Evangelical Lutheran Church in America

Issue Brief

Immigration

From Lutheran Immigration and Refugee Service (LIRS)

ELCA and LIRS Policy Base

The Scriptures command us to "Welcome one another, just as Christ has welcomed you, to the glory of God" (Romans 15:7) and declare that every human being is a child of God made in God's image and deserving to be treated with dignity and respect.

The presence of newcomers in our church and society helps us to become more appreciative of the gifts our new neighbors bring and of the barriers and opportunities they face. It deepens our belief that "all people are God's creatures, sinners for whom Christ died" and our responsibility to respect the human dignity of all.

Lutherans have a strong connection to uprooted populations. After the end of World War II, one out of every six Lutherans in the world was a refugee or displaced person. Lutheran churches in the United States have since been a welcoming community for refugees, sponsoring 57,000 refugees after World War II and 50,000 after the fall of Saigon in 1975, according to the ELCA message, "Immigration." In the 1980s, many Lutheran congregations provided sanctuary to Central American refugees whose lives were endangered as a result of civil wars.

In 1998, the ELCA Church Council adopted a message on immigration which called for just immigration policies and committed to work for "policies that cause neither undue repercussions within immigrant communities nor bias against them." The ELCA's view on immigration is consonant with its 1999 social statement on economic life, which identified the need for sufficient, sustainable livelihood for all as a moral imperative.

As Lutherans we understand that welcoming immigrants and refugees into our communities presents an excellent opportunity for us to examine our attitudes toward newcomers, to strengthen our church's ministry for the most vulnerable, and to continue to advocate for immigration and refugee laws that are fair and humane.

Background

There are more than 12 million undocumented immigrants currently living in the United States. Each year an estimated 300,000 more legal as well as illegal immigrants cross our borders. These are people who migrate here to join their families, to work, or to seek refuge from persecution, violence, and other horrors. However, the U.S. immigration system is not providing an orderly way for undocumented immigrants to gain legal status, reunite with their families, and integrate into American society.

Our nation's immigration laws have not been updated over the last fifteen years, and while the number of immigrant visas available has remained the same, the demand has grown. This includes people from circumstances as

varied as family members seeking to reunite to employers looking to hire new workers. For workers who lack desirable professional skills, there are only 5,000 visas available each year. As large numbers of immigrants arrive every year, they are absorbed by America's society and advancing economy. Faced with years or decades of waiting to reunite with family members or to obtain a job to provide for their families, many immigrants are compelled to enter the United States without permission or use temporary visas to permanently stay in the country.

Increasingly, the government is conducting raids at work sites, homes or in public areas and detaining immigrants—including children and families—in facilities that provide inadequate medical care and services, according to the Government Accountability Office. By the end of the 2007 fiscal year, the federal government will have detained nearly 300,000 immigrants in jail-like facilities that cost U.S. taxpayers over $1 billion. In 2007, the government maintained nearly 28,000 detention spaces for immigrants and is constantly calling for funds to increase that number, according to the ACLU National Prison Project.

In addition, while the United States has the sovereign responsibility to control its borders, it must also create migration policies consistent with its constitutional and humanitarian values. The large majority of undocumented immigrants are not criminals and should not be treated as such—illegal immigration is a civil offense. In cases where immigrants have engaged in criminal activity, they should be dealt with by our criminal justice system in a fair and balanced way. Currently, immigrants are being detained in substandard and crowded conditions, including in "tent cities" or local jails. The government's skyrocketing use of detention for immigrants and families who pose no danger or flight risk is costly, inhumane, and unjust.

Sample Questions to Ask Your Candidates

✓ Immigration laws should be reformed to provide a path to permanent status for 12 million undocumented immigrants currently residing in the United States, and should afford undocumented men, women, and children equal opportunities to pursue legalization. Moreover, by better documenting who is in our country, we can strive for smart enforcement, fair proceedings, efficient processing and targeted enforcement against those who want to harm us. Would you support legislation that helps undocumented immigrants to adjust their legal status if they agreed to pay fines and back taxes and learn English?

✓ Family unity has always been a cornerstone of U.S. immigration policy. Yet the immigration system's current backlog of family visas has kept thousands of U.S. citizens and legal permanent residents separated from their families, in some cases for as long as 20 years, according to the National Immigration Forum. Immigration laws should be reformed to

eliminate visa backlogs and enable families to reunite with their loved ones. Would you support legislation that eliminates visa caps, which currently keep spouses and minor children waiting for five years to reunify with their families here in the United States?

✓ The United States currently spends $1.2 billion annually on detaining immigrants even though there are alternative programs that cost as little as $22 per day and yield high appearance rates at immigration courts. Immigration laws should be reformed to prioritize the use of parole and alternatives to detention that are less costly and more effective. Would you support efforts to promote more humane and just methods to enforce our immigration laws?

✓ The government's skyrocketing use of detention for immigrants and families who pose no danger or flight risk is costly, inhumane, and unjust. Families and children should never be detained in penal settings like those used in Texas and Pennsylvania. Would you support legislation to prevent the detention of immigrant families and children?

✓ 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 immigration system should be reformed to afford every immigrant a fair opportunity to apply for immigration status—including access to counsel and the right to review in federal court. Would you support legislation that provides immigrants with attorneys and the right to review in federal court?

Sources

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