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September 1, 2020

MEMORANDUM FOR: Board of Directors
FROM: Justin Kiczek, Executive Vice President
SUBJECT: A Review of Immigration and Immigration-Related Grantees

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 - b. Brief History of FMKF Immigration-Related Support
 - c. Definitions
 - d. Current Numbers & Statistics
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 - f. FMKF Public Policy Institutions Dealing with Immigration
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I. BOARD DISCUSSION GUIDE

1a. Introduction

Immigration has been front and center in cultural and political debates, reaching a pitch over the last five years with the campaign and presidency of Donald Trump. The topic remains as relevant today, as the coronavirus raises new questions about globalization and immigration and the country prepares for a national election.

However, while immigration might have received renewed attention over the last decade, the subject has been debated since the very beginnings of the republic – and will likely continue to be an issue of contention in the next four years, no matter who is president.

The F. M. Kirby Foundation has long taken up immigration as an important matter for the well-being of the country. In our public affairs docket, we have supported organizations that have been front and center in the debates about immigration policy; as the brief history below will show, many of these organizations called for sharper restrictions on the numbers of immigrants that are permitted in the county. On the other hand, the Foundation has also been supportive of non-profits that have provided vital resources and supports to immigrant communities. In other words, while the Foundation has typically supported controlling the levels of immigration, it has been steadfast in its support of immigrants who are here and wish to contribute to society.

As a family foundation that aims to make thoughtful philanthropic commitments, the Board and management considers it prudent to re-examine the current attitude towards immigration and whether current grantees who are serving immigrants or working to shape policy around this issue are still in alignment with the interests of the Board. The faces of immigrants – and the face of the United States – has been ever-changing since its founding, with new waves of immigrants becoming part of the American fabric with every generation; thus, it is only appropriate that the F. M. Kirby Foundation reflect on its investments in this arena.

As such, the following documents are designed to guide Board members in this discussion.

1b. Brief History of FMKF Immigration-Related Support

The F. M. Kirby Foundation has considered immigration to be an issue of significance to the health of the nation. Looking back as far as 1975, there has been a long history of interest in immigration policy, particularly as it relates to population density and ecological impact.

In 2004, when FMKF last embarked on a study of its immigration-related grantees, the Foundation supported nine “public affairs” organizations that were singularly focused on immigration, population control, and/or assimilation. These grants totaled \$305,000 annually.

Whereas the Foundation committed substantial support for immigration-policy focused grantees in the early 2000s, the Foundation began to wean support for these organizations in the

coming years. Concurrent with this change, the Foundation continued to support grantees who directly served immigrant and first-generation families, including Morristown Neighborhood House, Zufall Health Center, and, more recently, Morris County Organization for Hispanic Affairs. As a further indication of change, only one of the aforementioned immigration-focused public affairs grantees is still receiving funding: Federation for American Immigration Reform (the Foundation also began supporting Center for Immigration Studies in 2008). These two organizations are the subjects of this Board meeting's "grantee spotlights."

A later section of this document will outline current FMKF support for grantees either involved in immigration policy or serving immigrant and first-generation families.

1c. Definitions

U.S. Citizen is a person who was (1) born within the borders of the United States; (2) born to U.S. citizens outside of the United States; or (3) has met the criteria to become a naturalized citizen. U.S. citizens enjoy all the rights enumerated in the Constitution and cannot be stripped of citizenship except in extreme circumstances. Citizens differ from lawful permanent residents in their ability to vote in elections, hold elected office, and hold a United States passport.

Lawful Permanent Resident is an alien admitted to the United States lawfully authorized to live permanently within the United States. Also known as "green card holders," LPRs may accept an offer of employment without special restrictions, own property, receive financial assistance at public colleges and universities, and join the Armed Forces. They also may apply to become U.S. citizens if they meet certain eligibility requirements.

Unauthorized immigrants are defined as all foreign-born non-citizens who are not legal residents. Most unauthorized residents either entered the United States without inspection or were admitted temporarily and stayed past the date they were required to leave.

H1B Visa allows U.S. employers to temporarily employ foreign workers in specialty occupations. A specialty occupation requires the application of specialized knowledge and a bachelor's degree or the equivalent of work experience. The duration of stay is three years, extendable to six years; after which the visa holder may need to reapply. 188,100 new and initial H-1B visas were issued in 2019.

H2A Visa allows a foreign national worker into the United States for temporary agricultural work. In 2015 there were approximately 140,000 total temporary agricultural workers under this visa program. Terms of work can be as short as a month or two or as long as 10 months in most cases, although there are some special procedures that allow workers to stay longer than 10 months. Unlike other guest worker programs, there is no cap on the number of H-2A visas allocated each year.

Deferred Action for Childhood Arrivals (DACA) is a non-congressionally authorized administrative program that permitted certain individuals who came to the United States as juveniles and meet several criteria to request consideration of deferred action for a period of two years and eligibility for work authorization. The DACA program was terminated by

then Attorney General Jeff Sessions before a lower court – and then in June of 2020 – the Supreme Court rejected the Trump administration’s attempt to dismantle the program. As of now, previously recipients of deferred action under DACA are eligible to request renewal. Currently, the Department of Homeland Security is not accepting requests from individuals who have never before been granted deferred action under DACA.

Refugee status is a form of protection that may be granted to people who are of special humanitarian concern to the United States. Refugees are generally people outside of their country who are unable or unwilling to return home because they fear serious harm. One may seek a referral for refugee status only from outside of the United States.

Temporary Protected Status (TPS), also known as Political Asylum, is a temporary immigration status provided to nationals of specifically designated countries that are confronting an ongoing armed conflict, environmental disaster, or extraordinary and temporary conditions.

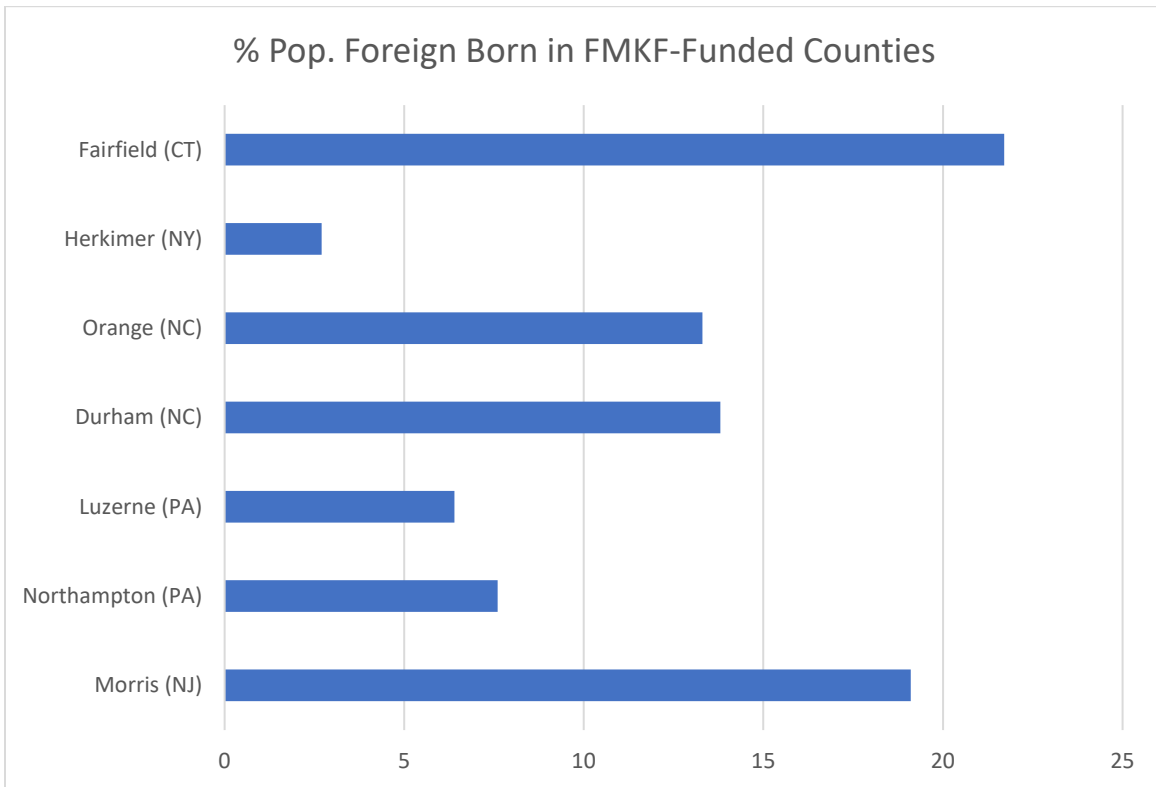
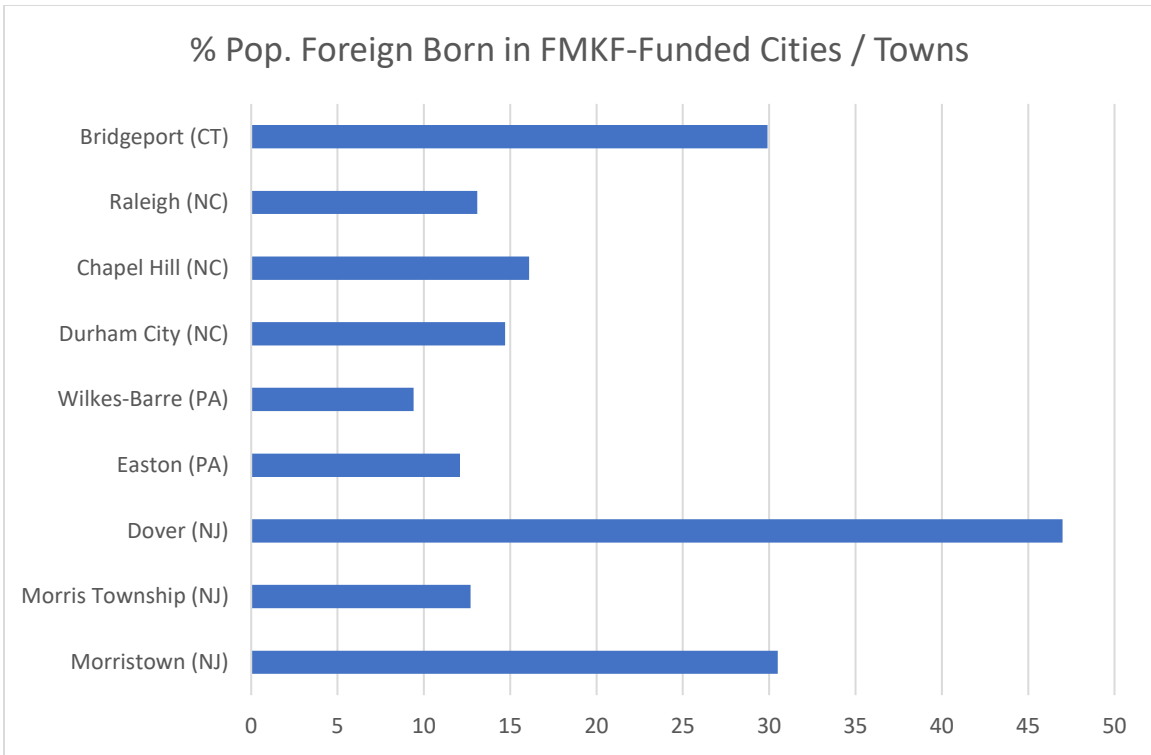
Diversity Visa Lottery makes up to 50,000 immigrant visas available annually, drawn from random selection among all entries to individuals who are from countries with low rates of immigration to the United States. The DV Program is administered by the U.S. Department of State (DOS). The program intends to balance out the nations of origin of immigrants to the United States, targeting people who do not have U.S.-based eligible family members or employers able to sponsor their visas and/or have very few opportunities for permanent, legal immigration to the United States.

1d. Current Numbers & Statistics

According to the Department of Homeland Security, in 2018, there were...

- 1,096,611 persons obtaining lawful permanent resident status
- 22,405 persons admitted as refugees
- 25,439 granted political asylum
- 761,901 persons naturalized as U.S. citizens
- 570,368 H1B visas
- 298,228 H2A visas issued
- 120,351 H2B visas issued

The Pew Research Center estimates that, in 2017, the United States had a high estimate of 10.7 million unauthorized immigrants or a low estimate of 10.3 million. Federation of Americans for Immigration Reform (FAIR) disputes this statistic, estimating that, in 2017, unauthorized immigrants more likely numbered 12.5M.



* Statistics courtesy of the United States Census Bureau American Community Survey 2018 5-Year Estimates

	Total Population	% Foreign born	Hispanic or Latino	Asian Alone	Language Other than English @ Home	Persons in Poverty
United States	328,239,523	13.5	18.5	5.9	24.3	11.8
County						
Morris (NJ)	491,845	19.1	13.9	10.8	21.5	4.7
Northampton (PA)	305,285	7.6	14.2	3.1	13.2	10.2
Luzerne (PA)	317,417	6.4	13.8	1.4	11.5	14.3
Durham (NC)	321,488	13.8	13.7	5.5	18.8	13.5
Orange (NC)	148,476	13.3	8.6	8.1	17	12.4
Herkimer (NY)	61,319	2.7	2.3	0.6	5.5	13.5
Fairfield (CT)	943,332	21.7	20.5	5.9	29.5	10
Cities / Towns						
Morristown (NJ)	19,261	30.5	29.6	5.8	36.1	5.9
Morris Township (NJ)	22,156	12.7	8.1	4.8	13.8	6.4
Dover (NJ)	17,725	47	67.6	2.7	69.5	12.7
Easton (PA)	27,189	12.1	23.2	3.2	20.4	16.7
Wilkes-Barre (PA)	40,766	9.4	19.1	2.1	18.7	27.5
Durham City (NC)	278,993	14.7	14.1	5.3	19.9	16.8
Chapel Hill (NC)	64,051	16.1	6.6	12.5	21.2	12.7
Raleigh (NC)	474,069	13.1	11	4.5	17.1	13.7
Bridgeport (CT)	144,399	29.9	40	3.5	48.3	21.4

* Statistics courtesy of the United States Census Bureau American Community Survey 2018 5-Year Estimates

1f. FMKF-Supported Public Policy Institutions & Positions

- **Federation for American Immigration Reform (see spotlight)**
- **Center on Immigration Studies (see spotlight)**
- **American Enterprise Institute** is a Washington, DC-based public policy think tank dedicated to defending human dignity, expanding human potential, and building a freer and safer world. The work of our scholars and staff advances ideas rooted in our belief in democracy, free enterprise, American strength and global leadership, solidarity with those at the periphery of our society, and a pluralistic, entrepreneurial culture. Immigration is likely not characterized as a top-five issue for AEI, though its scholars often weigh on the subject in editorials and writings. While it is difficult to pin down an official position, AEI scholars' positions include the implementation of a more skills-based immigration system, an openness to amnesty for unauthorized immigrants who were brought here as children, and even the possibility of "open borders."
 - o Last grant: \$60,000 (2020)
 - o Annual Operating Budget: \$59M (2019)
- **Manhattan Institute for Policy Research** is a New York City-based think tank dedicated to developing and disseminating new ideas that foster greater economic choice and individual responsibility. Since MI tends to focus on urban policy, immigration has not been a sharp focus over last several years. This said, shortly before his appointment as the new President of MI, Reihan Salam (a son of immigrants himself) published a book called *Melting Pot or Civil War? : A Son of Immigrants Makes the Case Against Open Borders*, which might suggest that MI will take on this issue more forcefully in the years to come.
 - o Last grant: \$75,000 (2020)
 - o Annual Operating Budget: \$19M (2018)

1g. FMKF-Supported Organizations Focused on Immigrant Communities

- **Morris County Organization for Hispanic Affairs (MCOHA)** is a Dover-based organization dedicated to improving the lives of Morris County’s Hispanic and low-income residents by providing direct social services and client advocacy. MCOHA offers a variety of education and legal support services that enable its clients to integrate and develop self-sufficiency. The Center for Citizenship and Legal Immigration assists clients in achieving legal status and economic self-sufficiency, and supports them on their journey to becoming fully active participants in the social and civic life of MCOHA’s communities. MCOHA also offers home energy assistance, a weatherization program, and health education.
 - o Last grant: \$30,000 (2019)
 - o Annual Operating Budget: \$1.5M (2018)

- **Wind of the Spirit** is a Morristown-based organization for all immigrants and non-immigrants who are moved by the tradition of hospitality. WOTS strives to educate members of the immigrant community about their rights and responsibilities and advocate for human rights and dignity of all people, regardless of immigration status. Like MCOHA, WOTS provides legal service to the immigrant community, including assisting with Citizenship/Naturalization Applications, Family Petitions, extensions for recipients of Deferred Action for Childhood Arrivals, and Work Permit Renewals. For Census 2020, WOTS is spearheading Morris County’s Complete Count Commission, educating and engaging each of historically Hard-to-Count communities. 2020 was the first year of FMKF support.
 - o Last grant: \$15,000 (2020)
 - o Annual Operating Budget: \$464K (2018)

- **Zufall Health Center** operates federally qualified health clinics in several immigrant-rich communities, including Morristown, Dover, and West Orange. The mission of Zufall is to provide access to quality, affordable and culturally competent healthcare to people and communities who experience barriers to care. In addition to comprehensive adult and pediatric medical services, Zufall offers dental services, pregnancy prevention programs, wellness programs, and outreach to agricultural workers, the homeless, and veterans. Zufall also partners with other FMKF-supported grantees, such as MCOHA, Reach Out and Read – NJ, and JBWS.
 - o Last grant: \$30,000 (2020)
 - o Annual Operating Budget: \$28.8M (2018)

- **Cornerstone Family Programs** provide resources to people from age 2 to 102 in the Greater Morris County area. Programs include preschool, before- and after-care, college and test prep, employment assistance, a community outreach coordinator, a senior day center and social club, and a veteran support group. Given the Neighborhood House’s

location in an immigrant-rich area of town, much of their services are directed at immigrants.

- Last grant: \$150,000 (2020)
- Annual Operating Budget: \$4.7M (2019)

- **Americares Free Clinic** provides quality health care to low-income, uninsured patients in a setting where all individuals are treated with dignity and respect. AFC operates the largest free clinic network in the state with four locations serving 3,000 patients annually. Clinics are staffed by volunteer doctors, nurses, interpreters and administrative help, and draw on the resources of community hospitals, laboratories, specialists and pharmacies to ensure comprehensive outpatient care. Patients receive essential prescription medications at little or no charge through Patient Assistance Programs, donated medicines and relationships with local pharmacies. Since AFC does not participate in Medicare or Medicaid and operates as a truly free clinic, the organization tends to draw unauthorized immigrants who are in need of care.
 - Last grant: \$45,000 (2020)
 - Annual Operating Budget: \$5.4M (2018)

- **Literacy Volunteers of Morris County** provides free instruction to adults who lack the ability to read, write or speak English. Volunteer tutors help become more successful and productive employees, parents, consumers, and citizens. Each year, approximately 600 adults are able to improve their basic English communication skills, an essential service on the road to assimilation and citizenship (18 students became U.S. citizens last year).
 - Last grant: \$17,500 (2020)
 - Annual Operating Budget: \$173K (2018)

1h. FMKF-Supported Organizations Also Serving Immigrant Communities

- | | |
|--|--------------------------------|
| - Planned Parenthood Federation of America | - Homeless Solutions |
| - Planned Parenthood South Atlantic | - St. Peter's Episcopal Church |
| - Planned Parenthood of Northern, Central, and Southern New Jersey | - Covenant House NJ |
| - Habitat for Humanity of Durham | - JBWS |
| - Habitat for Humanity Orange County | - Reach Out and Read – NJ |
| - United Way of Greater Triangle | - Durham Children's Initiative |
| - United Way of Northern New Jersey | - Wakeman Boys & Girls Club |
| - Morris Habitat for Humanity | - Emily K Center |
| | - Student U |
| | - Preschool Advantage |

II. GRANTEE SPOTLIGHT FOR FEDERATION FOR AMERICAN IMMIGRATION REFORM AND CENTER FOR IMMIGRATION STUDIES

Grantee: Federation for American Immigration Reform, Inc.

Program Area: Public Affairs/Society Benefit

Most Recent Grant: \$65,000 in 2019 for research, analysis, and educational activities (non lobbying) that provide statistical and practical impacts of legislative remedies

Total Funding: \$1,795,200 since 1986

With our Board focus on immigration this year and in anticipation of Dan Stein’s presentation at our upcoming September meeting, we felt it appropriate and quite timely to examine our grantee, Federation for American Immigration Reform (FAIR), which has often appeared at the forefront of this debate with its staff and immigration research consistently referenced in several news publications and by the current administration. Moreover, this spotlight contains a brief comparison to a similar organization and FMKF grantee, Center for Immigration Studies (CIS), which was established as a spin-off of FAIR in 1985.

FAIR was founded in 1979 by John Tanton, often cited as the founder of the modern immigration reform movement, and has a mission today of reducing overall immigration “to a more normal level” by evaluating policies and seeking out solutions that help reduce the impact of immigration on the nation’s security, economy, workforce, education, healthcare and environment. FAIR views illegal immigration as a drain on public funds, working conditions, and public services, a strain on natural resources and communities due to population growth, and a threat to national security. Alternatively, it believes that legal immigration, as is, threatens “virtually every social cause” and must be reformed to manage population growth, address environmental needs, and maintain a high quality of American life. Through these contexts, FAIR’s primary objectives are to reduce overall immigration to “a more normal level” and legal immigration levels “from well over one million at present to... 300,000 a year over a sustained period to allow America to manage growth, address environmental concerns, and maintain a high quality of life.” Specifically, programs to achieve this objective include the development of digital marketing techniques and media content to provide a steady stream of outreach videos to target audiences on Twitter, Facebook, and YouTube. Similarly, FAIR has a strong relationship with a number of radio hosts who attend the annual radio row event, “Hold Their Feet to the Fire,” though FAIR admits in its most recent President’s Report that television visibility has been reduced due to an alignment with the current administration and minimized need for a FAIR presence on cable news. In addition to outreach efforts, FAIR’s Government Relations team and staff lobbyists stay abreast of developments both on Capital Hill and within the administration in order to offer input to immigration legislation and quickly engage the digital platform to amplify the key messages of policymakers. Beyond the federal level, this team engages state and local legislators, activists, and volunteers in a full range of pro-enforcement and educational efforts. Finally, FAIR’s research programs produce reports that are often referenced in national news and by the current administration.

These efforts are led by Dan Stein, President of FAIR and our upcoming speaker, who has been in his present position since January 2003 after holding the role of Executive Director since 1988. Mr. Stein is an attorney who has worked for more than 35 years in the field of immigration law and law reform and was previously the Executive Director of the Immigration Reform Law Institute, a public

interest litigation group that has represented a variety of organizations in immigration and administrative law matters and with which FAIR is legally affiliated. According to his website biography, his interest in immigration began as a professional staff member of the U. S. House of Representatives' Select Committee on Narcotics Abuse and Control, where he studied U.S.-Mexico border issues and international crop substitution efforts. He has published hundreds of articles on immigration policy, has a strong television and speaking engagement presence, and has been asked to testify before Congress on immigration-related issues over 50 times.

It's helpful to draw a brief comparison to the Center for Immigration Studies, to which FMKF has granted \$312,500 since 2005 with recent grant levels hovering around \$25,000. Founded in 1985 by the aforementioned John Tanton as a more research-oriented spin-off of FAIR, the Center for Immigration Studies is an independent and non-partisan research organization with a mission of providing immigration policymakers, the academic community, news media, and citizens with reliable information about the social, economic, environmental, fiscal, and safety/security consequences of legal and illegal immigration into the United States. CIS strives to contribute to debates of immigration policy well-informed research grounded in objective data through reports, blog posts, and op-eds. With an operating budget of \$3.4M, compared to FAIR's \$12.6M, CIS is a much smaller operation, though with significant impact and influence on Capitol Hill, with a strategic focus on research development and dissemination of that research, as opposed to FAIR's expanded efforts in outreach and media campaigns. It is relevant to note that both organizations have been identified as "hate groups" by some outside watchdog organizations, such as the Southern Poverty Law Center (SPLC). SPLC cited, among other things, FAIR's acceptance of funding from the Pioneer Fund, established in 1937 "to advance the scientific study of heredity and human differences" and has been accused of ties to eugenics due to its research regarding racial differences in intelligence, as well as the well-publicized beliefs of its founder, John Tanton, who has been referred to as a white supremacist in a number of national publications. Dan Stein has made efforts to distance FAIR from the reputation of its founder, highlighting in a 2011 *New York Times* interview that Tanton has "had no significant control over FAIR for years." (It's advisable to point out that in 2013, after a deep dive into our public policy docket and to address some of these concerns, we cut our support of FAIR from a high of \$105K to an eventual range of \$65K and began restricting designations, as opposed to granting the previous general operating support.) CIS, too, was cited by SPLC as a xenophobic and extreme right-wing organization. According to Mark Krikorian, Executive Director of CIS, "the wickedness of the SPLC's blacklist lies in the fact that it conflates groups that really do preach hatred, such as the Ku Klux Klan and Nation of Islam, with ones that simply do not share the SPLC's political preferences...to marginalize the organizations in this second category" and, thus, shut down public debate.

Overall, in a particularly turbulent political environment, this organization has consistently provided influential programming to both the general public, as well as all levels of government and policymaking. FAIR is an undeniable leader in fostering debate and promoting changes to legal immigration, a system that has been left unaffected for over 30 years.

September 1, 2020

Prepared by Erin Clifford

III. POLICY POSITIONS OF FEDERATION OF AMERICANS FOR IMMIGRATION REFORM

(Note: The bullet points that follow are adapted from the slide presentation FAIR has prepared for the September 11th Board meeting. Thus, they are intended to be expounded upon at the presentation.)

Naturalization Process & Recommended Number Per Year:

- Immigration *and* Naturalization = single process
- Opportunity for education/understanding
- Citizenship: duties/responsibilities
- No limits. Reflects past immigration levels.
- Limits to relationship preferences after naturalization

Temporary Protected Status Program / Refugee Admissions:

- “Temporary” has not meant temporary – restore?
- Evolution of TPS from parole policies
- Purposes differ versus refugee, asylum
- Enforcing departure key to effectiveness of TPS
- Refugee admissions: Fair share, international role, costs consideration/alternatives available?
- How to choose?
- Community input, impact assessment.

Student Visas:

- Original: Foreign aid, economic assistance to senders
- Training for help developing nations: more investment
- International understanding (along with J visas)
- BUT: Repatriation requirement gone
- Corrupted by lobbyists, sending countries....
- F → OPT → H1-b → Green Card
- Full tuition → cheaper labor → outsourcing ► tech transfer
- Impact on American students? Impact on public education?

Political Asylum:

- Versus “refugees”: distinction? Well-founded fear....
- Ethical and foreign policy considerations
- Original purpose: temporary protection to work for change
- In the country legally first? Affirmative versus defensive?
- Unforeseen change in government – state action needed
- Defector (Cold War)
- First nation asylum request requirement
- Limited international definitions
- System should not reward illegality, fraud or line jumping
- Historically $\leq 10,000$ a year

Deferred Action for Childhood Arrivals (DACA):

- History: Deferred Action for Childhood Arrivals (Plyler, 1982)
- Dream Act (2002), years of inaction
- 1987-2001 – battle to stop illegal immigration, pressures
- Legislative efforts (2009/2013) unbalanced, bad faith
- Politicization 2014
- Obama: “I do not have the power.” Did it anyway.
- Dangerous precedent!!
- Consensus on disposition, collapse of center balance

Visa Work Programs (H1-B, H2-A, H2-B):

- Commonalities: Concept - Great; practice versus intent
- Short-term, temporary, emergent, unforeseeable; or
 - Intra-company transferee, legit treaty trader, not cheap labor
 - Actual: “body shops,” outsourcing, displacement
- Managing abuse: tactics, recommendations
- See accompanying tactical report

Diversity Visa Lottery program:

- 1965 Act's design
- Genesis of this idea? Schumer
- Real purpose?
- Does it make any sense?
- Implications for future chain immigration?

Border Security

- Effective deterrence at the border
- Effective Deterrence in the interior
- Officers, sensors, drones and physical structures (where effective)
- Adequate civil detention space, incentives to appear
- Fast procedural process, quick hearing and disposition of any claims

Child Separation at Border:

- Purpose: Stop smugglers from exploiting loophole in law to prevent trafficking – authors, Senators Feinstein, Biden
- Solution: change the law, permit family civil detention, expedited review process
- No purpose to separate children *per se*
- Objective: deter trafficking, caravans
- Deter fraud
- Prosecute for illegal entry
- Juveniles cannot be held in federal criminal holding facilities
- Juvenile holding facilities initiated before current admin.
- Hotels? Also not OK?

“Birthright” Citizenship:

- “Subject to the Jurisdiction of...”?
- Purpose of this amendment
- Supreme Court guidance
- Defeats America's immigration controls
- Undermines guest-worker ideals

- Incentivizes illegal immigration
- Solutions? Several
- Statutory v. Constitutional Amendment?

Travel Ban (Presidential Proclamation 9645):

- Broad Presidential authority delegated by Congress
- National defense/public safety/foreign affairs
- Ensure reciprocity ► Incentives for cooperation
- Screening compliance
- Reciprocal immigration procedures (repatriation)
- Power used by prior administrations

Family-Sponsored Immigration:

- Original intent? Diversity, managed flow, per country caps
- Impractical effects: multiplier, backlogs, expectations
- How to manage the numbers/backlogs?
- Reduces education level, attainment
- Set annual limits?
- Modern world; ease of air travel → Nuclear family migration
- Spouse, unmarried minor children (family you create)
- No married adult brothers/sisters, etc.
- Key: informed up front, manage expectations

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IV. POLICY POSITIONS OF CENTER FOR IMMIGRATION STUDIES

Brief thoughts on immigration from Mark Krikorian, executive director of the Center for Immigration Studies. The Center is a think tank, not a lobbying group, so we don't have fixed, official positions that all employees are required to subscribe to. We make the case for tighter enforcement and lower overall numbers, but there's room for some differences under that heading. What follows is my own take on these issues, which probably doesn't diverge radically from others here, but might in some of the details.

* * *

Naturalization Process & Recommended Number Per Year: There is no magic number of immigrants to be admitted annually. But if the federal immigration program were downsized to encompass the spouses & minor children of U.S. citizens, plus genuine Einsteins and refugees who truly have nowhere else to go and can't stay where they are for another second, the annual flow would be 500,000 or so, around where it was in the 1980s. Whatever number we do decide to take in, their naturalization should be the objective, since the point of immigration is to make new Americans. Here's my speech welcoming new citizens, delivered at a naturalization ceremony at Mount Vernon last year: <https://cis.org/Krikorian/Keynote-Speech-Mount-Vernon-Naturalization-Ceremony>

Temporary Protected Status Program / Refugee Admissions: Refugee resettlement should be limited to those whom the UN identifies as emergency cases who must be relocated immediately – very few brought here fit that description now. And their sponsors should be responsible for their support, not taxpayers, as is the case today. The sole purpose of the TPS law is to issue work permits to illegal immigrants lucky enough to be here when a natural disaster occurs in their home country – simply delaying deportations is done administratively and doesn't require a law. If TPS is to be maintained, the executive should not be permitted to renew it indefinitely, leaving people in limbo for decades – Congress should have to step up and vote on renewal, one way or the other. (Our researcher on refugees issues is Nayla Rush, a naturalized American from Lebanon: <https://cis.org/Rush>.)

Student Visas: Universities are supported by taxpayers (either directly or through tax exemptions) to promote the education of America's youth. The admission of a modest number of foreign students can contribute to that mission, but the program has metastasized into a profitable business for schools and a try-out immigration vehicle for corporations, at the same time denying access to the limited number of college slots to American applicants. There should be a numerical cap placed on foreign students overall, and a percentage cap for any individual institution. (Our work on the foreign student program is here: <https://cis.org/Immigration-Topic/Education-and-Foreign-Students>.)

Political Asylum: We should continue to offer our protection to those fleeing persecution, but the asylum system has grown into a means of large-scale evasion of our immigration laws. We need to maintain clear standards for asylum so that applicants can get quick answers one way or the other. In the short term, Mexico's agreement that asylum-seekers who've passed through their

country can be returned there to await their U.S. hearings has significantly reduced fraud (because simply gaining physical access to the US is the point of the large majority of asylum claims). In the long run, no third-country national who has passed through Mexico should be permitted to apply for asylum, since Mexico has its own well-developed asylum system (here's their video explaining it: <https://www.gob.mx/comar/videos/guia-del-proceso-de-solicitud-de-refugio-en-comar?idiom=es>) and people who are truly desperate for protection don't pick and choose which country they'll seek that protection in. (Our work on asylum is here: <https://cis.org/Immigration-Topic/Asylum>.)

DACA: Adult illegal immigrants brought here as young children through no fault of their own should, as an act of mercy, be permitted to stay. The DACA program does not fit that description because 1) most of those who received work permits (which is the point of DACA) came here as teenagers and spent only a few years in American schools, and 2) the program's creation was an unlawful abuse of executive power. But since it's been in place since 2012, prudence suggests resolving it by formalizing the status of DACAs with green cards (allowing eventual citizenship). But any legislation has to address the fallout of DACA in three ways: 1) it must contain enforcement measures (like mandatory E-Verify) to reduce the likelihood of serial DACA-like amnesties in the future); 2) reductions in future legal immigration to offset the green cards issued to DACAs; and 3) provisions to ensure that those adults who put the children in this situation are not rewarded for it – i.e., the illegal-immigrant parents must be barred from being sponsored for a green card by ex-DACAs who become citizens. (I've written a lot on this; here's an example: <https://www.nationalreview.com/corner/daca-deal-must-include-enforcement-and-raise-act-cuts/>.)

Visa Work Programs (H1-B, H2-A, H2-B): All contract-labor programs are schemes to import cheap labor from abroad. H-1B (for routine tech workers) and H-2B (for seasonal low-skill, non-farm jobs) should be discontinued immediately (though those who already have visas should be able to continue); H-2A (for farmworkers) should be phased out by consistent increases in the wages growers are required to pay, to give them incentive to mechanize.

Diversity Visa Lottery program: The visa lottery should be discontinued – random chance is no way to select potential new Americans from among the hundreds of millions who want to move here.

Border Security: Border walls are an important means of controlling some portions of the border, but only one tool among many. An inordinate focus on physical barriers distracts from all the other means that need to also be employed to prevent unauthorized infiltration across the border.

Child Separation at Border: The child-separation fiasco was the result of the administration's panic at what was literally the disintegration of the border, as increasing numbers of Central American "asylum-seekers" simply stepped across with children in tow, because those children guaranteed release into the U.S. due to loopholes in the law Congress refused to plug. The plan was to criminally prosecute all border-jumpers (the first offense is a misdemeanor, the second a felony) as a deterrent – the so-called Zero-Tolerance initiative. No American gets to bring his children with him to jail if he's arrested for a crime, of course. But since the point of this

initiative was not incarceration of first-time border-jumpers but deterrence, ICE should have taken the time to arrange with the Marshals Service to retain custody of the adult criminal suspects. That way they'd remain together with their kids except during the five-minute trials (their very presence in the courtroom is proof of guilt, so there's very little fuss), during which they'd be convicted (and thus have a criminal record, meaning subsequent attempts would lead to prison time), sentenced to time served, returned to ICE custody, and the whole family deported together.

This would have been bureaucratically difficult and time-consuming to arrange, but the administration's haste resulted in a bad outcome. In contrast, it took the time to work out the details of the Remain in Mexico program, and thus it succeeded, dramatically reducing the entry (even before Covid) of illegal immigrants trying to use children as a golden ticket for release and disappearance into the US.

“Birthright” Citizenship: The main advantage to considering as citizens anyone born on our soil is that it ensures past immigration mistakes don't persist, and promotes integration by preventing the development of a multigenerational illegal-immigrant population. But it also is ripe for abuse by both illegal immigrants and birth tourists, especially as transportation and communications have become cheaper and easier. In the short term, the answer is better immigration enforcement, to prevent both illegal aliens being able to live here long enough to have kids and to prevent tourists from being able to travel here with the intent to give birth. In the longer term, we should limit citizenship to children born to citizens or green-card holders (as every developed country but the US and Canada have already done), *but* adopt Australia's approach of granting citizenship to the children of illegals or tourists if they live the first 10 years of their lives in the country. (Here's something I wrote about it: <https://www.nationalreview.com/2015/03/ending-birthright-citizenship-mark-krikorian/>, though the title isn't mine.)

Travel Ban (Presidential Proclamation 9645): Another example of the administration's hasty and amateurish approach to policymaking. There's good reason to limit travel from countries with either terrorist-supporting governments or the widespread presence of terrorists, and all the countries included in the travel ban had been identified as such by prior administrations. But the way you avoid what turned out to be both a management and PR mess is to work with the institutions involved – State Department, CBP, the airlines and airports – and coordinate policy. It takes more time, and will have to overcome bureaucratic inertia, but that's what it takes to craft and then successfully implement policy. Writing a memo telling subordinates "Do this" is not the way things get accomplished in any large organization.

Family-Sponsored Immigration: As mentioned at the beginning, family-based immigration should be limited to the spouses and minor children of U.S. citizens, who currently account for fully 30 percent of total legal immigration. Other relatives would not be barred, of course, but they would not be admitted simply based on who they're related to.

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V. QUESTIONS FOR DISCUSSION

- To what extent is immigration an interest of the Board of Directors as it relates to our Public Affairs docket?
- Do our remaining grantees most engaged in the immigration policy – FAIR and CIS – still represent the philanthropic interests of the current Board of Directors? Do these organizations align with the Foundation’s mission of “investing in opportunities that foster self-reliance or otherwise create strong, healthy communities”?
- Are there other public policy organizations that we should be considering if immigration is still considered important for our public affairs docket?
- Do our grantees serving immigrant communities represent the philanthropic interests of the current Board of Directors? Do these organizations align with the Foundation’s mission of “investing in opportunities that foster self-reliance or otherwise create strong, healthy communities”?
- Has FAIR been effective in seeking to reduce “overall immigration to a more normal level”? Has CIS been effective in “providing immigration policymakers, the academic community, news media, and concerned citizens with reliable information about the social, economic, environmental, security, and fiscal consequences of legal and illegal immigration into the United States”?
- As discussed, FAIR and CIS have both been subject to some notoriety, as discussed in the grantee spotlight. To what degree is the Board comfortable with support of these organizations, given potential for bad press?
- If we accept that immigration will always be part of the American identity, is the Board interested in shaping public policy in this arena *while* also supporting immigrants in communities?

VI. ADDITIONAL READING: IMMIGRATION HISTORY & CURRENT ISSUES

National Debate Topic 2018–19: Immigration: Resolved: The United States Federal Government Should Substantially Reduce Its Restrictions on Legal Immigration to the United States.

"National Debate Topic 2018–19: Immigration: Resolved: The United States Federal Government Should Substantially Reduce Its Restrictions on Legal Immigration to the United States." Issues & Controversies, Infobase, 13 July 2018, <https://icof.infobaselearning.com/recordurl.aspx?ID=17888>. Accessed 6 Aug. 2020.

(For brevity's sake, this article has been condensed, with the removal of sections about the history of immigration in the United States as well as several longer quotations from public figures and experts, while trying to honor its objective, nonpartisan tone. The full article is available under Board Materials > Additional Readings > 2020)

Introduction

Approximately 43 million people living in the United States, or about 13 percent of the population, were born abroad. Though some of these individuals are undocumented immigrants—people living in the United States without official authorization—approximately 75% are living in the country legally. Indeed, every year, hundreds of thousands of people legally come to the United States to live and work. Most commonly, immigrants receive permission from the U.S. government to enter the country by obtaining temporary student or work visas—lawful permanent residence status documents known as green cards—or refugee or asylum status. Immigration has been a major force of change and growth in the United States since its founding, and many agree that the country could not have become the diverse, developed, vibrant nation it is without the millions of immigrants who entered the country over the past two centuries seeking political freedom and economic opportunity.

Upon settling in the United States, however, many of those same immigrants faced religious discrimination, bigotry, and resentment from native-born Americans who questioned their right to be there. Throughout U.S. history, nativists have often expressed fear that immigrants would fail to assimilate, meaning that they would not sufficiently adopt the language, customs, and values of Americans. Nearly every immigrant group—from the millions of Irish who came to the United States during the mid-1800s, to the eastern and southern European Jews, Catholics, and others who came around the turn of the 20th century, to the Africans, Asians, and Latin Americans who began immigrating in greater numbers in the mid- to late 20th century—has faced accusations of diluting or threatening to overtake American culture and society.

In addition to cultural fears surrounding assimilation, anxieties about the impact immigrants have on the U.S. economy have also shaped debates over immigration. The first few waves of immigration in the 19th and early 20th centuries came when manufacturing in the United States was booming, and many immigrants filled the unskilled, low-wage jobs that helped fuel that economic development. Even at that time, however, native-born workers often protested the use of immigrant labor and worried that the prevalence of newcomers willing to work for low pay would suppress wages. Similar concerns have surfaced in recent decades, as free trade deals have thrust U.S. manufacturing industries into stiff competition with industries abroad.

Despite these anxieties, however, many celebrate immigration. They argue that immigrants have consistently helped drive economic growth, and that, rather than diluting some imagined uniform

American culture, immigrants have enriched an American society that is diverse, multifaceted, and constantly evolving.

U.S. immigration law currently allows the government to admit 675,000 permanent immigrants annually. When deciding whom to grant permission to live and work in the United States, federal authorities give priority to several characteristics. "Immigration to the United States is based upon the following principles," a fact sheet compiled by the American Immigration Council, an immigrant advocacy group, explains: "the reunification of families, admitting immigrants with skills that are valuable to the U.S. economy, protecting refugees, and promoting diversity."

An opinion poll conducted by Gallup in 2017 found that 71 percent of Americans view immigration as a "good thing" for the United States. Yet many conservatives, including President Donald Trump (R), who took office in January 2017, have argued that the United States is admitting too many low-skilled immigrants from poor countries who take jobs away from American workers while contributing too little to economic innovation. President Trump has also denounced what he refers to as "chain migration"—the preference given by immigration authorities to the close relatives of people already living in the United States—and he has moved to completely block immigration from several countries he claims pose national security risks.

Much of the debate over immigration in recent decades has revolved around the issue of illegal immigration, but President Trump's proposals have redirected significant attention to legal immigration policies. "This administration has ushered in what's pretty new in our political sphere, which is heavy skepticism of legal immigration," Julia Gelatt, a senior policy analyst at the Migration Policy Institute, an immigration research group, told the San Francisco Chronicle in January 2018. Under President Trump, Congress has considered immigration reform proposals that would nearly halve the number of legal immigrants the country admits annually. Others argue that the United States should admit even more immigrants, who, they maintain, provide a net benefit to the U.S. economy and the country as a whole.

Should the U.S. government substantially reduce its restrictions on legal immigration to the United States?

Supporters of increasing legal immigration argue that immigrants help the U.S. economy by working hard, producing services, and paying taxes. The current push to restrict immigration, they contend, is merely the latest incarnation of the racist, nativist backlash that has tainted immigration policy throughout U.S. history. Fears that immigrants hurt U.S. workers or dilute American culture are overblown, they assert, and the United States has a moral duty to welcome immigrants from all parts of the globe.

Opponents of increasing legal immigration argue that immigrants hurt the U.S. economy by stealing jobs and suppressing wages with their willingness to work for little pay. Congress, they contend, should restrict legal immigration, reduce chain migration, and prioritize highly skilled immigrants from countries that share American values. U.S. immigration policy should protect Americans first, they maintain, rather than risking national security and prosperity by indiscriminately admitting hundreds of thousands of people every year.

Economic and Security Concerns Dominate Turn-of-the-Century Immigration Debates

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In 1965, Congress passed the Immigration and Nationality Act, which transformed the U.S. immigration system and immigration trends for the next 50 years. The law prohibited discrimination against visa applicants because of their race, sex, nationality, place of birth, or place of residence and replaced the national origins quota system with numerical limits on each hemisphere. The law prioritized visas for

relatives of U.S. citizens and residents and stipulated that 6 percent of visas issued annually should be given to refugees of repressive, communist regimes.

In the years following the passage of the Immigration and Nationality Act, Congress began to turn its attention to the growing problem of unauthorized immigration. After the Bracero Program ended in 1964, many Mexicans overstayed their visas or crossed the border into the United States unlawfully. Many illegal immigrants from other countries also stayed and started families, and by the 1980s, millions of undocumented immigrants were living in the United States, many of whom had children who were, by virtue of having been born in the country, U.S. citizens.

During his presidency, Ronald Reagan (R, 1981–89) urged lawmakers to address the problem of undocumented immigration. In 1986, Congress passed the Immigration Reform and Control Act (IRCA). The law took a two-pronged approach toward unauthorized immigration. To discourage such immigration in the future, it tightened border security, particularly along the U.S.-Mexico border, and made it a crime for U.S. businesses to knowingly hire illegal immigrants. Second, it allowed undocumented immigrants who had lived in the United States since 1982 to apply for legal status. Approximately 2.7 million undocumented immigrants gained legal status through this provision. And yet, despite the IRCA, illegal immigration continued to grow.

In 1990, under President George H. W. Bush (R, 1989–93), Congress revised the Immigration and Nationality Act of 1965. Raising the annual cap on immigration to 675,000 starting in 1995, the Immigration Act of 1990 allocated 480,000 of those visas to family-sponsored immigrants, 140,000 to immigrants who were coming to work for a U.S. employer, and 55,000 to winners of a newly established Diversity Visa Lottery. This lottery, which aimed to increase the nation's diversity by randomly selecting winners from underrepresented countries, allowed applicants who did not have a family or employer sponsor to apply to win a chance for a green card, the document allowing residence in the United States. Lottery winners still had to undergo the regular vetting process faced by all immigrants. The Immigration Act of 1990 also created the Temporary Protected Status (TPS) program, which authorized the U.S. attorney general to allow people from countries suffering from natural disasters or war to enter the United States without fear of deportation. The TPS program has enabled people fleeing armed conflict in El Salvador, devastating earthquakes in Haiti, civil war in South Sudan, and several other crises to temporarily stay in the United States.

Changes to the nation's immigration system coincided with a revolution in global trade. Since World War II, the United States and other industrialized countries have increasingly embraced free trade policies that encourage the unencumbered flow of goods and services across borders and discourage so-called protectionist policies, such as the imposition of tariffs on imports to protect domestic businesses from competition. As a result of these deals, many companies that formerly made their products in the United States outsourced production to countries where labor was cheaper and then imported those products to sell in the United States without facing steep tariffs.

In addition to free trade deals, advances in technology, communication, and transportation have led to an increasingly globalized and interdependent world economy, as well as the automation of certain jobs. These changes, along with outsourcing, made unskilled jobs—those that do not require a college degree or otherwise specifically learned skill—increasingly scarce in the United States.

Partially as a result of these changes, unskilled immigrants in the late 20th and early 21st centuries have faced uncertain employment prospects. "Contemporary immigrants come to an increasingly de-industrialized America, where there are fewer well-paying, secure factory jobs in mass production industries of the sort that once helped propel past immigrants into the middle class," historian David

Gerber wrote in his 2011 book *American Immigration*. At the same time, some native-born Americans have grown resentful that immigrants were filling the unskilled jobs remaining in the United States.

Amid mounting economic anxiety surrounding globalization, terrorist attacks on the United States added new urgency to debates on immigration. On September 11, 2001, 19 terrorists associated with Al Qaeda, an international Islamic militant group, hijacked airplanes and targeted several locations in the United States, including the World Trade Center in New York City. The attacks left nearly 3,000 people dead.

The hijackers had entered the United States through a variety of channels, including student and tourist visas, and concern over security loopholes in the immigration system prompted a bevy of policy changes and heightened enforcement under the administration of President George W. Bush (R, 2001–09). The Immigration and Naturalization Service (INS) detained hundreds of immigrants for questioning and temporarily required men from 25 countries—24 of which were majority-Muslim—to check in with immigration officials while in the country. The Homeland Security Act, passed in 2002, placed the INS within the newly created Department of Homeland Security (DHS). Four years later, in 2006, Congress passed the Secure Fence Act, which authorized the construction of 652 miles of fencing along the U.S.-Mexico border.

President Barack Obama (D, 2009–17) continued to modify immigration policies in response to terrorist threats. In 2013, the emergence of the Islamic State of Iraq and Syria (ISIS), an even more militant offshoot of Al Qaeda, prompted additional national security concerns. In December 2015, Tashfeen Malik, a Pakistani immigrant radicalized by ISIS, killed 14 people in San Bernardino, California, with the help of her husband, a U.S.-born citizen. Later that month, Congress passed the Visa Waiver Program Improvement and Terrorist Travel Prevention Act. The law modified the Visa Waiver Program, which allows people from certain countries, mostly in Europe, to temporarily visit the United States without obtaining a visa. In addition, the law required anyone from Iran, Iraq, Sudan, or Syria—even if they held dual citizenship with a country, such as England, that was in the Visa Waiver Program—to go through the visa application process if they wanted to visit the United States. The changes also required anyone who had recently visited those countries to obtain a visa. The following year, the DHS added Libya, Somalia, and Yemen to the list.

Despite such efforts to regulate legal immigration, illegal immigration dominated the immigration debate during the Obama administration. Immigration authorities deported more than 2.5 million people under Obama, but the president also sought protections for otherwise law-abiding undocumented immigrants who had set down roots in the United States. In particular, President Obama urged Congress to pass legislation protecting from deportation immigrants who had been brought to the country illegally as children. The bill passed the House but faltered in the face of opposition from Senate Republicans who argued that granting "amnesty" would encourage more illegal immigration.

Frustrated by congressional inaction, President Obama used executive authority in 2012 to establish the Deferred Action for Childhood Arrivals (DACA) program, which allowed undocumented immigrants who met certain requirements to apply for two-year work permits and protection from deportation. DACA recipients had to be under the age of 31, have come to the United States before the age of 16, have resided in the United States continuously since 2007, be in school or have graduated from high school, and have no significant criminal record. Republicans protested that the program exceeded the boundaries of the president's executive authority. Their criticism grew louder when, in summer 2014, thousands of children from violence-ridden Central American countries arrived at the U.S.-Mexico border, overwhelming immigration officials. Conservatives blamed the border crisis on immigrants attempting to take advantage of DACA, though the program did not actually prevent those children from being deported.

During the final years of Obama's presidency, the international community struggled with an unprecedented mass migration of refugees into Europe. Civil war in Syria, which had erupted in 2011, and political and economic instability in countries including Eritrea, Libya, Nigeria, and Somalia had displaced millions of people, many of whom underwent risky journeys on flimsy boats across the Mediterranean Sea with the hope of reaching European soil and gaining asylum in a country willing to take them.

President Obama argued that the United States had a moral duty to alleviate the refugee crisis troubling Europe, but he faced criticism from those who suspected that terrorists with ill intent toward the United States would take advantage of the crisis by camouflaging themselves as displaced people. Supporters of admitting some of them, however, pointed out that applicants for refugee status are screened by the United Nations, the U.S. National Counterterrorism Center, the FBI, and the U.S. Departments of State, Defense, and Homeland Security. Between October 1, 2015, and September 30, 2016, the United States accepted nearly 85,000 refugees, the highest amount during Obama's presidency. About 46 percent of these refugees were Muslim, marking the largest number of Muslim refugees the country had admitted in any 12-month period. Debates over terrorism, the refugee crisis, and immigration policy would play central roles in the 2016 presidential election.

President Trump Makes New Immigration Policy a Central Goal of Administration

During the 2016 presidential campaign, Republican candidate Donald Trump stirred controversy through his advocacy of hardline immigration policies. He criticized in particular undocumented immigrants from Mexico and other Latin American countries. "When Mexico sends its people, they're not sending their best," he said while announcing his candidacy in June 2015. "They're bringing drugs. They're bringing crime. They're rapists. And some, I assume, are good people." Trump pledged to build a wall along the U.S.-Mexico border to keep out undocumented immigrants.

Trump also argued that immigration had a negative effect on workers' pay and job opportunities for native-born Americans. Voicing security concerns, Trump proposed barring immigration from countries with predominantly Muslim populations. After the San Bernardino shooting in December 2015, he called for "a total and complete shutdown of Muslims entering the United States until our country's representatives can figure out what is going on." After a separate terrorist attack in Orlando, Florida, in June 2016 that killed 49 people, he again called for blocking immigration from any country with a history of terrorism against the United States and its allies. In August 2016, he advocated instituting a new system of "extreme vetting" to ensure that terrorists did not gain entry into the United States. Former secretary of state and Democratic presidential nominee Hillary Clinton derided Trump's proposals as extreme, un-American, and a potential violation of the First Amendment to the U.S. Constitution, which protects the freedom of religion.

Trump was elected president on November 8, 2016, and inaugurated on January 20, 2017. President Trump acted quickly to implement a version of his proposed immigration ban. In late January, he signed an executive order temporarily banning the admission of refugees and barring travelers and immigrants from seven countries with majority-Muslim populations: Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen. "The United States," the order stated, "must be vigilant during the visa-issuance process to ensure that those approved for admission do not intend to harm Americans and that they have no ties to terrorism."

The executive order sparked confusion at airports, mass protests, and legal challenges by immigrants, states, and civil rights groups. Calling it a "Muslim ban," detractors accused the government of violating the First Amendment by targeting majority-Muslim countries and of violating the 1965 Immigration and Nationality Act's prohibition on using religion, race, or national origin as prohibitive factors in immigration decisions. Supporters of the Trump administration decried the characterization of the order

as a "Muslim ban," claiming instead that it was a reasonable prohibition of immigrants who might pose a higher risk of terrorism, and was essential to national security. Defenders also pointed to the president's significant immigration powers established by the McCarran-Walter Act of 1952.

Days later, two federal judges blocked portions of the executive order while the cases proceeded, ruling that, because Trump had previously stated that he intended to block Muslims from entering the United States, the ban potentially violated the First Amendment. In March, President Trump issued a revised executive order, but federal courts again blocked it. In September, the government issued a third revised ban, indefinitely banning immigrants and travelers from Chad, Iran, Libya, North Korea, Somalia, Syria, and Yemen from entering the United States, and placing some restrictions on travel from Venezuela, which was undergoing a period of food shortages and political instability.

In June 2018, the Supreme Court ruled 5–4 in *Trump v. Hawaii* to uphold the executive order. "The sole prerequisite set forth in [U.S. immigration law] is that the President 'find' that the entry of the covered aliens 'would be detrimental to the interests of the United States,'" Chief Justice John Roberts wrote in the majority opinion. "The President has undoubtedly fulfilled that requirement here."

Refugee admissions, meanwhile, fell about 70 percent during President Trump's first year in office. The Trump administration also ended Temporary Protected Status programs for refugees from El Salvador, Haiti, Nicaragua, and Sudan, leaving people who had legally lived in the United States for many years vulnerable to deportation.

In addition to these moves, the Trump administration began cracking down on undocumented immigrants. In September 2017, U.S. attorney general Jeff Sessions announced that the U.S. government would not be renewing DACA, leaving hundreds of thousands of recipients vulnerable to deportation. Trump indicated that he was willing to offer a DACA extension in exchange for funding for a wall along the U.S.-Mexico border, but negotiations in Congress repeatedly stalled.

In January 2018, the *Washington Post* reported that President Trump, during a meeting on immigration with a bipartisan group of legislators, had inquired why the United States accepted so many immigrants from "shithole countries," like El Salvador, Haiti, and nations in Africa. According to the article, Trump advocated accepting more immigrants from countries like Norway, a predominantly white European nation. Many critics denounced Trump's comments as racist, noting that the political stability or economic stature of an individual's country of birth did not predetermine his or her ability to contribute to the United States. Trump denied having used the vulgar term, but he defended the general sentiment on Twitter. Under a proposed bipartisan immigration deal, he wrote, the United States "would be forced to take large numbers of people from high crime...countries which are doing badly. I want a merit based system of immigration and people who will help take our country to the next level."

The uproar over President Trump's alleged comments reflected an ongoing discussion about how the demographics of the United States have changed since the passage of the Immigration and Nationality Act of 1965. "Just prior to passage of the 1965 law, residents of only three countries—Ireland, Germany and the United Kingdom—were entitled to nearly 70% of the quota visas available to enter the U.S.," a Pew Research Center report explained in 2015. "Today, immigration to the U.S. is dominated by people born in Asia and Latin America, with immigrants from all of Europe accounting for only 10% of recent arrivals." According to a report released by the U.S. Census Bureau in 2015, demographic trends indicate that white Americans could become a minority by 2044.

Paths of Immigration and Immigration Bills in Congress

There are several paths through which foreign-born people can immigrate to the United States. Many foreigners first obtain temporary visas that allow them to visit, work, or study in the country. The H-2A

visa, for example, allows agricultural workers to come to the United States on a temporary or seasonal basis. Another commonly used temporary work visa, the H-1B visa, allows U.S. companies to bring over foreign workers with specialized knowledge or skills. Companies in the technology sector, for example, often sponsor foreign workers with advanced computer and engineering skills. H-2B visas, similarly, are intended for so-called low-skilled immigrants who will be working in the country only temporarily.

Such work visas are contingent on immigrants maintaining employment with that sponsoring company, but if they lose their job or quit they may try to find another employer or apply for a change of visa status. Employment-based visas often allow a path to apply for legal permanent status, though some temporary visa categories—such as for foreign student visas—do not. The United States caps the number of H-1B and H-2B visas it issues every year.

Other potential immigrants apply for permanent residency status while still living outside the United States. U.S. immigration policy favors applicants related to people who already have permanent residency in the United States. Under this family-based program, legal residents can sponsor their spouses and unmarried children. Citizens can sponsor spouses, parents, siblings, and children. Millions are on waiting lists for family-sponsored visas, and the application process—which includes background checks, medical screenings, and face-to-face interviews with immigration officials—can take years or even decades.

The United States issued about 800,000 family-sponsored lawful permanent resident statuses in 2016, the Department of Homeland Security reported, accounting for about 68 percent of the 1.2 million green cards issued that year. About 13 percent were issued for refugees and asylum-seekers (160,000), 12 percent (140,000) for employment-based reasons, and 4 percent through the Diversity Visa Lottery (50,000). Green card holders can legally live and work in the United States, but cannot vote or run for office. If they commit a crime, move outside the United States, fail to pay income taxes, or stay in another country for more than one year, immigration authorities can revoke their residency status.

A much smaller pool of immigrants than those receiving family- and employment-sponsored visas comes to the United States after winning the Diversity Visa Lottery. Only residents of countries that have relatively low levels of immigration to the United States are eligible for the lottery, and lottery winners must meet education, work, and background check requirements before securing the visas. Fifty thousand diversity visas are available annually. From 2007 to 2016, 44.3 percent of these visas went to Africans, 32.6 percent to Europeans, and 19 percent to Asians. In 2016, the most highly represented countries among diversity lottery winners were Algeria, Uzbekistan, Moldova, Tajikistan, Benin, Democratic Republic of the Congo, Sudan, Liberia, Belarus, and Togo. Though U.S. immigration law no longer contains the national origins quotas of the early 20th century, it does cap the number of permanent residency cards the government can give to immigrants from any one country at 7 percent of the total number of immigrants each year. Along with the diversity lottery, this stipulation is intended to ensure that no single region dominates immigration trends.

Those with permanent residency cards may, if they wish, apply for citizenship. Applicants for citizenship must have lived in the United States with permanent residency status for at least five years, be able to read, write, and speak English well, pass a test on U.S. history and government, and demonstrate that they are a "person of good moral character, attached to the principles of the Constitution of the United States, and well-disposed to the good order and happiness of the United States." The "good moral character" standard is somewhat nebulous, but actions that might disqualify or delay a person's citizenship application, the U.S. Citizenship and Immigration Services states, include a history of drug abuse, incarceration, polygamy, or failure to support dependents.

Refugees and asylum seekers apply for residency through different paths. According to a United Nations definition, a refugee is any person who is unable to return to his or her home country because of a "well-

founded fear of persecution." Every year, the president determines how many refugees, and from where, the United States should admit. Unlike refugee status, which people often apply for while staying in a transitional country, people fleeing persecution can apply for asylum after arriving at a port of entry to the United States, and they are often allowed to stay in the United States while their application is being processed. Both refugees and asylum seekers are allowed to pursue legal permanent resident status after entering the United States.

President Trump has been critical of many of these immigration procedures. He has objected to the Diversity Visa Lottery and called the prevalence of family-sponsored visas "chain migration," a term some object to as misleading and dehumanizing.

President Trump released his own four-pillar immigration proposal during his State of the Union address in January 2018. The plan called for creating a path to citizenship for DACA recipients, devoting \$25 billion to building a border wall, ending the Diversity Visa Lottery program, and limiting family-sponsored immigration in favor of a "merit-based" system. Trump referred to the visa lottery as "a program that randomly hands out green cards without any regard for skill, merit, or the safety of our people." Instead, he said, "It is time to begin moving towards a merit-based immigration system—one that admits people who are skilled, who want to work, who will contribute to our society, and who will love and respect our country."

According to an analysis by the Cato Institute, a libertarian think tank, the immigration reforms proposed by the White House would reduce authorized immigration by about 44 percent, which would mark the "largest policy-driven legal immigration cut since the 1920s." Analysts estimate that another much-debated proposal, the Reforming American Immigration for a Strong Economy (RAISE) Act, introduced by Senators Tom Cotton (R, Arkansas) and David Perdue (R, Georgia) in 2017, would also nearly halve legal immigration levels. The RAISE Act would implement a point system to vet potential immigrants, awarding applicants points based on their age, education, fluency in English, and other characteristics, including whether the applicant has won an Olympic medal or Nobel Peace Prize. [See Republican Senators Introduce Plan to Reduce Legal Immigration (primary source)]

The economic impact of various immigration reform proposals—and of immigration on the economy as a whole—has been the subject of broad debate. While opponents have argued for years that immigrants suppress wages and take jobs from native-born Americans, defenders argue that immigration bolsters the economy by providing a supply of laborers who are willing to perform difficult jobs—such as farm work and other manual labor—that many Americans are unwilling to do, and at lower cost. Indeed, a multitude of businesses support policies that would increase the number of immigrants allowed to work in the United States.

A report released in September 2016 by the National Academies of Sciences, Engineering, and Medicine, a private think tank, found that immigration had a mixed impact on the U.S. economy. The effects of immigration on American workers between 1994 and 2014 were "very small," a summary of the report stated, and were most likely to hurt "prior immigrants or native-born workers who have not completed high school." However, the report summary continued, immigration had "an overall positive impact on long-run economic growth." The study also found that immigrants were more costly than U.S.-born residents to state and local governments, but that the children of first-generation immigrants generally contributed more in taxes as adults than native-born residents. Researchers also found that immigration had little effect on employment levels, and that immigrant labor reduced prices for consumers in sectors like child care and food preparation.

Immigration Debate Continues

Immigration has continued to be a focal point of the Trump administration. In June 2018, the U.S. Supreme Court strengthened the president's power to place restrictions on who may enter the United States with its decision in *Trump v. Hawaii*. Later that month, following a national outcry, President Trump signed an executive order ending the administration's policy of forcibly separating minors from guardians who illegally crossed at the U.S.-Mexico border. Questions over immigration policy, the country's moral responsibility to immigrants, refugees, and asylum seekers, and how immigration is continuing to shape the country's culture and economy are likely to last well past the Trump administration.