Immigration Reform

"Every American who ever lived, with the exception of one group [Native Americans], was either an immigrant himself or a descendant of immigrants" John F. Kennedy, <u>A Nation of Immigrants</u>.

The following is a brief history on U.S. immigration law.

For almost a hundred years, our nation had no restrictions on who could immigrate. It wasn't until 1875, a year before we celebrated our nation's first centennial, that the first immigration law was passed.

With the passage of the Page Act in 1875 and with the passage of the Chinese Exclusion Act in 1882, the United States restricted Chinese immigration.

With the passage of the Immigration Restriction Act of 1921 and the Immigration Act of 1924, the United States limited the annual number of immigrants who could be admitted from any country. In 1924 a country's quota was based on 2% of each foreign-born group living in the United States in 1890. The law cut the quota for northern and western European countries by 29%, but slashed that for southern and eastern Europe by 87%. Italy's quota was reduced from 42,057 to 3,845 persons. Germany's quota was set at 51,227, Great Britain's at 34,007 and Ireland's at 28,567.

The law did not apply to Mexico because the U.S. relied on Mexican immigrants as farm workers.

In the 1950s with the passage of legislation such as The Refugee Relief Act and the Refugee-Escapee Act the U.S. opened the country to those immigrants coming from war-torn Europe and those fleeing Communism.

The Immigration and Nationality Act of 1965 abolished the national origins quota system and replaced it with a preference system that focused on immigrants' skills and family relationships with citizens or U.S. residents. Europe, which had accounted for 50 % of U.S. immigration during the prior 10 years, fell to 10%, while Asian immigration went from 8% to 41%.

The law also ended the Bracero Program, which had provided the U.S. with hundreds of thousand s of Mexican farm workers each year during the 1950s through 1964.

The Immigration Reform and Control Act (1986), signed into law by President Reagan, and the Immigration Act of 1990, signed into law by President George H.W. Bush, established the country's current immigration law.

The 1986 law for the first time made it a crime to knowingly hire a worker who is not in the country legally. All previous immigration laws restricted who could legally immigrate to the U.S. although they did not make it a crime to hire a worker who is not in the

country legally. However the law did not provide real enforcement mechanisms to hold employers accountable for the hiring of workers not in the country legally.

The law granted lawful residence status to nearly 3 million undocumented immigrants who were in the country prior to January 1, 1982.

The 1990 law increased the legal immigration limit from 500,000 to 700,000.

This paper establishes that Staten Island Democratic Association's position on Immigration Reform

This paper uses "undocumented" to refer to immigrants who are unlawfully in the U.S. and "unauthorized" to refer to immigrants not authorized to work in the U.S.

It is estimated that there are over 11 million undocumented immigrants in the country. They account for less than 4% of our country's population.

A quarter of the undocumented immigrant population lives to California, Texas is second at a 15% and New York is fourth at 5%. Arizona is ninth at 3%.

Mexicans account for almost 58% of the undocumented immigrant population. Undocumented immigrants from the Central American countries of El Salvador, Guatemala and Honduras account for another 14%.

It is estimated that 1.8 million of the undocumented immigrants, about 16%, were under the age of 16 when they came to the U.S.

There are an estimated 4 million children with U.S. citizenship who have a least one parent who is undocumented.

It is estimated that in 2010, unauthorized immigrants paid $10.6 billion in state taxes (income, property, sales and excise). In New York State, unauthorized immigrants paid over $744 million in state taxes.

Some unauthorized immigrants pay FICA and Medicare taxes by using an invalid social security number or a Tax Identification number. The Social Security Trustee's report estimates that as of 2010 unauthorized immigrants contributed about $12 billion to the trust fund. Unauthorized immigrants contribute billions to the Medicare Trust Fund although undocumented immigrants are not eligible to collect social security or Medicare.

Some unauthorized immigrants also pay federal income tax.

Studies have come to different conclusions regarding whether or not undocumented immigrants contribute more in taxes than they receive in benefits. A July 2013 study by

the Institute of Taxation and Economic Policy found that authorizing undocumented immigrants to work legally in the U.S. "…would increase their state and local tax contributions by an estimated $2 billion a year."

The current immigration system is structured so as to provide businesses with ways to avoid complying with the prohibition of hiring unauthorized immigrants. An employer does not have to keep copies of documents presented by a job applicant to establish authorization to work in the U.S. Although the government has a computerized system (E-Verify) that allows businesses to verify the social security number of job applicants, its use is voluntary.

While the media focuses on the Mexican border, undocumented immigrants have used and continue to use other means to enter the country. On June, 6, 1993 the Golden Venture with 286 undocumented immigrants from China ran aground off Rockaway Beach. Undocumented immigrants have been found at the nation's ports in shipping containers. In 2006 it was estimated that 40% of the undocumented immigrants had come into the country legally and then overstayed their Visa.

With over 9,500 miles of coastline in the continental U.S., with over 300 ports, with a border of almost 4,000 miles between Canada and the U.S. (Not including Alaska) and a border of over 1,900 mile between the U.S. and Mexico, as long as we have an immigration system that allows businesses to avoid compliance, there will be jobs to attract undocumented immigrants.

S.I.D.A. supports comprehensive immigration reform that includes the following.

To close the loopholes that allow businesses to avoid complying with our immigration law, the Staten Island Democratic Association (S.I.D.A.) supports requiring businesses to keep copies of documents submitted by employees to establish authorization to work in the U.S. and supports mandating businesses use the E-Verify system.

While our immigration law should prevent the hiring of unauthorized immigrants, it should not restrict businesses from filling positions that can't be filled with American citizens. It is estimated that today 79% of our farm workers are foreign born and that 53% of them are unauthorized. Nor should it prevent the country from attracting those with advanced degrees and specialized skills.

S.I.D.A. supports a Visa system that meets the needs of businesses while protecting American workers.

S.I.D.A. supports a path to citizenship. Those who have entered the country under an immigration system that benefited businesses should be allowed to remain in the country while they go through the citizenship process and if they meet all the criteria, be awarded citizenship.

We Americans place a high value on family. S.I.D.A. therefore supports immigration reform that keeps families together. We oppose deportations that split up families and we support allowing those granted a path to citizenship to bring their families to the U.S.

Finally S.I.D.A supports making those brought into the country before the age of 16 eligible for student-aid. We believe that this is an investment in the future because those who obtain a college degree earn more and are therefore in a better position to contribute to our economy.