometimes become a cover for raw bigotry – with Hispanics called "leeches," "the world's lowest primitives" and carriers of "the fajita flu."

On this matter, religious people have no choice but to speak – because these arguments are entirely false, inconsistent with the teachings of faith, and destructive to American ideals.

First, you are forced to speak when your neighbors are libeled. It is true that Latinos, in some ways, are different from mainstream culture. Higher percentages attend church regularly. Higher percentages of Latin immigrants are married; lower percentages are divorced. These differences hardly threaten our unity or identity. Every new immigrant group has challenges. But Latinos – including illegal immigrants – often display values emblematic of America, risking much for the sake of economic and political freedom. They make our country more, not less, American.

Second, people of faith believe that the image of God is universal and uniform – that a passport or a Green Card does not confer human worth and dignity. It is a principle that forbids dismissive abstractions. No one is an "illegal" – they are human beings with stories and struggles. Every "alien" is also a neighbor. This concern for individual dignity requires the making of certain moral distinctions. People of faith affirm the importance of the rule of law. But the law is made for human beings, not human beings for the law. A young woman who dies in the desert during a perilous crossing for the dream of living in America is not the moral equivalent of a drug dealer. And millions of hardworking, religious, family-oriented neighbors make unlikely "criminals."

The biblical tradition teaches a positive duty to care for the stranger in our midst. Christian ministries provide help to anyone, whatever their legal status – because if righteousness were a requirement for mercy, none of us would deserve or receive mercy.

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And it is a great theme of the biblical story that God's purposes are often fulfilled through refugees – in Egypt, in the wilderness, in Babylon, in the flight from Herod, in the temporary, troubled kingdoms of this world.

These beliefs do not translate simplistically into open borders and amnesty. They do mean, however, that immigrants should never be used as objects of organized anger or singled out for prejudice and harm.

Finally, the argument for national unity based on birth and background is inconsistent with the American ideal – and ideal informed by a belief in God-given, universal rights. The "core" of American identify is not cultural purity, it is social mobility and shared principles. This model of unity has done better than any other – even after the massive, forced migration of slavery. It is certainly equal to this moment.

Thank you all.

56073.090

Statement of Lynne and Bill Hybels
Senate Judiciary Subcommittee on Immigration, Border Security and Refugees

For the Thursday, October 8, 2009 Hearing on Faith-Based Community Perspectives on Comprehensive Immigration Reform

Thank you, Chairman Schumer and distinguished members of the subcommittee for holding this important hearing on faith-based perspectives on comprehensive immigration reform.

I, Lynne Hybels, would like to submit this testimony on behalf of myself and my husband, Bill Hybels. We are leaders at Willow Creek Community Church, a large non-denominational, evangelical church located in South Barrington, IL, near Chicago. The church was founded on October 12, 1975 and has multiple sites throughout the Chicago area with weekend church attendance of approximately 23,000. Bill is the founding and senior pastor of the church and also leads the Willow Creek Association, which links more than 12,000 like-minded, action-oriented churches with each other and with strategic vision, training, and resources.

Even though the issues of immigration can often be viewed as a political, economic, or security issue, our perspective on immigration has been formed at the community level as local church leaders. In this capacity, we are continually confronted with immigration, not necessarily as a policy issue but as a personal issue in which we witness the human consequences of a broken immigration system every day.

A Biblical Perspective

Our faith informs us that we were all strangers and aliens once, separated from God. Because God was willing to include us in his redemptive plan, we "are no longer strangers and aliens, but [we] are fellow citizens" (Ephesians 2:18-19a). As Christians, we accept the Biblical perspective that we are all sojourners on this earth, commanded to steward it while we await the full arrival of God's eternal kingdom. Recognizing that we are all sojourners on this land, no matter what our legal status, compels us to extend solidarity to all. This deep sense of solidarity with others is a foundational truth of our country. We are a nation with historical roots grounded in immigration: out of necessity, many of our ancestors came to this country, and then found a home here.

This perspective can help inform our current perspectives on immigration. Remembering our own history as immigrants, we must take God seriously when, in Scripture, He repeatedly calls on His people to remember their past as sojourners and to treat the aliens among them accordingly. "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). Throughout the Old Testament, God repeats the command to love the alien just as He Himself does (Deuteronomy 10:18), and makes clear His desire for us to emulate His special concern for the foreign-born who, along with orphans and widows, are recognized as particularly vulnerable (Psalm 146:9, Zechariah 7:10).

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In the New Testament, Jesus helped define our neighbors for us in the Parable of the Good Samaritan (Luke 10:25-37). He tells of an individual who encounters and serves a migrant, presumably of a different culture, in need—and He commands us to "go and do likewise." Jesus also tells His followers to welcome the stranger (Matthew 25:35) when He says, "what you do to the least of my brethren, you do unto Me" (Matthew 25:40). These biblical principles can help guide us as we consider how to treat immigrants today, both on a personal and societal level.

Throughout the history of the United States, immigration has brought out our best hopes and worst fears. While we tend to romanticize immigration of an earlier era, immigrants today are immigrating for the same reasons our ancestors came to the United States: provision and protection for their families, religious freedom, and hope for a better future. George Washington, in the earliest days of our country, wanted to create a welcoming society "open to receive not only the opulent and respectable stranger, but the oppressed and persecuted of all nations and religions." However, immigration has also always caused fear among others, even as far back as the pre-colonial era: Benjamin Franklin, for example, had concerns about Germans assimilating in Pennsylvania, a colony founded by the English, and doubted whether the Germans could adopt the English's language and customs.

Our history teaches us that immigrants who were once feared and thought to be unable to assimilate are now embraced as Americans with deep roots in this country. Thus, we must not be driven by a spirit of fear that produces a hardness of heart, but rather we must extend grace and a welcoming spirit to the immigrants who live in our communities. Although it may be uncomfortable at first, we need to get to know our new immigrant neighbors; as we do so, we find how eager they are to become Americans and contribute to our society. We can be sure that in these interactions, fears and differences will fade, and each person will be recognized as "endowed by their Creator" with a dignity that transcends earthly circumstance.

Impact on the Body of Christ

Many evangelical Christians care about immigration reform because immigration is an issue directly affecting the body of Christ in the United States. Immigrants are joining evangelical congregations faster than any other group of people. According to Scripture, all followers of Jesus are part of one Body, the church, and each part is indispensable. In Colossians 3:11, it says that "Here there is no Greek or Jew, circumcised or uncircumcised, barbarian, Scythian, slave or free, but Christ is all, and is in all."

Willow Creek has a sizeable portion of undocumented immigrant members who are working diligently in the U.S. to provide for their families, but because of their legal status are not able to fully integrate into their communities and are often exploited because they don't have a voice with which to speak.

One couple in our church, Lisa and Robert*, have been faithful members of Willow Creek for years. Lisa is a U.S. citizen, born and raised in Lake Forest, IL while Robert is originally from Mexico and immigrated to the United States to work and provide for his family back in Mexico. When they became friends, fell in love, and decided they wanted to spend the rest of their lives together, Lisa knew that Robert was undocumented in the United States. That bothered her—she had always held the common view that people

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wanting to immigrate to the US "should just wait in line and pay the fees and do it the right way"—but she loved Robert for who he was and thought that his situation could be rectified with enough time and money.

The truth is that Robert had tried to immigrate the legal way, but given his personal circumstances and the current state of U.S. immigration laws, there was no legal option for him to do so. So why did he cross the border? Because he had grown up in a one-room house that he and his dad built out of cardboard, and he had haunting memories of waking in the morning to hear his mother cry because she had no food to give her children. As a young man he wanted to work to help his family survive but he was unable to find a job in Mexico. Going to the U.S. to work seemed like his only option.

Lisa describes their lives together as increasingly difficult because Robert can't drive for fear that he will be pulled over; although he came here specifically to work, not being able to drive limits his work opportunities. For eleven years, Robert has not seen his parents who are still living in Mexico. Lisa, heart-broken that her husband cannot see his family, once talked with Robert's dad. He told her that though he misses Robert terribly, he has greater peace and happiness knowing his son is surviving at a distance, rather than perishing right in front of him. Lisa, now one of the many faces of undocumented immigration, says, "No one would choose this if there was any other way." For Robert, and for many other undocumented immigrants, desperation is why they came—and why they stay.

Hector and Gabby are two wonderful immigrants from Mexico who lead our Spanish-speaking congregation, Casa de Luz—Spanish for House of Light. Hector and Gabby and their children came here legally several years ago on religious worker visas and God has used them in amazing ways to minister to members of our church. Unfortunately, this summer their visa renewals were inexplicably denied. Prior to this decision, immigration officials visited our church to make sure it was, in fact, a church—which, of course, it is. Then they met with our human resources director to confirm that Hector was, in fact, on our pastoral staff—which he is. Yet, in the end, they denied the visas. We are appealing this decision and it seems inconceivable that these wonderful people who are serving so faithfully will be deported. But we have to face this reality: our congregation may lose Hector and Gabby. They, along with Lisa and Robert, are just two examples of the many families in our church who are praying for immigration reform.

My husband and I are grieved by the fear and uncertainty dominating the lives of hundreds of wonderful undocumented immigrants in our church congregation, as well as thousands in our community. These people touch our lives when they become clients of our Care Center, which provides food and other services to low-income individuals throughout our community. These stories and many others reveal a broken immigration policy that does not live up to who we are as a country.

God has entrusted the church with the mission of making disciples of all nations (Matthew 28:19-20). Through immigration, "all nations" have entered our churches and become part of us. Whatever our cultural differences, we are united as one body in Christ. 1 Corinthians 12:12-26 says that when one part of the body suffers, we all suffer together. As we have listened to our immigrant brothers and sisters in order to understand how our immigration system is affecting them, we have *heard* their suffering and we must *share* their suffering.

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As a result of the broken immigration system, we have undocumented immigrants in our communities. They are us. They are our fellow evangelical brothers and sisters in Christ, with the same desires and motivations that we have. While the church has begun the work of integrating these members into our society, we can and must do better—and we will do better. And we call on all Americans and all U.S. policy-makers to do better.

Principles for Immigration Reform

As we get deeper into the immigration issue, we see that there are fundamental problems in our nation's immigration system: structural issues that perpetuate illegal immigration, keep families separated for years and sometimes decades, and inhibit immigrant integration.

We seek to follow the example of Jesus—who intervenes on our behalf—and to be His ambassadors in the world (2 Corinthians 5:20). Thus, we wish to "speak up for those who cannot speak for themselves" (Proverbs 31:8), which includes those who are often unheard in our political system because they are not citizens and cannot vote. While we recognize that everyone must submit to the governing authorities (Romans 13), we must also recognize that laws were created for the well-being of human beings and society. As we seek to reform our immigration laws we must ask if our current laws are leading to a better society. If they are not, they must be changed—and our democracy invites us to participate in this change.

When considering immigration reform, we must continue to emphasize the importance of family as a foundational building block around which society is ordered and developed. Families are the unit in society in which individuals can experience the love that God has for them. A broken immigration system leads to broken families and relegates decent people to the fringes of society. We need to champion an immigration system that prioritizes family unity and provides a means for separated families to be reunited.

Comprehensive Immigration Reform should also create tangible ways for new immigrants to migrate legally, and for undocumented immigrants to right the wrong of having entered or overstayed their visas unlawfully. Many undocumented immigrants in the U.S. want to do the right thing, but current law provides no mechanism for them to do so. As followers of Christ, we believe in the power of redemption and restitution; we believe that those who have been on the wrong path must admit their infraction, but should then be given the option to choose the right path. Such reform would allow well-meaning immigrants to become fully integrated members of our society.

We realize that even while we are advocating for Comprehensive Immigration Reform some families will end up being deported. We want to help them return to vibrant communities where they will be received with open arms. To that end, we continue to build long-lasting relationships with viable, holistic communities and churches in other countries so that any immigrant family members who are deported will be welcomed into a supportive environment where they can become the full person that God has designed them to be. In addition to standing for Comprehensive Immigration Reform, Willow Creek Community

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Church commits itself to intentionally building these relationships for the sake of our brothers and sisters who may have to return to their countries of origin.

Throughout the Bible, God calls on His people to honor, protect and restore the full dignity and worth of every human being. Immigration reform is one way to do just that.

Conclusion

Several partners in a prestigious Chicago law firm attend our church. Immigration reform was a low priority for them until we asked them to serve in our Care Center by talking with some of the undocumented immigrants who come seeking food. On a single afternoon they heard story after story of men and women who came to our country to seek a better life for their children but ended up marginalized by a system that does not welcome them. A single afternoon turned these professional, pragmatic attorneys into outspoken proponents of Comprehensive Immigration Reform. We believe that most Americans would be similarly moved if they could see the faces of immigration as we have seen them.

Immigration reform is a morally complex issue with the potential to ignite many fears and misunderstandings. But throughout the history of this nation, America has risen to many such challenges. One of our greatest strengths has been our ability to unite through our differences. Welcoming the stranger into our society can mark with distinction our national character and identity, and can test our deepest truths—that we are greater because of our diversity and that we are stronger because of our willingness to treat the least among us with dignity and respect.

We have learned that many undocumented immigrants share our values and are vibrant believers in our shared faith. Many have taught us deep lessons about what it means to be fully dependent on God for our needs; others have been models of graceful hospitality who have challenged us to be more hospitable people. We have benefited from having them in our midst, and we are deeply grieved when they are dehumanized by a broken system or demonized by the careless words of those who don't see their worth.

We ask all Americans to engage in this debate with civility and respect. And we pray that our leaders will have godly wisdom regarding this issue.

Bill and I are committed to immigration reform and hope that it will pass Congress soon.

*Names have been changed to protect the identity of the individuals in these stories.

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Individual, Local and State Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

Table of Contents

Colorado
Colorado Council of Churches letter to all congregations in Colorado 2-3
Colorado Council of Churches policy statement on Immigration 4

Iowa
Merle Ayres 5
Rev. David Vasquez 6

Michigan
Michigan Coalition of Human Rights 7-8

Minnesota
Interfaith Coalition on Immigration 9
Jewish Community Action and Jewish Council on Urban Affairs 10

New Jersey
IRATE and First Friends of New Jersey 11
Rev. Joyce Antila Phipps 12
Kathy O'Leary, Pax Christi of New Jersey 13

New York
New York State Interfaith Network for Immigration Reform 14-15

North Carolina
NC Council of Churches Executive Board 16-18
NC Council of Churches Executive Board 19-21

Washington
Dianne Aid, Director of the Jubilee Center at St. Matthew/San Mateo Episcopal Church 22

Wisconsin
The School Sisters of Notre Dame, Milwaukee Province 23

VerDate Nov 24 2008 08:30 May 11, 2010 Jkt 056073 PO 00000 Frm 00119 Fmt 6633 Sfmt 6633 S:\GPO\HEARINGS\56073.TXT SJUD1 PsN: CMORC

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October 8, 2009

COLORADO

We are grateful to Archbishop Charles J. Chaput and Bishop Michael J. Sheridan for their articulate call to higher ground in the immigration debate among Colorado legislators.

Goodwill, as the Bishops suggest, can indeed help us all avoid enforcement at the expense of real reform. Moreover, we must resist the urge to caricature every immigrant as a projection of our fears, which will only draw us in to the maelstrom of inhumanity we project on others. Many, many immigrants come to this country seeking relief from a variety of dehumanizing realities, only a few of which legally qualify them for official asylum. The tendency to scapegoat is the darkest side of partisan politics, and risks the sacrifice of countless lives to self-serving interests.

Immigration, refugee, and asylum policies express who we are as a nation, influence the nation's future character, and affect the lives of millions of people. Our debate must take into account the complexity of issues, the diversity of interests, and the relative justice of laws at the same time that it counters appeals rooted in hostility, racism, prejudice, indifference, and simplistic solutions.

We join the Bishops in their call to common sense and good policy. Let decency and the common good prevail, for all who have the inalienable human right to life, liberty, and the pursuit of happiness.

Bishop Allan Bjornberg,
Evangelical Lutheran Church in America

Presiding Elder Andrew Simpson
African Methodist Episcopal

Rev Ronald Parker
Regional Minister
Christian Church (Disciples of Christ)

Bishop Robert O'Neill
Episcopal Church

Rev. Janet Schlenker
Stated Clerk, Denver
Presbyterian Church (USA)

Rev Dan Saperstein
Executive Presbyter, Plains and Peaks
Presbyterian Church (USA)

Rev Gary Weaver

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Executive Presbyter, Pueblo
Presbyterian Church (USA)

Elder Lillie Brock
Metropolitan Community Churches

Rev. Tom Rehling
Conference Minister
United Church of Christ

Bishop Warner Brown
United Methodist

Rev Nancy Bowen
District Executive
Unitarian Universalist

Rev James Ryan
Colorado Council of Churches

Sr. Maureen McCormack
The Interfaith Alliance of Colorado

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COLORADO

The Colorado Council of Churches wants comprehensive immigration reform that recognizes the humanity and value of everyone within our borders, whether they are here legally, or not. As Christians, the call to treat one another with hospitality and compassion is primary, especially when someone is a "stranger":

* The story of the Good Samaritan;
* The question of who is my neighbor (the answer, everyone);
* What you do to the least of these, you do unto me;
* To treat your neighbor as yourself.

All of these scriptures entreat us to be especially kind to those who are different from "us." The Council must stand on these values of hospitality, inclusion and compassion taught to us by Jesus Christ, especially in the context of the immigration issue as it faces our state and nation.

As we define the United States in regards to our immigration policy and the myriad issues which are connected to it, we need to stay aware of the human ramifications. We are called to practice mercy and treat others with fairness, kindness and true justice. We must be aware, as well, of the subtle and not-so-subtle issues of racism and hatred that brew beneath the surface on this issue and we must be firm in calling upon Christians not to tolerate such bigotry and prejudice. Today's immigrants are not the first; in fact, ours is a nation of immigrants and how we have treated and mistreated different people is an often painful part of our history, including the treatment of Native American people. As we struggle with the hardships and economic issues that affect everyone -- employers, employees, children, schools, hospitals, public services, law enforcement -- we must remember that as a nation and a people we are no better than how we treat the stranger amongst us.

We, the Colorado Council of Churches will advocate for and support legislation and policy that approaches immigration issues with compassion and respect toward all people and sensitivity toward our deepest values.

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Individual, Local and State Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

IOWA

I am writing about the Postville Raid in Iowa in which many families were broken apart and deported back to Guatemala. I attended a march too redress our government of the tragedy of this raid.

Our government swooped in with local police, Iowa Highway Patrol and ICE agents to take away workers who worked at the meatpacking plant. Many were undocumented at the time and hardship followed after the raid. Women were released to their children and had electronic devises put on their ankles awaiting trial and the men were sent back to Guatemala.

One girl who attended school in Postville spent 3 yrs there and finally went back to her country with her mother. She was written about from a news reporter who went to Guatemala.

Hope at any cost: Valeska Gomez 11 moved back to San Jose Calderas with her mother Delia Pastor 30 and Francisco Gomez 35 caught up in the raid in Postville.

I think the thing that stuck out the most was that Valeska could speak English by then and she spent 3 years in the Postville school. Iowa was generous enough to help her become a good student. As a former teacher myself that is what citizens of the U.S. want them to do as you hear that on the street and around water coolers.

Valeska could have become a spokesman for her culture and maybe someday become a professional in our country. Now she is shucking corn for a meal and her mother and father live in poverty trying to make a living on a small plot of land which they work.

We have invested in this child but failed her in an opportunity to become a citizen of our country. That is why I marched in protest for this injustice which our laws have done.

It's the way the law is now and it needs to be changed for the better. We can be a better country and not let the people from other countries suffer.

Friend to Fossils
Merle Ayres
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October 8, 2009

IOWA

As a person of faith, I am glad for the conversation that will take place today, October 8, 2009, through a hearing on immigration reform that listens specifically to faith voices. The hearing, hosted by the Immigration Subcommittee, is a step in the right direction to recognize that faith voices across the country support humane, comprehensive immigration reform. As our nation wrestles with important issues, immigration is a key part of many of them--health, economy, etc. Faith communities--the students who are members of my congregation on a college campus, my fellow members at the church where I belong, my colleagues in the Decorah Faith Coalition, etc.--all know that we need workable solutions that respect our values and move us forward together. We need reform that recognizes the contributions of the estimated 12 millions people who are living in the shadows because of their current immigration status. We need a system that bring them out of the shadows, provides a path to citizenship, and gives them a way to "get in the line."

As the fiasco that continues to plague our neighboring community of Postville has amply showed--enforcement only and enforcement first of a broken system is not the solution--politically expedient as it may be. Instead, we need your leadership in showing that in a place like Iowa--where 2/3 of the population growth since the 1990s has come through immigration--is in desperate need for a system that allows people to come to this country with dignifity when they are willing to contribute to our shared future together. Many have been denied that opportunity through a system that simply is so outdated and out of touch with our economic reality.

We need to move forward on this conversation. I hope that your office will be listening today to faith communities that live daily with new comers to this country--as new members of our congregations, active participants in our communities, renewed commitment and passion to our churches, and sometimes as well as those who need our support.

As always, let me also invite you to take the opportunity we have right here in Northeast Iowa, to learn from first had experience about what is wrong with our system--as shown by the devastation of the town of Postville--but also about how people of faith in our nation can help lead the way to a future together, which has also been evident as people of all walks of life and traditions have come together to try to pick up the pieces and rebuild the Postville community.

Thank you.

David Vasquez

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Individual, Local and State Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

MICHIGAN

Let Us Live Up to Our National Ideal
That All Human Beings Have Been Endowed by Their Creator with Inalienable Rights
Statement to the Senate Immigration Subcommittee
From José Cuello, Chair, Critical Issues Committee
On Behalf of the Michigan Coalition of Human Rights
Monday, September 28, 2009

Our national character is shaped by a sharp contrast between our high ideals and our long history of exploiting immigrants for their labor and treating them as criminals to avoid our national moral and ethical responsibility to them as human beings.

Our current immigration policy is violating our highest moral and constitutional values by failing to respect the universal principle in our Declaration of Independence that all peoples have been endowed by their Creator with the right to Life, Liberty and the Pursuit of Happiness.

This is the fundamental principle that makes us all Americans. It is enshrined in our Constitution and in our Bill of Rights and its Amendments. Everyone in America is guaranteed due process and humane treatment whether they are citizens or not.

Since the Declaration of Independence, our society has been marked by a progressive application of our ideals of justice and fairness to populations that had been previously deprived of this protection and security. The Civil War freed the slaves. Women won their right to vote in 1920. The Civil Rights Movement in the 1950s and 1960s insured legal equality for all of us.

At the same time, we have also been a nation of violent immigrant gangs and their descendants who took this land from the First Nations of America. We filled the land with African and Indian slaves, and with European indentured servants.

Most of all, we have filled the land with other immigrant groups whom we have controlled with both police force and mob violence.

We are back to our old tricks again of claiming righteous reasons for the brutality we are visiting on our fellow human beings from whose toil and humanity we live.

It is a terrible mistake to attempt to solve an international labor problem with the institutional violence of the very Federal government that is charged with defending our ideals.

We have declared that America does not use torture abroad. Yet we are practicing torture on the millions of people who are fugitives from the law, and whose families are being broken up by the Bureau of Immigration and Customs Enforcement of the Department of Homeland Security.

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What makes it worse is that the people we are persecuting actually contribute mightily to the well-being of our society. We also need Mexico and other source nations as our allies and partners.

Let us step out of the madness of the violent xenophobia that is driving our immigration policy. Let us design a policy that makes real the moral ideal of human rights that defines us as a nation. Let us design a comprehensive immigration policy that is humanistic and international.

Otherwise we will simply keep hurting ourselves as a people, eroding our own system of values, and hurting fellow human beings as if they were lesser than what we believe ourselves to be.

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Individual, Local and State Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

MINNESOTA

Statement from the Interfaith Coalition on Immigration

The Interfaith Coalition on Immigration, a partnership of faith communities and organizations in Minnesota joins with the National Council of La Raza's Stand Against Hate, Stand for Reform Campaign. We stand against all forms of hate in word or deed from individuals, organizations, policies, or laws. "We uphold the God given dignity and rights of every person, each of whom are made in the image of God"(from the Interfaith Platform on Humane Immigration Reform). This means we stand with those who are being oppressed like our immigrant brothers and sisters and we pray for those who have become the oppressors like the members of the National Socialist Movement (Neo-Nazis).

As Dr. Martin Luther King said, "We are all bound together by a single fabric of mutuality." Hate groups like the NSM and the hate crimes they engender rend the fabric of our society and fragment our communities because they target whole groups. An act of hate upon one member or group whether because of race, ethnicity, sexual orientation, religion, or legal status is an attack on us all.

As a coalition dedicated to supporting the human rights of immigrants and working for humane and just reform, we understand that our collective spiritual work includes the dismantling of systems of power, prejudice, privilege, and oppression so that they may be transformed to serve the common good.

To this end, we ask that our media to be mindful of the important role and responsibility they have to provide just reporting of these groups and the hate crimes they commit, inspire, or encourage. This begins with the language they use which includes not calling people "illegal" but rather "undocumented" which refers to a person's legal status and not their status as a person. It also means not distorting facts or fanning the flames of hatred through the support of known hate groups.

To this end, we ask our elected officials to reform our broken and oppressive immigration system. As a nation based upon the principles of hospitality and morality, we call attention to our sacred traditions that recognize all people as being of worth and made in the image of God. Our collective thoughts and prayers are that our communities, leaders, and government will produce an immigration system that corresponds with these values of compassion and justice. May it be so.

For more information or to contact
The Interfaith Coalition on Immigration
interfaithimmigration@gmail.com

VerDate Nov 24 2008 08:30 May 11, 2010 Jkt 056073 PO 00000 Frm 00127 Fmt 6633 Sfmt 6633 S:\GPO\HEARINGS\56073.TXT SJUD1 PsN: CMORC

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Individual, Local and State Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

MINNESOTA

Dear Senator Schumer,

Jewish Community Action of St. Paul, MN and Jewish Council on Urban Affairs of Chicago, IL have long worked on issues concerning immigrants' rights. We became deeply involved in, and continue to be involved in, Postville, Iowa, following the May 2008 ICE raid that devastated the town. We believe the solution to this devastation and others, is ending raids, ending deportations, correcting inhumane detention centers, and most importantly, passing humane, comprehensive immigration reform.

A comprehensive reform package should include all of the above, and in addition: create pathways for citizenship, deal with future immigration and migration flow, support family re-unification, support the rights of workers and support human rights and due process of law.

In doing this work, one thing is certain, we are living under a broken immigration system. Our current system relies on enforcement only tactics that fail to deal with the reality of inevitable immigration and migration. As well, the enforcement only tactics have ignored due process and violated human and civil rights.

As two Jewish organizations representing thousands of Jewish members, we know from our own history, that we too came to this country as immigrants, and mainly for the same reasons immigrants come today--to escape poverty, persecution, war and violence. And we came to this country with the same goals as immigrants today--to make a better life for ourselves, our children and loved ones.

Jewish Community Action and Jewish Council on Urban Affairs urge you to act swiftly with members of Congress, the Senate and the President to pass humane comprehensive federal immigration reform.

Sincerely,

Vic Rosenthal, Executive Director of Jewish Community Action

Jane Ramsey, Executive Director of Jewish Council on Urban Affairs

VerDate Nov 24 2008 08:30 May 11, 2010 Jkt 056073 PO 00000 Frm 00128 Fmt 6633 Sfmt 6633 S:\GPO\HEARINGS\56073.TXT SJUD1 PsN: CMORC

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Individual, Local and State Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

NEW JERSEY

IRATE & First Friends of New Jersey wishes to propose legislative reform, specifically for asylum seekers.

We feel 1995-1996 mandatory detention for affirmative asylum seekers should be eliminated. In place of mandatory detention, we recommend that after passing a credible fear interview, each detainee be given the option of release to an authorized community organization or to a supervised residential setting maintained at federal expense. Each asylum seeker will be given work papers upon release, fees to be waved for indigent immigrants. In addition, funding should be provided for each immigrant asylum seeker's legal expenses.

Individual, Local and State Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

NEW JERSEY

Comprehensive immigration reform is important to our congregation because many people have either married USC/LPR persons and cannot adjust because they married after the 245i cutoff AND have children and have little or no chance to regularize their status. They are hard working people who have been destroyed by laws that do not permit them to adjust and punish them if they leave. We feel this is unfair, unjust, and contrary to the purposes for which our immigration policies were established: family unity and refuge to those seeking protection.

ICE raids and the utter refusal of ICE counsel to help families with children with serious medical problems are absolutely unconscionable.

Rev. Joyce Antila Phipps
Pastor, Old First Church
69 Kings highway, Middletown, NJ 07748

VerDate Nov 24 2008 08:30 May 11, 2010 Jkt 056073 PO 00000 Frm 00129 Fmt 6633 Sfmt 6633 S:\GPO\HEARINGS\56073.TXT SJUD1 PsN: CMORC

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Individual, Local and State Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

NEW JERSEY

I am the regional representative for Pax Christi NJ, a region of Pax Christi USA. Our parent organization is Pax Christi International which is recognized as the international Catholic Peace Movement. Some question why a peace group now finds itself involved with immigrant rights and immigration reform. It grows naturally out of Catholic Social Teaching which instructs that migration is a human right and our dedication to anti-racism and non-violence.

Our spirituality invites us not just to welcome immigrants as neighbors but to envision the story and the suffering of Jesus who was born away from home and fled to Egypt in the lives, stories and faces of today's immigrants. As an organization that is rooted in non-violence the issue of immigration is of particular importance to Pax Christi as we witness the roots of violence and violence itself in the dehumanization of immigrants that is taking place in our communities.

As Catholics we are called to defend the right to life, recognize the humanity of the least among us and welcome the stranger. All of these are present in our work to reform immigration policies.

This past June Archbishop Charles J. Chaput of the Archdiocese of Denver in his opening remarks at a forum on immigration reform said "Any Catholic who truly understands his or her faith knows that the right to life precedes and creates the foundation for every other human right... But, being "pro-life" also means that we need to make laws and social policies that will care for those people already born that no one else will defend... We need to remember that how we treat the weak, the infirm, the elderly, the unborn child and the foreigner reflects on our own humanity."

Immigration reform is about each and every one of us. It is about what is in our hearts. It is about ending the rejection of our shared humanity that leads us to violence. It is about embracing immigrants as both our neighbors and our brothers and sisters. It is about lending a voice to the voiceless. These goals are all at the core of the mission of Pax Christi and we are committed, as individuals and an organization, to seeing laws and social policies enacted that care for those no one else will defend.

Kathy O'Leary
Coordinator - Pax Christi NJ
(a region of Pax Christi USA www.paxchristiusa.org)

VerDate Nov 24 2008 08:30 May 11, 2010 Jkt 056073 PO 00000 Frm 00130 Fmt 6633 Sfmt 6633 S:\GPO\HEARINGS\56073.TXT SJUD1 PsN: CMORC

56073.107

Individual, Local and State Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

NEW YORK

New York State Interfaith Network for Immigration Reform
(Network Membership in Formation)

American Jewish Committee, Long Island, New York City, Westchester Offices

Cabrini Immigrant Services

Catholic Charities, Archdiocese of New York

Catholic Charities, Diocese of Brooklyn and Queens

Council of Churches of the City of New York

Council of Peoples Organizations

Greater New York Labor-Religion Coalition

Hindu Temple Society of North America, Flushing, New York

Interfaith Alliance of Rochester

Interfaith Center of New York

Judson Memorial Church

Latino Leadership Circle

Latino Pastoral Action Center

Mosque of Islamic Brotherhood

Muslim Consultative Network

New York Faith & Justice

New York State Council of Churches

New York New Sanctuary Coalition

New York Theological Seminary

Presbytery of New York City

Reformed Church in America

Riverside Church

Rockland Jews for Justice

Rural & Migrant Ministry

The Sikh Coalition

UJA Federation of New York

United Methodist Church, NY Conference

Union Theological Seminary, NYC

**In partnership with*

The New York Immigration Coalition
&
The Hudson Valley Community Coalition

New York State Faith Leaders Support Comprehensive Immigration Reform
September 29, 2009

The New York State Interfaith Network for Immigration Reform is a network of leaders and organizations representing diverse New York State faith communities that have come together in order to advocate for comprehensive immigration reform. The Network works in collaboration with the national Interfaith Immigration Coalition, and has embraced the Coalition's principles.

The impetus for our effort lies in religious teachings and precepts that require us to "welcome the stranger" (Leviticus 19:33, Matthew 25:35); to "do good to…neighbors who are strangers….the wayfarer that you meet" (the Qur'an); to "treat the guest as a representative of God." (Taitiriya Upanishad 1.11.2) Our nation's broken immigration system leads to a violation of these precepts. It keeps 12 million undocumented immigrants in the shadows, and provides pretext for bigots who foment acts of hate and violence against individuals perceived to be immigrants. The enforcement of immigration laws through raids, detentions and deportations sows fear and pain within families and communities, and too often violates fundamental American principles of due process and humane treatment of all persons. Our immigration system rends the fabric of American society, and undercuts the human values that are America's greatness. For this reason, we join together in calling on Congress to enact comprehensive immigration reform that is consistent with basic standards of morality.

More specifically, we ask that comprehensive immigration reform legislation:

1. Uphold family unity as a priority.

It is critical to the welfare of American society and its communities that:

- immigrant families separated because of lengthy visa backlogs be reunited in a more timely manner;
- that family preference categories and per-country caps be revised so families can be united;
- that bars for re-entry be removed and status for individuals seeing to reunite with family members be adjusted.

We are extremely concerned about proposals to deny birthright citizenship to the children of immigrants, and to place family-based and employment-based visa applicants in competition with each other on a points based system. Such proposals are inimical to the goal of promoting family unity, and must be rejected.

VerDate Nov 24 2008 08:30 May 11, 2010 Jkt 056073 PO 00000 Frm 00131 Fmt 6633 Sfmt 6633 S:\GPO\HEARINGS\56073.TXT SJUD1 PsN: CMORC

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Individual, Local and State Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

2. Create a process that will enable undocumented immigrants to earn legal status and eventual citizenship.

A comprehensive immigration reform law must make it possible for undocumented immigrants to come out of the shadows, regularize their status upon satisfaction of reasonable criteria and, over time, pursue an option to become lawful permanent residents and eventually United States citizens.

Enabling undocumented immigrants to earn legal status is not only important on moral grounds, but will also enhance national security. It is not in America's interest to have 12 million immigrants living in the shadows, outside the mainstream of community life and institutions.

3. Restore due process protections and reform detention policies.

Immigration enforcement policies and practices, including raids, detentions, and deportations too often deny due process and violate fundamental American values of compassion and justice. Comprehensive immigration reform must ensure that these values guide enforcement policies.

4. Expand legal avenues for workers seeking to migrate to the U.S. in a safe, legal and orderly way, and fully protect their rights and the rights of all workers.

As New York faith-based leaders and organizations, we are obligated by the values of our faith to highlight the moral implications of our nation's public policies, and to call for change when cherished values are violated. We appreciate the contribution that immigrants make to our congregations, religious institutions and the wider community. Immigrants have made extraordinary contributions to the vitality and prosperity of our City, State and nation. We call on Congress to reset our nation's moral compass and enact comprehensive immigration reform as soon as possible.

Submitted on behalf of the Steering Committee by Co-Chairs:

Annie Rawlings, M.Div.
Associate Executive Presbyter for Social Witness
Presbytery of New York City

Dr. Diane Steinman
Executive Director, American Jewish Committee
New York City Office

The Steering Committee also includes:

P. Adem Carroll
Board Chair
Muslim Consultative Network

Frances Liu
Immigration Advocacy Field Coordinator
The New York Immigration Coalition

Ellen Greeley
External Relations Executive
Department of Government and External Relations
UJA-Federation of New York

Rabbi Michael Feinberg
Executive Director
Greater New York Labor-Religion Coalition

Lisa Sharon Harper
Executive Director
New York Faith & Justice

Betsy Palmieri
Executive Director
Hudson Valley Community Coalition

Dr. Sarah Sayeed
Program Associate
Interfaith Center of New York

Rev. Donna Schaper
Senior Minister
Judson Memorial Church

VerDate Nov 24 2008 08:30 May 11, 2010 Jkt 056073 PO 00000 Frm 00132 Fmt 6633 Sfmt 6633 S:\GPO\HEARINGS\56073.TXT SJUD1 PsN: CMORC

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Individual, Local and State Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

NORTH CAROLINA

SUPPORT FOR COMPREHENSIVE IMMIGRATION REFORM
Resolution adopted by the N.C. Council of Churches Executive Board
December 5, 2006

PREFACE

As people of faith and conscience, we recognize that while the issue of immigration is complex, our calling is to welcome the stranger and offer hospitality and justice to the migrant and refugee, regardless of legal status. We remember the words of Leviticus 19:33-34 when God tells the Israelites,

"Do not mistreat foreigners living in your land, but treat them just as you treat your own citizens. Love foreigners as you love yourselves, because you were foreigners one time in Egypt."

As nearly all citizens in the United States today are descended from immigrants from other nations, we are reminded to offer support to newer immigrants who contribute to our economy and culture but who suffer discrimination, abuse, and hardship as a result of their status as undocumented residents.

Our country's current immigration system is broken. The number of undocumented persons living in the United States has tripled since 1990 from 4 to 12 million, with 300,000 to 500,000 new arrivals each year. During that same time period, more than 2,700 migrants have died in the deserts of the American Southwest. North Carolina has experienced the fastest growth rate of Latinos in the nation, many of whom are undocumented. Congressional debate on immigration reform has often focused on piecemeal, enforcement-only policies that ignore the root causes of migration, keep families separated, and contribute to human suffering. The current political debate also has spawned an increase in anti-immigrant emotion and alarming rhetoric.

It is important that the religious community respond to the immigration crisis by offering advocacy and welcome in the face of rising anti-immigrant sentiment. Religious communities must also look to our scripture and faith traditions which call us to welcome the stranger, promote hospitality, and seek justice. Congregations should call for legislative reforms which are fair, humane, and address the root causes of migration. Many denominations and religious groups, including member bodies of the North Carolina Council of Churches, have issued statements and resolutions calling for a comprehensive immigration reform that includes the following components:

- The status of undocumented persons currently living in the U.S. must be addressed. Undocumented workers and their families must have reasonable access to paths for permanent residency. Immigration proposals which ignore or criminalize the 12 million undocumented persons in our midst do not account for the reality that these people are here as part of the work force. Treating them as criminals only drives them further underground. Bringing them out of the shadows is a better solution.

VerDate Nov 24 2008 08:30 May 11, 2010 Jkt 056073 PO 00000 Frm 00133 Fmt 6633 Sfmt 6633 S:\GPO\HEARINGS\56073.TXT SJUD1 PsN: CMORC

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- Immigration reform must be through employment and family-based programs that allow workers and their families to enter the U.S. in a safe, legal, orderly, and humane manner. Workers' rights must be recognized and should include basic rights to organize and collectively bargain, safe travel between the U.S. and homelands, and achievable paths to residency. Immigration reform should bring a greater share of the immigration flow through legal channels in response to recognized U.S. labor needs.

- Family unity and reunification should be given paramount importance. Our current laws are out-of-date. The wait times for close family members to reunite have stretched into many years, leaving families needlessly separated and often attempting illegal and dangerous ways to enter the United States. More legal channels should be available for those coming here to join close family members without undue delay.

- Although the U.S. has the right to control its borders, border enforcement alone should not be the basis for a solution to the immigration crisis, and border enforcement policies must be proportional and humane.

- Fundamental U.S. principles of legal due process should be granted to all persons.

- Comprehensive immigration reform must also address root causes for migration to the United States from other countries. This means promoting national policies that support fair trade, sustainable economic development in home countries, and protection of low-skilled workers and those fleeing persecution and violence.

RESOLUTION

WHEREAS the God of scripture calls us to welcome the stranger from an alien land and offer hospitality and justice to the sojourner; and

WHEREAS Jesus abolished distinctions between Jews and outsiders and declared that those who welcomed strangers welcomed the Christ; and

WHEREAS the North Carolina Council of Churches has a long history of advocacy on behalf of farm workers and low wage laborers and has consistently supported North Carolina's oppressed and excluded populations in struggles for equality, dignity, and basic human rights; and

WHEREAS North Carolina has experienced the largest percentage increase in its Latino population from 1990 to 2000 of any state in the country and whereas many of those persons are undocumented immigrants; and

WHEREAS there has been a large increase in the diversity of North Carolina's immigrant population from around the world; and

VerDate Nov 24 2008 08:30 May 11, 2010 Jkt 056073 PO 00000 Frm 00134 Fmt 6633 Sfmt 6633 S:\GPO\HEARINGS\56073.TXT SJUD1 PsN: CMORC

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Individual, Local and State Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

WHEREAS the current legal immigration system at the federal, state and local levels is broken and contributes to the human suffering of migrants and their families,

THEREFORE be it resolved that the Executive Board of the North Carolina Council of Churches, acknowledging similar positions taken by its member judicatories, encourages the U.S. government to enact comprehensive immigration reform that includes reasonable pathways to permanent residency; increased legal avenues for workers to enter the United States in a safe and orderly fashion; reunification without undue delay of families separated by migration; effective, proportional and humane enforcement of national borders and immigration policies; the right of due process for immigrants; and policies which address the root causes of migration.

BE IT FURTHER RESOLVED that the Executive Board of the North Carolina Council of Churches deplores any governmental action which unduly emphasizes enforcement as the primary response to immigrants entering this country or which criminalizes persons providing humanitarian assistance to migrants. In addition, we encourage the state and local governments of North Carolina to provide for fair treatment and protection of our state's immigrant population. We call on our member judicatories and congregations to stand with immigrants as a matter of Christian responsibility, to advocate for their well-being and protection, and to educate our members about issues affecting immigrant peoples.

VerDate Nov 24 2008 08:30 May 11, 2010 Jkt 056073 PO 00000 Frm 00135 Fmt 6633 Sfmt 6633 S:\GPO\HEARINGS\56073.TXT SJUD1 PsN: CMORC

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NORTH CAROLINA

STATEMENT ON LOCAL IMMIGRATION ENFORCEMENT

Adopted by the Executive Board of the NC Council of Churches
December 2, 2008

In the wake of failed attempts by Congress to pass comprehensive immigration reform, states and localities have increased their own efforts to enforce current immigration laws and, in some cases, to implement new programs designed to reduce immigration. In North Carolina, these recent efforts have created a more hostile environment toward immigrants. Many immigrants – both documented and undocumented – today live in fear of arrest and possible deportation. Even though recent studies have shown that crime rates among immigrants are significantly lower than those among U.S. citizens, enforcement-only anti-immigrant measures are increasing across the state. These steps continue to generate fear within immigrant communities and hostility towards immigrants in non-immigrant communities.

The North Carolina Council of Churches continues to deplore "any governmental action which unduly emphasizes enforcement as the primary response to immigrants entering this country or which criminalizes persons providing humanitarian assistance to migrants. In addition, we encourage the state and local governments of North Carolina to provide for fair treatment and protection of our state's immigrant population. We call on our member judicatories and congregations to stand with immigrants as a matter of Christian responsibility, to advocate for their well-being and protection, and to educate our members about issues affecting immigrant peoples" (quoted from our 2006 statement entitled, "Support for Comprehensive Immigration Reform").

Theological Background

As Christians, we believe that all people are created in the image of God. The view that all human beings are created in God's image necessarily entails a special concern for those whom society would render most vulnerable, including immigrants. Much of the Hebrew Bible, for example, is concerned with protecting the most vulnerable against abuse by those with power. These protections included the establishment of cities of refuge and gleaning provisions for the hungry, as well as specific commands to treat immigrants with respect and love.

Furthermore, Jesus and early Christians continued the tradition of protecting the most vulnerable in society. Jesus touched lepers, welcomed children, embraced outcasts, and denied a bloodthirsty mob of its brand of "justice" against an accused adulteress. Christian tradition is clear that any abuse of power, including intimidation or unfairness towards the vulnerable, will not stand in the eyes of God and must not be ignored or tolerated by God's people.

Just as our tradition insists on the special care for and protection of the marginalized, it too highlights the need for both just laws and just measures of enforcement. There is a need for order in human societies to uphold the common good and to ensure that those with few resources are not abused by those with power. In theological language, the reality of human sin requires

VerDate Nov 24 2008 08:30 May 11, 2010 Jkt 056073 PO 00000 Frm 00136 Fmt 6633 Sfmt 6633 S:\GPO\HEARINGS\56073.TXT SJUD1 PsN: CMORC

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some degree of law enforcement for the sake of society's common interest and order. Thus, in both Testaments we find affirmation of social institutions – including various forms of law enforcement – that serve the common good. Of course, we recognize that our tradition has always wrestled with the proper role of the state, human systems of justice and particular law enforcement tactics. This process of communal discernment about such matters continues to take place, and the conversation takes on many different forms depending upon the societal context.

To be sure, Christian tradition affirms that police and other institutions of justice have a vital role to play in our society, especially when they act in good faith to serve the common good and to protect the vulnerable against abuse. As North Carolinians, we are indeed deeply thankful for the policewomen and men who serve our communities, protecting individuals and society from criminal behavior. However, to the degree that particular law enforcement tactics tend to prey on those with less power in general and immigrant communities in particular, we are compelled to speak as people of conscience and faith.

We call on the Department of Homeland Security to suspend home and workplace immigration raids.
As Christians, we are deeply concerned about the humanitarian costs associated with these raids, as workers lose their livelihood, family members are forcibly separated, and children are left behind. Raids continue to cause great human suffering as immigrants are forced further into society's shadows. Enforcement efforts that target hardworking families remain misguided. All sides of the political spectrum agree that the current immigration system is essentially broken, and we continue to call on federal officials to support comprehensive immigration reform (see our 2006 statement entitled, "Support for Comprehensive Immigration Reform"). Here, we join our voice with that of the U.S. Conference of Catholic Bishops and other religious leaders who have called for a suspension of home and workplace immigration raids.

We call on North Carolina's local law enforcement entities, including sheriff's departments, police departments and county commissioners, to stop implementing the 287(g) program. In addition, law enforcement checkpoints and other practices should not unduly target immigrant neighborhoods or places of worship.
The 287(g) program, which is currently in effect in eight counties in North Carolina, basically deputizes local law enforcement officials to enforce federal immigration law. This program is deeply flawed for at least three reasons. First, it severs the bond of trust that is necessary for law enforcement to serve and protect immigrant communities. Immigrant communities (both documented and undocumented) have become hesitant to report crimes to the police because they fear that they will be deported. This fear applies to both crime victims and witnesses. Second, the implementation of 287(g) has been done with very little oversight. It has been difficult for immigrant rights advocates to determine exactly who is in charge, how funds have been spent, and whether the program has targeting law-abiding immigrants. Finally, we are concerned about the potential for racial profiling. While officials publicly state that they are only going after gang members and hardened criminals with 287(g), this is simply not true. The reality on the ground is that many – in some cases a majority – of the people being processed through 287(g) are being stopped for misdemeanors and minor (non-DUI) traffic

VerDate Nov 24 2008 08:30 May 11, 2010 Jkt 056073 PO 00000 Frm 00137 Fmt 6633 Sfmt 6633 S:\GPO\HEARINGS\56073.TXT SJUD1 PsN: CMORC

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violations. Overall, we find that 287(g) and other enforcement actions which target immigrants only heighten the vulnerability of immigrant communities.

We demand that all of our leaders reject all forms of stereotyping and scapegoating immigrants and the use of dehumanizing and offensive language.
Elected officials at the local, state and national level have a moral responsibility to elevate the public debate on contentious issues such as immigration. We recognize that people of goodwill have different opinions about the best direction for immigration policy. At the same time, our commitment to the dignity of all people demands that we treat all immigrants with respect and reject all forms of racial and ethnic prejudice. We will not tolerate mean-spirited or misguided attacks on immigrants.

Individual, Local and State Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

WASHINGTON

Please support Comprehensive Immigration Reform and especially keeping families united. So many, many children are citizens of this country, and if not, culturally and socially "citizens". We as a country have a responsibility to children and their well being.

Thank you,

Dianne Aid, TSSF
Director of the Jubilee Center at St. Matthew/San Mateo Episcopal Church, Auburn, Washington

VerDate Nov 24 2008 08:30 May 11, 2010 Jkt 056073 PO 00000 Frm 00138 Fmt 6633 Sfmt 6633 S:\GPO\HEARINGS\56073.TXT SJUD1 PsN: CMORC

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Individual, Local and State Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

WISCONSIN

A Call for Comprehensive Immigration Reform
A Statement for Human Dignity

by the Global Justice & Peace Commission of the School Sisters of Notre Dame, Milwaukee Province

"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 19:34

In 1847, our fledgling German congregation sent sisters to the United States to serve German immigrants. Today in our various ministries, we witness firsthand the effects our inadequate, broken, and often cruel immigration system has on our nation's diverse immigrant communities. Current raids of workplaces and indiscriminate arrests with little regard for human rights, family integrity, or due process of law are unacceptable.

How we treat our immigrants is a moral issue. It is paramount that our legislation and policies reflect a commitment to human dignity as well as our nation's on-going commitment to upholding the Universal Declaration of Human Rights and all other relevant international treaties and protocols. Therefore, in union with the Catholic Campaign for Immigration Reform–*Justice for Immigrants* and the National Interfaith Immigration Coalition, we call upon our elected leaders to enact comprehensive immigration reform which:

- Establishes family unity as a priority of all immigration policies.
- Creates a process for undocumented immigrants to earn their legal status and eventual citizenship.
- Reforms employment-based immigration, so that workers can enter the United States and work in a safe, controlled, and humane manner.
- Aligns the enforcement of immigration laws with humanitarian values and reforms detention policies to conform to international law.
- Restores due process protections.
- Reforms the asylum system to uphold our nation's long-held commitment to provide protection for those fleeing persecution.
- Promotes trade and aid policies which help address the root causes of migration.

As faith-based leaders, we School Sisters of Notre Dame, along with our Associates, and staff "... work actively ... to eliminate the root causes of injustice in order to realize a world of peace, justice, and love."

– You Are Sent: Constitution of the School Sisters of Notre Dame, #17

Accordingly,

- We pray and advocate for a just immigration system, one that facilitates legal status and family unity.
- We recognize that "To confront injustice credibly requires that we ourselves act justly. We strive to live simply, to value human labor rightly, and to respect the dignity of every person, witnessing that living these values is a possibility for humanity."
  – You Are Sent, #17
- We serve our immigrant brothers and sisters, remembering Jesus calls us to "welcome the stranger," for "what you do to the least of mine, you do to me."
  – Matthew 25:35-40
- We call attention to the moral dimensions of public policy and actively pursue policies that uphold the human dignity of each person, all of whom are made in the image of God.

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GJP Commission 3/24/09

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American Jewish Committee (AJC)

American Friends Service Committee (AFSC)

Church World Service

Episcopal Church

Friends Committee on National Legislation (FCNL)

Hebrew Immigrant Aid Society (HIAS)

The Immigration Issues Offices of the Presbyterian Church USA

Interfaith Worker Justice (IWJ)

Irish Apostolate USA

Jewish Council for Public Affairs (JCPA)

Jesuit Refugee Service

Lutheran Immigration and Refugee Service (LIRS)

Mennonite Central Committee (MCC)

National Advocacy Center of the Sisters of the Good Shepherd

NETWORK

The Religious Action Center of Reform Judaism (RAC)

Sisters of Mercy of the Americas Institute

Sojourners

3D Security

Unitarian Universalist Association of Congregations (UUA)

United Methodist Church, General Board of Church and Society

World Relief

Statement of the Interfaith Immigration Coalition

Submitted to the Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security

For the October 8, 2009 Hearing: "Comprehensive Immigration Reform: Faith-Based Perspectives"

The Interfaith Immigration Coalition (IIC) is a partnership of faith-based organizations committed to enacting fair and humane immigration reform that reflects our mandate to welcome the stranger and treat all human beings with dignity and respect. Coalition members work together to advocate for just and equitable immigration policies, educate faith communities, and serve immigrant populations around the country. Through this coalition, hundreds of national and local faith-based organizations and faith leaders have called on Congress and the administration to enact immigration reform consistent with these values.

The IIC is pleased to offer the following testimony for October 8, 2009 hearing entitled, "Comprehensive Immigration Reform: Faith-Based Perspectives." We also include a copy of the IIC platform and statements from national, state and local faith organizations and individuals.

The Hebrew Bible tells us: "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 Qur'an tells us that we should "do good to…those in need, neighbors who are near, neighbors who are strangers, the companion by your side, the wayfarer that you meet" (4:36). The Hindu Taitiriya Upanishad tells us: "The guest is a representative of God" (1.11.2).

In many faith traditions, family is the fundamental unit in society through which individuals are able to grow and experience the love of God. In recent years, heightened immigration enforcement has caused hardship on American communities and families, often separating young children from their parents. In addition, hundreds of thousands of family members are waiting in line for visas to reunite with their close family members. In some cases, close family members

may wait more than two decades for a visa.[1] **Immigration reform must protect families who are seeking to reunite and families who are at risk of separation.**

IIC members regularly hear from individuals about how they long to be with their loved ones but current immigration laws prevent a timely reunification process. For example, current immigration laws require some U.S. citizens to wait more than two decades to be with their close family members. Moreover, spouses and minor children of lawful permanent residents must wait as long as six years to receive a visa to join their families in the United States.[2] As groups committed to promoting family unity, we are concerned that the long delays in the family reunification process are having a detrimental impact on the stability and well being of American communities. **The IIC supports an increase in the availability of family visas to ensure the timely reunification of immigrant families.**

The Department of Homeland Security regularly apprehends individuals through immigration enforcement actions, places them into detention and deports them to their country of origin. Many deportation actions impose tremendous hardship on families that could be grounds for leniency. But federal immigration laws and policies limit the ability of immigration officials to give due consideration to such cases. For example, in 1996, mandatory deportation for many non-citizens – lawful permanent residents included – became a part of U.S. immigration law and Immigration Judges were stripped of any discretion to rule in the best interest of a child whose family was involved in deportation proceedings. This policy has denied families the opportunity to plead their cases and has proven detrimental to the well-being of thousands of children, including U.S. citizen children. Since 1996, it estimated that 1.6 million spouses and children have been left behind after a family member has been deported.[3] **The IIC therefore supports more flexibility in federal immigration laws to help keep families together.**

As people of faith, we call attention to the moral dimensions of public policy and recommend reforms that uphold the God-given dignity and rights of every person, each of whom are made in the image of God. **To ensure the stability of American communities and the growth of a healthy society, the IIC urges the Subcommittee and all members of Congress to make family unity a top priority when considering comprehensive immigration reform legislation.**

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[1] U.S. Department of State. *Visa Bulletin October 2009.* Available online: http://travel.state.gov/visa/frvi/bulletin/bulletin_4575.html.
[2] Ibid.
[3] Human Rights Watch. *Forced Apart: Families Separated and Immigrants Harmed by United States Deportation Policy.* July 16, 2007. Available online: http://www.hrw.org/en/reports/2007/07/16/forced-apart-0.

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Interfaith Platform on Humane Immigration Reform

As our diverse faith traditions teach us to welcome our brothers and sisters with love and compassion—regardless of their place of birth—we call on the new Administration and 111th Congress to enact humane and equitable immigration reform in 2009.

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 broken 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 Hebrew Bible tells us: "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 Qur'an tells us that we should "do good to...those in need, neighbors who are near, neighbors who are strangers, the companion by your side, the wayfarer that you meet" (4:36). The Hindu Taitiriya Upanishad tells us: "The guest is a representative of God" (1.11.2).

Therefore, we call on the new Administration and 111th Congress to commit to:

Uphold family unity as a priority of all immigration policies
Recognizing the importance of families to the creation of healthy individuals and strong communities, we call on the new Administration and Congress to 1) expeditiously reunite immigrant families separated due to lengthy visa backlogs; 2) revise family preference categories and per-country caps to prioritize family unity; and 3) remove bars to reentry and adjustment of status for individuals seeking to reunite with their family members. Attempts to devalue the family, such as denying birthright citizenship to the children of immigrants or placing family-based and employment-based visa applicants in competition with each other on a point-based or other system, must be rejected in order to maintain and promote family unity.

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.

Protect workers and provide efficient channels of entry for new migrant workers
We call for an expansion of legal avenues for workers who seek to migrate to the United States to work in a safe, legal, and orderly manner. Their rights must be fully protected, including the ability to bring their families with them, travel as needed, change their place of employment, and apply for lawful permanent residency and eventually citizenship. As currently structured, electronic employment verification programs have proven detrimental to both employers and employees due to increased discrimination and unfair hiring and firing practices. All workers benefit, however, from the enforcement of health, safety, wage, and hour laws, as well as the right to peacefully organize.

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Facilitate immigrant integration
Many immigrants desire to naturalize but lack the necessary tools. The U.S. immigration system should empower them to this end by providing financial support to state and local governments and community organizations that offer language and civics education, outreach, and naturalization application assistance. Citizenship should be made more affordable by reducing naturalization fees and making fee waivers more easily accessible. Moreover, the processing of application backlogs and security checks should be streamlined to reduce waiting times. Counterproductive laws prohibiting immigrants from accessing social services and mandating that local police act as immigration officials should be revoked. These barriers to integration decrease community safety and discourage immigrants from pursuing education and community involvement. Faith based organizations and congregations around the country will continue to assist in integration efforts by providing social services and helping immigrants learn English, find jobs, and thrive in the United States.

Restore due process protections and reform detention policies
Immigration policies should respect human rights and ensure due process for all persons. We have witnessed how indiscriminate immigration raids have caused trauma and hardship for thousands of individuals. Such raids separate families, destroy communities, and threaten the basic rights of immigrants and U.S. citizens alike. The suffering caused by the increase and severity of Immigration and Customs Enforcement raids in homes and workplaces underscores the problems with current U.S. immigration policies and the urgent need for reform. Many faith organizations administer services to those impacted by raids, as well as to immigrants in detention facilities. Witnessing the toll of incarceration on detainees, their families and our communities, we urge the new Administration and Congress to reduce the use of detention for immigrants and improve detention conditions by enacting clear, enforceable reforms that include rigorous medical treatment standards and increased access to pastoral care, legal counsel and legal orientation programs. Furthermore, the government should expedite the release of individuals who pose no risk to the community and expand the use of community-based alternatives to detention, which are more humane and cost effective.

Align the enforcement of immigration laws with humanitarian values
For the past twenty years, the federal government has dramatically increased fence construction, border patrol presence, and the deportation of immigrants, which have proven ineffective at decreasing undocumented immigration. During this time, we have witnessed the desecration of sacred sites and the violation of environmental and religious freedom laws, as well as the unnecessary suffering of community members whose loved ones have suffered or died seeking entry into the United States. Currently, vast resources are being used for fence construction and the mass arrests, detention, and deportation of immigrants who contribute to the U.S. economy and culture. To truly decrease undocumented immigration, the United States should improve access to the legal immigration system by increasing the number of ports of entry, expanding visa availability, and eliminating application backlogs to increase processing efficiency. Border policies must be consistent with humanitarian values and with the need to treat all individuals with respect, while allowing the United States to implement its immigration laws and identify and prevent the entry of persons who commit dangerous crimes. All immigration laws must respect the dignity of all persons, prioritize the cohesiveness of families and communities, recognize the economic contributions of immigrants, and uphold our moral obligations to provide refuge and welcome the stranger.

Immigration: A matter of human rights
As people of faith, we call attention to the moral dimensions of public policy and recommend reforms that uphold the God-given dignity and rights of every person, each of whom are made in the image of God. We are dedicated to immigration reform because we value family unity, justice, equity, compassion, love, and the humane treatment of all persons. It is our collective prayer that the new Administration and 111th Congress enact just immigration reform based on these tenets.

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National Organizations and Denominations:

American Friends Service Committee
American Jewish Committee
American Society for Muslim Advancement
Anti-Defamation League
Blauvelt Dominican Sisters Justice Ministry
B'nai B'rith International
Catholic Charities USA
Catholic Relief Services
Catholic Scholars for Worker Justice
Center of Concern
Christian Church (Disciples of Christ), Refugee and Immigration Ministries
Christian Reformed Church in North America, Office of Social Justice
Church Communities International
Church of the Brethren
Church of the Brethren Witness
Church World Service, Immigration and Refugee Program (CWS/IRP)
Catholic Legal Immigration Network, Inc. (CLINIC)
Conference of Major Superiors of Men (CMSM)
Congregation of the Holy Spirit, USA-E
Daughters of Wisdom, U.S. Province
Disciples Justice Action Network (Disciples of Christ)
Dominican Leadership Conference, Executive Committee
Franciscan Action Network
Franciscan Friars (OFM), English Speaking Conference, JPIC Council
Friends Committee on National Legislation (FCNL)
Hebrew Immigrant Aid Society (HIAS)
Hindu American Foundation
Hispanic Coalition for Comprehensive Immigration Reform
Interfaith Worker Justice
Irish Apostolate USA
Islamic Circle of North America
Jewish Council for Public Affairs
Jewish Reconstructionist Federation
Jubilee Campaign USA
Leadership Conference of Women Religious
Lutheran Immigration and Refugee Service
Marianist Province of the US, Office of Peace and Justice
Maryknoll Office for Global Concerns
Mennonite Central Committee, Washington Office
Mennonite Church USA
Methodist Federation for Social Action
Missionary Oblates Justice and Peace, Integrity of Creation Office
National Advocacy Center of the Sisters of the Good Shepherd
National Council of Jewish Women
National Council of the Churches of Christ in the USA (NCC)
National Hispanic Christian Leadership Conference
National Ministries, American Baptist Churches USA

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NETWORK, A National Catholic Social Justice Lobby
North American Dominican Justice Promoters
Pax Christi USA: National Catholic Peace Movement
Presbyterian Church (U.S.A.)
Progressive Jewish Alliance
Rabbis for Human Rights, North America
School Sisters of Notre Dame Global Justice & Peace Commission
School Sisters of Notre Dame, Office of Justice, Peace & Integrity of Creation
Sikh Coalition
Sikh Council on Religion and Education
Sisters of Mercy of the Americas
Sisters of Notre Dame de Namur, USA National Team
Sisters of Providence, Mother Joseph Province
Sisters of the Holy Names of Jesus and Mary, U.S.-Ontario Province Leadership Team
Sisters of the Sorrowful Mother, U.S./Caribbean Province
Standing For Truth Foundation
Sojourners
The Episcopal Church
The Workmen's Circle/Arbeter Ring
U.S. Conference of Catholic Bishops
U.S. Daughters of Charity Advocacy and Social Justice Committee
Union for Reform Judaism
Unitarian Universalist Association of Congregations
United Church of Christ, Justice and Witness Ministries
United Jewish Communities
United Methodist Church, General Board of Church and Society
United Methodist Church, General Commission on Religion and Race
Uri L'Tzedek: Awaken To Justice
Ursuline Sisters of the Eastern Province, USA, Leadership Council
Ursuline Sisters of the Roman Union, Western Province
Welcoming Immigrants Network
Women of Reform Judaism
World Relief

Local Organizations, Congregations, Diocese, and Religious Orders:

Adrian Dominican Sisters, Adrian, MI
Adorers of the Blood of Christ, US Region, St. Louis, Missouri
Advocacy for Peace and Justice Committee of the Sisters of St. Francis of Philadelphia, PA
All Saints Church, Pasadena, CA
Am Kolel Sanctuary and Renewal Center, Rockville, MD/ Beallsville, MD
Andrea Likovich, O.S.F., Aston, PA
Arbeter Ring (Workmen's Circle) Southern California District, CA
Arlington Street Church, Boston, MA
Beatitudes Society of Episcopal Divinity School, Cambridge MA
Benedictine Sisters of Mount St. Scholastica, Atchison, KS
Benedictine Sisters of Mt. Angel, OR
Benedictine Sisters of Yankton, SD

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Benedictine Women of Madison, WI at Holy Wisdom Monastery, WI
Bernardine Franciscan Sisters, Reading, PA
Bethany United Church of Christ, Chicago, IL
Board of Church and Society of the NY Annual Conference, United Methodist Church, NY
Brooklyn Council of Churches, Brooklyn, NY
California Council of Churches IMPACT, CA
Catholic Charities, Archdiocese of Galveston-Houston, TX
Central Baptist Church, Wayne, PA
Central Presbyterian Church, Eugene, OR
Chicago New Sanctuary Coalition (CNSC), IL
Church World Service, Immigration and Refugee Program, Lancaster, PA Office
Colorado Council of Churches
Community of St. Francis, Episcopal Diocese of California, San Francisco CA
Congregation Chaverim, Tucson, AZ
Congregation Justice Committee, Sisters of the Holy Cross, Notre Dame, IN
Congregation of St. Joseph Peace and Justice Facilitating Team
Congregation of the Holy Spirit, USA, West Province
Congregation of the Sisters of the Holy Faith, Downey, CA
Dominican Sisters of Great Bend, KS
Dominican Sisters of Houston, TX
Dominican Sisters of Mission San Jose, CA
Dominican Sisters of Sparkill, NY
Dominican Sisters, Grand Rapids, MI
Dominicans of Sinsinawa, WI
East Bay Sanctuary Covenant, Berkeley, CA
East Bay Interfaith Immigration Coalition (EBIIC), CA
Ecumenical Ministries of Oregon
El Buen Pastor Episcopal Church, Redwood City, CA
Episcopal Church of Our Saviour, Silver Spring, MD
Episcopal Diocese of New Hampshire, NH
Episcopal Diocese of Oregon, OR
Episcopal Divinity School, Cambridge, MA
Executive Committee of the Racine Dominicans, WI
Faith Mennonite Church, Minneapolis, MN
First Christian Church (Disciples of Christ), Daytona Beach, FL
First Unitarian Church, Los Angeles, CA
Fort Collins Mennonite Fellowship, Fort Collins, CO
Franciscan Friars (OFM), St. John the Baptist Province, JPIC Office, Cincinnati OH
Franciscan Sisters of Little Falls, MN
Gloria Dei Step Up Center, Providence, RI
HIAS and Council Migration Service of Philadelphia, PA
Indiantown Education Coalition, Indiantown, FL
Indiantown Neighborhood Association, Indiantown, FL
InDios Inc. Indiantown, FL
Interchurch Ministries of Nebraska, NE
Interfaith Community Engagement Center at Xavier University, Cincinnati, OH
Irish Pastoral Centre, Quincy, MA
Jewish Community Action, St. Paul, MN

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Jewish Community Relations Council of Greater Washington, DC
Jewish Community Relations Council of the Jewish Federation of Southern Arizona, AZ
Jewish Family & Career Services of Atlanta, GA
Jewish Family & Children's Service of Pittsburgh, PA
Jewish Family and Children's Service of Minneapolis, MN
Jewish Family Services of Greater Charlotte, Inc., NC
Jewish Family Services of Silicon Valley, CA
Judson Memorial Church, New York, NY
Just Faith, Painesville, OH
Justice and Peace Committee of St. Norbert Abbey, De Pere, WI
La Iglesia Episcopal de Nuestra Senora de las Americas, Chicago, IL
Lane Center for Catholic Studies and Social Thought, University of San Francisco, CA
Leadership Team of the Sisters of St. Francis of the Holy Cross, Green Bay, WI
Leadership Team, Sisters of the Most Precious Blood, O'Fallon, MO
Let Justice Roll Lead Team of the West Ohio United Methodist Conference, OH
Little White Chapel Christian Church (Disciples of Christ) in Burbank, CA
Logan Square Neighborhood Association, Chicago, IL
Lutheran Advocacy Ministry, Colorado
Lutheran Advocacy Ministry, New Mexico
Lutheran Advocacy, Illinois
Lutheran Community Services Northwest
Lutheran Office of Governmental Ministry in New Jersey
Lutheran Social Services of Illinois
Lutheran Social Services of New England
Lutheran Social Services of the National Capital Area
Lutheran Statewide Advocacy, New York, NY
Marycrest Franciscans, Denver CO
Methodist Federation for Social Action, New York Chapter
Miami Baptist Association, Miami, FL
Migration and Immigration Task Force, Episcopal Diocese of California
Ministerio Latino, Iglesia Episcopal, Diocésis de Washington
Mother of God Monastery, Watertown, SD
Mount St. Scholastica, Atchison, KS
New Jersey Synod, Evangelical Lutheran Church in America, Immigration Task Group
New York Chapter, American Jewish Committee, NY
New York State Council of Churches, NY
North Carolina Council of Churches, NC
Oblate Sisters of the Blessed Sacrament, Marty, SD
Pennsylvania Council of Churches, PA
Presentation Sisters, New York, New England
Refugee Immigration Ministry, Malden, MA
Religious of Jesus and Mary, Washington, DC Province Offices
River Road Unitarian Universalist Congregation, Bethesda, MD, Latin America Taskforce Network
River Road Unitarian Universalist Congregation, Bethesda, MD, Social Justice Council
San Andres Episcopal Church, Yonkers, NY
School Sisters of St. Francis, International Leadership Team, Milwaukee, WI
Servants of Mary (Servite Sisters), Ladysmith, WI
Shir Tikvah Congregation, Minneapolis, MN

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Sisters of Saint Francis of the Providence of God, USA Provincial Leadership, Pittsburgh, PA
Sisters of Charity of Nazareth Congregational Leadership, Roman Catholic, Nazareth, KY
Sisters of Charity of Nazareth in the Western Province
Sisters of Charity of New York, Leadership Team
Sisters of Mercy U.S. Province, Redlands, CA
Sisters of Mercy, South Central Community, Baltimore, Cincinnati, North Carolina, St. Louis
Sister of Notre Dme de Namur, Boston, MA
Sisters of Providence, Mother Joseph Province, Renton WA – Inland Northwest, Idaho and Montana, West Coast – Washington, Oregon, Montana
Sisters of Social Service of Buffalo, NY
Sisters of St Francis of Assisi, St. Francis, WI
Sisters of St. Anne, St. Marie Province
Sisters of St. Francis of Philadelphia
Sisters of St. Francis, Congregation of Our Lady of Lourdes, Rochester, MN
Sisters of St. Francis, Leadership Team, Clinton, Iowa
Sisters of St. Francis, Savannah, MO
Sisters of St. Joseph of Carondelet and Associates, St. Louis Province, MO
Sisters of St. Joseph of Carondelet, Los Angeles Province, CA
Sisters of St. Joseph of Orange, CA
Sisters of St. Joseph of Peace, Western Province
Sisters of St. Joseph of the Third Order of St. Francis Leadership Team, Stevens Point, WI
Sisters of the Holy Spirit and Mary Immaculate, San Antonio, TX
Sisters of the Living Word, Arlington Heights, IL
Sisters of the Presentation of the Blessed Virgin Mary, New Windsor, NY
Sisters of the Presentation, San Francisco, CA
Skagit Unitarian Universalist Fellowship, Mount Vernon, WA
Social Action Committee, Unitarian Universalist Congregation of Phoenix, AZ
Social Action Committee, Unitarian Universalist Congregation of Danbury, CT
Social Action Committee, Unitarian Universalist Fellowship of Laguna Beach, CA
Social Justice Outreach Committee, Saint Jude's Episcopal Church, Cupertino, Ca
Society of St. Ursula, Rhinebeck, NY
St. Charles Borromeo Catholic Church, Arlington, VA
St. Louis Inter-Faith Committee on Latin America
St. Mark's Episcopal Church, Lyons, KS
St. Michael & All Angels Episcopal Church, Portland, OR
St. Pius V Parish, Chicago, IL
The Board of Directors of the First Unitarian Church of Los Angeles, CA
The Clinton, Iowa Associates of the Sisters of St. Francis
The Congregation of Sisters of St. Agnes, Fond du Lac, WI
The Dominican Sisters of Great Bend Kansas
The Episcopal Church of the Advent, Chicago, IL
The Episcopal Church of the Advent; La Iglesia Episcopal de Nuestra Senora de las Americas, Chicago, IL
The Episcopal Diocese of Los Angeles Interfaith Refugee and Immigration Service (IRIS)
The Episcopal Diocese of Southeast Florida, Immigration and Social Justice Ministries
The General Council of the Adrian Dominican Sisters
The Interfaith Council on Religion, Race, Economic and Social Justice of Silicon Valley, CA
The Leadership Council of the IHM Sisters of Monroe, Michigan

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The Leadership Team, Sisters of Providence, St. Mary-of-the-Woods, IN
The New Mexico Conference of Churches
The Provincial Council of the Daughters of Charity of the Evansville Province, Evansville, IN
The Provincial Council of the School Sisters of Notre Dame, Mankato Province, MN
The Sisters of Saint Benedict of Crookston, MN
The Sisters of the Holy Family, Fremont, CA
The Workmen's Circle/Arbeter Ring, New Jersey Region
Unitarian Universalist Congregation of Danbury, CT
Unitarian Universalist Fellowship of Las Vegas, NV
United in Faith Lutheran Church, Chicago, IL
United in Faith Lutheran Church, Justice Ministry, Chicago, IL
Unity in the Community, Manassas, VA
Virginia Interfaith Center for Public Policy
Washington Association of Churches, WA
West Region of the Sisters of Charity, B.V.M.
Wonder Lake Neighbors Food Pantry, Wonder Lake, IL
World Mission Ministries, Archdiocese of Milwaukee, WI

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Angela Donovan, O.P., Sinsinawa Dominican, WI
Anne Maher R.S.M., Sisters of Mercy U.S. Province, El Cerrito, CA
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Bette Gambonini, B.V.M., Sunnyvale, CA
Bishop Paul Stumme-Diers, Greater Milwaukee Synod, Evangelical Lutheran Church in America, WI
Bob Kay, Director of Public Policy & Advocacy, Lutheran Social Services of New England
C Jean Hayen, B.V.M.(Sisters of Charity of the Blessed Virgin Mary), Dubuque, Iowa
Cara Lynn Johnson, Lutheran Social Services of Illinois
Carolyn A. Doughty, Chicago, IL
Charlene Hudon, S.P. Coordinator for Providence Peace Community, Seattle, WA
Charles W. Dahm, O.P., Co-Coordinator of Justice and Peace for Dominicans of North America
Christine A. Schrey, Pastor, Christ Lutheran Church, Chicago, Illinois
Christine Murphy, Moderator, Presbyterian Women, Stillwater, OK
Clare Lentz, S.P., Roman Catholic, Seattle, WA
Collette Mary White, O.P., Sinsinawa, WI
Corinne Saldeen, Evangelical Lutheran, Good Shepherd Lutheran, Savoy, IL
D. Emily Hicks, Ph.D., Vestry, St. Mark's Episcopal Church, San Diego, California
Damaris McGuire, Director, New York State Episcopal Public Policy Network, NY
David E. Linge, Professor of Religious Studies, Emeritus, University of Tennessee, St. James Episcopal Church, Knoxville, TN
Deacon Joe Rubio, St. Bernadette Church, Houston TX
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Diane Bauknecht, Fond du Lac, WI

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Don & Laurena Schuemann, Aurora, IL
Don Mallinson, V.P. Channing Memorial Church, Newport, RI
Donna Quinn, Co-Ordinator of the National Coalition of American Nuns
Dorothy Goos, United in Faith Lutheran Church, Chicago
Dr. Audrey W. Vincent, Minister Emerita, Unitarian Universalist Church, Savannah Georgia
Dr. Rajwant Singh, National Chairman, Sikh Council on Religion and Education, Washington, DC and Executive Director, Guru Gobind Singh Foundation Sikh Center, Rockville, Maryland
Eleanor H. Prugh, St. John's Episcopal Church, Ross, CA
Emmerich Vogt, O.P., Prior Provincial, Western Dominican Province
Erica M. Jordan, Dominican Sister, Sinsinawa, WI, Westchester, IL
Everardo Zavala, Jr., Attorney, National Hispanic Christian Leadership Conference, Los Angeles, CA
Fidel "Butch" Montoya, President, H. S. Power & Light - Latino Faith Initiative, Denver, CO
Flora E. Butler, Lutheran Social Services of Illinois, Des Plaines, IL
Fr. Eugene Michel, O.F.M., Pastor, Sacred Heart Church, St. Paul, Minnesota
Fr. James R. Motl, O.P., St. Louis, MO
Fr. Joseph Zimmerman, OFM, Professor of Sociology, Quincy University
Fr. Justin Belitz, OFM, Lecturer and Retreat Master, Indianapolis
Fr. Thomas Fox, O.F.M., Hispanic Ministry, Archdiocese of Indianapolis, IN
Fr. Tom Smith OFM Conv., New Albany, Indiana
Fran Miles, O.P., Dominican Sister, San Jose, CA
Francine Stallbaumer, Benedictine Sister of Benet Hill Monastery, Colorado Springs, Colorado
Gwen Farry, B.V.M., Chicago, IL
Gwen Sefrhans, Seminarian, Lutheran School of Theology at Chicago, IL
Helen Marie, Raycraft, O.P. Dominican Missionary Preaching Team, Austin, TX
Irene Lukefahr, B.V.M., Ghana, West Africa
Jacqueline H. Drapeau, Bishop's Office, Episcopal Diocese of Massachusetts, Boston, MA
James McVeigh, O.S.F., Fresh Meadows, NY
Jane Boland, O.P., Sinsinawa Dominican, WI
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The Rev. Sarabeth Goodwin, Latino Missioner, St. Stephen and the Incarnation Episcopal Church, Washington, DC
The Rev. Seth Polley, Border Missioner, the Episcopal Diocese of Arizona
The Rev. Steve Talmage, Bishop, Evangelical Lutheran Church in America, Grand Canyon Synod
The Rev. Sue Thompson, Vicar, St Edmund's Episcopal Church, Pacifica, California
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The Reverend Horace Choate, Zion Episcopal Church, Wappingers Falls, NY
The Reverend Tom Callard, Rector, All Saints Episcopal Church, Los Angeles, CA
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The Rt. Rev. A. C. Marble Jr, Episcopal Church, Assisting Bishop, Diocese of North Carolina
The Rt. Rev. F. Neff Powell, Episcopal Bishop of Southwestern Virginia
The Rt. Rev. Gregory Rickel, Bishop Diocesan, Episcopal Diocese of Olympia
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The Rt. Rev. Roy F. (Bud) Cederholm, Jr., Bishop Suffragan, Episcopal Diocese of Massachusetts
The Rt. Rev. Steven Charleston, Assistant Bishop of the Episcopal Diocese of California
The Rt. Rev. V. Gene Robinson, Episcopal Bishop of New Hampshire
The Rt. Rev. William D. Persell, Assisting Bishop, Episcopal Diocese of Ohio
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Statement of Chairman Patrick Leahy
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Judiciary Committee
Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

I want to thank Senator Schumer for holding this hearing today, and for the work he has done to advance this important issue. Timely, smart immigration reform is crucial in order to secure our borders, ensure that American workers are respected, bring millions of undocumented people out of the shadows, and support American farms and businesses. And in doing so, we have the opportunity to reaffirm our heritage as a diverse and welcoming country.

Religious organizations are at the forefront of immigration reform. The United States Conference of Catholic Bishops, Christians for Comprehensive Immigration Reform, Esperanza, the Interfaith Immigration Coalition, the Hebrew Immigrant Aid Society, the American Jewish Council, and the Muslim Public Affairs Council have all devoted extraordinary time and energy to ensure that immigration reform remains at the forefront of legislative priorities. These are but a few among many organizations of faith that are working toward the common goal of immigration reform. I especially want to welcome Cardinal McCarrick to the hearing today.

People of faith have been among the clearest and most consistent voices in this debate, calling for reform that is humane, effective, and that affords greater prominence to the universal value of family unity. Regardless of differences among the various faiths, I am confident that the values of human decency and dignity bind the wider religious community together. I hope that we can all agree that these values must form our guiding principles throughout this debate.

Far too often, congressional debate on immigration reform has focused predominantly on enforcement or border security, with insufficient regard to the lives that are affected most directly. While security and enforcement issues will be an important part of any reform effort, we must make sure that the moral dimension of immigration reform is not overshadowed. As the legislative process unfolds, we must not lose sight of the fact that every decision we make will affect real people whose hopes and dreams are entrusted to us.

I see genuine opportunity for positive change in our immigration system. We have a President who is committed to doing the right thing, Members of Congress who care deeply about this issue, and an immigrant and advocacy community that continues to devote enormous energy and passion to improving our current system of immigration. I thank the witnesses for being here today.

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Lutheran Immigration and Refugee Service

www.lirs.org

Statement of Lutheran Immigration and Refugee Service

Submitted to the Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security

For the October 8, 2009 Hearing: "Comprehensive Immigration Reform: Faith-Based Perspectives"

Founded in 1939, Lutheran Immigration and Refugee Service (LIRS) has assisted and advocated on behalf of refugees, asylum seekers, unaccompanied children, immigrants in detention, families fractured by migration, and other vulnerable populations. LIRS provides services to immigrants through over 60 grassroots legal and social service partners. LIRS is the national agency established by Lutheran churches in the United States to carry out the churches' ministry with uprooted people. LIRS is a cooperative agency of the Evangelical Lutheran Church in America (ELCA), the Lutheran Church-Missouri Synod, and the Latvian Evangelical Lutheran Church in America, whose members comprise over 7 million congregants nationwide.

Lutherans recognize the importance of providing welcome to migrants. Following World War II, one out of every six Lutherans in the world was displaced. With the participation of 6,000 congregations, Lutherans in the United States opened their homes, churches and communities to assist tens of thousands of migrants and their families. Lutherans have continued this ministry and every day bear witness to how our society is strengthened and renewed by the contributions of migrants.

In setting forth immigration reform principles, LIRS draws upon our faith tradition and the biblical imperative that we display compassion toward newcomers in our midst (Exodus 23; Matthew 25). The Bible teaches, "When an alien resides with you in your land you shall not oppress the alien. The alien who resides with you shall be to you as the citizen among you," (Leviticus 19:33-34, NRSV). LIRS also takes into account the positions of our Lutheran church partners. In August 2009, the ELCA 2009 Churchwide Assembly voted overwhelmingly to urge reform of our nation's current immigration policy.

LIRS calls upon the 111th Congress and the administration to pass and enact into law fair and humane immigration reform legislation. There are an estimated 12 million people living in the United States with no lawful immigration status. These are people who migrated here to join their families, to work, or to seek refuge from persecution, violence and other horrors. Hundreds of thousands of immigrants are detained every year in jail-like settings when more humane alternatives are available. Moreover, countless families are separated by stringent immigration

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laws or must wait years, even decades to receive a visa to reunite. The nation's immigration system is broken and Congress and the administration must work together to find a just and humane solution while assuring orderly migration.

Any comprehensive immigration reform legislation must accomplish the following:

- Provide an earned pathway to lawful permanent residency and eventual citizenship for undocumented immigrants and their families;
- Ensure the humane enforcement of U.S. immigration laws, specifically within the immigration detention system to reduce the reliance upon the incarceration of vulnerable immigrants and to promote the use of community-based alternatives-to-detention programs;
- Protect families from separation and ensure an adequate supply of visas for families seeking to reunite in order to reduce the long delays currently experienced by immigrants awaiting family reunification;
- Ensure the protection of U.S. citizen and immigrant workers; and
- Provide adequate resources and protections in order to ensure the successful integration of refugees, asylees, unaccompanied minors and other vulnerable migrant populations; and

LIRS looks forward to working with members of the 111th Congress and the administration to ensure the inclusion of these basic elements into immigration reform legislation. If you have questions about this statement, please direct them to Eric B. Sigmon, LIRS Assistant Director for Legislative Affairs, 202/626-7943, esigmon@lirs.org.

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Statement of

His Eminence Theodore Cardinal McCarrick
Archbishop Emeritus of Washington, D.C.

Before

The Senate Subcommittee on Immigration, Refugees, and Border Security

on

Comprehensive Immigration Reform: Faith-Based Perspectives

UNITED STATES CONFERENCE OF CATHOLIC BISHOPS

October 8, 2009

I am Cardinal Theodore McCarrick, Archbishop Emeritus of Washington, D.C., and consultant to the U.S. Conference of Catholic Bishops' Committee on Migration. I testify today on behalf of the Committee of Migration on the Catholic Church's perspective on comprehensive immigration reform.

Mr. Chairman, I am pleased to have the opportunity to testify today on this important topic. I would like to thank Senator Charles Schumer (D-NY), chairman of the Senate Subcommittee on Immigration, and Senator John Cornyn (R-TX), ranking member, for holding this hearing on such a vital issue to our nation. I would also like to recognize Senator Patrick Leahy, chairman of the Senate Judiciary Committee, and Senator Jeff Sessions, ranking member of the committee, for their support for this hearing.

We are hopeful that today's hearing marks part of a process which will result in the passage of comprehensive immigration reform in the near future. Our nation cannot wait to repair our broken immigration system, which does not accommodate the migration realities we face in our nation today, or respect the basic human rights of migrants who come to this nation in search of employment for themselves and better living conditions for their children.

In order to achieve real reform, the Obama Administration and Congress must work together on a comprehensive package which would legalize undocumented migrants and their families in the U.S., provide legal means for migrants to enter our nation to work and support their families, and reform the system whereby immigrants come to the United States to be reunited with close family members. We also must restore due process protections to immigrants, many of which were taken away under the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. Perhaps most importantly, the United States must work with Mexico and other nations to address the root causes of migration, so that migrants and their families may remain in their homelands and live in dignity.

Mr. Chairman, in January 2003, the U.S. and Mexican Catholic bishops issued a historic joint pastoral letter on the issue of migration entitled *Strangers No Longer: Together on the Journey of Hope.* Among its many recommendations, it outlines the elements which the bishops of both nations believe are necessary to reform U.S. and Mexican immigration policy in a comprehensive and just manner. With your permission, Mr. Chairman, I ask that the chapter of the pastoral letter addressing policy recommendations be included in the hearing record.

My testimony today will focus on many of the recommendations contained in the U.S.-Mexican bishops' joint letter, including 1) the need to address the root causes of migration so that migrants can remain home to support themselves and their families; 2) the need to reform U.S. immigration policy so that migrants can enter in a safe, legal, orderly, and humane manner; 3) the need to reevaluate our immigration enforcement policies so that the abuse, exploitation, and death of migrants are eliminated at the same time legitimate national security concerns are addressed; and 4) the need to restore due process protections for immigrants and their families.

Specifically, my testimony recommends that Congress—

- Enact comprehensive immigration reform legislation which provides a legalization program (path to permanent residency) for undocumented workers in our nation; reforms the

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employment-based immigration system so that low-skilled workers can enter and work in a safe, legal, orderly, and humane manner; and reduces waiting times in the family preference system for families to be reunited.

- Examine the "push" factors of migration such as international economic policies and enact policies which encourage sustainable economic development, especially in sending communities;

- Enact in reform legislation the Agricultural Job Opportunity, Benefits, and Security Act of 2009 and the Development, Relief, and Education for Alien Minors Act (DREAM);

- Adopt immigration enforcement policies that ensure that migrant abuse and deaths are prevented and that basic human rights and dignity are protected;

- Include the necessary elements in any legislation to efficiently implement any new immigration program, including taking actions to prepare the U.S. Citizenship and Immigration Service to implement any new program and to properly fund such implementation.

I. Catholic Social Teaching and Migration

The Catholic Church is an immigrant church. More than one-third of Catholics in the United States are of Hispanic origin. The Church in the United States is also made up of more than 58 ethnic groups from throughout the world, including Asia, Africa, the Near East, and Latin America.

The Catholic Church has a long history of involvement in the immigration issue, both in the advocacy arena and in welcoming and assimilating waves of immigrants and refugees who have helped build our nation throughout her history. Many Catholic immigration programs were involved in the implementation of the Immigration Reform and Control Act (IRCA) in the 1980s and continue to work with immigrants today. In fact, the U.S. Conference of Catholic Bishops (USCCB) was a national coordinating agency for the implementation of IRCA. We have a strong working relationship with the Department of Homeland Security (DHS) and with U.S. Citizenship and Immigration Services (USCIS), the agency that would be largely responsible for implementing any new legalization and temporary worker programs. There are currently 158 Catholic immigration programs throughout the country under the auspices of the U.S. bishops.

The Church's work in assisting migrants stems from the belief that every person is created in God's image. In the Old Testament, God calls upon his people to care for the alien because of their own alien experience: "So, you, too, must befriend the alien, for you were once aliens yourselves in the land of Egypt" (Deut. 10:17-19). In the New Testament, the image of the migrant is grounded in the life and teachings of Jesus Christ. In his own life and work, Jesus identified himself with newcomers and with other marginalized persons in a special way: "I was a stranger and you welcomed me." (Mt. 25:35) Jesus himself was an itinerant preacher without a home of his own as well as a refugee fleeing the terror of Herod.
(Mt. 2:15)

In modern times, popes over the last 100 years have developed the Church teaching on migration. Pope Pius XII reaffirmed the Church's commitment to caring for pilgrims, aliens, exiles, and migrants of

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every kind, affirming that all peoples have the right to conditions worthy of human life and, if these conditions are not present, the right to migrate.[1] Pope John Paul II stated that there is a need to balance the rights of nations to control their borders with basic human rights, including the right to work: "Interdependence must be transformed into solidarity based upon the principle that the goods of creation are meant for all."[2] In his pastoral statement, *Ecclesia in America,* John Paul II reaffirmed the rights of migrants and their families and the need for respecting human dignity, "even in cases of non-legal immigration."[3]

In an address to the faithful on June 5, 2005, His Holiness Pope Benedict XVI referenced migration and migrant families; "... my thoughts go to those who are far from their homeland and often also from their families; I hope that they will always meet receptive friends and hearts on their path who are capable of supporting them in the difficulties of the day."

During his visit to the United States in April, 2008, His Holiness Pope Benedict XVI chose migration and immigration as one theme of his visit, citing the importance of keeping families together and addressing the issue not only nationally, but regionally and globally as well: "The fundamental solution is that there would no longer exist the need to emigrate because there would be in one's own country sufficient work, a sufficient social fabric, such that no one has to emigrate. Besides this, short-term measures: It is very important to help the families above all."[4]

In our joint pastoral letter, the U.S. and Mexican Catholic bishops further define Church teaching on migration, calling for nations to work toward a "globalization of solidarity." "It is now time to harmonize policies on the movement of people, particularly in a way that respects the human dignity of the migrant and recognizes the social consequences of globalization."[5]

The U.S. and Mexican bishops also point out why they speak on the migration issue. As pastors, we witness the consequences of a failed immigration system every day in the eyes of migrants who come to our parish doors in search for assistance. We are shepherds to communities, both along the border and in the interior of the nation, which are impacted by immigration. Most tragically, we witness the loss of life at points along our southern border when migrants, desperate to find employment to support themselves and their families, perish in the desert.

For these reasons, the Catholic Church holds a strong interest in the welfare of immigrants and how our nation welcomes newcomers from all lands. The current immigration system, which can lead to family separation, suffering, and even death, is morally unacceptable and must be reformed.

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[1] Pope Pius XII, *Exsul Familia (On the Spiritual Care of Migrants)*, September, 1952.
[2] Pope John Paul II, *Sollicitudo Rel Socialis,* (On Social Concern) No. 39.
[3] Pope John Paul II, *Ecclesia in America (The Church in America)*, January 22, 1999, no. 65.
[4] Interview with His Holiness, Pope Benedict XVI, during his flight to America, April 15, 2008.
[5] *Strangers No Longer: Together on the Journey of Hope. A Pastoral Letter Concerning Migration from the Catholic Bishops of Mexico and the United States,"* January 23, 2003, n. 57.

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II. The Immigration Debate

During the 110th Congress, both the U.S. Senate debated comprehensive immigration reform legislation. As you know, the legislation died on the U.S. Senate floor when there were insufficient votes to invoke cloture on the floor debate.

During consideration of the bill on the floor and prior to a cloture vote, the U.S. Catholic bishops worked with Senate negotiators to fashion the most comprehensive and humane legislation possible. Unfortunately, as negotiations continued, it became clear that the legislation would include provisions that made it difficult for the U.S. Catholic bishops to endorse the legislation.

Primarily, the U.S. bishops were concerned with the inclusion of a point-based system to replace the family-based immigration system the nation currently employs, among other issues. I will address some of these problem areas in my testimony.

We would like to work with Senate leaders and interested groups to ensure that the product of this subcommittee, the full Judiciary committee, and indeed the U.S. Senate and Congress is one that updates and repairs our broken immigration system in a humane manner.

We are heartened by statements by President Obama that immigration reform is a priority for his Administration, and that he is committed to supporting legislation and working for its enactment in the near future.

In order to achieve this goal, however, Congress and the president must work in tandem throughout the legislative process, and efforts must be taken to minimize the harsh rhetoric evidenced during last year's debate.

I must say upfront that the U.S. bishops are very concerned with the tone on Capitol Hill toward immigrants, most recently in the health-care reform debate. Such harsh rhetoric has been encouraged by talk radio and cable TV, for sure, but also has been used by public officials, including members of Congress.

We are hopeful that the future national debate on immigration will focus upon the many contributions that immigrants, both documented and undocumented, make to our country and not scapegoat newcomers for unrelated economic or social challenges we face as a nation. History informs us that our nation has been built, in large measure, by the hard work of immigrant communities. We must remember that, except for Native Americans, we are all immigrants or descendants of immigrants to this great land.

I ask the committee today to take the lead in ensuring that the upcoming debate is a civil one and refrains from labeling and dehumanizing our brothers and sisters. While we may disagree on the substance or merit of a position, we should never disagree that the conversation should remain civil and respectful.

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III. Policy Recommendations

Mr. Chairman, the U.S. Catholic bishops believe that any comprehensive immigration reform bill should contain the following elements:

- a legalization program that gives migrant workers and their families an opportunity to earn legal permanent residency and eventual citizenship;
- a new worker visa program that protects the labor rights of both U.S. and foreign workers and gives participants the option to earn permanent residency ;
- reform of our family-based immigration system to reduce waiting times for family reunification;
- restoration of due process protections for immigrants, including asylum-seekers; and
- policies that address the root causes of migration, such as the lack of sustainable development in sending nations.

During my testimony, I will attempt to spell out in more detail our recommendations in this regard, as well as point out the policy provisions the U.S. Conference of Catholic Bishops (USCCB) would oppose in any immigration reform bill.

A. Legalization for the Undocumented

With regard to immigration policy reform, it is vital that Congress and the administration address an earned legalization program with a path to permanent residency for the undocumented currently in the United States; employment-based immigration through a new worker visa program; and family-based immigration reform. Without addressing reform in each leg of the "three-legged stool," any proposal will eventually fail to reform our immigration system adequately.

A main feature of any comprehensive immigration reform measure should be a legalization program which allows undocumented immigrants of all nationalities in the United States the opportunity to earn permanent residency. Such a feature would provide benefits to both our nation and to immigrants and their families, who would be able to "come out of the shadows" and become members of the community.

It is vital, however, that any earned legalization program is both **workable** and **achievable.** In other words, the program cannot be so complicated as to be unworkable, or not easily administered, nor should the requirements be so onerous as to disqualify or discourage otherwise qualified applicants.

We are concerned, for example, with proposals which would require the undocumented population to return home in order to qualify for legal status or permanent residency. We believe that such a proposal could "chill" members of the immigrant community from participating in the program, fearing that they would be unable to return to their families. We also believe that such a proposal may be unworkable and overly cumbersome.

VerDate Nov 24 2008 08:30 May 11, 2010 Jkt 056073 PO 00000 Frm 00164 Fmt 6633 Sfmt 6633 S:\GPO\HEARINGS\56073.TXT SJUD1 PsN: CMORC

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We also would support a shorter waiting time for applicants for the legalization program to "earn" permanent residency. Some proposals in the past have suggested waiting times as long as 10 years or more before an applicant could apply for permanent residency. We find this period too lengthy, and believe the American public would agree. Polls and other surveys of the American public find that Americans want immigrants integrated into society as soon as possible, so that they are "playing by the same rules," as U.S. citizens.

We also support broad eligibility requirements for the legalization program, including generous evidentiary standards and achievable benchmarks toward permanent residency. This also would include a recent arrival date. The payment of fines should be achievable and English competency, not fluency, should be required, with a demonstration that an applicant is working toward fluency.

It is important that any legalization program capture the maximum number of those who currently live in the shadows, so that we significantly reduce, if not eliminate, the undocumented population in this country.

Finally, the U.S. bishops would oppose any proposals that only grant temporary legal residence to the undocumented and withhold any opportunity for permanent residency and citizenship. Creating a permanent underclass in our society, without full rights in our communities, cuts against American tradition and values.

In our view, an earned legalization and a path to permanent residency would provide many benefits, as follows:

- **Legalization would keep families together and improve the well-being of U.S.-citizen children.** Legalization would help stabilize immigrant families and would protect U.S.-citizen children in "mixed" status families. A 2009 study by the Pew Hispanic Center found that 47 percent of unauthorized immigrant households were couples with children. 3.1 million U.S.-citizen children live with one or more undocumented parents. Undocumented immigrants are more likely than either U.S. born residents or legal immigrants to live in a household with children, a growing share of whom—73 percent—are U.S. born citizens. [6]

- **Legalization would recognize and maintain the economic contributions of the undocumented.** Undocumented workers are an integral part of many industries across the country, including agriculture, service, construction, meatpacking, and poultry processing. For example, undocumented workers make up more than 13 percent of the labor force in agriculture, and 25 percent of the labor force in farming. Of the roughly 8.3 million undocumented workers in the U.S. labor force, the Pew Hispanic Center estimates that more than 1 million are in manufacturing, 1.7 million in construction, 1.4 million in the leisure and hospitality industries, and over 300,000 in agriculture.[7] In addition, undocumented workers

[6] Jeffrey Passel and D'Vera Cohn, *A Portrait of Unauthorized Immigrants in the United States*, Pew Hispanic Center, April 14, 2009.
[7] *A Portrait of Unauthorized Immigrants in the United States*, Pew Hispanic Center, April 14, 2009.

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contribute billions to the tax and Social Security systems, paying $520 billion into the Social Security system since 1975.[8]

- **Legalization would improve wages and working conditions for all workers.** By legalizing the labor force in a way which allows immigrants to become permanent residents, wages and working conditions would improve for all workers. According to a North American Integration and Development Center study, a new legalization program would increase the wages of immigrant workers by 15 percent, similar to the effect after passage of the 1986 Immigration Reform and Control Act.[9] Legalization also would allow workers to organize and assert their rights, leading to better working conditions and wages for all workers.

- **Legalization would help create new job opportunities for Americans.** Increased legal and illegal immigration in the past fifteen years has not increased the number of people living in poverty in the United States. In fact, the number of people living in poverty decreased during this period as U.S. economic growth expanded, and native-born Americans attained higher levels of education and new job skills. Legalization combined with a new worker program would likely continue this trend, creating additional middle-class job opportunities for native-born workers.[10]

- **Legalization would help bring U.S. immigration policy in line with U.S. economic policy.** The United States and Mexico are more integrated than ever. U.S. immigration policy has yet to adjust to the fact that U.S. economic policies such as NAFTA have facilitated rapid interdependence between Mexico and the United States. As economic policies are integrated, so, too, must bilateral migration policies.

- **Legalization would make us more secure.** By legalizing the 12 million undocumented and requiring that they register with the U.S. government, law enforcement will be able to focus on others who are in the United States to harm us.

Despite the dire warnings of opponents of legalization for undocumented workers, evidence suggests that legalization would yield benefits at many levels by preserving family unity, securing the economic contributions of migrants, and raising the wages and working conditions of all workers. It would also ensure the participation of all undocumented workers because of the opportunity for residency.

B. *Employment-Based Immigration*

Perhaps the most problematic aspect of immigration policy reform is the creation of a new worker program that protects the basic rights of all workers, both foreign and domestic. The history of "guest

[8] Testimony of Patrick P. O'Carroll, Jr., Inspector General of the Social Security Administration, before the U.S. Senate, Committee on Finance, regarding "Administrative Challenges Facing the Social Security Administration," March 14, 2006.

[9] Raul Hinojosa Ojeda, *Comprehensive Migration Policy Reform in North America: The Key to Sustainable and Equitable Economic Integration.* Los Angeles, California: North American Integration and Development Center, School of Policy and Social Research, UCLA, August, 2000.

[10] Daniel T. Griswold, "As Immigrants Move In, Americans Move Up," The CATO Institute, July 21, 2009.

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worker" programs in the United States has not been a proud one. Indeed, the *Bracero* program, the largest U.S. experiment with temporary laborers from abroad, ended abruptly in 1964 because of abuses in the program. The U.S. Catholic bishops have long been skeptical of large-scale "guest worker" programs. Nevertheless, the status quo, which features a large underclass of undocumented workers unprotected by the law, is unacceptable.

In this regard, the U.S. and Mexican bishops have proposed a new model for a worker program which includes several elements, better labeled a new worker program. Each of these elements, properly implemented, would, in our view, help protect the rights of foreign and U.S. workers and ensure that legal avenues are provided for future migrants so that they can enter the country in a safe, legal, and humane manner.

- **Wage and Benefit Levels.** Any worker program must feature wage levels and benefits given domestic workers in an industry. Overtime pay should be available. Benefits such as worker's compensation, social security, housing, and health-care should be made available.

- **Worker Protections and Job Portability.** Workers should enjoy the same protections of U.S. labor law as U.S. workers, regardless of industry, including a right to redress grievances in federal court and a transparent arbitration system; safe and sanitary working conditions; and expressed terms of employment. Workers should be able to move to other employment within an industry and not be tied to one employer. Work accrued toward permanent residency should not be affected by changing jobs or employers.

- **Family Unity.** Workers should be able to be joined by spouse and children in the United States during the length of the worker's visa. Either spouse should be eligible for work authorization, regardless of whether they work in the program. Spouse and children should be able to become eligible for permanent residency at the same time as the worker in the program.

- **Labor-Market Test.** A mechanism should be included to ascertain whether U.S. workers within an area are adversely impacted by the hiring of workers from abroad. Employers should be required to advertise job openings to the maximum extent practicable and make good-faith efforts to recruit U.S. workers for a sufficient amount of time.

- **Mobility.** Workers and their families should be able to travel throughout the United States, travel back and forth from the United States to their country of origin, as well as travel from work site to work site, regardless of location, for the duration of their visa. Visas should be renewable as long as workers meet the requirements of the program, and applicable waivers to bars to admission should apply.

- **Enforcement Mechanisms.** Resources should be appropriated to ensure proper enforcement of worker protections in the program. Workers should be given the right to sue in federal court for violation of rights.

- **Path to Residency.** Workers should have the option of working to earn permanent residency over time, similar to an earned legalization program, as outlined in my testimony.

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In our view, any new worker program must contain these elements in order avoid the abuses of past such programs and to ensure that worker's rights are protected. In addition, it should be enacted in conjunction with a legalization program for the undocumented so that groups of workers are not pitted against each other. A just worker program also will mitigate the amount and effects of undocumented migration, which can lead to the abuse, exploitation, or even death of migrants.

Standing Commission on Labor Markets. Earlier this year, the AFL-CIO and Change to Win labor coalition announced an agreement on the establishment of a standing commission to oversee employment-based immigration. We welcome this agreement and applaud all parties for their hard work in reaching it.

While the U.S. bishops do not oppose the concept of a commission, we believe that the scope of its oversight and its authority should be limited.

First, we do not believe that visa programs outside the employment-based system, particularly family-based categories, should be placed under the commission's purview. We also believe that niche programs, such as the Religious Worker Visa Program, should be excluded, as the levels and structure of such programs should be decided by Congress, in consultation with the full range of faith groups who benefit from it.

In addition, we believe that Congress should establish a floor for annual visas in any new worker program, with the commission examining environmental factors and making an annual recommendation to Congress regarding a level of visas above the floor. We also believe that the commission should consider humanitarian factors, such as the rates of deaths in the American desert, so that the program can be adjusted accordingly.

Religious Workers. We urge you to include a permanent extension of the special immigrant non-minister portion of the Religious Worker Visa Program in any reform legislation. This program permits 5,000 non-minister religious and lay persons each year to enter the United States and work on a permanent basis. They work in religious vocations and contribute to their denominations, but also work in the community helping U.S. citizens.

C. Family-Based Immigration

Family reunification, upon which much of the U.S. immigration system has been based for the past 40 years, must remain the cornerstone of U.S. immigration policy. Immigrant families contribute to our nation and help form new generations of Americans. Even while many migrants come to the United States to find employment, many come as families.

The U.S. family-based immigration system, which helps keep families together, is in urgent need of reform. The current visa quota system, last revised by Congress in 1990, established statutory ceilings for family immigration that are now inadequate to meet the needs of immigrant families wishing to reunite in a timely manner. The result has been waiting times of five years or more—and up to seven

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years for Mexican permanent residents—for spouses to reunite with each other and for parents to reunite with minor children. The waiting times for adult siblings to reunite can be twenty years or longer.[11]

Such lengthy waiting times are unacceptable and actually provide unintentional incentive for some migrants to come to the United States illegally. Substantial changes must be made to the U.S. family-based immigration system so that it will meet the goal of facilitating, rather than hindering, family unity. Such changes can be made in several ways, but they should not alter the basic categories in the family preference system.

The U.S. Conference of Catholic Bishops strongly supports the inclusion of S.1085, the Reuniting Families Act, introduced by Senator Robert Menendez (D-NJ), Senator Kirsten Gillibrand (D-NY), and Senator Charles Schumer (D-NY), in any comprehensive immigration reform legislation. This legislation would, among other provisions, permit the use of unused family-based and employment-based visas previously allocated by Congress but which remain unused; classify the spouses and children of permanent residents as "immediate relatives," thus permitting them to reunite immediately with family members; and increase the per-country limit on family and employment-based visas.

We believe that the inclusion of S. 1085 would help solve the long waiting times for family reunification under the current family reunification system.

In addition, we must revise stringent income requirements ("public charge") which prevent family members from joining their families and we must repeal bars to admissibility for unlawful presence, which can separate families for up to ten years.

Opposition to a "point" system to replace family-based immigration. Mr. Chairman, during the 2007 immigration reform debate, the U.S. Senate strongly considered replacing the family-based immigration system with a "point" system, which would allocate visas to applicants based on the number of points they scored on different criteria. This idea is based on the Canadian model, which currently employs that system.

We oppose the imposition of a point system, in that it would place higher value on highly-educated and skilled immigrants than on family ties. We reject the premise that the family-based system has historically not worked in the best interest of this nation. Indeed, there is evidence that immigrant families represent the backbone of communities in this nation, especially in urban areas. They have started and maintained family businesses, from restaurants to dry cleaning stores and from auto mechanic businesses to pastry shops. Immigrant families also take care of each other and ensure that all members of the family are provided for, as well as contribute their talents to the strengthening of local neighborhoods.

Family reunification has been the cornerstone of the U.S. immigration system since the inception of our republic. It would be foolhardy to abandon this system, as the family unit represents the core of our society and culture.

Opposition to S. 424, the Uniting American Families Act. Mr. Chairman, we are opposed to the inclusion of S. 424, the Uniting American Families Act (UAFA), in comprehensive immigration reform

[11] *U.S. Department of State, Visa Bulletin October 2009.*

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legislation. The legislation would permit same-sex partners to enjoy the same immigration benefits as married couples in our immigration system. While our tradition and teaching values all persons as children of God, we believe that the enactment of UAFA would erode the institution of marriage and family by according marriage-like immigration benefits to same sex relationships, a position that is contrary to the very nature of marriage, which pre-dates the Church and the state. We also believe its inclusion into comprehensive immigration reform would add another controversial issue to an already polarized and divisive debate.

D. Enforcement Regime and Due Process

Mr. Chairman, we believe that the best way to secure our borders and to ensure that our immigration laws are just and humane is to enact comprehensive immigration reform legislation.
Since 1993, when the U.S. Border Patrol initiated a series of enforcement initiatives along our southern border to stem the flow of undocumented migrants, Congress has appropriated and the federal government spent about $35 billion on border enforcement, tripling the number of Border Patrol agents and introducing technology and fencing along the border. Border Patrol in particular has seen a ten-fold funding increase since 1986.[12]

During the same period, as Congress has enacted one enforcement-only measure after another, the number of undocumented in the country has more than doubled and, tragically, nearly 5,000 migrants have perished in the desert of the United States.[13] This trend has not shown signs of decreasing -- the number of border deaths in 2009 is already the highest of any of the past three years, despite the efforts of Border Patrol teams that have rescued thousands of desert-crossers.[14] According to the Pew Hispanic Center, over roughly the same time period the number of undocumented persons from Mexico who entered the United States rose to 800,000 annually, before dropping to approximately 500,000 annually between 2005-2008.[15]

As you may know, Mr. Chairman, the U.S. bishops have expressed concern with the border fence which has been built along our southern border. We do not believe this will solve the problem of illegal immigration and could send migrants into even more remote regions of the border and into the hands of unscrupulous smugglers.

We are hopeful that comprehensive immigration policy reform which emphasizes legal avenues for migration will mitigate the perceived need for continuing to increase the number of border patrol agents and the amount and length of border fencing. Such reform could alleviate the pressure on border enforcement by undermining human smuggling operations and reducing the flow of undocumented migrants across the border. It also could help create a more stable atmosphere for the implementation

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[12] Douglas Massey, "Backfire at the Border: Why Enforcement without Legalization Cannot Stop Illegal Immigration," CATO Institute, Center for Trade Policy Studies, June 13, 2005, *available at* www.freetrade.org/pubs/pas/tpa-029.pdf.
[13] Spencer Hsu, "Border Deaths Are Increasing," The Washington Post, September 30, 2009, *available at* http://www.washingtonpost.com/wp-dyn/content/article/2009/09/29/AR2009092903212.html?hpid=topnews (accessed 09/30/09).
[14] See Hsu, at fn. 11.
[15] Jeffrey Passel and D'Vera Cohn, *Trends in Unauthorized Immigration: Undocumented Inflow Now Trails Legal Inflow,* Pew Hispanic Center, October 2, 2008.

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of enforcement reforms, such as biometric visas and passports, which will help better identify those who come to harm us.

Mr. Chairman, I would like to offer the position of the U.S. Conference of Catholic Bishops on several enforcement issues you may consider during consideration of comprehensive immigration reform:

National Employer Electronic Verification System. Mr. Chairman, we know that there has been significant discussion and debate, including legislative proposals, to enforce the workplace by imposing a mandatory electronic verification system on employers nationwide, so that employees who are hired are in the country legally and authorized to work. While we are not *per se* opposed to such a system, several steps must be taken to ensure that any system is applied uniformly and in an accurate way.

We would not oppose the adoption of a mandatory employer verification system provided that 1) it is accompanied by a broad-based legalization program, so that all workers have an opportunity to become legal and not remain outside of the system; 2) the system is phased in at a reasonable rate with objective benchmarks so implementation is feasible for both employers and the government; 3) inaccuracies in the government databases used to cross-check identification and eligibility are corrected so that employees are not wrongfully dismissed; 3) protections are put in place so that employers do not use the system to wrongfully discharge certain employees; and 4) employees who have a false positive are given the opportunity to correct any misinformation that lead to the false positive.

Reform of Detention Standards and Practices. Mr. Chairman, we are deeply concerned with the status quo when it comes to the detention of immigrants, especially vulnerable immigrants such as children and families. We applaud Secretary Napolitano for her initiative to reform the detention system, but believe that statutory change is necessary. We support the inclusion of the S. 1594, the Secure and Safe Detention Reform Act, introduced by Senator Joseph Lieberman, in any immigration reform bill, provided that it does not include the provision of abortion services in any health-care plan offered in the detention system.

S. 1594 would require that asylum seekers and others have their detention promptly reviewed by an immigration judge, and to be considered for release if they pose no risk to public safety; create nationwide alternatives to detention programs; improve standards for detention conditions, including prompt medical care in compliance with accreditation requirements, access to legal counsel, and standards for families, children, and victims of persecution and torture; and establish a new Office of Detention Oversight at the Department of Homeland Security. We urge the inclusion of S. 1594 in any reform legislation.

Asylum-seekers and refugees should be afforded protection and provided exception to some enforcement laws. Those who come to our shores in need of protection from persecution should be afforded an opportunity to assert their claim to a qualified adjudicator and should not be detained unnecessarily. The expansion of "expedited removal," a practice that puts *bona fide* refugees and other vulnerable migrants at risk of wrongful deportation, should be halted. At a minimum, strong safeguards, such as those suggested by the U.S. Commission on International Religious Freedom, should be instituted to prevent the return of the persecuted to their persecutors. We urge the subcommittee to include these reforms in any reform legislation.

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We also believe that the definitions of terrorist activity, terrorist organization, and what constitutes material support to a terrorist organization in the Immigration and Nationality Act (INA) were written so broadly and applied so expansively that thousands of refugees are being unjustly labeled as supporters of terrorist organizations or participants in terrorist activities. These definitions have prevented thousands of bona-fide refugees from receiving protection in the United States, as well as prevented or blocked thousands of applications for permanent residence or for family reunification.

We urge the committee to re-examine these definitions and to consider altering them in a manner which preserves their intent to prevent actual terrorists from entering our country without harming those who are themselves victims of terror—refugees and asylum-seekers. At a minimum, we urge you to enact an exception for refugees who provide assistance to a defined terrorist organization under duress.

Mr. Chairman, the U.S. Catholic bishops reaffirm the right of our nation to secure our borders and enforce our immigration laws. This should be done, however, in a manner that protects the basic human rights and dignity of the person.

Finally, we urge the committee to reexamine the changes made by the 1996 Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA), which eviscerated due process protections for immigrants. We urge you to restore judicial discretion in removal proceedings so that families are not divided, repeal the 3-and 10-year bars to re-entry, and revisit the number and types of offenses considered as aggravated felonies as a matter of immigration law.

E. Passage of the Agricultural Job Opportunity, Benefits, and Security Act of 2009 and the Development, Relief, and Education for Alien Minors Act of 2009

While we urge the committee and Congress to place comprehensive immigration reform as a top priority, there are two measures which enjoy bipartisan support which can be enacted in the near future.

The Agricultural Job Opportunity, Benefits, and Security Act of 2007 (S., H.R.) "AgJobs" represents a bipartisan initiative which would help protect both a vital industry and a labor force which is vulnerable to exploitation. Introduced by Senator Dianne Feinstein (D-Ca.), the measure, which represents a negotiated agreement between the agricultural employers and the United Farm Workers, would both stabilize the labor force in this important industry and ensure that employers have access to a work-authorized supply of labor, if necessary.

Currently, more than fifty percent of the agricultural labor force is undocumented and is subject to abuse and exploitation. AgJobs would provide a path to permanent residency for many of these undocumented farm workers in the United States. This would allow these workers to earn permanent status, thus stabilizing their families and allowing them to "come out of the shadows." It also would allow employers to hire such workers without fear of penalty, thus providing them with a legal and stable supply of workers. In addition, it would codify in statute many worker protections for farm workers, including a three-fourth work guarantee (ensuring work during three-fourth of a season) and expressed terms of employment.

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The Development, Relief, and Education for Alien Minors Act (DREAM) represents a bipartisan initiative which would allow some undocumented students to be eligible for in-state tuition and give them an opportunity to become permanent legal residents. Having entered the United States as very young children, often through no fault of their own, these students have otherwise contributed to their schools and communities. Many have lived in the United States for years.

We urge Congress to enact both of these important pieces of legislation before the end of the 111th Congress by including them in a comprehensive immigration reform measure.

F. Addressing the Root Causes of Migration

In our pastoral letter, the U.S. and Mexican Catholic bishops write that "the realities of migration between both nations require comprehensive policy responses implemented in unison by both countries. The current relationship is weakened by inconsistent and divergent policies that are not coordinated and, in many cases, address only the *symptoms* of migration and not its *root causes*."[16]

It is critical that the Congress and the administration look at the immigration issue with Mexico and other governments as part and parcel of the entire bilateral relationship, including trade and economic considerations. Addressing the immigration systems of both nations, for example, will not control the forces which compel migrants to come to the United States.

Without a systematic approach which examines why people migrate, the U.S. and Mexican governments will not be able to address the underlying causes of migration. It is clear that Mexican and other nationalities continue to come to this nation regardless of enforcement strategies pursued by both governments. What attracts them is employment which either cannot be found in their own communities or better opportunities because of underemployment in sending nations, in which jobs do not pay enough or are not full time.

In an ideal world for which we must all strive, migrants should have the opportunity to remain in their homelands and support themselves and their families. In this regard, we renew our call to both the U.S. and Mexican governments to resume bilateral migration negotiations so that all issues which impact migration to the United States are addressed.

IV. Implementation of Immigration Policy Reform

It is important to understand that the manner in which comprehensive immigration reform is implemented is vital to its success. A public-private partnership is necessary so that immigrant communities are aware of the facts of the application process (thus eliminating the involvement of "notarios") and are able to receive assistance in accessing the program.

It will be essential that Congress provide adequate resources for DHS to implement and execute any earned adjustment program. As passed by the Senate, for example, the Comprehensive Immigration Reform Act (CIRA) of 2006, adopted by this body in 2006, anticipates this by establishing fees that will

[16] *Strangers No Longer, n. 56.*

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generate approximately 66 billion dollars of revenue dedicated to processing applications for earned adjustment.

The fee-generated funds, alone, will not be adequate, however. Congress will also need to directly appropriate funds to get the program started. And it will need to be vigilant to ensure that fee-generated funds are not diverted for other purposes, as has often been done in the past.

While some may quarrel with the use of appropriated funds for this purpose, I would suggest that the alternative would likely require the expenditure of far more funds and yield a less desirable result. Imagine how much it would cost to apprehend, detain, and deport the estimated 12 million aliens who are in the United States illegally? The cost of properly implementing an earned adjustment program is tiny when compared to the cost of the alternative approach.

Mr. Chairman, we believe that any comprehensive legislation can be implemented through reasonable fees imposed on applicants and with some supplemental funding appropriated by Congress. Fees should not be imposed, however, which place the program out of the reach of qualified applicants.

We recommend the inclusion of the following elements in any legislation to ensure that a program is implemented appropriately:

- **Confidentiality.** Applicants for both the legalization and temporary worker program should be extended confidentiality and not be subject to arrest and deportation if they fail to qualify for the program. This would ensure maximum participation in the program and that those who do qualify are not discouraged or intimidated from applying.

- **Qualified Designated Entities.** Board of Immigration Appeals (BIA)-accredited Qualified designated entities (QDEs) should be created to assist in implementation of both programs.

- **Reasonable Implementation Period.** Sufficient time should be given between enactment and implementation so that regulations, procedures, and infrastructure are in place. Deportations of prospective applicants should be suspended between these two dates.

- **Creation of a Separate Entity.** A separate entity, similar to the asylum corps, should be created within the U.S. Bureau of Citizenship and Immigration Services (USCIS) to implement the legislation; such an entity should be adequately funded through appropriations.

- **Derivative Benefits.** Immediate family members should receive the same immigration benefits under legalization/temporary worker program as the worker.

- **Generous Evidentiary Standards.** For purposes of verifying an alien's eligibility for legalization, evidentiary standards should be based upon "preponderance of the evidence" and should include a wide range of proof, including attestation.

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- **One-Step Legalization.** A one-step legalization program would verify eligibility and security and background checks in one process up front and not in a two-step process, i.e. upon conditional status and then permanent status.

- **Operational Terms should be defined:** Operational terms in the bill, such as "continuous residence," "brief, casual, and innocent," and "known to the government," should be defined in the legislation to avoid later confusion.

- **Broad humanitarian waiver.** A broad waiver of bars to admissibility for legalized aliens, such as unlawful presence, fraud, or other minor offenses, should be included in the legislation.

The inclusion of these elements in any legislation would facilitate the implementation of any program.

In addition, the Congress and the administration should take steps to reduce the immigration adjudication backlogs which now exist so that immigrants receive benefits in a timely way and that the U.S. Citizenship and Immigration Service (USCIS) is able to implement any new program.

Moreover, in 2007 the government enacted an increase in fee applications by three times for green card applications, leaving these benefits financially out of reach of many applicants.[17] This has led to a drop in naturalization applications in 2008 and 2009. USCIS recently announced that it may raise fees even further in the near future. We urge the subcommittee to reassess these fee increases and authorize the use of general funds for processing of applications.
Mr. Chairman, reduction in the current backlogs in naturalization and adjustment of status applications as well as the maintenance of affordable fees should be part of our nation's efforts to reform our immigration system. We recommend that Congress evaluate the budget of the U.S. Citizenship and Immigration Service (USCIS) and provide more directly appropriated funding for infrastructure and backlog reduction. Without more efficiency in the system, a new comprehensive reform program of any type may be unworkable, absent the creation of a new entity to implement it.

V. U.S. Refugee Program

Mr. Chairman, we also have several recommendations for reform of the U.S. refugee program. Our nation employs a robust refugee program which has served as an example to the rest of the world that refugees should be afforded protection. However, the U.S. refugee program suffers from inadequate funding and structural and policy deficiencies. We ask for the following changes in the law affecting refugees served in the U.S. refugee program:

- Refugees admitted into the U.S. Refugee Resettlement Program are being extended a special humanitarian protection reserved for those most in need, and have passed through an incredibly rigorous process of screening and background checks before entry. They are here legally and permanently and should therefore be admitted as Legal Permanent Residents, instead of being required to wait at least a year before applying to adjust their status, as current law necessitates.

[17] 69 Federal Register 5088 (February 2, 2007)

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This requirement can lead to a number of delays and complications for refugees, including detention.

- The U.S. Refugee Resettlement Program is in dire need of restructuring and increased funding. In addition to an overall assessment of the program, we advocate strongly for an increase in and annual update of the Reception and Placement Grant; creation of a Resettlement Emergency Fund; significant expansion of the Matching Grant Program, enabling more refugees to become self-sufficient through early employment; and establishment of a Refugee Integration Grant Program and a Case Management Program.

- Family reunification is a central tenet of the U.S. Refugee Resettlement Program. However, due to gaps in current U.S. immigration law, some refugees who have a legitimate refugee claim and should be able to join family members here are unable to enter the U.S as refugees. Reforms to address this problem include allowing orphaned refugee children to be resettled along with their adoptive families and speeding up the adjudication of refugees' and asylees' family reunification petitions.

- We support reform of the fee structure to provide for the direct appropriation of funds for refugee and asylum adjudications; the requirement that a refugee applicant whose application for admission as a refugee is denied be notified in writing of the reasons why his or her application was denied; and the establishment of formal training programs in each of the refugee processing regions to provide English as a Second Language (ESL), cultural orientation, and work orientation programs for refugees who have been approved for admission to the United States before they are admitted.

VI. Conclusion

Mr. Chairman, we appreciate the opportunity to testify today on the issue of comprehensive immigration reform.

Mr. Chairman, we urge you and the committee to consider our recommendations as you consider the myriad issues in this vital area.

We are hopeful that, as our public officials debate this issue, that immigrants, regardless of their legal status, are not made scapegoats for the challenges we face as a nation. Rhetoric which attacks the human rights and dignity of the migrant are not becoming of a nation of immigrants. Neither are xenophobic and anti-immigrant attitudes, which only serve to lessen us as a nation.

Mr. Chairman, the U.S. Catholic bishops strongly believe that comprehensive immigration reform should be a top priority for Congress and the Administration. We look forward to working with you and the administration in the days and months ahead to fashion an immigration system which upholds the valuable contributions of immigrants and reaffirms the United States as a nation of immigrants.

Thank you for your consideration.

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National Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

American Friends Service Committee

AFSC National Office
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Philadelphia, PA 19102
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Statement of the American Friends Service Committee

Submitted to the Senate Judiciary Committee Subcommittee on Immigration, Border Security and Citizenship

For the Thursday, October 8 Hearing on "Comprehensive Immigration Reform: Faith-Based Perspectives"

The American Friends Service Committee (AFSC) is a 90-year old faith-based organization grounded in Quaker beliefs respecting the dignity and worth of every person. Since 1917, AFSC has worked with war refugees and displaced persons, carried out service, development, social justice, and peace programs throughout the world.

Founded by Quakers in 1917 to provide conscientious objectors with an opportunity to aid civilian war victims, AFSC's work attracts the support and partnership of people of many races, religions, and cultures. The organization's mission and achievements won worldwide recognition in 1947 when it accepted the Nobel Peace Prize with the British Friends Service Council on behalf of all Quakers.

Executive Summary

Through *Project Voice*, AFSC's nationwide human rights initiative, community organizers work with immigrant and refugee communities throughout the United States. We directly support immigrant and refugee communities to organize themselves, to find and give voice to their aspirations and needs, and to continue to make contributions to our nation.

The principles and recommendations of our statement, *A New Path: Toward Humane Immigration Policy*, are grounded in AFSC's history and values as a faith-based organization and the voices of the communities with whom we are deeply connected. AFSC supports measures that ensure the integration of immigrants as full members of our society and address the root causes that push people to migrate. We believe that the basis of U.S. immigration policy should be the protection of human rights rather than an immigration system designed to supply labor to employers.

There are approximately 12 million undocumented people residing in the United States. Of that number, eight to ten million are workers laboring in a variety of industries and services vital to the U.S. economy and to the survival of families both in the United States and in their countries

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National Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

American Friends Service Committee

AFSC National Office
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of origin. Humane immigration policy must include a fair mechanism for undocumented workers to gain permanent residence status in a fair and orderly fashion.

Furthermore, U.S. immigration policy must be coupled with economic policies that encourage and fund sustainable development, permit working people to earn a living wage in their home countries, foster an authentic commitment to demilitarization, and lead to the peaceful resolution of internal and international conflicts. We urge principled and visionary leadership on effective immigration policies that embody the best of the nation's values. AFSC is firmly rooted in immigration policy change grounded in the 7 principles and key recommendations described below.

PRINCIPLE ONE

Create justice with humane economic policies

AFSC works with families in the U.S. and internationally who are forced to migrate due to the economic consequences of trade policies. In Mexico, families migrated to border cities to try to find alternative incomes in process assembly plants owned by U.S. corporations, known as *maquiladoras*. The following testimonies are from *maquiladora* workers:

> "NAFTA was a lie. It did not fulfill its promise of more and better jobs, but on the contrary now everything is more expensive: food, school supplies, transportation, everything." *Teresa Hernández, a maquiladora worker from Matamoros, Mexico*

> "In 1993, in spite of having a single salary and with the children in school, I could buy more things. Before it was enough so that your children could go to school and give you better nutrition. Now it's not enough for anything." *A maquiladora worker from Ciudad Acuña, Mexico*

RECOMMENDATION ONE

International economic policies, including trade agreements, need to be consistent with human rights, trade justice, and sustainable approaches to the environment and economic development

- Fully respect the right of developing countries to develop, safeguard, and nurture their economies and the livelihoods of their people.
- Respect the human and labor rights of all workers by stopping the use of trade agreements and structural adjustment policies that produce displacement and a vulnerable labor force.
- Adopt, sign, and ratify the International Convention on the Protection of the Rights of All Migrant Workers and Their Families.

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56073.155

National Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

American Friends Service Committee

AFSC National Office
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PRINCIPLE TWO

Protect the labor rights of ALL workers

AFSC's work on issues of economic justice and partnerships with immigrant based groups led us to become invested in protecting the rights of all workers:

> In 1988, a seriously injured day laborer was abandoned on the streets of Denver, Colorado. He had fallen off a roof he had been working on and was later found to have serious brain damage. To avoid responsibility for his injuries, his employer deserted him in the dark of night.
>
> Concerned with such worker exploitation and the dangerous working environment that Denver's immigrant day laborers faced as they sought day-to-day work off of street corners, numerous community supporters including AFSC came together to create a safe indoor place for day laborers. As a result, a run-down warehouse space was rehabilitated by workers themselves and El Centro opened its doors on June 1, 2002.

RECOMMENDATION TWO

All workers are entitled to humane policies that protect their labor and employment rights

- End workplace raids.
- Repeal employer sanctions.
- End electronic worker verification systems and other means for enforcing punitive employer sanctions.
- End guest worker programs.

PRINCIPLE THREE

Develop a clear path to permanent residence

Through AFSC's work providing legal assistance we hear many stories about the impact of our system on mixed-status families:

> "My name is Kimberly Alban. I am ten years old. As a result of the laws of this country, my father was deported to his native country, Ecuador, after 13 years in the U.S.
>
> I have two other sisters; we were all born in the U.S. As American citizens, we went to the U.S. embassy in Quito, Ecuador, looking for help. They told us that we do not have a right to anything. That was what hurt me the most. The only thing that my father did was to work very hard to give us the American dream that he never had the opportunity to fulfill. It is because of this that my heart is sad and we are suffering a lot.

VerDate Nov 24 2008 08:30 May 11, 2010 Jkt 056073 PO 00000 Frm 00179 Fmt 6633 Sfmt 6633 S:\GPO\HEARINGS\56073.TXT SJUD1 PsN: CMORC

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National Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

American Friends Service Committee

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Now they wash their hands like Pontius Pilate and the only thing they tell us is that they do not care about us and that we are not worth anything outside of our country."

RECOMMENDATION THREE

Inclusive measures must be enacted that lead to permanent residence for undocumented immigrants, multi-status families, refugees, and asylees:

- Provide safe, legal means for migration through ports of entry.
- Enact legislation that allows people who reside in the U.S. to apply for permanent residence.
- Allow people who plan to migrate to the U.S., but who have no relatives here to petition for them, to submit applications to the U.S. Consulate in their country of residence.

PRINCIPLE FOUR

Respect the civil and human rights of immigrants

From "AFSC's Minute on Immigrant Detention":

"The Quaker vision of justice is grounded in our core belief that "there is that of God in everyone" and the Biblical call to welcome the stranger. Our vision, as it applies to immigration, draws on years of experience in international human rights work and with immigrant communities worldwide. Human migration is a global phenomenon driven by political, social and economic considerations that demand not just our attention, but our humanity and compassion. We are all God's people, no matter our circumstances.

And so we react with dismay to the increasing criminalization of individuals with tenuous legal status in the United States. In particular, we see the increasing overuse and abuse of detention as a demonstrably failed policy and practice. The U.S. government's punitive focus on arrest, detention and deportation diverts attention from more compelling human, civil and labor rights issues and from the complex causes of immigration. This punitive focus, in its harsh and capricious application, shatters families and stokes fear in communities; creates incentives for individuals and businesses to profit by the incarceration of others; and shames our highest ideals as Americans and our deepest convictions as Quakers.

We envision an immigration policy free of imprisonment, a policy that offers humane treatment to asylum seekers, refugees, and economic migrants, and that provides for legal status for undocumented immigrants.

VerDate Nov 24 2008 08:30 May 11, 2010 Jkt 056073 PO 00000 Frm 00180 Fmt 6633 Sfmt 6633 S:\GPO\HEARINGS\56073.TXT SJUD1 PsN: CMORC

56073.157

National Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

American Friends Service Committee

AFSC National Office
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We call for the end to the misguided and profoundly unjust policy of detention in our immigration system."

RECOMMENDATION FOUR

Immigrants, regardless of status, deserve the same civ and human rights as all U.S. residents

- End arrests, detention, and deportation of immigrants.
- Halt community sweeps, checkpoints, and roadblocks.
- Eliminate detention practices that separate family members, particularly parents from their children.

PRINCIPLE FIVE

Demilitarize the U.S.-Mexico border

Since 1977, AFSC's history of work on the U.S.-Mexico border includes documentation of ongoing civil and human rights abuses, racial profiling, and harassment by federal law enforcement officials. To counter this reality, AFSC has supported civic part ipation and organizing efforts along the borderlands:

"Luis had lived and worked in the U.S. for ten years. His wife and their three children lived with him. Early in 2008, Luis was pulled over for a routine traffic stop by Phoenix police. Having no driver's license, Luis was turned over to Immigration and Customs Enforcement.

Because he refused to sign voluntary deportation papers, he sat in jail for six months before being deported in August. On September 15, Luis was found dead in the Arizona border desert. Trying to get back to his wife, his seven year old, his four year old, and the three month old baby daughter he had never met, he died of dehydration and exposure.

Luis is just one of the 183 people whose remains were found along the Arizona border in 2008. This does not include those found in the three other U.S.-Mexico border states or the thousands found in the years since the invention of NAFTA and the walls. And no one knows how many thousands more are never found."

RECOMMENDATION FIVE

The U.S.-Mexico border region must be demilitarized and the quality of life of border communities needs to be protected:

- Cease all enforcement policies, practices, measures, laws, and strategies that criminalize immigrants and border communities.

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National Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

American Friends Service Committee

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- Delink migration from national security by removing "enforcement" of national immigration policy by the Department of Homeland Security.
- Prohibit the collaboration of police with immigration authorities as a matter of national policy and move immigration responsibilities from the Department of Homeland Security to the Department of Labor.

PRINCIPLE SIX

Make family reunification a top priority

"In February 2007, Immigration and Customs Enforcement (ICE) agents detained and subsequently deported the Garcia parents in a violent operation at their home. The Garcia children, three under-age U.S. citizens, were left in their home under the care of a relative.

The separation has traumatized the children who now take prescription medication for depression and symptoms related to posttraumatic stress disorder. The youngest child, Irene, has had to visit the emergency room on more than one occasion to be treated for stress-related conditions.

Before the ICE raid, the Garcia parents were hard-working, had purchased their home, and provided for their children without the need for public assistance. Now the Garcia children are distraught, have difficulty providing for themselves, and they are losing their home because they cannot make the monthly mortgage payments. Current immigration enforcement practices have placed the health and safety of the Garcia family at great social peril."

RECOMMENDATION SIX

Recognize the distinctly important and valuable role of family ties by supporting the reunification of immigrant families in a way that equally respects both heterosexual and same-sex relationships

- Meet the global demand of immigrants to be reunited with their families by eliminating the cap on the total number of family-based visas available and funding the U.S. Citizenship and Immigration Service to expedite the immigration adjustment process.
- Expedite the processing of pending visa applications by allocating additional funds to the U.S. Citizenship and Immigration Service.
- Eliminate restrictions on eligibility for spouses of deceased U.S. citizens or lawful permanent residents and ensure that children can immigrate with parents.

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National Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

American Friends Service Committee

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PRINCIPLE SEVEN

Ensure that immigrants and refugees have access to services

All members of our communities should have access to needed services. Health care, education, and an affordable, safe place to live are basic human rights, not privileges. Currently, many immigrants and refugees are excluded from access to services to the detriment of all members of our community. Rather than limit access to basic human rights, we should be expanding the safety net for vulnerable populations and our society as a whole.

RECOMMENDATION SEVEN

Public programs and services should not exclude immigrants or refugees

- Extend access to quality, affordable health care and social services to everyone, regardless of immigration status.
- Eliminate all bars that discriminate between immigrants and non-immigrants in determining eligibility for public benefits.

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National Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

COLUMBAN CENTER FOR ADVOCACY AND OUTREACH

LEGISLATIVE PRIORITY – IMMIGRATION

IMMIGRATION

What we see: A lack of economic opportunity, often fueled by U.S. trade and investment policies, is escalating pressure for many people living on the margins of society to migrate.

At the same time, the United States is increasingly dependent on migrant labor. Nevertheless, existing policies and practices in the United States, including mass deportations, criminalization of migrants, and militarization of the southwest border, are pushing migrants deeper into the shadows of society, keeping them in a semi-permanent state of insecurity and vulnerability.

- Close to 3,000 migrant deaths were recorded between 1998 and 2005, with numbers increasing every year.
- Between 8.5 and 12 million undocumented workers live and work in the United States.
- Over 22,000 people are held in immigration detention on any given day. They are held in hundreds of local prisons, jails, and private contract facilities throughout the U.S. and are typically subjected to arbitrary punishment, including neglect of basic medical and hygienic needs and sexual abuse.
- According to the National Immigration Forum, the average immigrant will pay an estimated $80,000 more in taxes than they will receive in local, state, and federal benefits over their lifetimes. According to the World Bank, global remittances by migrants were $167 billion in 2005.

What our faith tells us: Our faith mandates us to welcome the stranger. In his 2009 encyclical, Pope Benedict XVI calls for migration policies focused toward "safeguarding the needs and rights of individual migrants and their families, and at the same time, those of the host countries." Catholic Social Teaching affirms the right to migrate, but also the right to not have to migrate. We must welcome migrants into our communities and places of worship while working with other countries to address the root causes of migration, including economic injustice, environmental catastrophes, armed conflicts, and religious or political persecution.

What we hope for: A just immigration policy must holistically address the root causes of migration, and respect the basic human dignity and rights of migrants regardless of their country of origin or their legal status.

Legislation: We call on Congress to enact legislation on immigration that includes:

- Provisions for timely family reunification.
- Opportunities for hard-working migrants already in the U.S. to regularize their status through a system that is simple, fair, and accessible and provides avenues to citizenship for those that desire it.
- Effective oversight mechanisms that support community security, human rights and accountability, particularly in the U.S.-Mexico border region.
- A safe and dignified way for future migrants to enter and work in the country legally.

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National Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

CHURCH WORLD SERVICE

October 7, 2009

Dear Senator Schumer and Members of the Senate Committee on the Judiciary,

On behalf of Church World Service, I would like to thank Senator Charles E. Schumer and the members of the Senate Committee on the Judiciary for holding this hearing, and to reaffirm the faith community's commitment to humane, equitable immigration reform. Church World Service, along with its denominational members and refugee resettlement affiliate offices, is devoted to serving and advocating for immigrants, refugees and other displaced persons. Our policy paper on immigration reform is attached to this letter for your consideration as legislation is drafted and discussed.

Founded in 1946, Church World Service is a cooperative ministry of 35 Protestant, Orthodox and Anglican communions. We work in the United States and internationally to eradicate hunger and poverty and promote peace and justice. The organization's Immigration and Refugee Program was established at the end of World War II in response to the needs of refugees arriving to the United States. Since that time, CWS has helped more than 480,000 refugees begin new lives in this country. We work through 32 community-based affiliates in 22 states to help refugees start new lives in the United States. Most CWS affiliates are Board of Immigration Appeals-accredited to provide immigration legal services, and CWS is in the process of expanding immigration legal services in its headquarters office.

CWS also advocates in Washington, D.C., for immigrants and refugees, based upon the needs identified by the direct service providers in our network and by immigrants and refugees themselves. We work with our own and other faith communities to elevate the faith voice in the immigration debate to effect humane reform. For the past year, the Interfaith Immigration Coalition, of which CWS is an active member, has motivated many thousands of people of faith to sign petitions, attend prayer vigils, and participate in Congressional visits and advocacy calls. In February 2009 alone, the faith community held more than 170 vigils in 133 cities and 31 states. Those events prompted thousands of people of faith to unite for ongoing action on immigration reform.

These collaborative efforts have sparked numerous statewide petition campaigns. Interfaith coalitions for immigration reform have been established in Iowa, Kentucky and New York. A Midwest Interfaith Immigration Summit was held, in which hundreds of faith leaders advocated for immigration reform. Church World Service, in collaboration with the Interfaith Immigration Coalition, advocated in Congress to defeat the anti-immigrant "Secure American through Verification and Enforcement Act" and established an Interfaith Platform on Humane Immigration Reform with more than 500 signatories from national organizations, local congregations and religious orders, and prominent faith leaders across the country. The Interfaith Platform is also included in this submission, along with a joint statement from CWS and the National Council of Churches of Christ USA supporting humane immigration reform.

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National Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

Faith communities around the United States are rallying behind immigration reform. This energy and the strong network from which it springs cannot be ignored. Church World Service urges members of Congress to take into account the voices of people of faith among their constituency and press for immigration reform that prioritizes family unity, creates a process by which undocumented immigrants can earn their legal status and eventual citizenship, and treats all people with dignity and respect.

Sincerely,

Erol Kekic
Director, Immigration and Refugee Program
Church World Service

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National Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

With the commencement of the 110th congress, Church World Service urges the House and Senate to legislate a comprehensive solution to America's broken immigration system. As a faith-based, humanitarian organization concerned with the equitable treatment of all human beings, we know that reform can maintain national security while preserving our country's legacies of welcoming the stranger and treating all people with dignity and respect. We continue to call for reform that will:

- **Improve our family-based immigration system** to significantly reduce waiting times for separated families who currently wait many years to be reunited.
- **Create legal avenues** for immigrants to safely and legally work in the United States, with their employee rights fully protected. Reforms should increase the accessibility of legal ports of entry and repair the administrative backlog of immigration applications that prevents people who want to enter the country legally from doing so in a realistic timeframe. With these mechanisms in place, the border patrol would be able to focus solely on threats to national security.
- **Provide an opportunity for earned legalization** for all persons who already contribute to our economy through social security, sales tax and other mechanisms and dedicate themselves to learning English, working and paying taxes. We do not support blanket amnesty, but instead call for earned legalization as a necessary way to keep families together, remedy the abuse of undocumented workers and enhance governmental awareness of those living in this country.
- **Implement smart, targeted enforcement, not fences.** Our national security should be enhanced through workplace enforcement, more accessible legal ports of entry and earned legalization, rather than policies that have failed in the past such as fences and the militarization of the border. Legislators should also recognize that some employers encourage illegal immigration in order to abuse undocumented employees. Reforms should enable employers to verify applicants' immigration status and hold them accountable for hiring undocumented workers.
- **Mandate that domestic law enforcement agencies ensure the safety of all persons**, rather than attempt to serve as immigration enforcement, which hinders justice for immigrants and citizens alike and can result in criminals targeting immigrants who will not report crimes due to fear of deportation. Also, reforms should protect and not punish individuals and organizations which act as Good Samaritans to help people without regard to their immigration status.
- **Safeguard asylum seekers** by ensuring them a fair legal process without penalizing them with increased, unnecessary bureaucracy.

Immigration legislation must take into account the lives of over fifty million American families impacted by border policies; economic and trade repercussions; the feasibility of reform and costs associated with its implementation; and the impact it will have on both domestic and international political climates. We call for both the House and Senate to pass a comprehensive immigration reform bill that will be just, humane and compassionate.

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National Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

National Council of Churches USA
Policy Statements, Resolutions, Messages and Documents

RESOLUTION ON IMMIGRATION AND A CALL FOR ACTION

FOR CONSIDERATION AND ADOPTION BY THE BOARDS OF THE
NATIONAL COUNCIL OF CHURCHES USA (*ADOPTED 9/22/08*)), AND CHURCH WORLD SERVICE
AND THE GENERAL ASSEMBLY OF THE NATIONAL COUNCIL OF CHURCHES USA AND CHURCH WORLD SERVICE
(ADOPTED ON 11/12/2008)

"In a world fragmented by fearfulness, Christians proclaim a divine love that casts out fear (I John 4: 18) and binds even those the world calls enemies (Matthew 5: 44). In a society still divided by race and increasingly divided into haves and have nots, Christians affirm a vision of community in which every neighbor is valued as a child of God (Genesis 1: 27) and all neighbors have enough (Luke 6). In a world fractured by suspicion of those who are "other," Christians have heard a command to welcome strangers (Genesis 18, Hebrews 13:2), even as Christ has welcomed us (Romans 15: 7).[i] [ii]

NCC Policy Base[iii]
UNITED STATES IMMIGRATION AND NATURALIZATION POLICY
Adopted by The General Board on March 21,1952
THE CHURCHES AND IMMIGRATION
Adopted by the General Board of the National Council of Churches USA on February 27, 1962
IMMIGRANTS, REFUGEES AND MIGRANTS
Adopted by the Governing Board on May 14, 1981

INTRODUCTION
This resolution and call to action about the issue of immigration from a faithful Biblical perspective is a collaboration of the member communions of the National Council of Churches USA and Church World Service, with local and regional ecumenical bodies of the United States. Millions of people are on the move around the world: some by choice, some under duress, but most out of dire, life-or-death necessity. All desire to make a better life for themselves and their families, as have millions of immigrants to our shores from past eras. Many perceive this country as the best or only choice available to them. How our nation responds to this growing challenge is clearly one of the great moral issues of our time.

As we witness the consequences of an outdated and ineffective immigration system, we are compelled to stand in solidarity with those impacted by our nation's policies. The current U.S. immigration process separates family members, many who have waited decades to be reunited, and hurts productivity as those wishing to work in this country,
also endure lengthy backlogs. Such a system leaves many facing the choice between feeding their children and crossing a border illegally. Reaching a point of desperation, many risk their lives to cross the desert, where hundreds of them die every year.

Thousands of immigrants have been arrested in mass raids and hundreds of thousands have been detained or deported, with little or no access to legal counsel. Children have been detained in detention centers lacking proper educational or religious services, and at least 83 people have died in such facilities due to inadequate medical treatment. Such "enforcement" measures leave children without parents, families separated without knowledge of loved ones' whereabouts, and those who arrived as infants deported to countries they never called home. Many immigrants who endure detention and deportation are lawful permanent residents; many seek asylum from persecution; and still others simply seek the better life the United States promises.

Unfortunately, when these issues are discussed, polarized sides have blamed immigrants for the nation's problems, rather than uniting to enact policies that are beneficial to all persons. Anti-immigrant sentiment has

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become such an accepted norm throughout the United States that some local laws bar immigrants from receiving social services and deny funding to charitable organizations that do not check immigration status prior to administering services. Local police act as immigration officials, resulting in racial profiling and a widespread fear of reporting crimes, which compromises community safety, yet law enforcement turns a blind eye to employer exploitation of immigrants.

These issues stem from underlying, global causes of migration, such as war, environmental exhaustion, poverty, and inequitable trade and development policies that are often ignored. This presents us with a noble challenge – to work together to address the underlying global causes of migration at the same time we improve the ways we answer the knock at our church doors.

Our calling to participate fully as people of faith in the democratic process is clear to us as Christians whenever concerns about morality, social justice and compassion meet at a crossroads with decision-making that may lead either to healing, or further fracturing of our society and the world. In this context the Church asserts its freedom and responsibility to express theological understandings about moral questions. At the center of our engagement of social questions is the Church's mandate to "proclaim, in word and deed, the good news of Jesus Christ in the midst of a fractured world."[iv]

We admire the Christian witness that has been an inspiration to us and the world, yet also confess that the Church has not always lived up to its own principles. Too often we have heard a silence from the Church in debates having implications for human welfare and social and economic justice. We recall with regret past controversies in our society regarding war and peace, genocide, slavery, women's suffrage, workers' protections, civil and human rights, and economic and social injustice, where the Church has fallen short of its calling to preach, teach and be a blessing in the world. The Church's historic silences or complicity was not necessarily always deliberate; often it could be attributed to misinformation or ignorance, or to a focus on other pastoral concerns; but regardless, the silence is sin. Today (as in all other times) the Church is called to rise in unequivocal defense of the stranger, the sojourner, the widow and orphan, and our most vulnerable neighbors.

|As we consider the causes and realities of human migration, we together affirm these shared religious convictions[v] concerning God's creation and commandment to love one another:

1) God created human beings in God's image, and as such each person is a precious and sacred reflection of the Creator.[vi]
2) The land on which we live is not ours, but God's. God made all of us stewards of creation, and called us to act with justice, mercy, and wisdom.
3) God's people are a pilgrim people. Throughout Biblical history, the people of God have been sojourners, refugees, and migrants~~,~~. God protected them as they moved, multiplied, and maintained the earth. The Bible teaches us to defend, protect, and honor the rights and humanity of the sojourner, stranger, refugee, and immigrant.
4) Our sacred instructions to welcome the stranger remind us to show hospitality to immigrants.[vii] God's Word reminds us of the rich blessings we receive from God and of our obligations to share these blessings.
5) The Church, when it welcomes the stranger, provides an uplifting moral and spiritual witness.[viii]

While we respect and adhere to the laws of the U.S. Government, ultimate authority belongs only to God and not the State. As we seek to love our neighbors and welcome the stranger, we also seek laws that are humane and just, as are the laws of God. In light of the highest political ideals grounded in justice, equality and freedom:

1) We embrace the deeper theological conviction that we are not separate and distinct from other human beings, but are a part of the same interconnected, interdependent, human family. We reaffirm previous National Council of Churches USA policies that call on the United States to do its share to alleviate human suffering in other lands by admitting refugees and immigrants and providing sanctuary to persons needing to relocate.[ix]

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National Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

2) We acknowledge the ease with which we as human beings are prone to fear people who we consider "other", yet, our faith challenges us to overcome such natural fear of those who are not like us. This fear of the "other" has had tragic consequences in the United State and the world. This nation fought with itself to overcome a legacy of slavery, struggled in every generation against racial, ethnic, gender, and religious discrimination, and today may again succumb to fear, xenophobia, and racist impulses directed against new immigrants.
3) We are reminded that the United States is a nation of immigrants and other displaced peoples, and has been so since its inception; this reality enriches our culture and strength as a country. And yet the immigration of immigrants and others in North America began a massive displacement of indigenous peoples with consequences that continue today.
4) We recognize that there is an urgent need for increased awareness about trafficking in human beings, and about the economic and sexual exploitation of migrants. We recognize the need for effective enforcement against human traffickers and smugglers, and the defense and protection of victims of such crimes.
5) We recognize that government may have legitimate, morally justifiable reasons for denying immigration to certain persons.
6) We recognize that as religious leaders and educators we play an important role in helping the public understand immigrants and immigration policy.

CONTEXT OF THIS RESOLUTION:

These concerns and understandings lead us to respond when we see human beings, made in God's own image, driven from their homes by necessity, violence, poverty, hunger, political or religious oppression, and when migrating people find only more trouble and pain when they arrive at our doorstep.

As Christians we acknowledge and lift up the compassionate, committed, and creative ministry that goes on every day as the Church defends and protects migrants.[x] We know of the energy and resources devoted by the Church to respond in loving and helpful ways to the needful knocks at the Church's doors. The Church, working though Church World Service, the National Council of Churches USA, local and regional ecumenical bodies, member communions and congregations, continues to respond faithfully to a call to minister to immigrants and refugees, in the name of the One who came to bring healing to a broken world.

We understand our call to care for the most vulnerable among us, and in our current context, these most vulnerable include millions of undocumented neighbors who live and work in our midst. We also affirm the importance of family unity for citizens, visa holders, and documented and undocumented immigrants, as a priority throughout the U.S. immigration system. Our nation's official treatment of immigrants continues to be a grave affront to the mandates of Christian faith, which does not abide bad treatment of the stranger, the visitor, or those who seek asylum from persecution.

Our faith-inspired legacy calls us to reexamine our immigration policies and services in light of the current situation, and to work for swift federal reform that is humane, just and sustainable.

CALL TO ACTION:

We call for moral leadership that stands firm in the conviction that our nation, consisting of diverse peoples, should remain deeply committed to struggle against racial, ethnic and religious discrimination. We see prejudice as a particularly dangerous and existential threat to our diverse nation, and to human life across the world. Therefore, we commit ourselves to strive together for a society that treats immigrants, who are being threatened in this time, as fully deserving of all the civil and human rights afforded by the U.S. Constitution and international agreements.

THEREFORE, TOGETHER:

We Resolve, as the National Council of Churches USA and Church World Service

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National Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

To work collaboratively among Church World Service, regional and local ecumenical bodies, and the National Council of Churches in the USA's member communions through a new, "Ecumenical Task Group on Immigration," organized under the fiscal and administrative auspices of the National Council of Churches USA, and supported and jointly led by the National Council of Churches USA, Church World Service, and in leadership-partnership with regional and local ecumenical bodies. The task group's leadership will consist of representatives from participating institutions, but will be accountable to the Justice and Advocacy Commission of the National Council of Churches USA and to the Immigration and Refugee Program Committee of Church World Service, which will cooperatively oversee its progress and receive reports on its activities. The Task Group will preserve collaborative accountability to participating regional and local ecumenical bodies, church agencies, and Church World Service in order to assure effective coordination and resourcing of diverse efforts. The Ecumenical Task Group on Immigration will have an initial life of three years.

The Ecumenical Task Group on Immigration will have a mandate to:

1) Work to formulate a cohesive, coordinated, theologically-based response from the Christian perspective about issues surrounding immigrants and immigration, and to foster effective communication between our churches, in our communities, and with business, governmental, and international leaders.[xi]
2) Collaborate to create, share and widely disseminate religious education curricula, videos and other media that focus on the biblical witness with respect to immigration, refugees, sojourners, and our obligations to the most vulnerable amongst us, particularly materials and best practices from the local and regional ecumenical organizations, which pioneer in appropriate responses at the local level.
3) Foster and share the means to teach about the sociological, economic, military, and legal forces affecting immigrants and immigration policies in the USA and the world, and the appropriate role of humanitarian and development aid.
4) Work with partners to support and resource sanctuary congregations and communions, providing information about current law and including the formation of strategies to raise broad awareness of sanctuary churches and the theological basis for their Christian activism.
5) Through the National Council of Churches and Church World Service, seek the financial support of charitable foundations and committed immigration-reform funding entities to support and extend the immigration reform efforts of the National Council of Churches USA, Church World Service, church agencies, and regional and local ecumenical bodies.
6) Encourage ways churches might engage immigration beyond charity and material support, to include public policy advocacy and engagement with public debates regarding legal and regulatory reform. Help to conceive, coordinate and/or resource public events that raise awareness about the faithful, Christian basis for policy engagement on immigration. Work to educate congregations and the public about specific public policy measures that defend the rights of immigrants and that call for more-humane immigration policies.

As such,

We call on President and Congress of the United States to:

1) Protect legally the unity of immigrant families by making family reunification a priority for both citizens and the immigration process, and by rejecting proposals that separate families, such as the denial of citizenship to children born in the United States and point systems that put family-based and employment-based immigration applicants in competition with each other.[xii]
2) Facilitate generous laws enabling immigration by individuals who seek to work in the United States and their families; ensure full protection of their rights; and allow them to travel to their native countries and return to the United States as they wish, without unnecessary fees or lengthy waiting periods.
3) Adopt new immigration laws that include a humane and just process by which undocumented immigrants can earn their lawful permanent residency and eventually apply for citizenship.
4) Defend and extend internationally agreed-upon human rights to those who are persecuted by increasing assistance to displaced persons worldwide, welcoming more refugees and asylum seekers to the United

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States, and robustly funding resettlement and integration, and other services for refugees, asylees, and other migrants.

5) Preserve and extend the domestic legal, civil, and human rights of immigrants, both children and adults, regardless of immigration status. These rights include fair wages, educational opportunities, access to social services, equitable treatment under U.S. law, and protections against worker exploitation and other forms of mistreatment.
6) Reform the visa system to increase the number of family-based and employment-based visas, efficiently process visas to reduce the backlog, and increase staff and resources to process applications in a timely manner.
7) End mass immigration raids on places of employment, as well as mass deportations, the deportation of lawful permanent residents, the forced separation of families, and government-sponsored border militarization and wall construction.
8) Implement equitable trade and development policies, including increased humanitarian assistance funding, that protect the way of life of persons who need to emigrate in order to survive; and recognize their international rights to emigrate or to remain in their native country in safe and humane conditions

We call on The Church

And most importantly, as brothers and sisters in faith, we call on fellow Christians in congregations, church agencies, and local and regional ecumenical bodies to:

1) Lead in prayer, teaching, and preaching about the biblical, spiritual and moral basis for compassionate hospitality toward immigrants.
2) Pray, study and search our hearts and minds with respect to our own attitudes and preconceptions regarding immigrant peoples, and, to provide opportunities for our churches and communities to confront the sins of racism, xenophobia, and ethnic or cultural prejudice against our fellow human beings.

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[i] The 2007-2011 Strategic Plan of the National Council of the Churches of Christ in the United States of America
All Bible references and quotes found in this resolution are from the New Revised Standard Version translation.
[ii]

[iii] A compendium of policy documents, statements and resources can be accessed at: www.ncccusa.org/immigration/
[iv] "THE AUTHORITY OF THE CHURCH IN THE WORLD", Faith and Order Commission of the National Council of Churches, 2007
[v] A compendium of biblical references that inform our theological basis for addressing immigration concerns can be found at: http://www.ncccusa.org/immigration/bible. A compilation of statements and resources created by ecumenical bodies and member communions can be found at: http://www.ncccusa.org/immigration/
[vi] In Genesis 1:26, ***"Let us make humankind in our image, according to our likeness; and let them have dominion over the fish of the sea, and over the birds of the air, and over the cattle, and over all the wild animals of the earth, and over every creeping thing that creeps upon the earth."***
[vii] Deuteronomy 10:19 states "You shall also love the stranger, for you were strangers in the land of Egypt." Hebrews 13:2 urges, "Do not neglect to show hospitality to strangers, for by doing that some have entertained angels without knowing it." Paul reinforces this teaching in Romans 12:13, with, "Contribute to the needs of the saints; extend hospitality to strangers."
[viii] In "THE CHURCHES AND IMMIGRATION" the member communions stated, "We believe that through increased Christian concern in immigration, the churches and their members can make a fuller witness to our faith that, under God, men and nations are responsible to each other and for the welfare of all mankind."
[ix] In "UNITED STATES IMMIGRATION AND NATURALIZATION POLICY" the member communions stated, "On the international level, we believe the United States for moral reasons, as well as in the interest of its own economic and political security, should remain steadfast in its purpose to cooperate with other nations in meeting the needs of displaced persons, refugees, and surplus populations."
[x] Deuteronomy 10:19, ***"You shall also love the stranger, for you were strangers in the land of Egypt"***

[xi] In "CHURCHES AND IMMIGRATION" the Communions resolved: "We urge the churches and their members to make the most effective Christian witness they can on migration and related matters, in developing public opinion and in helping those in federal and state governments and intergovernmental agencies to shape migration policies, legislation and practices" Elsewhere in "CHURCHES AND IMMIGRATION" the Communions stated: "We urge increased attention by all people in local parishes, in councils of churches, and in the work of church men and women, to keep under constant study, and to make more alive in public concern, the laws which our Government has enacted or should enact to help meet the critical needs of mankind."

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56073.169

National Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

Also in CHURCHES AND IMMIGRATION, the communions stated: "Study and concern should include not only migration matters, but all those undertakings through which our nation does and can lend material as well as moral assistance to other peoples for their economic and social progress."

[xii] In "CHURCHES AND IMMIGRATION, the churches called for replacement of a previous quota system with one that gave priorities to families seeking reunification. While those changes were made, present governmental proposals would eliminate the longstanding family-unity priority.

VerDate Nov 24 2008 08:30 May 11, 2010 Jkt 056073 PO 00000 Frm 00193 Fmt 6633 Sfmt 6633 S:\GPO\HEARINGS\56073.TXT SJUD1 PsN: CMORC

56073.170

National Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

Christian Reformed Church in America

The Office of Social Justice and Hunger Action, a ministry of the Christian Reformed Church in North America, is a strong supporter of Comprehensive Immigration Reform which would keep families together, protect workers and their families, and create a path to citizenship for the undocumented.

We see the issue of immigration primarily through an ethical lens: with so many families suffering because of a broken system, we know the church is called to respond not only to meet their immediate needs, but to attempt to advocate for solutions to the systemic injustices that they face.

- We see the effects of separated families, the grief that comes with longing for loved ones who remain in another country. We call on lawmakers to shorten waiting times for separated families by clearing out the back-logs of family-based immigration visas.
- We see workers who suffer under inhumane conditions and who live in fear of deportation, though our farmers admit that there would be no harvest without their labor. We call on lawmakers to match the actual number of visas the US provides to low-skilled workers with the need that is so evident nation-wide for their labor.
- We see children living in fear of a parent's sudden deportation, families separated for years by borders, and trauma for families of mixed status for whom some members live in the shadows. We call on lawmakers to create an earned path to citizenship for the nation's undocumented immigrants.
- We see college-aged students languishing in an in-between time, eager to develop and use their gifts, and no college or workplace able to use them. We call on lawmakers to pass the DREAM Act and accept the gift of thousands of the "best and brightest" whose country *is* America, though our current laws don't allow us to claim them.

Immigrants are made in the image of God, and have inherent value and a God-given potential to contribute to society. We wish to help them do this, not just spiritually but also economically, socially, and relationally. Our illogical, inhumane, and ineffective immigration laws are keeping our church from being able to live into the call God has placed on us: to welcome the stranger, embrace the gifts of the immigrant, and show hospitality to those who are vulnerable among us. We ask that lawmakers enact more humane laws that would allow our economy, our society, and our country to flourish. We call on you to welcome the stranger.

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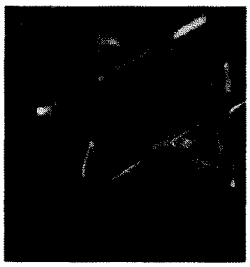
National Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009



A Jewish Vision

FOR THE FUTURE OF AMERICAN IMMIGRATION & REFUGEE POLICY

JULY 5, 2005

Three hundred and fifty years ago, the first Jewish immigrants arrived in America seeking freedom and opportunity. While initially facing hostility and deportation, these 23 Jews from Brazil established what has become one of the strongest Jewish communities in history. Today the American Jewish community includes both native-born American Jews and foreign-born Jews from Russia and other former Soviet states, Argentina, South Africa, Australia, Iran, Israel and many other countries around the world. These new Jewish refugees and immigrants came to the United States seeking freedom from persecution and opportunities for religious liberty, as well as to receive education at universities and yeshivas, reunite with family members and assume religious and other professional occupations. Jewish immigrants benefited from these freedoms and opportunities, and, in the process, made contributions to American society – economically, politically, culturally, and in many other ways – far beyond their numbers.

Jewish religious and ethical values provide a firm foundation for Jewish involvement in immigration and refugee policy. Central Jewish teachings emphasize protection of the stranger, as seen in the over 36 references to this principle within the Torah, including: "When strangers sojourn with you in your land, you shall not do them wrong. 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). Jewish tradition also includes principles of *Piddyon Shevuyim* (redeeming the captive), *Chesed* (kindness), and *Hachnasat Orchim* (hospitality) that create a solid framework for a compassionate response to the needs of immigrants and refugees.

Based on these core values, and recognizing that other immigrants would also benefit from, and be of benefit to, American society, the Jewish community has – over the 350-years history of its presence on American shores – been actively engaged in the struggles of new immigrants and in the development of the nation's immigration policy. From the 1880s to early 1920s, the Jewish community strongly opposed efforts to curtail immigration and institute a national origin quota system. The community's opposition continued after these harmful principles were included in the immigration acts of 1921 and 1924 – with devastating effects during the Holocaust – and until these quotas were eliminated in 1965. The Jewish community championed the cause of refugees following World War II, and advocated for the Refugee Act of 1980 that created today's refugee resettlement system. Additionally, in recent years many Jewish organizations worked to restore due process protections and access to public benefits

This statement remains open for endorsement by Jewish organizations. For more information, or to sign on, email: liza.lieberman@hias.org HIAS Washington DC • 1775 K Street, NW • Suite 320 • Washington, DC 20006 202-212-6020 • Fax 202-212-6001 • www.hias.org

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that were eliminated for legal immigrants in draconian legislation enacted in 1996.

In the period since the attacks of September 11, 2001, many in the Jewish community and the broader American public have reviewed the nation's immigration and refugee policies. Immigration restrictionists have put forth scenarios that blame immigrants for the nation's ills and attempt to conflate immigration with terrorism. Concern for national security is not inconsistent with fair immigration policies. To the contrary, intelligent immigration reform can and should play an important role in enhancing national security. This balanced approach avoids the false conclusion that immigration is a danger to our country – a conclusion that would undermine fundamental Jewish community interests including security concerns, religious and ethical values, positive community relations and access to the United States for Jews from around the world – while acknowledging the prominent role that national security must play in national policies in these difficult times.

In light of these important Jewish interests, the undersigned agencies encourage a thoughtful and serious discussion of immigration and refugee protection issues within the Jewish and American public and action by the U.S. government to develop policies that are consistent with the following principles:

Immigration – Sensible and generous immigration policies serve essential American interests including economic and social development, family reunification, and humanitarian values. These interests should be the basis for decisions relating to levels of immigration and categories of migrants permitted to seek admission and obtain permanent residence and citizenship in the United States. Segments of the American population have greeted each new immigrant group with distrust and concern, but immigrants have over time integrated into the society and made important contributions to America. Learning from the past, the United States should not establish limitations on immigration because of exaggerated fears that today's immigrants will not become productive and patriotic Americans.

Enforcement and Security – Because the United States faces serious threats from terrorists and dangerous criminals intent on misusing the American immigration system, improved border security, visa reform, and interior immigration enforcement are important national goals. Changes to rules governing entry into the United States; issuance of visas at consulates abroad; intelligence sharing; investigation, detention and removal of migrants; tracking of foreign nationals; as well as other aspects of immigration enforcement should focus on those who wish to do us harm and not be based on the mistaken belief that all problems with the immigration system are part of a generalized terrorist threat. Security reviews are essential, but can be done effectively without creating unreasonable delays for applicants waiting to receive immigration benefits. Additionally, all individuals seeking admission should be afforded a meaningful appeals process if they are mistakenly identified as a threat under enhanced screening procedures. Protection of privacy, due process and other civil liberties should be integrated into immigration enforcement policies and procedures.

Refugees – It is in our national interest that refugees fleeing persecution continue to look to the United States as a champion of refugee protection. The United States should develop effective programs to assist and protect refugees in locations around the world, such as the Sudanese refugees in Chad who fled genocide in their homeland. The U.S. should also provide generous access to resettlement for refugees in need of this durable solution, including Jews from the former Soviet Union and Iran; and should offer compassionate and fair asylum policies that recognize the particular vulnerabilities of refugees who enter the United States seeking safe haven from persecution. Victims of gender violence, children, persecuted religious

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56073.173

National Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

minorities and other particularly vulnerable migrants should receive special attention and protection by the United States.

Comprehensive Immigration Reform – The existence of a population of approximately eight to twelve million undocumented migrants residing in this country is unacceptable, as are the hundreds of thousands more facing death and discrimination as they enter illegally each year seeking employment. Also unacceptable are the massive backlogs of immigrants waiting to be reunited with close family members, and immigration and labor law enforcement that has not served either to restrict undocumented migration, or to protect migrants. The "enforcement-only" approach of recent years has failed. Moreover, a massive effort to try to "close the border" and expel all undocumented migrants would be extremely costly and cause enormous social and economic disruption. In light of these facts, the best hope to prevent future undocumented migration would be an approach that is comprehensive and realistically related to economic realities. This plan should promote legal and orderly migration, provide a path to citizenship for undocumented migrants, improve immigration and labor law enforcement, and create new migration programs that will serve America's security, social, economic and humanitarian interests. As this comprehensive plan is developed and implemented, the government should consider addressing the immediate and special needs of specific populations such as students, farm workers and others.

Public Benefits and Due Process Restoration – The harmful restrictions on access to public benefits and on the due process rights of legal immigrants - enacted as part of several pieces of legislation passed in 1996 - should be eliminated or significantly modified. The United States benefits from immigrants' and their children's economic and social contributions and should not discriminate against these immigrants if they fall on economic hard times. Additionally, principles of proportionate punishment, reasonable use of detention and access to parole, judicial review and waiver authority to permit judges to ensure equitable results during removal cases should once again be applied to legal immigrants.

Immigration Services – As a nation of immigrants, the United States should ensure that all applications for immigration benefits be handled in a timely and consistent manner, and that the massive backlogs that have long plagued the system be eliminated. Immigrants, and their American families and employers, should receive the highest level of customer service from immigration authorities. Additionally, the immigration functions of the United States government must receive appropriate funding levels justified by such an important national priority.

Citizenship – The United States must augment its immigration policies with enhanced programs to ensure the full integration of newcomers. The naturalization process should meaningfully promote civic education and civic values and take into account the special needs of immigrants with lower educational levels, the elderly and the disabled. The government should offer assistance to immigrant communities and other knowledgeable private sector agencies to provide high quality job training, English language instruction and other services to prospective citizens. Through such changes these immigrants and refugees will be able to receive the assistance they need to secure the rights and responsibilities of American citizenship and to fully participate in the civic life of their new homeland.

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National Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

Signatories

National Organizations

Agudath Israel of America
American Association of Jews from Former USSR
American Jewish Committee
Anti-Defamation League
Association of Jewish Family and Children's Agencies
B'nai B'rith International
Bukharian Jewish Congress of USA and Canada
Hadassah, the Womens' Zionist Organization of America
Hebrew Immigrant Aid Society
International Association of Jewish Vocational Services
Jewish Council for Public Affairs
Jewish Labor Committee
Jewish Reconstructionist Federation
National Council of Jewish Women
Union for Reform Judaism
Union of Orthodox Jewish Congregations of America
United Jewish Communities
Workmen's Circle/Arbeter Ring

Local Organizations

Community Relations Council of the Jewish Federation of San Antonio
Fort Wayne Jewish Federation
HIAS and Council Migration Service of Philadelphia
Jewish Community Action, St. Paul, Minn.
Jewish Community Board of Akron
Jewish Community Council of Metropolitan Detroit
Jewish Community Relations Council of Des Moines
Jewish Community Relations Council of Greater Miami
Jewish Community Relations Council of Greater Washington
Jewish Community Relations Council of Southern Arizona
Jewish Community Relations Council of Southern New Jersey
Jewish Community Relations Council of St. Louis
Jewish Community Relations Council of Los Angeles
Jewish Community Relations Council of Minnesota and the Dakotas
Jewish Council on Urban Affairs in Chicago
Jewish Employment and Vocational Service of Philadelphia
Jewish Family and Children's Services of Minneapolis
Jewish Family and Children's Services of San Francisco, the Peninsula, Marin and Sonoma Counties
Jewish Family and Children's Services of St. Louis
Jewish Family Service Agency of Cleveland
Jewish Family Services of Buffalo
Jewish Family Services of Metropolitan Detroit
Jewish Family Services of Southern New Jersey
Jewish Family Services of Toledo
Jewish Federation of Central Massachusetts
Jewish Federation of Greater Buffalo
Jewish Federation of Greater Des Moines
Jewish Federation of Greater Los Angeles
Jewish Federation of Greater Miami
Jewish Federation of Greater Middlesex County
Jewish Federation of Greater Monmouth County
Jewish Federation of Greater New Haven
Jewish Federation of Greater Rockford
Jewish Federation of Greater Seattle
Jewish Federation of Lehigh Valley
Jewish Federation of Nashville
Jewish Federation of Southern New Jersey
Jewish Federation of St. Joseph's Valley
Jewish Federation of the Berkshires
Jewish Vocational Service of Minneapolis
Madison Jewish Community Council
Ohio Jewish Communities
Progressive Jewish Alliance
UJA-Federation of New York
United Jewish Federation of Greater Toledo
Youngstown Area Jewish Federation

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National Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

Statement of the Union for Reform Judaism

Submitted to
The Senate Judiciary Committee, Subcommittee on Immigration, Refugees and Border Security

October 8, 2009
Hearing on Comprehensive Immigration Reform: Faith-Based Perspectives
Chairman Schumer presiding

On behalf of the Union for Reform Judaism, whose more than 900 congregations across North America encompass 1.5 million Reform Jews, I write to express our strong support for comprehensive immigration reform.

This issue has a special resonance to the Jewish people. Throughout history, the Jewish community has been the quintessential immigrant community, often forced to flee from one land to another. Immigration policy has long been part of the fundamental question of the wellbeing and security of our people as we moved across the globe. Having struggled to adjust to societies that did not always welcome our arrival, we understand many of the challenges faced by today's immigrants. As a community of immigrants and refugees with a long history of sojourning in foreign lands, American Jews have a unique responsibility to ensure that the rights of non-citizens are protected by our nation's immigration policy.

Judaism affirms the supreme value of human life and the equal dignity of every human being. The prophets of Israel taught us to pursue justice, seek peace, and build a society of loving-kindness among all God's creatures. Deuteronomy commands, "If there is a needy person among you, one of your kinsmen in any of your settlements... do not harden your heart and shut your hand against your needy kinsman. Rather, you must open your hand and lend him sufficient for whatever he needs" (Deut. 15:7).

Despite a sweeping overhaul of the United States' immigration policy in 1996, it is clear that our immigration system remains dysfunctional and inequitable. There are currently approximately 12 million individuals living in the U.S. without legal status.[1] Today, we face the reality of an immigration system buckling under a backlog that leaves families separated for decades when they should be together celebrating birthdays and holidays.

Communities across the nation have relied on the contributions of immigrants living as our neighbors for decades, and yet employment-based visas are available in numbers too small to meet either employer demands or accommodate the laborers available for work.[2]

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[1] Pew Hispanic Center. Size and Characteristics of the Unauthorized Migrant Population in the U.S.

[2] Paral, Rob. American Immigration Law Foundation. "No Way In: U.S. Immigration Policy Leaves few Legal Options for Mexican Workers" July 2005 (Not avialable)
Original : http://www.ailf.org/ipc/nowayin.asp

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Of course, we cannot deny the reality that we must be smart about our security and always mindful of the rule of law and our standards of justice. Unauthorized crossings at the U.S.-Mexico border—aggravated by ill-conceived border patrol strategies—have led to a record number of deaths.[3]

The failure to address these problems within our current immigration system has created an enforcement vacuum, too often leading non-federal authorities to attempt to enforce federal immigration law.[4] In addition to the humanitarian issues these problems create, domestic security can be undermined when so many people live in the shadows of society and are unable or unwilling to work cooperatively with law enforcement agencies. We cannot ignore the economic, social, and human reality of these "strangers" who are, in fact, our neighbors.

That is why we must make comprehensive immigration reform a reality.

Comprehensive immigration reform must include a reduction in the crushing waiting times for family reunification, opportunities for the hardworking immigrants who are here to come out of the shadows and regularize their status upon satisfaction of reasonable criteria, and border protections that are both effective and consistent with American humanitarian values.

A comprehensive approach to reforming our nation's immigration system is the most realistic and humane solution to this escalating crisis. Such an approach takes into account not only the importance of securing our nation's borders and upholding the law, but also the fact that millions of undocumented immigrants currently live in fear of law enforcement, failing to report crimes and suffering exploitation at the hands of unscrupulous employers.

As people of faith, as inheritors of an immigrant history, and—for many of us—as immigrants ourselves, we stand behind a comprehensive approach to immigration reform. Therefore, we urge you to enact a program of just and comprehensive immigration reform.

Sincerely,

Mark J. Pelavin
Associate Director, Religious Action Center of Reform Judaism

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[3] Pan, Esther. Council on Foreign Relations. "Q&A: Homeland Security: U.S.-Mexico Border Woes." February 22, 2006.
[4] Turque, Bill. Washington Post. "Officials Face Constitutional Complexities." September 7, 2007.

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National Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

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A Statement of Global Ministries
of the Christian Church (Disciples of Christ)
and United Church of Christ
to the Senate Immigration Subcommittee
Chaired by Senator Charles Schumer

Comprehensive Immigration Reform: Faith-Based Perspectives
October 1, 2009

Global Ministries is the common witness of the Division of Overseas Ministries of the Christian Church (Disciples of Christ) and the Wider Church Ministries of the United Church of Christ responsible for nurturing relationships with international partners on behalf of the Disciples and the United Church of Christ. The priority Global Ministries follows is to timely and appropriately meet God's people and creation at the point of deepest need: spiritually, physically, emotionally, and/or economically.

Both the United Church of Christ and Disciples of Christ work in cooperation with the Church World Service - Immigration and Refugee Program to resettle refugees in local communities nationally, and we work with partners to improve the rights and conditions of immigrants in the U.S. and migrants around the world.

As people of Christian faith and conscience, we understand that the United States of America was built on the contribution of immigrants from around the world. Throughout our history our society has reflected diversity of culture, faith, language, customs, values and dreams that woven together have become the fabric of our society. Our Christian perspective on social justice demands that we support immigrants who contribute to our economy and workforce and who suffer discrimination, abuse, exploitation and hardship as a result of their status as undocumented residents.

The time has come for the President and Congress to work together to enact comprehensive legislation that rewards work, reunites families, restores the rule of law, reinforces our nation's security, respects the rights of U.S.-born and immigrant workers, and redeems the American Dream.

The following common principles emerge from our faith traditions and teachings and are offered to help guide your actions on immigration reform:

1. All persons have the right to find economic opportunities that will allow them and their families to live in dignity (the "pursuit of happiness," as framed in our Declaration of Independence).

Indianapolis
Rev. David Vargas
Co-Executive, Global Ministries
President, Division of Overseas Ministries

Cleveland
Rev. Cally Rogers-Witte
Co-Executive, Global Ministries
Executive Minister, Wider Church Ministries

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National Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

2. If those economic opportunities are unavailable in their homeland, then persons should be allowed to migrate to support themselves and their families. God instructed Abram and Sarai, the parents of our faith, to migrate to a new land; today, the voice of God continues to direct people to paths of migration and immigration. Our faith traditions also call on us to welcome the stranger among us and to promote hospitality toward the migrant, the refugees, and the exiled in our communities. Our traditions also recognize that all the goods of the earth belong to God and are intended to be shared by all people.

3. Those fleeing violence and persecution should be afforded protection. The global community should protect those who flee wars and persecution, as many people from our own faith traditions have been forced to do throughout history. This requires that migrants be allowed to claim refugee status without incarceration and to have their asylum claims fully considered by a competent authority.

4. The human dignity and human rights of all migrants should be respected. Regardless of their legal status, migrants, like all persons, possess inherent human dignity that should be respected, and we must develop policies that safeguard this dignity. We must seek policies to safeguard the rights and inherent dignity of all migrants, particularly the undocumented, including their rights as workers.

5. Family unity among migrant and immigrant families should be protected and upheld. Our faith and moral imperatives transcend borders and compel us to act on the basis of justice and love. From this basis, we set forth the following policy recommendations in support of comprehensive immigration reform that is responsible and humanitarian.

6. Current Border Enforcement Strategy is a failed policy that must be re-evaluated. Since 1998, more than 5,000 migrants – men, women, and children – have lost their lives in the deserts of the U.S.-Mexico borderlands, trying to make their way into the United States. We recognize the right of the nations to control their borders, but border control strategies must be humane.

7. The status of undocumented persons currently living in the U.S. must be addressed. Workers and their families currently living in the U.S. must have access to a program of legalization that offers paths to permanent residency and eventual citizenship for workers and their families. Earned legalization of the undocumented workforce helps stabilize that workforce as well as their families. A stable workforce strengthens the country.

8. Family unity and reunification must be the cornerstone of U.S. immigration policy. Migrants enter the United States either to find work, to escape war or persecution, or to reunite with family members. Families must be allowed to reunite legally and in a timely manner as well as to immigrate together as a unit.

9. An employment –focused immigration program must allow workers and their families to enter the U.S. to live and work in a safe, legal, orderly, and humane manner through recognized ports of entry. International workers' rights must be recognized and honored in ways that protect: the basic right to organize and collectively bargain, job portability, easy and safe travel between the U.S. and homelands, and achievable and verifiable paths to residency.

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National Faith Statements
"Comprehensive Immigration Reform: Faith-Based Perspectives"
Senate Committee on the Judiciary, Subcommittee on Immigration, Refugees and Border Security
October 8, 2009

10. Immigration policy must recognize that root causes of migration lie in political as well as environmental, economic, and trade inequities. Trade agreements must be negotiated in ways that build mutual and just international relationships. New strategies must include incentives for the public and private sectors to invest in economically and environmentally sustainable development in the sending communities.

11. Immigration policy must protect individuals and organizations who/which act as Good Samaritans without regard to the immigration status of the persons they serve.

As leaders of the Global Ministries of the Christian Church (Disciples of Christ) and the United Church of Christ, the common entity that oversees and is responsible for our world mission and ministries, we believe these principles and recommendations will significantly reduce, if not eliminate, the unnecessary tragedies occurring on our borders.

Respectfully submitted on behalf of Global Ministries of the Christian Church (Disciples of Christ) and the United Church of Christ,

Cally Rogers-Witte

Rev. Cally Rogers-Witte
Executive Minister, Wider Church Ministries
United Church of Christ
Co-Executive, Global Ministries

Rev. David A. Vargas
Executive for Division of Overseas Ministries
Christian Church (Disciples of Christ)
Co-Executive, Global Ministries

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Rev. Samuel Rodriguez

President, National Hispanic Christian Leadership Conference

Senate Hearing Testimony

October 8, 2009

Embedded within the Historical election of 2008 lies a clarion call and a prophetic supplication for national unity accompanied by an alignment of our core values. Values that include both security and compassion, the rule of law and welcoming the stranger, mercy and justice.

Accordingly, the lack of passage of Comprehensive Immigration Reform legislation has created a reality where our Borders are yet fully secured and the immigrant families a long with the entire Hispanic American community find ourselves facing racial profiling, discrimination and a hostile ethnically polarized environment not seen since the days prior to the successes of the Civil rights movement. For at the end of the day this is not a political issue but rather one of a moral and spiritual imperative."

We applaud our President and declare that we stand with him as he demonstrates that he is a man of his word. A word promised in the campaign to the immigrant and Hispanic community. A word affirmed and reiterated to the Hispanic Congressional Caucus earlier this year. We understand the political realities as we deal with the economy, health care and the war in Afghanistan. But our prayer is that you, members of the Senate, do not forget one number, the number 12.

Twelve million people living in the shadows. Twelve million hiding in fear. Twelve million without rights, Twelve million without a nation, without legal covering, Twelve million not knowing if today is the day they will be separated from their children. Twelve million people living in a land without the opportunity of ever experiencing the fullness of life, embracing the hope of liberty or pursuing the promise of happiness. Yet these 12 million carry one common commodity: Hope.

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Hope that the President and members of Congress that ignited a movement and ushered in change will bring down the walls of political expediency and incorporate within immigration reform the bridge to assimilation and a pathway to the American Dream. Hope that this Congress who stands committed to saving the auto industries, our banks, homeowners and healthcare will similarly apply that saving grace and spirit to these 12 million souls. Hope and Faith that this Congress will pass comprehensive immigration reform.

To that end, the fastest growing ethnic and faith demographic, Hispanic Born Again Christians and the New Evangelicals, urge the Obama Administration and Congress to pass and enact CIR as expeditiously as possible. Via our 25,434 churches and 16 million strong Hispanic Evangelical Community, The National Hispanic Christian Leadership Conference, America's largest Hispanic Christian organization, stands committed in framing the moral imperative for CIR by reconciling both Leviticus 19, treating the stranger amongst us as one of our own and Romans 13, respecting the rule of law.

Let us be clear. As Hispanic Christians, we stand committed to the message of the Cross. However, that cross is both vertical and horizontal. It is salvation and transformation, ethos and pathos, Kingdom and society, faith and public policy, Covenant and community, righteousness and justice. Each dependent on the other, not either or, but both and. We seek to reconcile a platform where John 3:16 converges with Matthew 25 while Billy Graham meets Dr. Martin Luther King Jr. at the Masters table.

For example, as we deal with immigration, via the prism of the vertical and horizontal cross,, we humbly encourage Congress to finally pass and sign into law legislation that will protect our borders, put an end to all illegal immigration, create a market driven guest worker program and facilitate avenues by which the millions of families already in America that lack the legal status can earn such status in a manner that reflects the Judeo Christian Value system this nation was founded upon.

In addition, we urge both parties to repudiate all vestiges of xenophobia and nativism that saturates this debate. For the fact of the matter is that these immigrants are God fearing, hard working, family loving Children of God who reflect the values of our founding fathers and embrace the tenets of the American Constitution, The Declaration of Independence and the Bill of Rights. Moreover, our desire is for every immigrant in America to become a productive citizen, master the English language, embrace the core values of the American idea and realize the American Dream

Finally, we understand that every day that passes without Comprehensive Immigration Reform adds tarnish to the soul of our Nation. The question arises, can this nation be saved. Let us save this nation, not by providing amnesty but by providing an earned pathway to citizenship. In the name of Justice, in the Name of righteousness, in the Name of The Divine, pass comprehensive immigration reform. By doing so we will protect our borders, protect families, and protect our values and in the end we protect the American Dream.

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NETWORK

A National Catholic Social Justice Lobby

Statement of Network, A National Catholic Social Justice Lobby

Submitted to the Senate Subcommittee on Immigration, Refugees and Border Security

For the October 8, 2009 Hearing of Faith-Based Perspectives on Comprehensive Immigration Reform

As a Catholic leader in the global movement for justice and peace, NETWORK Lobby continues its call for Comprehensive Immigration Reform.

Whether by educating our membership or working with groups such as the Interfaith Immigration Coalition, NETWORK has an extensive record of promoting constructive dialogue and sponsoring congressional advocacy on immigration issues.

Our faith tradition values the inherent dignity of all human beings, regardless of their nationality or legal status, but our national reality does not. Pope Benedict reaffirms that the "fundamental, inalienable rights" of migrants must be "respected by everyone and in every circumstance". He recognizes the significant economic development contribution foreign workers provide their host country. In contrast, various sectors of our culture regularly portray immigrants as dangerous, job-stealing criminals and "aliens". This disparity between our beliefs and our country's current attitude therefore inspires us to demand that comprehensive immigration reform:

- Reduce the administrative backlog of permanent resident applications and create a pathway for citizenship while giving special attention to family unity.
- Expand access to temporary worker programs
- Restore due process and basic civil liberties to detained individuals
- Secure our borders while honoring human rights
- Re-consider American Trade policies that generate immigration flows to the United States.

The shortcomings of our existing system have led to the spread of human trafficking and the proliferation of unfair labor practices. An "enforcement-only" focus has broken families and disrupted American communities while failing to adequately address the needs of individuals who seek a better life or a higher wage in the United States.

Comprehensive Immigration Reform should offer workers and mixed-status families the opportunity to come forward and pay taxes, earn legalization, and contribute to society. It should provide our nation with a functioning, modern system that meets our economic and security needs of the 21st century.

As people of faith, we join together in calling on you to pass this critical legislation.

25 E St. NW Suite 200 • Washington DC 20001 • 202.347.9797 • fax 202.347.9864 • www.networklobby.org

From: Mark J. Pelavin, Associate Director
Religious Action Center of Reform Judaism

Statement of the Union for Reform Judaism

Submitted to
The Senate Judiciary Committee, Subcommittee on Immigration, Refugees and Border Security

October 8, 2009
Hearing on Comprehensive Immigration Reform: Faith-Based Perspectives
Chairman Schumer presiding

On behalf of the Union for Reform Judaism, whose more than 900 congregations across North America encompass 1.5 million Reform Jews, I write to express our strong support for comprehensive immigration reform.

This issue has a special resonance to the Jewish people. Throughout history, the Jewish community has been the quintessential immigrant community, often forced to flee from one land to another. Immigration policy has long been part of the fundamental question of the wellbeing and security of our people as we moved across the globe. Having struggled to adjust to societies that did not always welcome our arrival, we understand many of the challenges faced by today's immigrants. As a community of immigrants and refugees with a long history of sojourning in foreign lands, American Jews have a unique responsibility to ensure that the rights of non-citizens are protected by our nation's immigration policy.

Judaism affirms the supreme value of human life and the equal dignity of every human being. The prophets of Israel taught us to pursue justice, seek peace, and build a society of loving-kindness among all God's creatures. Deuteronomy commands, "If there is a needy person among you, one of your kinsmen in any of your settlements... do not harden your heart and shut your hand against your needy kinsman. Rather, you must open your hand and lend him sufficient for whatever he needs" (Deut. 15:7).

Despite a sweeping overhaul of the United States' immigration policy in 1996, it is clear that our immigration system remains dysfunctional and inequitable. There are currently approximately 12 million individuals living in the U.S. without legal status.[1] Today, we face the reality of an immigration system buckling under a backlog that leaves families separated for decades when they should be together celebrating birthdays and holidays.

Communities across the nation have relied on the contributions of immigrants living as our neighbors for decades, and yet employment-based visas are available in numbers too small to meet either employer demands or accommodate the laborers available for work.[2]

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[1] Pew Hispanic Center. Size and Characteristics of the Unauthorized Migrant Population in the U.S.

[2] Parai, Rob. American Immigration Law Foundation. "No Way In: U.S. Immigration Policy Leaves few Legal Options for Mexican Workers" July 2005 (Not avialable)
Original : http://www.ailf.org/ipc/nowayin.asp

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Of course, we cannot deny the reality that we must be smart about our security and always mindful of the rule of law and our standards of justice. Unauthorized crossings at the U.S.-Mexico border—aggravated by ill-conceived border patrol strategies—have led to a record number of deaths.[3]

The failure to address these problems within our current immigration system has created an enforcement vacuum, too often leading non-federal authorities to attempt to enforce federal immigration law.[4] In addition to the humanitarian issues these problems create, domestic security can be undermined when so many people live in the shadows of society and are unable or unwilling to work cooperatively with law enforcement agencies. We cannot ignore the economic, social, and human reality of these "strangers" who are, in fact, our neighbors.

That is why we must make comprehensive immigration reform a reality.

Comprehensive immigration reform must include a reduction in the crushing waiting times for family reunification, opportunities for the hardworking immigrants who are here to come out of the shadows and regularize their status upon satisfaction of reasonable criteria, and border protections that are both effective and consistent with American humanitarian values.

A comprehensive approach to reforming our nation's immigration system is the most realistic and humane solution to this escalating crisis. Such an approach takes into account not only the importance of securing our nation's borders and upholding the law, but also the fact that millions of undocumented immigrants currently live in fear of law enforcement, failing to report crimes and suffering exploitation at the hands of unscrupulous employers.

As people of faith, as inheritors of an immigrant history, and—for many of us—as immigrants ourselves, we stand behind a comprehensive approach to immigration reform. Therefore, we urge you to enact a program of just and comprehensive immigration reform.

Sincerely,

Mark J. Pelavin

Associate Director, Religious Action Center of Reform Judaism

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[3] Pan, Esther. Council on Foreign Relations. "Q&A: Homeland Security: U.S.-Mexico Border Woes." February 22, 2006.
[4] Turque, Bill. Washington Post. "Officials Face Constitutional Complexities." September 7, 2007.

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Sisters of Mercy of the Americas
Hermanas de la Misericordia de las Americas

Institute Office
October 2009

STATEMENT: Sisters of Mercy Advocate for Compassionate U.S. Immigration Policy

(Silver Spring, MD) – The Sisters of Mercy are moved by the Gospel and by our heritage to stand with and assist those who are forced to move from their homelands and seek economic and physical survival elsewhere. In our spirit of welcome and hospitality, we have always ministered to immigrant persons and to those most vulnerable.

We – 4,000 Catholic sisters and more than 3,000 associates, several Companions in Mercy, over 900 Mercy Volunteer Corps alumni and hundreds of co-workers in Mercy-sponsored programs and institutions – now call on the government of the United States to pass compassionate U.S. immigration policy which includes a pathway to lawful permanent residence and citizenship, meets immigrants' basic needs, and encourages family unity/ reunification.

The Sisters of Mercy recognize that no immigration legislation will be complete without addressing the root causes of migration. Our sisters in other countries describe the necessary migration of people due to poverty, war and violence, and environmental destruction. Many U.S. policies widen the gap between our world's richest and poorest peoples and continue the proliferation of weapons, of violence and of war. We call on our lawmakers to change these policies as part of immigration reform.

We believe that every person has the right to safe and decent living and working conditions, education and healthcare. We believe immigrants should have the opportunity to work toward citizenship, and secure the unity of their families. This will strengthen American communities, and continue our heritage as a welcoming nation, a nation built by immigrants. Who among us would not take whatever measures we could to protect and feed our families, and provide them with a better life than is now available to them?

Our commitment to a merciful way of life demands that we meet, by direct service and systemic change, the needs of those who suffer. For that reason, we are working with the United States Catholic Conference of Bishops and others for a comprehensive overhaul that creates a humane immigration system. We will continue to welcome and assist those who seek hope, home and labor in this country.

Like many Americans, the Sisters of Mercy of the Americas came to this country as immigrant women. Since 1843 we have ministered to the needs of immigrant persons as part of our commitment to serve the most vulnerable and in response to the Gospel's call to welcome the stranger and to live in communion with others. Today we can do no less. The Gospel and the directives of our religious congregation call us to act and speak on behalf of our sisters and brothers who have been silenced. We welcome the invitation to be true to the call.

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The Sisters of Mercy of the Americas are an international community of women religious vowed to serve people who suffer from poverty, sickness and lack of education, with a special concern for women and children. In innovative and traditional ways, Sisters of Mercy address human needs through collaborative efforts in education, health care, housing, and pastoral and social services. The Institute includes 4,000 sisters who serve in North, South and Central America, the Caribbean, Guam and the Philippines. More than 3,000 associates, several Companions in Mercy, over 600 Mercy Volunteer Corps alumni, and hundreds of co-workers in Mercy-sponsored programs and institutions also share in our mission, following the example of Mercy foundress, Catherine McAuley. For more information on how to join us in standing in solidarity with immigrants, go to http://www.sistersofmercy.org/justice/immigration.

8380 Colesville Road, Suite 300, Silver Spring, MD 20910-3243
Tel (301) 587-0423, Fax (301) 587-0533, info@sistersofmercy.org, www.sistersofmercy.org

56073.186

"Statement on Faith Traditions and Immigration Policy: A Jewish Perspective," Senate Judiciary Committee, Subcommittee on Immigration, Border Security, and Citizenship

By Stephen Steinlight
October 2009

Dr. Steinlight has previously held senior positions in the American-Jewish Establishment and in interfaith and human rights organizations. He was Director of National Affairs (domestic public policy) and Senior Fellow at the American Jewish Committee; Vice President of the National Conference of Christians and Jews; Director of Education, United States Holocaust Commemoration Council; and Executive Director, American Anti-Slavery Group.

October 8, 2009

To the Chair, the Honorable Charles Schumer (D-N.Y.)
To the Ranking Member, the Honorable John Cornyn (R-Texas)

Preface

Dear Senator Schumer and Senator Cornyn:

I address you, respectfully, as a patriotic American and a faithful Jew, the son of a refugee and a first-generation American. This statement is written for "the record," though I and devout Catholic and Protestant thinkers – also knowledgeable in the field of immigration policy – should have been given the opportunity to testify before the Subcommittee at the hearings on Thursday, October 8.

Thus I begin my statement with a protest. You have invited only representatives of faith groups that support open-borders immigration, amnesty, and "comprehensive immigration reform," policies profoundly unpopular with the American people and which divide people of faith. By permitting only one side to address you in a great national debate, you have done a profound disservice to the American people as they seek to respond to immigration policy through influencing the judgment of their representatives. You have done yourselves a disservice as well by prohibiting the possibility of being educated by a different point of view.

Silencing opposing voices through prior censorship is un-American, representing a profoundly troubling attitude toward freedom of expression and pluralism, cornerstones of our republic.

Finally, and most disturbing to people of faith, you have wittingly or unwittingly demonstrated disrespect toward our Judeo-Christian heritage which does not identify God with narrow partisanship or the specifics of public policy. People of faith – whether Christian or Jewish – regard such a narrow conception of the Almighty as blasphemous, as taking the name of the Lord in vain. God is not a Democrat or Republican, nor even an Independent. God is not a liberal or a conservative. All our traditions understand God and God's plan for humankind as ineffable.

56073.187

Neither Christianity nor Judaism has "a position" on what constitutes the best immigration policy for America in the 21st century. Faithful Christians and Jews have different, opposing views – and each can call on their religious traditions to make their case. By inviting only people of faith that take one side on the immigration debate, you have, in essence, identified those people as the "Party of God."

It is an open secret that the vast majority of American Catholics dissent from the pastoral letters and statements of the Church hierarchy, but it is representatives of the hierarchy who will speak at your hearing. Indeed, within virtually any demographic one might name, the opinions of elites (often self-appointed) differ profoundly from those of ordinary citizens. It is also true that the politically correct Jewish Establishment cannot claim to speak in the name of Americans who are Jews with any credibility. The fraudulence of their mandate was evidenced by the disastrous conclusion of a much-publicized Jewish Establishment campaign called "Progress by Pesach" (Hebrew for Passover) in support of amnesty and "comprehensive immigration reform." Backed by some 26 Jewish organizations, including the leadership of the Conservative and Reform religious movements – a group claiming to speak for some two million American Jews – its goal was the presentation of a monster petition to members of Congress attesting to the extent of Jewish support for open-borders. They received a mere 3,000 signatures, and of this infinitesimal end product, many signatures were duplicates and many fraudulent.

I have addressed more Jewish audiences on immigration policy – whether in houses of worship or before local chapters of national Jewish organizations – than any other living American. I have spoken to some 200 Jewish audiences over the past five years. On every occasion, support for my opposition to "comprehensive immigration reform" receives support from some 75-90 percent of the audience. This evidence should not be dismissed as merely anecdotal. The only conflicting "evidence" is a transparent "push-poll" conducted by the American Jewish Committee whose findings are meaningless.

It is more in sorrow than in anger that I characterize the hearings on Thursday, October 8, as a cynical sham that mocks our deepest values as American. Those that organized the hearings on the basis of naked partisanship should be ashamed of the disrespect they have shown the Bill of Rights and the rich diversity of Christian and Jewish thought.

Statement

Those that advocate amnesty and "comprehensive immigration reform" do battle with quivers ostensibly devoid of substantive arguments. They have them, all right, but the real motive forces that drive their case are too narrowly chauvinistic, politically cynical, ideologically foreign, or too brutal to share openly with the American people. Among these are: encouraging extreme identity politics, ethnic pandering for partisan gain, raw economic greed as corporate members of their alliance work to create a permanent underclass to re-barbarize American capitalism, and advancing a post-Americanism which includes explicit and implicit rejection of the moral authority of the nation state. Whether articulated with affected innocence in irresponsible platitudes by princes of the Church or in the thinly veiled sneers of my own politically correct clergy, the tenets of our civil creed, the bonds that unite us, are devalued or derided: patriotism, civic virtue, love of knowable community, belief in a common destiny, faith in the rule of law.

56073.188

Our clerical opponents, among others, recognize they dare not publicize this underlying logic, thus they habitually resort to three pseudo-arguments, each an evasion suffused with disingenuous moralism. They argue ad miseracordiam, trying to inculcate guilt in ordinary Americans about the plight of illegal aliens for whom they wish to engender sympathy – greater sympathy, in fact, than for unemployed and impoverished fellow citizens. This logical fallacy's essence – whether employed by religious or secular advocates – is arguing that particular actions or a public policy must follow the emotion of pity. Since they build this argument on compassion, we must note that on this miserably unjust planet of seven billion human beings, three billion have nothing while Mexicans are the richest in the Third World, possessing twice the income of the most wretched. (I refer to Mexicans throughout these remarks. Contemporary immigration – legal and illegal – is virtually conterminous with Mexican immigration. If one were to take the next 10 largest groups of immigrants from different countries of origin and combine them, their total would be considerably less than those from Mexico.)

Selective compassion for Mexicans is comprehensible only when viewed through the prism of narrowly defined communal, political, commercial, or sectarian religious interests. Second, our opponents level ugly charges of xenophobia or racism against those who disagree with them; and Third, with arrogant religiosity they assert *Göt Mitt Uns*, God is with us, engaging in advocacy exegesis, abusing Scripture to hoodwink a religious nation – perhaps deluding themselves into the bargain.

Our purpose today is not theirs: We offer varying perspectives from our faith traditions to address questions arising in the context of immigration. None of our Scriptures address immigration directly, certainly not as we understand it in modern historical terms, thus we work through analogy. Our views come from knowledge of our traditions, but are, finally, subjective interpretations. This reticence about religious claims is essential. God and God's intentions are ineffable. No faith tradition has only one response to these questions. Scripture speaks with many voices, none reducible to a single meaning; nor can any be understood outside of context. We should walk humbly among our sacred texts.

In early 16th century Judaism, an historic hermeneutical enterprise encapsulated a long tradition of oral and written Biblical commentary into a work that remains authoritative. Its Hebrew title is *Mikraot Gidolot,* in English "Great Happenings." Also known as a *rabbinic Bible*, it embodies Judaism's understanding that faith and intellectual rigor are partners, that the divinely inspired words of the Bible's authors require interpretation and that multiple perspectives yield the most thoughtful answers, not reductionism. A rabbinic Bible contains two *Targums*, interpretive translations of Biblical Hebrew into Aramaic, the lingua franca of Biblical times. One is the Eastern or Babylonian *Targum* of Onkelos, a Greek Monk and convert to Judaism; the other the Western or Jerusalem *Targum* of Rabbi Jonathan. On each page, Biblical narrative is surrounded by the commentaries of six great medieval exegetes, including Miamonidies of Andalusia and Rashi of Troyes in France.

Our opponents who cherry pick and dumb down sacred text are shameless reductionists, and they regard one passage from the Hebrew Bible as their trump card: Leviticus 19:33-34.

56073.189

"When an alien lives with you in your land, do not mistreat him. The alien living with you must be treated as one of your native-born. Love him as yourself, for you were aliens in Egypt. I am the Lord your God."

This passage expresses the ethical universalism central to classical Judaism. Many liberal adherents regard it as Judaism's totality – though it is but half of a dialectic counter-balanced by another: strong particularism, including national and civilizational allegiances. This particularism was relied upon heavily by the Founders in their great speeches and writing who cited the Providential role of the Almighty in the particular destiny of the American people.

One of Scripture's great expressions of human empathy, the passage from Leviticus is not a press release from God's Legislative Affairs Office endorsing "Comprehensive Immigration Form." It says nothing about immigration – for which there is no word in Biblical Hebrew – or amnesty, extended family reunification, bilingualism, birthright citizenship, guest workers, identity theft, ICE raids, eligibility for Obamacare, etc.

The Hebrew Bible's authors did not anticipate the debate on immigration in 21st century America and do not address it in Leviticus. This self-evident truth should prevent clergy or lay leaders from treating it like political talking points. But they cite it to argue legislative particulars as though it were written by policy wonks. (I wonder if they'd care to cite Leviticus on gay marriage or the death penalty?) Their approach drenches political advocacy with arrogant religiosity, dangerously sanctifying partisanship.

Does Leviticus 19:33 address – let alone endorse – "comprehensive immigration reform?" **Not by the most lenient interpretive standard.** It commands empathy, "love" for the "other," for gentiles, asserting humanity's oneness and God's omnipotence. It commands us to treat the "other" kindly, the stranger residing temporarily and lawfully among us. **It commands nothing more.**

Utilizing this passage as sanction for amnesty requires conscious mistranslation. This is not an esoteric quibble. The word for stranger in the Hebrew Bible is *Ger v'toh-shav* – "sojourner" in English. First appearing in Genesis 4:23 to describe Abraham when he dwells briefly among the Hittites in Kiryat Arba, modern Hebron, its final appearance is in the last book of the Hebrew Bible, Chronicles 29:15, when King David contrasts the transitory nature of human existence with the eternality of God on whose earth we live as temporary wanderers.

The eminent scholar Richard Elliot Friedman, Professor of Biblical Hebrew at Oxford and Cambridge universities, translates it as "alien" and "visitor." All English dictionaries define "to sojourn" as "to stay temporarily." Arguing some 11 million illegal aliens should remain here permanently finds no support in Leviticus.

As noted, there's no term for "immigrant" or "immigration" in the Hebrew Bible, and the Book of Ruth is an exceptional narrative about the adoption of a new national identity. Ruth, a Moabite, determines to remain with her Israelite mother-in-law after her husband's death and become an Israelite. It's instructive to contrast the powerful assertion of national belonging Ruth expresses to Naomi with the apparent indifference to national identity *or* loyalty to a competing

56073.190

one that characterizes so many contemporary resident aliens. Ruth says, "Wherever you go, I will go; And wherever you lodge, I will lodge; Your people will be my people and your God will be my God. Where you die, I will die, and there will I be buried." The Book of Ruth provides perhaps the most ancient expression of the ideal of patriotic assimilation.

Fewer than 25 percent of foreign-born Mexicans have naturalized. The Pew Hispanic Center reports that number dropped 62 percent in the last year; one explanation is the cost of filing for naturalization rose $265.00. In the Book of Ruth we encounter an outsider's total identification with an adopted nation and longing for complete absorption. Among a great many contemporary *transnational migrants* (a more accurate term than "immigrant") we see something very different. Whether stemming from the anomie of the deracinated, economic calculation, unwillingness to choose between identities, or more likely, an abiding loyalty to Mexico – all Mexicans remain Mexican by Mexican law – there's scant indication of a parallel desire to embrace American identity. This is especially true when that requires paying a price for wholesale violations of American law, playing by the rules, and going to the back of the queue. A recent survey conducted in Mexico finds 69 percent of Mexicans believe their compatriots in the United States owe Mexico primary loyalty; another finds 62 percent of Mexicans harbor irredentist attitudes, regarding the American Southwest as Mexican. Can one even disaggregate these groups – Mexicans here, Mexicans there – given porous borders, their peregrinations, and Mexico's unbroken ties – ideological and legal –on its children here?

The Hebrew Bible addresses inclusion of strangers/aliens in civil and legal terms in several places. (Exodus, 12:49; Leviticus, 24: 22; and Numbers, 15:14). It proclaims: "One law for the citizen/native and the alien/stranger that dwells among you."

But this is no Bill of Rights for sojourners. The Bible demands strict obedience to Israelite laws and norms. Aliens gain rights only through lawful residency. While "aliens" need not convert, they must embrace monotheism, the bedrock of Judaic civilization. The punishment for idolatry is death. Strangers had to pay taxes, demonstrate civic loyalty by making the annual pilgrimage to the Temple in Jerusalem, and preserve social order.

The Bible draws a bright line between its religiously defined notion of being a citizen – in Biblical Hebrew the word is *ezrach* – from a sojourner. While forms of legal residency for those outside the covenant find sanction in the Hebrew Bible, only conversion to Judaism conferred all rights and made one a full member of the people (for example, the remittance of debts every seven years was not permitted to resident aliens). The idea that conversion confers full rights is paralleled by a prepositional conception of American citizenship.

Leviticus 19:33 exhorts us to "Love the stranger." "Comprehensive Immigration Reform" is not about love; it's about exploiting cheap labor, Hispanic identity politics, and creating a permanent Democratic political majority. Leviticus does not command us to exploit strangers for profit or political advantage.

Contemporary immigration pits hard-pressed constituencies against each other: poor illegal aliens against America's unemployed, working poor, and working class, including legal immigrants. The competition gravely harms our fellow citizens, especially during times of acute

56073.191

economic distress. Our "jobless recovery" means nearly 10 percent of us are "officially" unemployed. Some 16 million are out of work, and while six citizens chase every job advertised, illegal aliens hold some seven million jobs. In this zero-sum game, our countrymen have first call on our loyalty: "charity begins at home."

The Hebrew Prophets repeatedly demand justice for the humble laborers of one's own community. This exhortation is recited in the Bible's "Holiness Code" read in every synagogue on the Day of Atonement. Distorting Scripture to support legislation designed to import cheap labor to depress the wages and worsen the working conditions of our vulnerable fellow citizens is not only shameful; it is also sacrilege.

Sincerely,
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56073.192

Written Testimony of

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Before the

Senate Judiciary Committee on Immigration,
Border Security and Refugees

October 8, 2009

56073.193

Thank you, Mr. Chairman, Mr. Cornyn and Members of the Committee, for the opportunity to appear before you today. I am extremely heartened by this meeting. The topic of immigration reform is a very important subject facing our country.

I appear before you today in my role as pastor of a Los Angeles, California congregation with approximately 20,000 members. I am also the past Director of Foursquare Missions, the denomination in which I serve, which has more than 50,000 affiliated churches. I also have recently stepped down from overseeing hundreds of Hispanic churches across our country.

In my present role as pastor, I am privileged to lead the Spanish-speaking services, as well as the English ones. The Spanish-speaking segment of our church has well over 10,000 members and is made up of nationals who have emigrated from every Spanish-speaking country in this hemisphere. They are industrious, creative, entrepreneurial and in many cases, scholarly. They are also model residents.

For the past five years it has been my privilege to visit congressional leaders of both parties as well as the DNC and RNC, seeking to see comprehensive immigration reform become law. Unfortunately, the legislation has never been passed. I pray today marks a new beginning.

The Consequences Can Be Easily Seen

The consequences of this failure are readily visible to people, like myself, who seek to serve society in response to Christ's command "to love your neighbor as yourself." Young Hispanic men and women, who would otherwise qualify, are having difficulty paying for college, as well as securing jobs due to their undocumented status. Having been brought from their parent's land of origin as children, they have no official status, yet the only country they've really ever known is the United States.

These young men and women are caught in a legal paradox. In California and nine other states, laws are in place which give the undocumented student the opportunity to attend institutions of higher education if they can afford them. However, if they succeed in graduating from college, they cannot enter the legal workforce to put to use their skills, talents and abilities.

Approximately 40% of all undocumented students live in California. Children make up 15% or 1.8 million of the 12 million undocumented immigrants living in this country. The lack of a pathway to legalization only disheartens the student

56073.194

and in many cases contributes to an emerging subclass. According to statistics which I have seen, less than 10% of the undocumented students go on to college, while approximately 50% of resident or citizen Hispanics do so.

To illustrate the point, many of the Hispanic children in the congregation I pastor, who were born in this country, of immigrant parents, are succeeding. From our congregation we see them serving in the U.S. military, attending graduate schools, and working in congressional offices. They are pilots and school teachers, police officers and customs agents. Some are newscasters, college athletes, entertainers and small business owners. Those undocumented children mentioned earlier who were brought to this country as youngsters aren't as fortunate, but they're just as capable.

Other consequences are also evident. Without the passage of comprehensive immigration reform, legal Hispanic citizens are being questioned more often because of the color of their skin and the accent of their speech. On two occasions in the past year, immigration "roundups" were made at area businesses in the neighborhood adjacent to our church. These raids ruined years of excellent collaborative gains in the community as the Los Angeles Police, local Neighborhood Councils and the Clergy worked together. Among those taken were undocumented workers, as well as legal residents and citizens. They were all held while efforts to determine their status were being made. Unfortunately, the cherished value of "innocent until proven guilty" was slow in being applied.

Without immigration reform, criminals in the community also continue to take advantage of the undocumented immigrant. In my neighborhood, Hispanic immigrants are targets of extortion crimes because of their status. Threats of "turning in the immigrant" are routinely made. While there does not exist a true pathway to legalization, the criminal element will continue to prey upon the vulnerable.

Our History Encourages Us

In seeking comprehensive immigration reform, I am motivated by the phrase in the Declaration of Independence which states that "all men are created equal . . . with certain unalienable Rights." Unalienable rights are those human rights which transcend law and the preferences of other people.

Everyone agrees that federal misdemeanor laws have been broken by undocumented immigrants. However, the overwhelming majority of the undocumented Hispanic immigrant population in this country are law abiders. They are not criminals as many suggest. Their guilt is that of answering the "unalienable rights" voice embedded in their consciousness in much the same manner as the millions of Irish, Italian, German, Polish and countless other

56073.195

peoples have done our rich history. Rather than having a careless disregard for the law, they have come to this country seeking provision, safety, and improvement of their situation in life. The safety the immigrant seeks is proof of their true appreciation for law, rather than the other way around.

In my opinion the rule of law which we wish to be upheld by incoming immigrants has just as equally been violated by different sectors of our society. Whether in the services industry, small and big business alike, or the individual who is looking for inexpensive household, garden, or construction help, arms have readily been opened wide to these same immigrants at lower wages than those earned by legal residents. I offer that the rule of law should not have these glaring contradictions.

Some Immediate Concerns

Millions of immigrants are unknown to the government. With the continuing lack of a comprehensive immigration package, many immigrants have little incentive to cooperate with the upcoming census. Should a sincere effort be made by Congress to push legislation forward, I am convinced we will achieve the most accurate census statistics in decades.

The local police departments which so often partner with those of us in the faith-based community need the passage of a definitive immigration law. Without a new law, much community policing is hindered. Because of immigration enforcement fears on the part of the undocumented, crimes go unreported and witnesses to crimes do not come forward.

By reforming immigration, much exploitation of workers will cease. Sub par wages, long hours, and illegal working conditions are realities among the undocumented in our country. By bringing the undocumented into the system, employers who take advantage of workers will not be able to continue, and truer market-place competition will ensue.

Many families are also in disarray because of the present-day immigration situation. As logical as it might have seemed at the time when decisions were made to require certain applicants for legal status to return back to their countries of origin for the finalization of their documents, few took notice of the fact that legal family members stayed behind in the United States, while the applicant - in many cases the primary wage earner – traveled to their country leaving behind the family with much less income, as well as the uncertainty of a return date.

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Workforce Realities

Although we presently find ourselves in an economic downturn with pressing unemployment, workforce estimates for the future will require more workers than present numbers can support. Comprehensive immigration reform would solve this.

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The Public Opinion Reality

With a Gallup poll showing well over 64% of those polled believing that immigration is good for America and with an additional 79% believing that the immigrant is working in a job which an American does not want, it is apparent Congress would have the support of the American people to enact comprehensive immigration reform.

Judeo-Christian Principles

As a faith leader, I have responded to the instructions of Scripture. They have formed my worldview on this subject. My pursuit of comprehensive immigration reform comes from Leviticus 19:34, which states, "The stranger who dwells with you shall be unto you just as one born among you, and you shall love him as yourself." The Prophet Malachi further admonishes every believer to not "turn away the alien", while Jesus, in Matthew 25:35, calls upon all who follow him to invite the stranger to come in. Jesus ultimately adds his confirmation to that of Isaiah's . . . that he was to "proclaim liberty" to all.

Although every generation has had its own set of challenges, those who have joined the great American journey have always sought to fulfill the spirit of the above beliefs with immigrants of their generation. It is my hope that our generation will make the hard moral decisions. Comprehensive immigration reform is the right moral decision. Our country has assimilated millions upon millions of immigrants over the centuries. We are a nation of immigrants. Why should we stop now?

A Suggestion

Because I believe the issue before us transcends any one group's ability to understand or solve, with utmost respect, I call upon this committee to appoint under its oversight, a non partisan national commission on immigration reform. I humbly suggest we unite the very best leaders from business, government, communities of faith, unions, education, law and health. This group's mandate would be to fashion a comprehensive immigration package for our future.

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Thank you, Mr. Chairman, and Members of this Committee for the opportunity you have given me today to appear before you.

Respectfully submitted,

The Reverend James Tolle
October 8, 2009

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