



# **A NEW PATH**

**Toward humane immigration policy**

February 2009



**American Friends  
Service Committee**

# **THE SEVEN CORE PRINCIPLES**

for a new path toward a humane immigration policy

## **PRINCIPLE ONE**

### **Create justice with humane economic policies**

International economic policies, including trade agreements, need to be consistent with human rights, trade justice, and sustainable approaches to the environment and economic development

## **PRINCIPLE TWO**

### **Protect the labor rights of ALL workers**

All workers are entitled to humane policies that protect their labor and employment rights

## **PRINCIPLE THREE**

### **Develop a clear path to permanent residence**

Inclusive measures must be enacted that lead to permanent residence for undocumented immigrants, multi-status families, refugees, and asylees

## **PRINCIPLE FOUR**

### **Respect the civil and human rights of immigrants**

Immigrants, regardless of status, deserve the same civil and human rights as all U.S. residents

## **PRINCIPLE FIVE**

### **Demilitarize the U.S.-Mexico border**

The U.S.-Mexico border region must be demilitarized and the quality of life of border communities needs to be protected

## **PRINCIPLE SIX**

### **Make family reunification a top priority**

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

## **PRINCIPLE SEVEN**

### **Ensure that immigrants and refugees have access to services**

Public programs and services should not exclude immigrants or refugees

*On the cover: A union meeting of strawberry workers in Watsonville, CA. Photo: David Bacon*

# CONTENTS

<b>Executive Summary</b>	1
<b>Recommendations to President Obama and the 111<sup>th</sup> Congress</b>	
<b>PRINCIPLE ONE</b>	5
<b>Create justice with humane economic policies</b>	
International economic policies, including trade agreements, need to be consistent with human rights, trade justice, and sustainable approaches to the environment and economic development	
<b>PRINCIPLE TWO</b>	7
<b>Protect the labor rights of ALL workers</b>	
All workers are entitled to humane policies that protect their labor and employment rights	
<b>PRINCIPLE THREE</b>	9
<b>Develop a clear path to permanent residence</b>	
Inclusive measures must be enacted that lead to permanent residence for undocumented immigrants, multi-status families, refugees, and asylees	
<b>PRINCIPLE FOUR</b>	10
<b>Respect the civil and human rights of immigrants</b>	
Immigrants, regardless of status, deserve the same civil and human rights as all U.S. residents	
<b>PRINCIPLE FIVE</b>	12
<b>Demilitarize the U.S.-Mexico border</b>	
The U.S.-Mexico border region must be demilitarized and the quality of life of border communities needs to be protected	
<b>PRINCIPLE SIX</b>	15
<b>Make family reunification a top priority</b>	
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	
<b>PRINCIPLE SEVEN</b>	16
<b>Ensure that immigrants and refugees have access to services</b>	
Public programs and services should not exclude immigrants or refugees	
<b>End notes</b>	17



# Executive Summary

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. Today, 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 *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 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 following principles and key recommendations:

## PRINCIPLE ONE

### **Create justice with humane economic policies**

**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.

## **PRINCIPLE TWO**

### **Protect the labor rights of ALL workers**

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**

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**

Immigrants, regardless of status, deserve the same civil 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**

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.
- 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**

**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.

## **PRINCIPLE SEVEN**

### **Ensure that immigrants and refugees have access to services**

**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.





# PRINCIPLE ONE

## Create justice with humane economic policies

International economic policies, including trade agreements, need to be consistent with human rights, trade justice, and sustainable approaches to the environment and economic development.

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AFSC supports efforts to improve international cooperation to address social and economic conditions that force migration and disrupt or impede sustainable development. However, without addressing systemic and underlying root causes, short-term, restrictive remedies will fall short of concrete and long-term solutions to economic despair and poverty.

Throughout the past two decades, “free trade” agreements such as the North American Free Trade Agreement (NAFTA) have dominated economic and political relations between the Global South and the North. These asymmetrical agreements allow for the easier flow of goods and capital across national borders, while the movement of people who have been displaced by these same agreements has been restricted and criminalized. These agreements and policies require the elimination of subsidies in developing countries, often devastating small farmers and producers, while large corporations receive enormous subsidies from the governments of developed countries.

Future economic policies should be consistent with human rights, trade justice, and sustainable approaches to the environment and economic development. Nations and international entities must recognize that individuals and communities have a right *not to migrate*. This right is predicated on respect for national sovereignty, peaceful coexistence, and the right of countries to shape an economic development model that benefits its citizens, rather than transnational corporations. Any nation-state economic model that ignores its own citizens is doomed to fail and will instead increase abject poverty and social inequality.

[Please see endnote 1, page 17, for more details about the multiple negative impacts of global 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.

**Recommendations:**

- 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.
- Support and promote global economic policies that invest in and develop a sustainable and strong social infrastructure and healthy environment.
- Undertake reparations to developing countries that have withstood social and economic damages due to trade agreements and policies. This compensation should respond to the needs of local communities and could include the availability of rural credit to make farming easier and more sustainable and productive; infrastructure-building and public works projects that improve community wellness and the quality of life; and support for education and cultural development.
- Explore alternative forms of economic integration that are consistent with international human rights law.
- Adopt, sign, and ratify the International Convention on the Protection of the Rights of All Migrant Workers and Their Families. Afford migrant workers their rights as contained in the Universal Declaration of Human Rights and the relevant conventions of the International Labor Organization.

# PRINCIPLE TWO

## Protect the labor rights of ALL workers

All workers are entitled to humane policies that protect their labor and employment rights

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### I. Ensure that everyone can work with dignity

All people regardless of immigration status have a right to work with dignity. All workers must be paid a wage that allows them to live decently and support their families. The workplace should be safe from undue health hazards, and workers must be provided with appropriate and adequate safety equipment and training. All workers, including immigrant workers, have the right to freely associate, organize, and form labor unions without employer retaliation or retribution.

Domestic policies must also support job readiness and job creation programs, retooling, and ongoing training in a globally changing world. Both immigrant and native-born workers have a right to employment and to living wages. Proposals for future immigration policy must augment economic stimulus programs that ensure that all workers have jobs at a decent and livable wage. AFSC opposes any public policy that increases the vulnerability of immigrant workers and pits workers against each other by undermining job security, wages, and working conditions.

Furthermore, in developing immigration policy, AFSC rejects any form of temporary worker program as an alternative to permanent residence. The experiences of past and present guest workers have been characterized by extreme exploitation and abuse akin to human trafficking. Both the infamous *Bracero* Program and the current H1-B, H-2A, and H-2B programs contain written labor protections. However, the reality is that inspections are inadequate and ineffectual, as the programs

are structurally designed to supply labor to industry at a price that benefits employers but undermines the rights of workers.

#### Recommendations:

- End guest worker programs.
- Strengthen, implement, and monitor labor and employment laws, including the Fair Wage Standards Act, the National Labor Relations Act, and their state equivalents.
- Ensure that statutory and administrative remedies that redress workplace grievances apply



Former braceros at the Mexican consul in Fresno, CA. Photo: Martin Cuevas

equally to all workers regardless of immigration status.

- Increase the number of federal inspectors responsible for all U.S. wage and hour violations.
- Pass legislation that protects and guarantees the right of workers to effectively exercise their labor rights, form unions, and bargain collectively without intimidation, retaliation, or retribution from employers.
- Establish job creation and job-training programs to ensure that workers can find employment. All workers should be allowed to enroll in these programs, regardless of immigration status.

## II. End policies and actions that expose workers to abuse and exploitation

Immigration raids that terrorize workers and separate families have no economic benefit and violate basic human rights standards. Employers and consumers are adversely affected by the disruption of production and service delivery, while the economies of entire communities are weakened. Non-payment of minimum wage and overtime, as well as wage theft, has become endemic in the low-wage end of various services and industries that many immigrant workers occupy.

When employers are able to use the vulnerability of undocumented workers to force them to accept substandard wages or conditions, the wages and conditions of all workers decrease as well. When that vulnerability makes it harder and more risky for undocumented workers to organize unions or assert their labor rights, it becomes harder for the workers around them to do so as well.

One source of the vulnerability of undocumented workers is employer sanctions. Under the guise of making it illegal for employers to hire undocumented workers, it has become illegal for undocumented workers to work. However, thousands of subcontractors and staffing agencies are used to exploit workers and profit from undocumented labor.

*[See endnote 2, page 17, for further details about the effects of employer sanctions.]*

### Recommendations:

- End workplace raids.
- Repeal employer sanctions.
- End electronic worker verification systems and other means of enforcing employer sanctions.
- Allow all workers to apply for and receive Social Security numbers, and to receive benefits from the system to which they often contribute.
- Ensure, implement, and monitor anti-discrimination protections.

**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 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.**

## PRINCIPLE THREE

### Develop a clear path to permanent residence

**Inclusive measures must be enacted that lead to permanent residence for undocumented immigrants, multi-status families, refugees, and asylees**

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Adjusting the immigration status of undocumented immigrants recognizes the equity they have built through their participation in U.S. society and acknowledges the inherent injustice of the secrecy, vulnerability, and exploitation imposed on undocumented women, men, and children. Providing permanent legal status for people who currently reside in the United States and those who hope to enter in the future will eliminate the marginalization of undocumented individuals and lead to a more equitable society.

Permanent residence for undocumented people allows the holders the same social, political, and labor rights that are held by people in the community to which they belong and ensures freedom of movement. Visas that are only temporary, are tied to employment status, or given as a result of recruitment by employers for labor programs condemn people to second-class social and political status, and make them vulnerable to retaliation for exercising their rights.

#### **Recommendations:**

- Provide safe, legal means for migration through ports of entry.
- Pass 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.

**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.**

**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.**

## PRINCIPLE FOUR

### Respect the civil and human rights of immigrants

Immigrants, regardless of status, deserve the same civil and human rights as all U.S. residents

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While recognizing that under principles of sovereignty nation states may develop border and migration policies, we affirm that freedom of movement is a human right. Immigration policy must protect that right and provide opportunities for travel and migration, rather than criminalize individuals who exercise their rights.

Furthermore, immigration laws and other laws that relate to migration must recognize and incorporate civil and human rights standards.

Immigration policy laws should not allow arrests, detention, or deportation of people based on their immigration status. In those cases in which status is in question, the basic principle of the right to counsel and to a fair trial must be guaranteed.

In the last three years, arrests, detention, and deportation of immigrants have increased dramatically. The federal government has begun charging migrants with violations of criminal law, bringing defendants to trial in shackles and chains, and incarcerating them in privately-run detention centers for months. These actions take place within the bounds of U.S. law, but outside international human rights standards that protect the rights to liberty, family, and freedom from arbitrary arrest or detention. Current law must be changed to recognize these rights and the realities faced by immigrants and their families.

Detention has an impact on all members of our communities. When a parent is detained, children suffer psychological consequences that affect themselves, their families, their schoolmates, and all others in the community. When a family's breadwinner is detained, the economic impact is felt by all. Although immigrants are often held in jails where conditions are substandard – more than 65 individuals died while in the custody of U.S. Immigration and Customs Enforcement between 2004 and 2007 – current detention standards are not enforceable by law, leaving little or no redress for many detainees and their families.

#### Recommendations:

- End arrests, detention, and deportation of immigrants.
- Halt community sweeps, checkpoints, and roadblocks.
- Exercise discretion in arresting people for immigration violations, especially in cases that involve children or other vulnerable populations.
- Eliminate all agreements between the Department of Homeland Security and local/county/state law enforcement agencies (287g)\*.
- Ensure the due process rights of immigrants in detention, deportation, or removal proceedings,

including access to legal representation, fair trials, meaningful and expedient judicial review, and an end to racial, ethnic, and religious profiling and other forms of illegal searches and seizures.

- Create mechanisms to review and monitor conditions and standards in all jails and detention centers to protect basic rights such as medical and mental health care, and access to legal counsel.
- Codify specific and enforceable compliance standards.
- Eliminate arbitrary, indefinite, or mandatory detention or other forms of abusive treatment and detention practices that separate family members.
- Implement humane alternatives to detention that allow release after an individualized hearing.
- Repeal immigration laws that mandate deportation and lead to double punishments for individuals who have served time on criminal offenses.
- Ensure judicial procedures that take into account the impact of deportation on family and community members as well as on the individual.
- End the privatization of the detention system by tearing down existing immigration jails, canceling the contracts to private contractors for operating them, and requiring the federal government to exercise responsibility for respecting the human rights of those charged with immigration violations.



**Newark Immigrant Rights Program workshop during 60th anniversary of the Universal Declaration of Human Rights (2008).** Photo: Newark Immigrant Rights Program

\* Section 287(g) of the Immigration and Nationality Act authorizes the training of local officers to enforce immigration law.

# PRINCIPLE FIVE

## Demilitarize the U.S.-Mexico border

The U.S.-Mexico border region must be demilitarized and the quality of life of border communities needs to be protected

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### I. Demilitarize the U.S.-Mexico border and protect the region's quality of life

The U.S.-Mexico border has become an increasingly militarized boundary between two nations not engaged in armed conflict. The demilitarization of the U.S.-Mexico border, as well as respect and protection of the region's quality of life, is fundamental to a humane immigration policy.

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 participation and organizing efforts along the borderlands.

AFSC's border policy recommendations emerge from a vision of borders which are the product of mutual agreement and acknowledgement, jointly administered, disarmed, and aided by border crossing procedures that respect human dignity and rights.

The current border enforcement policies have been inefficient, costly, and deadly and have been implemented without allowing border residents to have a say on policies that impact their communities, while also creating mistrust and tension between border residents and federal law enforcement agencies.

Authorizing appropriations for increased Department of Homeland Security equipment, enforcement personnel and infrastructure disrupts the quality of life of border residents, and has only been effective in the erosion of human rights in the region. Since the 1994 establishment of border control policies, at least 5,100 immigrants have lost their lives. The creation of special criminal courts for border-crossers, and the expansion of the network of detention centers, is a threat to the civil rights and liberties of immigrant and non-immigrant border residents.

#### Recommendations:

- Demilitarize the U.S.-Mexico border and cease all enforcement policies, practices, measures, laws, and strategies that criminalize immigrants and border communities. Prevent the extension of these tactics to the U.S.-Canada border.
- 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.
- Adequately fund and staff the Department of Labor and the Office of the Inspector General to ensure that fair labor standards and accountability measures are implemented and monitored.
- Repeal the waiver authority which gives the Executive Branch under the Secretary of the Department of Homeland Security unprecedented power and jurisdiction in building walls throughout the border at the expense of laws and regulations that protect the environment, cultural landmarks, and the quality of life of border residents.



- Make border enforcement agencies and their respective agents comply with and uphold local, national, and international laws and civil and human rights along the border region and in the interior of the country.
- Reduce the excessive numbers of Border Patrol agents, and redirect a substantial percentage of the immigration enforcement budget to the timely implementation and monitoring of labor standards.
- Make it the policy of border authorities to facilitate orderly, expedited crossings at the ports of entry and improve infrastructure at the ports of entry in order to prevent costly and long delays for border crossers at both the northern and southern border.

## II. End the privatization of enforcement along the border

The increasing reliance on domestic and foreign private military contractors adds a profit motive to border militarization. Furthermore, the growth in arrests has created a booming business of immigration detention, with new contracts between the federal government and the Department of Homeland Security to jail immigrants leading to windfalls for private corrections companies and county jails.

In 2008, we witnessed the lobbying efforts of companies that have a track record of profiting from global conflicts. Such is the case of DynCorp and Blackwater, companies that have sought to augment and train the U.S. Border Patrol. Under the Secure Border Initiative, billions of tax dollars have been awarded to private entities to maintain and operate immigration detention facilities, construct walls and barriers, and transport deportees along the U.S.-Mexico border.

The AFSC is alarmed that foreign military contractors have been contracted to build the high tech portions of the expanded wall on the border; marking a new stage for border communities: the privatization of enforcement policies along the borderlands.

### Recommendations:

- End all contracts with domestic and foreign private military contractors that contribute to the further militarization of the U.S./Mexico border.
- Provide moral and financial support so that local and regional leaders and public officials undertake principled and effective leadership that disband border vigilante groups. Public officials that promote, aid, sanction, or support such groups should be held accountable for the impact of any and all acts of vigilantism.

**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.**

- Abolish the special Federal courts which coerce border crossers into plea bargains on Federal criminal charges, which try defendants en masse, and which then sentence them to incarceration in privately run detention centers.



"No Border Wall" demonstration in San Diego. *Photo: AFSC*

## PRINCIPLE SIX

### Make family reunification a top priority

**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**

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Family unification has been the cornerstone of U.S. immigration policy since 1965. This basic value must be strengthened in any changes to current laws.

The permanent resident visa system is based on an obsolete framework that arbitrarily caps the number of visas available each year, both for families and for workers, without regard to the needs of family reunification or current economic realities.

In fact, the current policy is a major reason for the size of the undocumented population and serves no substantial national interest. A direct and obvious consequence is an ongoing increase in the size of the undocumented population as many immigrants – especially women – join their families before they are eligible to submit applications for residence in order to avoid long and harsh separations that can be as long as ten years.

#### **Recommendations:**

- 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 harsh obstacles to immigrating, including prohibitions on returning to the United States based on prior immigration history and high-income requirements for immigrant sponsors.
- Same-sex partners must be entitled to receive the same benefits as heterosexual partners.
- Eliminate restrictions on eligibility for spouses of deceased U.S. citizens or lawful permanent residents and ensure that children can immigrate with parents. Allow applications to be filed from within the U.S. so that families are not separated due to consular processing requirements.

In February 2007, Immigration and Customs Enforcement agents detained and subsequently deported the Garcia parents in a violent operation at their home. The Garcia children, three under-age US 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 post-traumatic 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.

## PRINCIPLE SEVEN

### Ensure that immigrants and refugees have access to services

#### Public programs and services should not exclude immigrants or refugees

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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 migrants 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.

#### Recommendations:

- 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, including the nine year limit on receiving Supplemental Security and Medicare benefits for humanitarian immigrants.
- Invest in communication-assistance pilot projects that bridge the communication barriers between service providers and their clients.
- Create positive incentives for health care providers and other employees of health care institutions to be trained in cultural competency and taught how to work effectively with interpreters and limited-English-proficiency patients.
- Invest in programs that result in increased diversity in health care professions, including members of immigrant communities and bilingual providers.
- Create positive incentives for insurance companies, public health coverage programs, and federal, state, and local social service agencies to pay for interpretation services for patients.
- Increase funding to safety-net health care facilities that provide life-saving preventive, primary, and specialty care to those who do not have insurance; including hospitals, federally qualified health centers, and migrant and rural health centers.
- Re-affirm protected access to public schools at K-12 levels as well as protecting admission to higher education.
- Vigorously enforce all laws that prohibit discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance.
- Expand access to information, resources, and community services for Limited English Proficient individuals.
- Provide adequate funding for refugee protection and resettlement.

## END NOTES

1. The past three decades have been dominated by policies of global economic development fomented by the United States and other western countries. For example, in order to renegotiate their debt, highly indebted nations have been forced to accept the structural adjustment policies of the World Bank and the International Monetary Fund. These policies lead to an overall reduction in social spending on basic public services such as health and education, and other measures such as laying off public sector employees and privatizing state-owned industries including public utilities and other enterprises. A concrete consequence has been an increase in out-migration from communities in which economic sustainability is no longer an option.

The displacement of people by trade agreements and structural adjustment policies creates a flow of migrant workers, moving from developing to developed countries all over the world. This migrant flow has acquired tremendous importance, and corporations have used it increasingly as a means to satisfy their need for human labor at a price they want to pay. Developing nations have been forced to adopt a labor export policy, in which the remittances sent back by their citizens are used to make enormous foreign debt payments, to help family members and communities survive as the public services infrastructure and budget is reduced, and to act as an escape valve for rising social discontent. The impact of the “brain drain” of workers educated at public expense is made even more bitter when highly educated immigrants are forced to work abroad in jobs requiring much less skill and education.

Moreover, the agreements require developing countries to encourage unrestricted private foreign trade and investment that subject local industries and enterprises to produce for export, rather than for domestic consumption. Countries are pressured to keep wages and income relatively low in order to attract competition from foreign multinational corporations and to oppose any effort by workers and farmers to organize and raise their basic wages. Existing legal rights and protections for workers, farmers and the poor are ignored, while international financial institutions require legal changes that eliminate labor rights, land reform, nationalization, or other achievements of struggles of the past. In short, these actions have been detrimental to poor and working families and have led to the massive displacement of workers in the Global South, giving way to economic inequalities and geographic displacement.

2. Since employer sanctions became law in 1986, a long record has been established of their use by employers to violate labor rights and standards for undocumented people, and to take punitive measures when workers attempt to organize or file complaints. The federal government has made the situation worse by implementing measures that further criminalize work, such as charges with Federal crimes for the use of a “bad” Social Security number; requiring employers to dismiss workers with social security numbers that do not match the Social Security database (the “no-match” letter); establishing new, electronic databases of workers who can be hired (“E-Verify”). The latter has been found to contain significant errors and bureaucratic mistakes while all of these have served to deprive undocumented workers of their right to work, organize, receive legal wages and conditions, and the equal treatment received by the workers around them.



Photo: Terry Foss

**Audience members during a showing of “digital stories” by Somali Bantu youth in the U.S. ([www.afsc.org/SomaliBantu](http://www.afsc.org/SomaliBantu)).**



Photos: David Bacon



For more information about AFSC's Project Voice, please call (215) 241-7131  
[www.afsc.org/ImmigrantsRights/](http://www.afsc.org/ImmigrantsRights/)



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