

Immigration Policy Toolkit

National Association of Social Workers

President's Initiative
Weaving the Fabrics of Diversity
2006 – 2008

Immigration Policy Toolkit



National Association of Social Workers

Presidential Task Force Subcommittee – Immigration

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INTRODUCTION

NASW has always been at the forefront of the fight for civil rights, and immigration policy is clearly a civil rights issue. Historically, many peoples and groups in the United States have been discriminated against, legislated against, and oppressed. NASW has fought for the rights of all peoples regardless of their race, ethnicity, national origin, color, sex, sexual orientation, age, marital status, political belief, religion, and mental or physical disability.

This toolkit is a result of NASW President's Initiative on Diversity. The purpose of the toolkit is to provide NASW chapters, members, and other entities with policy information and tools to promote the competency of social workers in the immigration field, to fight discrimination against immigrants, and to take social and political action in support of the rights of immigrants.

NASW positions on immigration are embodied in its *Code of Ethics* and public and social policy statements in *Social Work Speaks*, NASW's policy manual developed by its Delegate Assembly.

NASW CODE OF ETHICS

1.05 Cultural Competence and Social Diversity

(c) Social workers should obtain education about and seek to understand the nature of social diversity and oppression with respect to race, ethnicity, national origin, color, sex, sexual orientation, age, marital status, political belief, religion, and mental or physical disability.

4.02 Discrimination

Social workers should not practice, condone, facilitate, or collaborate with any form of discrimination on the basis of race, ethnicity, national origin, color, sex, sexual orientation, age, marital status, political belief, religion, or mental or physical disability.

6.04 Social and Political Action

(d) Social workers should act to prevent and eliminate domination of, exploitation of, and discrimination against any person, group, or class on the basis of race, ethnicity, national origin, color, sex, sexual orientation, age, marital status, political belief, religion, or mental or physical disability.

SAMPLE OP-ED FROM PRESIDENT ELVIRA CRAIG DE SILVA

The screenshot shows the top portion of the NASW News website. At the top left is the NASW logo with the tagline "the power of social work". To the right are buttons for "Member Center" and "Log Out". Below the logo is a navigation bar with links: "MEMBERSHIP BENEFITS | JOIN NASW | RENEW ONLINE | CONTACT | SITEMAP | SEARCH". On the left is a vertical menu with links: "About NASW", "Publications", "Professional Development", "Press Room", "Advocacy", "Resources", "Contact us", and "Privacy Statement". The main content area features the "NASW NEWS" title and "Vol. 51, No. 2, February 2006".

From the President

A United Front on Immigration

By Elvira Craig de Silva, DSW, ACSW



As a country, we tend to be very proud of the heritage provided by the various waves of immigration. However, we also tend to become protectionists when the economic and cultural scales get unbalanced and we perceive the newcomers as a threat to our financial status and way of life. When this is the case, immigrants are seen more as invaders than as contributors. The generosity of the past gets trampled by the fears of the present.

In December 2005, the U.S. House of Representatives passed border control legislation that includes enlisting the help of local law enforcement authorities to stop the entrance of undocumented immigrants; requiring all U.S. employers to verify legal status of their workers; and building a fence along part of the U.S.-Mexico border. In addition, a related proposal was submitted in January 2005 to require hospitals that want to continue receiving government subsidies to ask emergency room patients about their immigration status.

The topic of immigration creates feelings of ambivalence among most people in our country. However, for a nation historically defined by the struggles and accomplishments of immigrants, these recent actions should greatly concern all social workers committed to the profession's core values of human rights and social justice.

Throughout history, social workers have been instrumental in helping newcomers of all descriptions make the transition into American society. Social workers have also worked with communities that receive immigrants, preparing them for increased diversity and new complexity in cultural dynamics. But this legacy will be tarnished if we watch idly as years of progress disintegrate into a pile of questionable political motives and re-energized fears of foreign "invaders."

Immigrants are a significant portion of the U.S. population. In many cases, they leave their countries out of desperation. They may become vulnerable to prostitution, human trafficking, substandard living conditions, job abuses, detrimental health conditions, extreme safety issues.

Whatever the situation, immigrants face a series of stress-producing events that result in the need for assistance and support.

NASW's policy statement on immigrants and refugees states that "the plight of refugees and immigrants [must] be considered on the basis of human values and needs, rather than on the basis of an ideological struggle related to foreign policy."

The current political context of immigration makes the job of social workers much harder and more perilous. It endangers human rights and civil liberties of immigrants, refugees and social service workers.

As social workers, we must present a politically active, united front to stem the disappearance of services and resources and ensure equal protection from discrimination for all immigrants, refugees and undocumented individuals who come to live in the U.S. To do nothing is to ignore the core of who we are and what our profession stands for.

Social workers must continue to be part of — and in some instances lead — discussions where decisions about immigration status and rights are being made. Social workers can push for the development and implementation of fair and humane domestic immigration laws, knowing that healthy families will result.

We have done it before. When a proposal was made in the 2003 Medicare Modernization Act to help hospitals defray the cost of providing emergency services to undocumented and uninsured patients, social workers made the case that trying to obtain immigrant-status information from families would place social service workers in the role of de facto immigration investigators.

As many families are composed of both documented and undocumented immigrants, this type of interrogation would prevent individuals from seeking and using necessary services due to fear of prison or deportation. It would also severely hinder the patient/provider relationship.

NASW's advocacy with the Centers for Medicare and Medicaid Services during this debate explained the negative consequences on the health of patients, their families and the public and helped get the provision withdrawn. Now, as social service agencies — religious and secular — as well as immigration groups have begun to rally against new measures passed in the Border Security Bill, it is time again for social work to be alert and get more involved.

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SOCIAL WORK SPEAKS POLICY STATEMENT

IMMIGRANTS AND REFUGEES

Background

Immigration continues to be an enduring characteristic of the United States. The worldwide movement of people is also an expression of globalization that is particularly relevant for social work. Throughout history, policies on immigrants and refugees have been influenced by the competing values and themes of humanitarian response, human rights, security, and economics. At different points, one or more of these themes has gained ascendancy and brought about changes in immigration laws, affecting the lives of those within and outside the borders of the United States. The profession of social work is concerned with immigration and refugee policies because many of our clients are affected by these policies and practices either directly or indirectly. In addition, immigration and refugee policies concern issues of social justice and human rights, issues that are at the heart of the social work profession. As expressed by Edith Abbott (1927) in a call for more social service involvement in migration research: “(migration) includes large questions of public policy, involving issues of national prosperity and human rights” (p. xx).

CURRENT IMMIGRANT STATISTICS

Although the United States defines itself as a country of immigrants, the degree of openness to immigration has varied considerably throughout history. The immigrant population of the country increased significantly during the 1990s and early years of the 21st century. More than one in every nine inhabitants of the United States is an immigrant, 11.5 percent of the population (U.S. Census Bureau, 2003). This is the highest percentage since 1930 and up dramatically from the low of 5 percent in 1970. If the current rate of immigration continues, the percentage of foreign-born people in the population by the year 2050 will equal the all-time high of 15 percent reached in 1900 (Capps, Passel, Perez-Lopez, & Fix, 2003). Already, one in every five school children is the child of immigrants as are one of four low income

children in the United States, and one half of all new workers entering the U.S. workforce in the 1990s were immigrants (Urban Institute, 2004). Therefore, it is hard to overstate the significance of immigration and immigration policy.

Migration has affected many other countries during the same time period, turning previously homogeneous countries into multicultural ones and further diversifying the populations of already heterogeneous nations. Although the United States accepts a significant number of refugees for permanent resettlement and more immigrants on a citizenship track than other countries (U.S. immigration, 2001), it is important to recognize migration as a global phenomenon that plays a significant role in macro economic and political stability of sending as well as receiving countries. In fact, most of the world’s refugees are either displaced within their own borders or have fled to neighboring countries where they pose a burden on struggling economies.

HISTORY OF IMMIGRATION POLICY IN THE UNITED STATES

The history of immigration laws and policies in the United States reflects the search for balance between humanitarianism and exclusion and alternatively has emphasized welcome, ambivalence, and fear of immigrants. This is clearly communicated by contrasting the words of a treaty between the United States and the Emperor of China, signed in 1868, with legislation adopted just 14 years later. The Burlingame-Seward Treaty, article V, read: “The United States of America and the Emperor of China cordially recognize the inherent and inalienable right of man to change his home and allegiance, and also the mutual advantage of the free migration and emigration of their citizens and subjects respectively from one country to the other” (U.S. Bureau of Citizenship and Immigration Services, 2004). Yet, in 1882 Congress passed the Chinese Exclusion Act, one of the most extreme measures ever enacted to stem immigration and one of the first in a long series of U.S. laws designed to determine which groups could

enter. Until the late 1800s, immigration to the United States was largely unregulated. In 1875 the Supreme Court decided that regulation of immigration was a federal responsibility (Smith, 1998). Soon thereafter, in a period of economic downturn, exclusionary measures were passed, including the Chinese Exclusion Act and a law barring people likely to become “public charges.” However, despite these regulations, other immigration continued.

In 1924 Congress passed a major immigration act that established the national origins quota system. This law strongly favored Western Europe and all but guaranteed that most legal immigration would be from Europe for the following 40 years. In other actions in early 20th century, the Chinese Exclusion Act was expanded to include the Japanese in 1907 and then most Asian countries, virtually ending immigration from Asia, preventing Asian immigrants from becoming naturalized citizens, and denying them the opportunity to reunite their families. Racism has also played a role in other immigration-related policies and actions. In the 1930s and 1950s, fears about the “menace” of Mexican immigration led to deportation of almost 4.5 million people of Mexican descent, many of whom were U.S. citizens or legal residents. Just before World War II, anti-Semitism led to the exclusion of many Jewish refugees who were fleeing Nazi persecution. And during the war, people of Japanese descent, including immigrants and American citizens, were classified as enemy aliens and interned in detention camps.

In 1965 the Immigration and Nationality Act Amendments (P.L. 89-236) provided a sweeping change in immigration law. The national origins system was abolished and a new set of priorities for admitting immigrants was adopted. Priority was given to family members of U.S. citizens and permanent residents and to those with skills needed by the U.S. labor market (Drachman, 1995). Race and country of origin were removed as criteria for admission. This important law provided the foundation for the more recent waves of immigration from Asia and Latin America.

Laws passed in the 1980s and 1990s reflect concern with the economic impact of immigration. Seeking to stem illegal migration, the Immigration Reform and Control Act of 1986 (P.L. 99-603) introduced employer sanctions for hiring undocumented individuals. However, it also provided for legalization of several million undocumented immigrants. Again reflecting the ambivalence toward immigration, the Immigration Act of 1990 (P.L. 101-649) allowed an increase in the total number of immigrants by adopting a flexible cap of 675,000 per year.

REFUGEE ADMISSIONS

Following the Vietnam War, the United States resettled large numbers of refugees from Vietnam, Laos, and Cambodia, contributing to the significant increase in the U.S. Asian population, both through resettlement and later family reunifications. Significant numbers of refugees also were accepted from Cuba and from the Soviet Union, especially Jewish émigrés who were oppressed by the Soviet government. Refugee policy reflects both important humanitarian efforts and foreign policy priorities. This has been particularly played out in the contrast between treatment of Cubans and Haitians; whereas the former have been welcomed as refugees, Haitians have been interdicted at sea and quickly returned to Haiti. “Haitians who reach the United States without being interdicted are put into fast-track removal procedures, during which they are subject to mandatory detention and are not eligible for release on bond. This package of measures is applied only to Haitians” (Newland & Grieco, 2004, p. 4). Haitians are labeled “economic refugees” and therefore are not official refugees under American law, although Haitians may often be in more danger than Cubans who flee.

1996 AND BEYOND

Three laws passed in 1996 changed the standing of immigrants in U.S. law. Responding to largely unfounded concerns that immigrants were overusing public benefits, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) “tied the receipt of benefits more directly to citizenship” (Urban Institute, 2004), cutting eligibility

for a range of benefits such as food stamps, Medicaid, and supplemental security income. In doing so, the law recast the traditional distinction between legal and illegal immigrants to a new and stark distinction between citizens and legal immigrants. The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (P.L. 104-208) and the Antiterrorism and Effective Death Penalty Act of 1996 (P.L. 104-132) contained deportation provisions that have had devastating effects nationally and internationally at both family and societal levels. These laws redefined deportable offenses and retroactively reclassified minor offenses as felonies (Ward, 1999); deportable offenses include convictions for domestic violence, child abuse, and child neglect (Medina, 1997). The laws also removed the right to judicial review in many deportation cases and authorized “expedited removal” of people who arrive at U.S. airports and other borders without proper documents (Cooper, 1997). The impact on families can be devastating; marital partners have been separated, and parents have been deported, leaving their U.S. citizen children without support or parental supervision (Hedges, 2001). The impact of increased deportations has been felt internationally, as countries of origin have been forced to accept deportees with few ties to home and no prospects for jobs or income; in other cases, criminals convicted of serious drug and violent offenses were sent home without warning to officials, unleashing waves of crime (Healy, 2001).

Again, however, the humanitarianism voice was heard and revisions were underway to soften the loss of entitlements and reconsider judicial review. These were cut short by the terrorist attacks on New York and the Pentagon on September 11, 2001. Fear of terrorism had at least a temporary chilling effect on immigration reform. Liberalization proposals were abandoned, and sympathy for deportees dried up. The quick adoption of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (US PATRIOT ACT) (P.L. 107-56) and the issue of executive orders allowed the government to “impose guilt by association on immigrants; authorize the

indefinite lock up of aliens on mere suspicion . . . and the use of secret evidence in immigration proceedings that aliens cannot confront or rebut”

(Bello as cited in Matthews, 2002, p. 105). Thus, “immigrants from all levels of the social stratum, who share the pain of Americans, have been further victimized by attitudes of intolerance, stereotyping, ethnic profiling and stricter immigration policies” (Matthews, 2002, p. 105). Young Muslim men and those who appeared to be of Middle Eastern heritage were particularly targeted. The response to concerns about terror included reorganization of the Immigration and Naturalization Service, renamed the Bureau of Citizenship and Immigration Services (BCIS); it was moved from the Department of Justice to the newly created Department of Homeland Security. The war on terrorism also has had a major impact on refugee resettlement throughout the world. “In the fallout from the September 2001 attacks in the United States and the subsequent global war on terror, the resettlement program was particularly hard hit . . . Globally, the number of persons resettled under the United Nations High Commission for Refugees (UNHCR) auspices (in 2002) plunged by 56 percent from the previous year” (UNHCR, 2003, p. 16). Additional restrictions and long delays have cut the number of international students admitted to the United States.

ISSUE STATEMENT

“Migration is an important, complex and multi-dimensional issue” (United Nations High Commission on Human Rights [UNHCHR], 2004). The challenges of immigration policy are reflected even in international human rights law. The Universal Declaration of Human Rights (United Nations, 1948) and subsequent treaties recognize the right to leave one’s country as a basic human right. “Everyone has the right to leave any country, including his own, and to return to his country” (United Nations, 1948). However, there is no corresponding principle of a right to enter. In his book on immigration, Isbister (1996) referred to immigration policy as “inherently immoral.” By that he meant that immigration policies require choices between competing goods or

competing evils and often involve the protection of privilege. Deciding whether priority should be given to refugees fleeing oppression or reuniting a long-separated immigrant family or whether amnesty should be granted to the undocumented rather than increasing entry for those who obey the laws are moral and ethical policy dilemmas.

Social workers see the impact of immigrant and refugee policies in their everyday practice. Their very capacity to help and do “good social work” is constrained by immigration policies, especially policies that limit family visitation and family reunification. Deportation policies intervene in social work practice when family offenses become grounds for deportation and thereby impede willingness to report.

Although security concerns have led to excessively restrictive procedures, NASW acknowledges the importance of security and ensuring that those who intend to conduct violent acts are barred from entering the United States. The challenge is to determine the reasonable balance between security and human rights. The United Nations Declaration on the Human Rights of Individuals Who Are Not Nationals of the Country in which They Live, adopted in 1985 (United Nations, 1985), specifically states that aliens shall enjoy “the right to life and security of person; no alien shall be subjected to arbitrary arrest or detention” (Article 5:1). Procedures to protect security should be within the guidelines of basic human rights protections.

Throughout U.S. history, conflicting views about the economic effects of immigration have shaped immigration policies. One view defines immigrants as a drain on the economy and users of public benefits who take needed jobs away from Americans; the opposing view sees immigrants as enhancing the economy through the payment of taxes, investment in small business, and reinvigoration of the rapidly aging U.S. native population. Although most studies show a positive economic effect and some credit relatively high immigration with strengthening the U.S. economic position vis-à-vis Western Europe and

Japan (U.S. immigration, 2001), Isbister (1996) cautioned that high rates of immigration may harm low income Americans.

Current debates over possible guest worker programs or provisions to legalize segments of the undocumented population raise additional policy questions. Policies must be developed that provide some relief to long-term resident undocumented families, yet address the fairness implications of providing amnesty to the undocumented that may disadvantage those who “played by the rules.” Special care must be taken in the design of guest worker programs not to tie immigrants to potentially abusive and exploitive employers.

Refugee policies also need re-examination in the context of 21st century realities. The very definition of *refugee* as one with a “wellfounded fear of persecution on the basis of race, religion, nationality, membership in a particular social group or political opinion” should be reconsidered. If the goal is to protect life, then others, especially those caught up by armed conflict, may have a more compelling need for protection. Historically, U.S. policy has favored involvement in conflicts in Europe over those in Africa and other developing parts of the world. And, the extent to which even the current definition is selectively applied depending on foreign policy considerations should be measured against tests of fairness and equity.

POLICY STATEMENT

NASW supports immigration and refugee policies that uphold and support equity and human rights, while protecting national security. Although the challenge of competing claims is formidable, immigration policies must promote social justice and avoid racism and discrimination or profiling on the basis of race, religion, country of origin, gender, or other grounds. Respect for due process must be demonstrated for immigrants as well as citizens. NASW has a special interest in the effect of immigration policies on families and children and supports policies that ensure that children do not

grow up permanently disadvantaged by the immigration status of their parents. In keeping with this principle, immigrant families should not suffer the penalties of deportation for family-related stresses and violence except in the most extreme cases.

NASW also advocates for commitment on the part of the U.S. government to end human rights violations worldwide and for reform in immigration and refugee policy to reaffirm the contributions of immigrants to this country. NASW promotes sound policy that provides for fair and humane U.S. immigration law; the development of domestic and foreign policies that help alleviate the economic and political conditions that force people to flee their homes; and a plan to ensure that victims of human conflict in the poorest, least strategically important countries of the world do not continue to be ignored.

Toward these ends, NASW believes that federal policies and procedures must include the following principles:

- support for replacing the current patchwork of immigration laws and procedures with a fair, equitable and comprehensive national plan
- support for restoration of entitlements for legal immigrants who meet reasonable length of residence provisions
- ensure access to public education and emergency health and mental health care for undocumented immigrants
- provide access to higher education for the children of undocumented immigrants and other efforts to remove penalties on these children for their parents' actions
- ensures protection from family violence for all immigrants, including the undocumented, with provisions to protect women from gender-specific forms of violence
- remove offenses of domestic violence, child abuse and neglect, and child abandonment from the category of deportable offenses to
- ensure reporting, protection, and safeguarding the long-term family preservation rights of children

- ensure continued guarantee of citizenship for those born in the United States
- oppose establishing English as the official language of the country
- oppose mandatory reporting of undocumented status by health, mental health, social service, education, police, and other public service providers
- ensure that procedures and policies do not indiscriminately target immigrants based on country of origin, religion, or race
- promote elimination of racism and anti-immigrant discrimination in employment practices
- support the human rights of day laborers
- support immunity from deportation for substantiated reports of severe employment abuses
- support humanitarian measures and enforcement to prevent trafficking and abuse
- elimination of backlog and lengthy delays in processing of immigration status and related applications
- provide reasonable student, temporary and transit visa regulations and processes that welcome and encourage international intellectual exchange
- provide adequate U.S. contributions to refugee assistance globally through support of the UNHCR budget and other aid programs
- provide fair refugee admissions policies and priorities that respond to human emergencies, including review of policies such as interdiction at sea that violate international human rights law
- provide refugee resettlement programs adequate in length and substance to include English language training, trauma and mental health counseling, as well as job readiness and placement
- restore the right to judicial review and modification of expedited removal provisions, especially for those claiming the right to asylum.

Although daunting, the challenges of working toward fair and just immigration and refugee policies are appropriate for the profession of social work. Social workers must promote greater education and awareness of the dynamics of global migration and of the impact of U.S. and other countries' immigration

and foreign policies on human well-being and world peace and stability. A nation that promotes family reunification, sanctuary from persecution, openness to reasonable immigration, and human rights and due process for all will be a stronger nation in the era of globalization.

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NATIONAL IMMIGRATION LAW CENTER

Facts About Immigrants

July 2004

Immigrant families make up a large share of the U.S. population.

- According to the 2000 Census, there are over 30 million immigrants in the U.S., representing 11 percent of the total population.¹
- One in five children in the U.S. is the native- or foreign-born child of an immigrant.²
- Immigrants are settling in communities throughout the U.S. During the 1990s, the immigrant population in "new immigrant" states grew twice as fast (61 percent versus 31 percent) as the immigrant population in the six states that receive the greatest numbers of immigrants.³
- Immigrants and citizens live together in families: 85 percent of immigrant families with children are mixed status families (families in which at least one parent is a non-U.S. citizen and one child is a U.S. citizen).⁴
- Between 1970 and 2000, the naturalized citizen population increased by 71 percent.⁵

Immigrants contribute significantly to the U.S. economy.

- According to the National Academy of Sciences, the total net benefit to the Social Security system if immigration levels remain constant will be nearly *\$500 billion* for the 1998–2022 period, and nearly *\$2 trillion* through 2072.⁶
- In New York, also in 1997, \$13.3 billion (69 percent) of the \$19.3 billion in taxes paid by immigrants went to the federal government in the form of income taxes, Social Security taxes, and unemployment insurance.⁷
- In 2000, the foreign-born population accounted for nearly 15 percent of the total civilian labor force.⁸
- In 2000 foreign-born men 16 years old and older had a higher labor force participation rate (80 percent) than native-born men (74 percent).⁹

Immigrants rely disproportionately on low-wage, low-benefit jobs.

- Even though 7.1 percent of all workers are noncitizens, almost 20 percent of all low-wage workers who live in low-income families with children are noncitizens.¹⁰
- Almost 43 percent of immigrants work at jobs paying less than \$7.50 an hour, compared to 28 percent of all workers.¹¹
- Only 26 percent of immigrants have job-based health insurance.¹²



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Immigrant families use benefits at lower rates than citizen families, and benefits are not a factor in decisions to migrate to the U.S.

- Use of public benefits by lawfully present immigrant families with children who earn less than 200 percent of the federal poverty level fell sharply between 1994 and 1999.¹³
- Nearly 33 percent of low-income native citizens used Medicaid in 2001, compared with only 13.2 percent of low-income noncitizens.¹⁴
- Low-income immigrant families with children have lower TANF-use rates than low-income citizen families with children (8.7 percent versus 11.6 percent).¹⁵ (TANF is the acronym for Temporary Assistance for Needy Families.)
- Welfare does not drive migration patterns. Between 1995 and 2000, the number of immigrant families with children grew four times faster in states with the least generous “safety nets” for immigrants (such as Arkansas and Texas) than it did in states with more generous safety nets (such as California and Massachusetts).¹⁶

Limited English proficiency is associated with lower earnings.

- Approximately 15.5 million adults between the ages of 18 and 64 are considered limited English proficient, and 62 percent of low-wage immigrant workers are LEP.¹⁷
- Immigrants and refugees who are fluent in oral and written English earn about 24 percent more than those who lack fluency, regardless of their qualifications.¹⁸
- The final report to the U.S. Dept. of Education on the National Workplace Literacy Program, which integrated job training with language acquisition, found that after employees participated in the program, employers reported drops in attendance problems, better production, increased job retention, and increased quality control.
- A study in Los Angeles by the Economic Roundtable found that former welfare recipients who were English proficient earned a higher wage than former welfare recipients who did not speak English or who were LEP.¹⁹

Restrictions on support services immigrants can receive hurt children.

- One-third of all children in the U.S. who are eligible for Medicaid, but not enrolled, are children in immigrant families.²⁰
- Even though U.S. citizen children living with noncitizens remained eligible for food stamps, between 1994 and 1999 their participation in the Food Stamp Program declined 35 percent.²¹
- The children of immigrants are more likely to be disadvantaged than the children of natives. They are more likely to be poor (24 percent versus 16 percent); more likely to be uninsured (22 percent versus 10 percent); more likely to have no usual source of medical care (14 percent versus 4 percent); and more likely not to have a steady source of food (37 percent versus 27 percent).²²

¹ Michael Fix, Wendy Zimmerman, and Jeffrey Passell, *The Integration of Immigrant Families in the United States* (Urban Institute, July 2001).

² Urban Institute, *Check Points* (September 2000).

³ Fix, Zimmerman, and Passell.

⁴ Ibid.

⁵ U.S. Census Bureau, *Profile of the Foreign-Born Population in the United States: 2000* (U.S. Department of Commerce, December 2001).

⁶ National Academy of Sciences, *The New Americans: Economic, Demographic, and Fiscal Effects of Immigration* (1997).

⁷ Jeffrey Passell and Rebecca Clark, *Immigrants in New York: Their Legal Status, Incomes, and Taxes* (Urban Institute, April 1998).

⁸ Sum, Khatiwada, Harrington, et al., *New Immigrants in the Labor Force and the Number of Employed New Immigrants in the U.S. from 2000 through 2003: Continued Growth Amidst Declining Employment Among Native Born Population* (Center for Labor Market Studies, Northeastern University, December 2003).

⁹ Ibid.

¹⁰ Michael Fix, Urban Institute tabulation of Current Population Survey (November 2001).

¹¹ Ibid.

¹² Leighton Ku and Shannon Blaney, *Health Coverage for Legal Immigrant Children: New Census Data Highlight Importance of Restoring Medicaid and SCHIP Coverage* (Center on Budget and Policy Priorities, October 2000).

¹³ Michael Fix and Jeffrey Passell, *The Scope and Impact of Welfare Reform's Immigrant Provisions* (Urban Institute, January 2002).

¹⁴ John Holahan and Marie Wang, *The Decline in Medicaid Use by Noncitizens since Welfare Reform* (Urban Institute May 2003).

¹⁵ Fix and Passell.

¹⁶ Michael Fix, "Should Legal Immigrants Receive Public Benefits" (presentation at the Brookings Institution's Welfare and Beyond Forum, February 2002).

¹⁷ Capps, Fix, Passell, et al.

¹⁸ A. Gonzalez, *The Acquisition and Labor Market Value of Four English Skills: New Evidence from NALS* (Contemporary Economic Policy, July 2000).

¹⁹ Mark Drayse, Daniel Flaming, and Peter Force, *The Cage of Poverty* (The Economic Roundtable, September 2000).

²⁰ Leighton Ku and Shannon Blaney, *Health Coverage for Legal Immigrant Children: New Census Data Highlight Importance of Restoring Medicaid and SCHIP Coverage* (Center on Budget and Policy Priorities, October 2000).

²¹ United States Department of Agriculture, *The Decline in Food Stamp Participation: A Report to Congress* (July 2001).

²² Randy Capps, *Hardship among Children of Immigrants: Findings from the 1999 National Survey of America's Families* (Urban Institute, February 2001).

PRESS RELEASE (IMMIGRATION BAN PRESS CONFERENCE)



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NASW NEWS

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Immigrant-Services Ban Fought

Within days following the press conference, the issue skyrocketed.

By Paul R. Pace, News Staff



NASW President Elvira Craig de Silva (center) at press conference

NASW took part in a consolidated effort to oppose a controversial law being proposed in Congress that would make it a criminal offense for anyone to help undocumented immigrants in the United States.

NASW President Elvira Craig de Silva spoke out against the proposed legislation that was passed recently in House of Representatives. The bill, named the Border Protection Anti-Terrorism and Illegal Immigration Control Act of 2005 (H.R. 4437),

was sponsored by Rep. Jim Sensenbrenner Jr. (R-Wis.).

Craig de Silva spoke at a press conference in early March, saying the proposal would endanger the human rights and civil liberties of immigrants and would make the jobs of social workers perilous.

"Under this proposed legislation, any social service organization, immigrant refugee agency or other group that helps undocumented immigrants could be considered criminals or accused of the crime of smuggling," she said at the event hosted by the National Capital Immigration Coalition in Washington, D.C. The group is made up of more than 40 diverse organizations that are united to improve the lives of immigrants in the metropolitan Washington, D.C., area.

Craig de Silva added that NASW opposes efforts to require schools, hospitals, police departments and health care professionals such as social workers to report suspected undocumented individuals.

"This does serious damage to police-community relations," she said. "It creates a chilling effect

on people in need of seeking help, and it undermines the health and well being of our entire nation."

Craig de Silva went on to say that social workers have been instrumental in helping newcomers make a transition into American society. While security of the nation in a time of terrorism is essential, "we cannot gain control of our borders until we reform our immigration laws so that they match more closely with reality," she said.

Testimonies were also given at the press conference from health professionals, other social workers, teachers and lawyers.

NASW member Athena Viscusi, clinical director at Neighbors' Consejo, was instrumental in getting NASW involved in the press conference. Neighbors' Consejo is a bilingual social service organization that provides outreach, advocacy and educational services to Spanish-speaking homeless men and women who suffer from addiction, alcoholism and mental health problems in areas of Washington, D.C.

Viscusi said social workers would be targeted by the House legislation.

"The version they passed would make it a crime to do our jobs," she said.

"It was a strong message that the NASW president came out against this," she said. "It's encouraging to social workers in the field to reiterate what our social values are."

A major protest demonstration against the bill took place a few hours later outside the U.S. Capitol. An estimated 20,000 people attended the rally, including people wearing T-shirts that read, "I am not a criminal."

Within days following the press conference, the issue skyrocketed. Protest demonstrations occurred in several major cities in March; there was also another rally held outside the U.S. Capitol.

At press time, the Senate Judiciary Committee was considering several legislative proposals, including a compromise bill proposed by Sen. Arlen Specter (R-Pa.) that would focus on border security while creating a "visa program enabling employers to hire foreign workers when no willing U.S. workers are available," according to news reports.

President Bush has also proposed a temporary-worker program for undocumented immigrants, stating that they are willing to do jobs that Americans have no interest in performing.

A report in The Washington Post stated that the final fate of immigration reform is uncertain this year.

"If the Senate enacts comprehensive reform that includes a guest worker program, it could face considerable opposition by House conservatives," the Post stated. At least 70 House Republicans have said they will oppose any legislation that seeks amnesty, the report said.

For developments: www.socialworkers.org/advocacy/updates/

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IMMIGRATION REFORM: A BRIEF ANALYSIS OF HR 4437 AND S 2611

Sally Alonzo Bell, PhD, LCSW
Azusa Pacific University
Common Day of Learning
March 7, 2007

It is estimated that there are 11 to 12 million undocumented immigrants in the United States. Of those undocumented immigrants the largest numbers come from three areas: Mexicans (approximately 6 million), followed by Asians (approximately 1.5 million), and Middle Easterners (approximately 250,000) (Maura Reynolds, 2006).

The current debates surrounding immigration reform are echoes of the past. The United States has always had a love/hate relation when it comes to immigration: who do we welcome, how many, from where, for what type of work, and for how long. These questions are at the center of the debate between what the House of Representatives (HR) and the U.S. Senate considered in the last session of Congress and are still struggling with.

On December 16, 2005, the House of Representatives approved the “**Border Protection Antiterrorism and Illegal Immigration Control Act of 2005**” (HR 4437) by a vote of 239 to 182 (203 Republicans and 36 Democrats) (National Immigration Law Center, 2005; 109th U.S. Congress HR 4437, 2005; Number USA, 2005). The bill has been described as draconian in its intent because of its hostile and punitive measures. The following are a few highlights of HR 4437:

- No road to lawful status for millions of undocumented non-citizens already in the U.S.
- Does not address the crucial need for comprehensive immigration reform.
- Makes conviction of unlawful presence in the U.S. an aggravated felony which would make millions of undocumented immigrants permanently ineligible for any legalization program.
- Expands the definition of criminal “alien smuggling” in such a way that anyone who assists an undocumented person to live or remain in the

U.S. could be charged with a criminal (felony) offense.

- Expands detention of non-U.S. citizens in removal proceedings.
- Requires the expedited removal of non-citizens apprehended within 100 miles of the border within 14 days of their arrival in the U.S.
- Guts due process protections and access to judicial review for immigrants.
- Creates a phone and Internet based employment eligibility verification system (EEVS) that all employers would be required to use as well as those who recruit or refer individuals for employment, including labor agencies and nonprofit groups.
- Dramatically expands passport and document fraud provisions and penalties, expanded detention to apply to more categories of immigrants, and creates new grounds of inadmissibility and deportability. Any error in application forms would be declared a fraud.
- Requires the construction of a fence along the U.S. – Mexican border. The cost is placed at from 2 to 9 billion dollars to cover 700 miles of a 2,000 mile border.
- Authorizes state and local police to enforce federal immigration law. Dangerous as the Repatriation of the 1940’s proved when anyone who “looked Mexican” was deported. Thousands of Mexican Americans and Mexicans who were naturalized American citizens were illegally/unlawfully deported.
- Withholds funds from state and local governments deemed to have policies preventing their cooperation with federal immigration law enforcement.
- Enters certain immigration information into the National Crime Information Center (NCIC) database. The fact that an undocumented immigrant is stopped by the police even though he/she has not committed a crime, this law would qualify him for the NCIC as a felon.
- Prohibits the use of Border Patrol uniforms made in Mexico. The irony here is that maybe the employment of Mexicans in Mexico might decrease the flow of undocumented to some extent

(Injustice for Immigrants, 2005; How do the Senate and House Bills Compare, 2006).

On May 25, 2006 the U.S. Senate passed S 2611, the “**Comprehensive Immigration Reform Act of 2006**” by a vote of 62 to 36 National Immigration Law Center, 2006). The bill is seen as more supportive and humane towards immigrants by comparison to HR 4437. The main features include:

- Path to legal status: Earned adjustment, differed mandatory departure, AgJOBS, Dream Act.
- Greatly reduces the immigration backlog that currently cause family separation and business frustration.
- Expands and reforms the existing H-2A guest worker program for agricultural workers (part of AgJOBS) and creates a new H-2C program granting up to 200,000 annual visas for low-skilled workers and others whose job types are not covered by current guest worker provisions.
- Expands the problematic “Basic Pilot” electronic employment eligibility verification system to a mandatory program that must be applied to all 50 million annual new hires in the U.S.
- Construction of 370 miles of triple-barrier fencing and 500 miles of vehicle barriers.
- Increases the number of Border Patrol officers from 11,300 currently to more than 25,000 by 2011.
- Authorizes use of the National Guard to patrol the border with Mexico until 2009.
- Makes expedited removal mandatory for individuals detained within two weeks of entry.
- Requires mandatory detention of individuals caught at a port of entry or land or international land or maritime border.
- Increases penalties and reduced due process protections for those charged with immigration violations, while increasing state and local enforcement of immigration laws.
- Makes English the National Language (How do the Senate and House Bills Compare, 2006; Justice for Immigration, 2006; Movimiento10 de Marzo, 2006).

Additionally, S 2611 creates the following barriers to legalization:

- For most non-citizens who qualify for legalization the minimum cost under the earned adjustment program, in fines and fees, would likely exceed \$4,000 per individual. This would be prohibitive for families who earn minimum wages.
- All applicants for earned adjustment would be required to pass the civics and naturalization tests in English.
- Individuals who committed minor crimes years ago, and who otherwise lived model lives in the U.S., would be precluded from obtaining legal status.
- The overlapping paths to legal status, each with its own set of requirements, qualifications, and exclusions would likely confuse immigrants, social agencies, and government employees alike, resulting in missed deadlines and opportunities (Justice for Immigrants, 2006; Movimiento 10 de Marzo, 2006).

The next step is that immigration reform will be taken up again by the House of Representatives and the Senate as both bills died (HR 4437 and S 2611) with the change brought about by the elections in November, 2006. Since new bills, or the old bills, will have to be introduced/reintroduced there is hope that the bills will reflect the Democratic values in both houses of government.

NASW Action Alert (April 12, 2006) and the U.S. Conference of Catholic Bishops Committee (Catholic Online, 2007) recommend that we contact our Congresspersons and Senators and ask for the following actions:

- A commitment to basic human rights and civil liberties for all individuals
- Respect for due process and the right to appeal alleged immigration violations.
- Humanitarian measures and enforcement to prevent human trafficking and abuse.
- Access to public education for children in this country irrespective of their immigration status.
- Attention to family reunification and reduction of the family immigration backlog.

- Pathways for legal work and earned citizenship.
- The elimination of anti-immigration discrimination and racism in employment practices.
- Immunity from deportation for substantiated reports of severe employment abuses of immigrants.
- The restoration of a safety net of social and medical services for legal immigrants.
- Protection for foreign-born workers and safeguards against the displacement of U.S. workers.
- Policies that address the root causes of migration.

Bishop Gerald R. Barnes, Chairman of the U.S. Conference of Catholic Bishops Committee (Catholic Online, 2007), has stated that immigration is a “humanitarian” issue and a moral matter: “our nation can no longer accept the work and taxes of migrant labor without offering them legal protection” (Catholic Online).

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SAMPLE LETTER TO THE EDITOR (FROM PEOPLE FOR THE AMERICAN WAY)

TIPS FOR WRITING A LETTER TO THE EDITOR:

- Keep your letter short (less than 200 words) and focused on one main point.
- If an article has already run in your newspaper that you can write in response to, your letter is more likely to be published.
- Make sure to check your newspaper’s guidelines for submitting Letters to the Editor. Most require a full address and phone number for confirmation, and many have specific word limits.
- If your newspaper hasn’t run your letter within one week, you have a good chance of getting them to print it by calling the editor to follow up.
- Be original. Newspapers often refuse to publish form letters. You can use our talking points for ideas, but use your own words.

IMMIGRATION TALKING POINTS TO USE IN YOUR LETTER

- Harsh immigration legislation could instantly convert undocumented workers into felons and brand church groups and humanitarian organizations as criminals.
- Some legislators have taken stances on immigration that are far outside the mainstream. They have gone so far as to cosponsor a bill that would deny citizenship to children born in the United States to undocumented parents.
- Anti-immigrant activists are about scaring people into supporting a callous, divisive approach that ultimately won’t work. Mass deportation is not only inhumane, but impracticable. It would be devastating to the nation’s economy.
- Experts agree that if we want to solve the problem, we need a comprehensive solution that takes

economic and human questions into account.

- The enforcement-only approach has been tried for the past 20 years and has failed. More of the same will not solve the problem.
- Support for comprehensive immigration reform—and opposition to punitive enforcement-only measures—is growing. This is evidenced by the massive walkouts and demonstrations that have taken place around the country, including one in Los Angeles that attracted more than 500,000 people. If elected officials fail to enact comprehensive reforms, there will likely be consequences at the ballot box.
- We’ve tried the enforcement-only path for the past 20 years and it has only led to chaos on our border and illegality as the norm. During the past decade alone, we tripled the number of agents on the border, quintupled their budget, toughened our enforcement strategies, and built fences and other fortifications around urban entry points. It’s a profound understatement to say that this strategy has done little to yield any positive change.

Enforcement is only feasible under a system of sensible laws that recognizes economic, security, and family needs. Laws that facilitate legal immigration cause a reduction in the flow of illegal immigration, narrowing the scope of the problem. The resources used for enforcement could then be focused on those offenders who pose a serious threat to the nation’s security, rather than on family members seeking to reunite or workers seeking to fill gaps in the U.S. labor market. Targeted use of these crucial resources that are currently spread thin will return order and stability to our chaotic immigration system.

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NASW Government Relations Action Alert

April 12, 2006

Ask Your Senators to Support Comprehensive Immigration Reform

THE ISSUE AT HAND

April 10, 2006, marked the "National Day of Action for Immigration Justice," the latest multi-city march in opposition to enforcement-only immigration legislation recently passed by the House of Representatives and referred to the Senate, the "Border Protection Anti-Terrorism and Illegal Immigration Control Act of 2005" (H.R.4437). In the past few weeks, over a million immigrants and their allies have held marches in Atlanta, Milwaukee, Tennessee, Chicago, Denver, Phoenix, Indianapolis, Washington, Los Angeles and elsewhere. In Los Angeles alone, at least 500,000 people marched through the streets of downtown. The Senate is currently considering several competing immigration proposals that contain varying degrees of enforcement and punishment provisions, as well as differing levels of opportunities for immigrants to gain legal status. The widespread public outcry and grassroots mobilization throughout America appear to have played a pivotal role in shifting the political debate. Elected officials are also aware that many of their constituents plan to take this issue into account when voting this year (General Election Day is Tuesday, November 7, 2006).

Though the nation's immigration system is extremely flawed and in need of reform, reactionary proposals that would further exploit the most vulnerable among us do not constitute a responsible solution. NASW joins in solidarity with those who understand that it is possible to strengthen national security without sacrificing the American values we hold dear, such as civil rights, labor standards, and human dignity.

ACTION NEEDED

Contact your Senators during their April recess (April 10-21) to encourage them to replace the current patchwork of immigration laws and procedures with a fair, equitable, and comprehensive national plan that – at a minimum – includes:

- A commitment to basic human rights and civil liberties for all individuals;

- Respect for due process and the right to appeal alleged immigration violations;
- Humanitarian measures and enforcement to prevent human trafficking and abuse;
- Access to public education for children living in this country irrespective of their immigration status;
- Attention to family reunification and reduction of the family immigration backlog;
- Pathways for legal work and earned citizenship;
- The elimination of anti-immigrant discrimination and racism in employment practices;
- Immunity from deportation for substantiated reports of severe employment abuses against immigrants; and
- The restoration of a safety net of social and medical services for legal immigrants.

Send a pre-drafted letter to your Senators about this critical issue from <http://www.socialworkers.org/advocacy/grassroots/congressweb.asp>.

Call your Senators through the Capitol Switchboard (202-224-3121).

BACKGROUND

House Activity

On December 6, 2005, Representative Jim Sensenbrenner (R-WI) introduced the "Border Protection Anti-Terrorism and Illegal Immigration Control Act of 2005" (H.R.4437). The bill emphasizes enforcement mechanisms and contains a number of punitive and extreme provisions, including: calling for the construction of 700 miles of fencing along the U.S.-Mexico border; imposing sanctions on those who assist or hire undocumented immigrants; declaring undocumented immigrants felons; eliminating judicial review of visa revocation; and offering immigrants neither lawful employment nor a route to citizenship. Despite fervent opposition, the bill garnered 35 co-sponsors and passed the House of Representatives on December 16, 2005, by a vote of 239-182. H.R.4437 was referred to the Senate Judiciary Committee on January 27, 2006.

Senate Judiciary Committee Activity

The Senate is moving beyond H.R.4437 by attempting to create a broader compromise solution to address both border security and the fate of the approximately 12 million undocumented immigrants already here. On March 27, 2006, the Senate Judiciary Committee completed the markup of Chairman Arlen Specter's (R-PA) proposed immigration legislation (the Chairman's mark) entitled the "Comprehensive Immigration Reform Act of 2006." By a vote of 12-6, the Committee reported the bill as amended to the Senate floor.

The Senate Judiciary Committee accepted amendments by Senators Lindsey Graham (R-SC) and Ted Kennedy (D-MA) to provide a **path to citizenship for undocumented workers** with certain conditions. Sen. Kennedy also successfully sponsored an amendment to establish a temporary worker program that includes protections for U.S. workers. The legalization and temporary worker provisions inserted into the Judiciary Committee bill were elements of the "Secure America and Orderly Immigration Act" (S.1033) introduced in 2005 by Senators John McCain (R-AZ) and Kennedy. Sen. Dick Durbin (D-IL) improved the Chairman's mark by striking language that would criminalize unlawful presence in the U.S. and by creating a limited humanitarian exception for provisions that would penalize some assistance to undocumented immigrants through the bill's expanded definition of "alien smuggling." The measure was also amended to include provisions to provide legal status for certain **undocumented students** (the DREAM Act) and **agricultural workers** (AgJOBS) via amendments offered by Senators Durbin and Dianne Feinstein (D-CA), respectively. A collection of Senators also made modifications to address several due process concerns.

The Committee rejected amendments by Senators John Cornyn (R-TX) and Jon Kyl (R-AZ) to require temporary workers and the formerly undocumented to return home before applying for green cards but accepted additional restrictions by Senators Jeff Sessions (R-AL) and Tom Coburn (R-OK) to expand immigration detention and allow for deportations without judicial review. Although the amended Chairman's mark is more reasonable than H.R.4437, it still includes many harsh enforcement provisions that are of great concern to immigrants and their allies.

Senate Activity

Heated debate on immigration reform is underway in the full Senate. As the Senate Judiciary Committee markup was occurring, Senate Majority Leader Bill Frist (R-TN) threatened to invoke a rarely-used parliamentary procedure to bypass the Committee and bring his own enforcement-only bill to the Senate floor if the Committee could not complete its work by March 27th. On March 16th, although the deadline had not yet expired, Sen. Frist introduced his enforcement-only bill, the "[Securing America's Borders Act](#)" (S.2454), which contains many punitive provisions but fails to include immigration reforms, such as a path to legal status or reduction of the family immigration backlog. By agreement with the Senate leadership, the Judiciary Committee bill was offered as a substitute for the Frist bill.

The Senate hoped to finalize their weeks of arduous negotiations before going home for the April recess. It appeared that their goal had been reached when two-thirds of the Senators, including Senators Frist and Kennedy, reached accord on a compromise plan offered by Senators Chuck Hagel (R-NE) and Mel Martinez (R-FL) on April 6, 2006; however, the delicate bipartisan agreement fell apart on the following day when Republicans and Democrats split over the number of amendments Senators could offer to the compromise bill during full floor debate. Negotiations will resume in two weeks when Congress returns on April 24, 2006.

Future Activity

If the Senate is able to pass an immigration measure after the April recess, it is expected to be a radical departure from the draconian enforcement-only measure passed by the House in December 2005. Therefore, in order to update the U.S. immigration system, Senate, House, and White House brokers will need to craft a compromise which reconciles the strong discord within the political parties and among conflicting business, labor, religious, and civil rights groups.

TIMING

Please send your letters and place your phone calls before April 24, 2006.

Social workers recognize that the immigrant rights movement is a facet of America's long history of struggle for racial and economic justice. The safeguard of civil rights for all is a vital test of any immigration reform proposal. NASW will remain steadfast in our advocacy efforts which seek to ensure that immigration reforms not only protect national security interests but also provide a responsible, compassionate, and dignified approach to human needs. Please write and call your Senators and urge them to pass legislation that reflects the values of social work and the basic principles of this great nation.

Thank you for your advocacy.

NASW will be sending a policy update monthly through the Member Link. However, you can be updated on federal legislation as issues arise by joining [NASW's Advocacy Listserv](#).

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NASW Government Relations Action Alert

September 20, 2006

Immigration Border Security

Issue:

In recent days, there has been a serious deterioration of the position espoused by pro-immigrant forces in Congress. Social Workers are urgently needed to stop punitive, enforcement-only, and misnamed immigration bills that have been introduced in the House of Representatives from potentially becoming law before this congressional session ends. Though America's immigration system is flawed and in need of reform, reactionary proposals that would further exploit the most vulnerable among us do not constitute a rational solution. NASW contends that it is permissible to strengthen national security without sacrificing the American values we hold dear, such as civil rights, civil liberties, and the pursuit of equality and social justice for all.

Background:

Throughout the summer of 2006 and during the Congressional recess, Republicans in the House of Representatives held a series of partisan hearings designed to articulate support for anti-immigrant legislation like H.R.4437, which was passed by the House of Representatives in December 2005. Meanwhile, on September 14, 2006 the House of Representatives passed (the day after it was introduced) the first in a series of bills carrying out this agenda. A variety of legislation including H.R.6061 the Secure Fence Act of 2006 (which calls for 700 miles of fencing on areas along the U.S.-Mexico border), the Dangerous Alien Detention Act of 2006, the Criminal Alien Removal Act and other bills have been repackaged to legitimize the anti-immigrant bias of the majority party.

Social Work Action: Call your House Representative at the Capitol Switchboard (202-224-3121), and urge them to vote against these punitive measures or any combination of initiatives that seek to harm marginalized immigrants. These Border Security Now package of bills, which also consist of H.R.6095 (Alien Smuggler Prosecution Act) and H.R.2933 (Alien Gang Removal Act of 2006) are politically motivated and induced by election-year aspirations. Your Representative should know that the social work community supports comprehensive immigration reform, and not incremental, anti-immigrant legislation that deprives human beings of dignity as well as their capacity to become stakeholders in American society. NASW contends that realistic security derives only from

comprehensive reform and not intolerance. **A potential vote, in the House, could occur on September 21, 2006. Again, please call your Representative and encourage them to vote against any anti-immigrant and Border Security Now measure. Congressional staff refers to these measures as Border Security Now proposals. Thank you for your advocacy.**

Contact: Lawrence Moore, III at 202-336-8289.

Thank you for your advocacy!


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NASW MASSACHUSETTS CHAPTER – STATEMENT ON IMMIGRATION RAID

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<p>The overall mission of the Massachusetts Chapter is:</p>	<p>To advance professional social work practice and the profession To promote human rights, social and economic justice, and unimpeded access to services for all</p>	

Statement on Immigration Raid

By Rebekah Gewirtz, NASW Dir. of Governmental Affairs and Public Policy and Nancy Scannell, MSPCC Policy Director

In March, NASW-MA Chapter joined the Massachusetts Society for the Prevention of Cruelty to Children to issue a press release in response to the Office of Immigration and Customs Enforcement's raid on a New Bedford factory. This raid resulted in the detainment of 350 alleged illegal immigrants at Fort Devens. Some of the detainees were then

flown to a detention center in Texas. The raid unnecessarily traumatized hundreds of children and highlights the need for a purposeful integration of child welfare policy into immigration policy and enforcement strategies.

"Many of the individuals who were detained are parents. This raid left hundreds of children abandoned at their schools, day care centers, and other child care placements," said **Marylou Sudders**, President and CEO of the Massachusetts Society for the Prevention of Cruelty to Children. "The disruption in the children's lives and the wide-spread chaos in Southeastern Massachusetts could have and should have been prevented. Obviously the children have done nothing wrong, but they are suffering because, although this raid was pre-meditated, the well-being of the children was callously overlooked."

Carol J. Trust, Executive Director of NASW-MA Chapter commented, "Protection of children in a situation like this must be a major consideration. Indeed, children are innocent and their well being should be considered preeminently when a plan is put in place to enforce ICE regulations." Trust continued, "An event like this should never happen again where children are left bewildered, confused, and traumatized. We must do better than that in this state and in this country."

Federal Immigration Laws warrant careful attention and thoughtful reform. As the debate unfolds, child advocates call upon federal and state officials to make the safety and well-being of children paramount to this discussion and a nonnegotiable element of reform. The isolation of child welfare authorities from the planning and execution of an operation that will have a traumatic impact on the children involved is unconscionable. Any future effort on the part of law enforcement to target illegal immigrants must include efforts to ensure that children are cared for and protected. ❖



RESOURCES:

The National Council of La Raza (NCLR) (<http://www.nclr.org/>) – the largest national Hispanic civil rights and advocacy organization in the United States – works to improve opportunities for Hispanic Americans. Through its network of nearly 300 affiliated community-based organizations (CBOs), NCLR reaches millions of Hispanics each year in 41 states, Puerto Rico, and the District of Columbia. To achieve its mission, NCLR conducts applied research, policy analysis, and advocacy, providing a Latino perspective in five key areas – assets/investments, civil rights/immigration, education, employment and economic status, and health.

The Asian American Justice Center (<http://www.advancingequality.org/>), a 501(c)(3) nonprofit, nonpartisan organization, was incorporated in 1991 and opened its Washington, D.C. office in 1993. AAJC works to advance the human and civil rights of Asian Americans through advocacy, public policy, public education, and litigation. In accomplishing its mission, AAJC focuses its work to Promote Civic Engagement, to Forge Strong and Safe Communities, and to Create an Inclusive Society in communities on a local, regional, and national level. A nationally recognized voice on behalf of Asian Americans, AAJC focuses its expertise on affirmative action, anti-Asian violence prevention/race relations, census, immigrant rights, language access, and voting rights.

The ACLU (American Civil Liberties Union) (<http://www.aclu.org/>) has been one of the nation's leading advocates for the rights of immigrants, refugees and non-citizens, challenging unconstitutional laws and practices, countering the myths upon which many of these laws are based. Learn more about our Immigrants' Rights Project and take action to protect the rights guaranteed by the Bill of Rights.

The Southern Poverty Law Center (<http://www.splcenter.org/index.jsp>) was founded in 1971 as a small civil rights law firm. Today, the Center is internationally known for its tolerance education programs, its legal victories against white supremacists and its tracking of hate groups. See newly released report *Close to Slavery: Guestworker Programs in the United States*.



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