Open or Closed

The Truth Behind America’s Immigration Crisis

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Introduction

“When large groups of people uproot themselves, there is almost always something else at work. They are migrating to pursue dreams or to escape nightmares, to build new communities on which they can put their stamp.”iii Currently, there is an immigration crisis in the United States. While it is a difficult topic to assess, an answer must arise. Immigration is a foundational aspect of the United States. From colonial America, to the Louisiana Purchase, and the Gold Rush, it is an aspect of our country that has been embedded in history. America is the land of opportunity. Since the founding, it has been a place of hope and refuge for people of many nations. In recent decades, there has been a surge of illegal migration to the United States. This has caused a political battlefield.

In November 2014, President Barack Obama issued an executive order to expedite amnesty for hundreds of thousands of illegal immigrants. The partisan tension between Congress and The Administration paved the way to that action by the President. Both political parties have independent goals and objectives for immigration. Even still, specific states and regions of the nation have a higher stake in the issue. The Southwest, the Midwest, and South regions of the U.S. have a high interest in immigration policy because they experience a higher volume of immigration, and observe its effects firsthand. Many government agencies also hold a stake in immigration policy. These agencies deal with the problems that arise from illegal immigration on a daily basis. These agencies include U.S. Border Patrol, the Department of Labor, and U.S. Citizen and Immigration Services. Their interest is necessary of evaluation in order to fully understand the implementation of immigration policy, as it is their responsibility to carry out the law. This policy area also raises the question of the jurisdiction between the Federal Government and the States. The Constitution gives specific instructions and it cannot be ignored. Article I
Section VII Clause IV states, “Congress shall have the power to establish a uniform rule of naturalization.” The Bible is clear, love people. A short exegesis of biblical interpretation on immigration will be given in order to gain a Christian perspective. There is a way to reconcile faith with border security. The history, politics, and state/federal conflict have all lead to the border crisis in the United States. This is an issue that needs to be dealt with immediately, and left as a duty to the states.

**Historical Context**

Some of the most notable immigrants to the United States are the Pilgrims. They came from England to the New World in pursuit of religious freedom. In September of 1620, 100 English settlers, about 40 of whom belonged to the English-Separatist church journeyed to America. They were known as the Puritans, and believed that the Church of England had not completed the work of the protestant reformation, and therefore decided to breakaway from the church in its entirety. They wanted to preserve their English language and heritage while pursuing economic opportunities. They boarded the Mayflower and anchored at Plymouth Rock. This group became the first permanent European settlement in New England. The Pilgrims assimilation in the new world was difficult. Many of them died by cause of diseases. After the Pilgrims settled, they met a Native American named Squanto. Squanto had been previously kidnapped by John Smith, taken back to England, and finally escaped back to America. Once the Pilgrims landed on Plymouth Rock, Squanto stepped in as the interpreter between the English settlers and the native Pokanoket tribe. In 1621, the Indian tribe, and the Pilgrims shared the famous meal, that we now call the “First Thanksgiving.”

The male Pilgrims made an agreement called the Mayflower Compact. This document was the foundation of the Plymouth Colony’s government. The puritans were the minority of the
group, though they ended up being the most powerful as they controlled the government of the colony in its first 40 years. The pilgrims were able to focus on ensuring their protection and guarding against attack because the colony had established a peaceful environment. Squanto taught them how to plant and harvest corn. This was an important crop for the colony. Squanto also taught the Pilgrims how and where to fish and hunt for beaver. Because of these advancements, the colony was self-sufficient just five years upon its founding. Although the Plymouth colony eventually declined, the foundation of a “self contained community governed by a common religious affiliation” was carried on throughout later colonial settlements.iv

Although immigration to America started out from Europeans on the East Coast, there was also immigration happening on the West Coast. The Spanish had long conquered South America. When they heard that Russian fur traders wanted to move through California from Alaska, King Charles III wanted to secure the land as Spanish territory. The method that the Spanish used to secure this land was to build missions in conjunction with forts for protection, followed by the construction of towns to promote community and preserve their culture. The Franciscan missionary, Father Junipero Serra was chosen to be the religious leader of the expedition. The Spanish government instructed Father Serra to establish control of the land by converting the Indians to Catholicism. This would allow the Indians to become Spanish citizens, and be the “colonists” of the new land; at least that was the plan. The missions they created were not originally intended to be permanent; the Spanish thought that the Indians from California would become loyal citizens of Spain, take back their land, and contribute to the Spanish economy. They also expected that skilled immigrants would follow the Franciscans to California and become settlers. Around the 1780’s, Spain lost interest in the missions due to other wars in Europe, and growing tension with Mexico for independence. In 1821, Mexico finally gained
their independence and California became part of Mexico. Mexico made the missions secular, and took control of them. The original Spanish plan did not work, but it did encourage immigration on the west coast. This is an important historical distinction because it established South American roots in the United States, and made a clear path for Hispanics to come to California and other Southwestern states since they have history here.

There have been two major modern waves of immigration in the United States. The first was between 1880-1930. During this period, the population of foreign born people living in the U.S. doubled from 6.7 billion to 14.2 billion. This first “Great Wave” was due to increased accessibility to America because of the innovation of the steam engine, and geo-political factors such as the Turkish genocide, victimized Mexicans from the Revolution, and Jews fleeing from the pogroms. Once World War I broke out, Americans became suspicious in the increase of foreigners. In response, a series of laws were passed to curb immigration. Once immigration declined, compensation for U.S. employees dramatically increased; in fact, from 1948-1973, wages were up nearly 90%. A Second “Great Wave” occurred between 1960-present, when Congress lifted immigration caps.

Historical background must be understood to continue the immigration discussion. America is the land of opportunity. Immigration is deeply embedded in the roots of our nation. This presents a unique public policy challenge: how to create sound immigration law while preserving the spirit of freedom and opportunity. In order to honor the founding, immigration cannot be stopped completely, but it also would be a dishonor to have unsecure borders and unlimited amnesty.
Political Climate 2012-2014

The political climate in Washington D.C. drastically changed upon President Obama’s re-election in 2012. The 2010 census changed district lines nationwide and Republicans gained control of the House of Representatives, while Democrats controlled the Senate. Congressional scholars have documented that the Democrats and Republicans on Capitol Hill are further apart from each other than that of any time in modern history. This has caused heightened Congressional gridlock, and leaves a narrow passageway for legislation. Political polarization is ever increasing. According to the Pew Research Center, “today, 92% of Republicans are to the right of the centrist Democrat, and 94% of Democrats are to the left of the centrist Republican.”vi However, it even goes further than extreme polarization; the Pew Research Center also found that “among all Democrats, 27% say that GOP policies are a threat to the well-being of the country, among Republicans… 36% think Democratic policies threaten the nation.”vii America has a strong sense of nationalism. When citizens believe that the opposing parties’ policies are a threat, this creates gridlock because the policy makers are going to do everything they can to protect the safety and sovereignty of our nation. This research was published in June 2014, and most Americans believed that President Obama and GOP leaders should reconcile the most important issues facing our nation. However, both conservatives and liberals hold that the best political outcome is one in which their party gets more of what they want.viii

As the Senate Majority Leader in 2014, Harry Reid exhibited the worst year in three decades for introducing bills to the floor. Without bills being passed, necessary laws cannot be carried out. By the end of June 2014, only 41 measures were out of committee and prepared for presentation on the Senate Floor. Democratic Senator, Joe Manchin, described his experience during the 2014 session, “I’ve never been in a less productive time than I am right now, in the
United States Senate.” At that time, he had not had a roll-call vote on the floor for an amendment in over a year. In the Senate, Reid overused a method called “filling the tree.” Filling the tree is defined as, “a procedure used by the Senate Majority Leader to offer a sufficient number of amendments on legislation to “fill the tree” so that no other senator can offer an amendment.”ix He used this method as a way to manage amendments and exude control over negotiations with Senate Minority Leader Mitch McConnell and the GOP caucus about which amendments would be granted floor votes. Senate Democrats continued to encourage Reid to ease the gridlock.x

The senate is not the only house that experienced gridlock. Congress also experienced extreme gridlock during this time period. When the Republicans gained control of the House in 2012, they promised to bring discipline and productivity to Washington. They referred to themselves as “America’s New Congress.” Political obstacles were present although bills were seemingly easy to pass with a GOP majority. In February 2015, House Republicans passed the Keystone Pipeline bill, and it was sent to President Obama’s desk with the expectation that it would be vetoed. Only two bills have been passed within the first month and a half of the new legislative session (since the midterm election) with Republican control of both houses. In 2007 when the Democratic Party was in control of both houses, six news laws had been passed during the same time frame.xi The current administration and the extreme polarization of the two major political parties have made it nearly impossible for Republicans to pass laws. The president has his “phone and a pen”, and he will utilize it. When Congress and the President managed to reach an agreement in important public policy issues, they reached a deal in a half-measured, second best way.xii America as a whole is attached to the “us” versus “them” mentality. When this occurs in Congress, it does the opposite. It divides the House, and prevents legislative progress. A Brookings study on political gridlock in the U.S. showed that the difference in ideology
between the Democratic and Republican parties in the United States has returned to heights that have not been seen since the 19th century; currently the polarization in the House of Representative is unprecedented.

During the summer of 2014, the United States saw the largest influx of refugees since the boatlift out of Cuba in 1940. More than 52,000 children from Central and South America, most of whom were unaccompanied by adults, were taken into custody by U.S. Border Patrol. That was double the amount from 2013, and ten times the amount from 2009. Americans demanded to know cause of this extreme influx. It is suggested that many feared for their safety in their homeland. Children from El Salvador and Honduras face extreme gang and drug violence; while children in Guatemala seek economic freedom in the United States. Another suggestion is that the children want to be reunited with other family members who have made their home in the United States. This influx of immigrant children creates a huge problem. Former President George W. Bush signed the *William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008*; this bill was designed to combat human trafficking. It protects children (excluding those from Canada or Mexico) who come to the border alone from being very quickly returned to their home country. The law requires that children in such circumstances be given the chance to appear in immigration court, consult with an advocate, and have access to legal counsel. It also requires the children to be turned over for care to the Department of Health and Human Services, and once there, it is the department’s responsibility to place the child with someone that is unrestricting, best for the child’s interest, and explore the idea of putting them back in the care of family members. Before 2014 and the extreme arrival of children at the border, about 90% of kids would stay with family members who currently live in America, and the rest went to foster care while they wait for an average of three years to get a date to go home. This crisis lead
President Obama to ask Congress to amend the 2008 law in order to ease and expedite the return of children to Central America.\textsuperscript{xv} This sudden inpouring of unaccompanied illegal children contributed greatly to the ongoing immigration debate in this nation. It sparked outrage on both sides of the political spectrum.

Republicans have placed the blame on Obama for being insufficiently engaged in the border crisis that should have been predictable to the Administration. Obama predicted the border acceptance of young immigrants when he issued the 2012 executive order. On the contrary, they also assert that Obama missed warning signals that contributed to the border crisis that our nation is experiencing today. In a letter to President Obama in 2012, Texas Governor Rick Perry wrote, “there is a surge of unaccompanied illegal minors entering the United States. Apart from being part of an obvious humanitarian crisis, the unaccompanied illegal minors have left the federal government scrambling to triage the results of its failed border security and immigration policies.”\textsuperscript{xvi} When President Obama made a trip for fundraising in Texas during the summer of 2014, he did not stop to see the crisis at the border. This outraged the Republican Party. Upon re-election 2012, President Obama made comprehensive immigration reform a top priority. The country saw a majority of the Latino and Asian voters in support of a complete immigration law overhaul. House Republicans have had to come to terms with this, and figure out how to negotiate with fast growing ideology among American minorities. Immigration reform is not something that the Republican Party is willing to compromise on. In 2013, the Senate passed an extensive immigration bill, but after a year of pressure from the Obama Administration, House and Senate Democrats, and immigration lobbyists, the House Republicans were not convinced to take up the bill.\textsuperscript{xvii}
Democrats are even getting frustrated with Obama’s immigration policy. They increasingly blame the White House for the immigration crisis. House Democrats are giving speeches on the floor, noting that the Administration does not understand the root causes of the crisis. They argue that President Obama should have better consulted with lawmakers before he supported policy change that opposed their party platform. Politico says this about House Democrats:

Tension between the administration and congressional Democrats is becoming more common. Many Democrats are still fuming about last year’s troubled rollout of Obamacare. The party has been on the defensive over the Bowe Bergdahl prisoner trade swap. The recent veterans health care scandal left many angry. And with Obama’s poll numbers tanking, many plainly fear that all the bad news will make it harder to maintain control of the Senate in the fall elections. xviii

This statement was obviously made before the 2014 Midterm elections, but it is telling. The Democratic Party has come under fire recently due to lack of responsibility on behalf of the administration. The bill passed by the Bush Administration in 2008 caused the Democrats to oppose any amendment to the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008. An aid package to remedy the situation was nearly impossible due to the opposition. Congress realized that the White House has made this issue more complicated because they are open to changing the 2008 law. The only “but” is that the White House would ask Congress to grant Obama permission to have increased authority and exercise discretion with relation to cases related to deportation. This raised tension with immigration advocates, so Obama did not make any policy suggestions. Democrats were left confused because it was not necessary, they argue, to create a division on an emotionally charged issue in the midst of a high velocity election year. Furthermore, the majority of their party agreed that the 2008 law didn’t
need to be revised. The Democratic Party is divided; some side with Obama, while some blame the White House for the immigration crisis.

In November 2014, President Barack Obama issued a three-step executive action in order to combat illegal immigration. According to the President’s speech on November 19, 2014, he laid out his three-step plan as follows,

First, we will build on our progress at the border with additional resources for our law enforcement personnel so that they can stem the flow of illegal crossings and speed the return of those who do cross over. Second, I’ll make it easier and faster for high-skilled immigrants, graduates, and entrepreneurs to stay and contribute to our economy. As so many business leaders had proposed. Third, we’ll take steps to deal responsibly with the millions of undocumented immigrants who already live in our country.\textsuperscript{xix}

While this quote may seem manageable the average American, it is carefully crafted in a way which makes it seem an easy transition. President Obama gave a brief overview in poetic terms, but this is what the action will actually do. It would offer legal relief to undocumented parents of legal United States citizens who have lived in the country for a minimum of five years. According to the \textit{Washington Post}, this would “remove the constant threat of deportation. Many could also receive work permits.”\textsuperscript{xx} It would increase the 2012 Deferred Action for Childhood Arrivals (DACA) that allowed immigrants who are under 30 years of age, and who arrived in the U.S. as children to apply for a deferral of deportation and who now are in the country legally. In the executive order, DACA would increase by expanding it to immigrants who are over the age 30 as eligible to apply, and recent arrivals, not just who came as children. Immigrants who apply would have to do so every three years. The executive action would also provide visas for those who invest in the United States by pursuing a degree in the field of technology, science, math, and engineering. It would also modify the current procedures and regulations for federal immigrant deportation; and add monetary resources to enhance border security. The executive action would not grant protections to parents who participated in the DACA program in 2012. It
also would not expand visas to farm workers. In addition, it would not expand the visa program for high skilled foreigners; and it would not grant access to newly protected immigrants to the Affordable Care Act.\textsuperscript{xxi}

In a 2013 interview with \textit{Telemundo}, President Obama said, “If we start broadening that, then essentially I’ll be ignoring the law in a way that I think would be very difficult to defend legally,”\textsuperscript{xxii} with reference to the what the DACA provisions were at the time. Fast forward one year, and Obama did exactly the opposite. The executive action that Obama passed has huge implications. The Migration Policy Institute estimates that nearly 4 million undocumented immigrants would be affected by this action. Furthermore, their data suggests that there are 3.7 million undocumented immigrants who have children that are legal citizens, or permanent residents of the United States. When DACA was passed in 2012, 1,200,000 million young immigrants were eligible for the deferred deportation, and with the expansion in the executive action plan; an additional 290,000 immigrants would be eligible. Let us unpack this data: about 180,000 parents of legal permanent residents could gain protection; 205,000 illegal immigrants could be granted permission by the elimination of the age cutoff for DACA; and 85,000 could gain protection since the DACA program expanded eligibility to illegal immigrants who arrived through the year 2010. Under this plan, more than half of all of the undocumented residents in the United States would be eligible for protection. Granting amnesty to such a large number of undocumented citizens creates a huge problem. This would require that states pay for both healthcare (although not through the Affordable Care Act, but through emergency medical services) and public education. This would negatively impact the economy of states that are especially affected by the immigration crisis. These immigrants cannot pay income taxes due to the ineligibility to work in the United States legally. Therefore, the states are required to pay for
these services without comparable compensation. This creates an unfunded mandate to the states that is not affordable, and it is stripping resources from benefits that should be going to taxpaying legal citizens. *The Washington Post* claims that the executive action would help to stabilize the federal debt by encouraging a young workforce to come to the country because they will pay taxes and not draw on social benefits such as Medicare or Social Security for a while. While that is true, this executive order in particular would not stabilize the economy in that manner since it only grants deferred deportation. This is why comprehensive reform is necessary for our country.

**States Most Affected by Immigration**

Article 1 Section 8 of the United States Constitution enumerates, “Congress shall establish a uniform rule of naturalization.” This gives the federal government primary power over issues on immigration, but does not suggest that states cannot have any oversight on the issue. It is important that states hold their sovereignty and stand up for immigration reform. States affected most by illegal immigration to the U.S. include California, Texas, and Arizona. In this section, each state will be examined in terms of statistics with regard to migration patterns, as will policies that individual states have passed in order to remedy the situation. It is important to understand what other states have done in order to adopt best practices for the nation as a whole.

**California**

The state with the highest number of illegal residents is California. It is estimated that 3.5 million undocumented immigrants live in this state—approximately one quarter of all of the United State’s illegal immigrant population. California increased border security in the Tijuana-San Diego region, as a result, many people have started crossing the border into Arizona. Not all
illegal residents enter the country illegally; some will attain visas, and overstay or violate the terms. Most of the undocumented residents of California live in the states’ most populated urban areas, and most of the rural portions- areas where immigrant jobs are most abundant. In the following counties, Los Angeles, Monterey/ San Benito, Imperial, and Napa, illegal residents make up about 10% of the total population. Most people come to the United States illegally to be reunited with family members who currently live here, or for economic gains. About 9% of the entire workforce in California is comprised of illegal workers. According to the Public Policy Institute of California, about half of all illegal immigrants are farm workers, but many are also employed in construction, factories, restaurants, and services.xxv

Immigration is generally regarded as a federal issue, but states may pass laws that relate to it. In California, many laws have been passed in consideration of immigration. Three examples from California are SB 1159, AB 60, and AB 130/131. Senate Bill 1159 was a bill signed by Governor Jerry Brown in September 2014. This bill prohibits professional licensing organizations from requiring proof of citizenship to applicants who desire to be licensed in the profession of their choice.xxvi The governor also signed AB 60 in the fall of 2014, which allows illegal residents to obtain a driver’s license in California as of January 1, 2015.xxvii Joint bills AB 130 and 131 provide illegal students of California the in-state tuition fee at California State Universities and Universities of California,xxviii and it would provide California state grants to illegal students.xxix Additionally, Speaker of the Assembly, Toni Atkins, and Senate Pro Tem Kevin de Leon, introduced a 10-bill package in April 2015 which, if passed, would provide additional extra-Constitutional rights to illegal aliens. California encourages illegal immigrants by providing them with many of the same privileges that tax-paying citizens enjoy. Furthermore, it deters them from becoming legal citizens since they can obtain rights by without it, per recent
legislation. The laws that have been passed in California are not helping the legal residents of the state and it has a negative effect on all other American citizens.

Texas

In Texas, there are about 8.1 million illegal aliens. This number has increased by 70,000 since the year 2010. The Federation for American Immigration Reform did a study, which examined the fiscal impacts of illegal immigration in the state of Texas. It found that in 2013 illegal immigration cost Texan taxpayers about $12.1 billion annually. That equates to about $1,197 for every Texan household that is headed by a U.S. citizen. The organization estimates that illegal aliens pay about $1.27 billion a year in taxes considering sales taxes, property taxes, alcohol taxes, and cigarette taxes; but that number does not compare with the overarching cost. The cost of illegal immigration in Texas can be further broken as follows: $8.5 billion education, $1.9 billion healthcare, $1.1 billion law enforcement and justice, $47.8 million public assistance, and $577 million general government services.

In response to the Obama Administration’s 2014 executive order, a Texas federal judge, U.S. District Judge Andrew S. Hanen blocked the actions of the order. The judge did not rule on the legality of the order, but rather declared that there was sufficient evidence and merit to offer a suspension of the provisions as the case moves along. The lawsuit argues that the President’s orders changed immigration law, denied Congress the exclusive right to legislate and violated the president’s constitutional right to “take care that the laws be faithfully executed.” Furthermore, the lawsuit pointed out that President Obama violated the Administrative Procedure Act because he did not take his orders through the process of rulemaking. In a memorandum opinion, the judge said that the administration has no power “to give 4.3 million removable aliens what the Department of Homeland Security itself labels as ‘legal presence’ … In fact the law mandates
that these illegally-present individuals be removed.” Judge Hanen based the temporary ban on the failure to comply with the Administration Procedure Act. The executive order issued by the administration was scheduled to be in effect by February 18, 2015. This court decision has not made it illegal, but has deferred the application process.

**Arizona**

Since border security was tightened at the Southern part of California, more immigrants from Mexico, and Central and South America started entering the United States through Arizona. Nearly 1000 illegal aliens cross Arizona’s border every day. It has become a public danger due to drug trades running rampant. Many of the people crossing the border are violent and dangerous criminals. In her book, “Scorpions for Breakfast,” Former Governor of Arizona, Jan Brewer, describes the immigration crisis in Arizona, “I wasn’t going to allow the crime, the environmental degradation, the lawlessness, and the overwhelming costs of out-of-control illegal immigration to continue on my watch.”

Jan Brewer did not let it continue. When she first started as governor, she recognized immigration as a federal issue. As a federal issue, she sent a series of five letters to President Obama asking him to bring 250 National Guard soldiers to the Arizona border because their state was in an extreme deficit and could not afford to deploy the state guard. All five letters were unanswered, but Governor Brewer did not quit. She got together with border state governors at the time, Governor Arnold Schwarzenegger from California, Governor Rick Perry from Texas, and Governor Bill Richardson from New Mexico, to request that congressional action be taken in response to immigration. After all of her efforts of reaching out to federal officials failed, she decided to take matters into her own hands.
Governor Brewer signed SB 1070 into law on April 23, 2010. It was one of the most controversial pieces of state legislation that the United States has seen. SB 1070 made huge strides in combatting illegal immigration in Arizona by using the technique “attrition through enforcement.” If illegal immigration were punishable, rather than incentivized, it would deter more people from crossing into Arizona. It would create less of a pull to jobs and welfare, and the hope was that the state would see less illegal immigration. SB 1070 enforced the federal crime of being in the U.S. illegally by making failure to carry legal documentation of one’s right to reside in the U.S. a misdemeanor. In order for a police officer to ask for such documentation, two criteria must be met: First, the person in question must have violated the law in capacity; and second, the officer must have reasonable suspicion that the person in question is illegal. This bill made it clear that police officers could not profile people based on their race, or other physical characteristics. It prohibited police agencies from protecting known illegal immigrants from the possibility of deportation through a process called “sanctuary policies.” The law banned people from hiring laborers on public streets or other public places. A poll showed that 70% of Arizonans supported the bill. For Brewer, it was a way to enforce existing federal law. Although it caused great controversy and outrage, it was a step in combatting illegal immigration that made it applicable to the state instead of waiting for the federal government to act.

If California and Texas, along with other states most affected by immigration were to adopt policies such as the law passed in Arizona, the border crisis in America would be benign. This begs an important question: do governors know how to address immigration better than the President or Congress? My suggestion is yes. Many of the nation’s leaders live in states where immigration is only a theory, it hardly affects their constituents. If the key immigration states could create a coalition to better combat this issue, sound reform would be possible. Governors
know better than most federal leaders what is best for the state, and what types of laws could work there. This would create political turmoil. Arizona started this conversation, and took a big step in combatting immigration; it has opened the door to the idea that other states can do something similar.

**Government Agencies and Immigration**

The United States Department of Homeland Security (DHS), specifically The U.S. Immigration and Customs Enforcement (ICE), a branch of the department, enforces immigration. They are responsible for deporting a limited number of illegal aliens every year. In order to do that, the department must focus their attention on high-priority individuals. They do this by focusing on illegal immigrants who have recently crossed the border, broken criminal laws, violated immigration laws, and/or, are fugitives from immigration court. They set those priorities to ensure that resources are allocated properly. Homeland Security is also in charge of providing “immigration relief to deserving young people.” xxxv They strive to ensure the proper identification of illegal residents by using biometrics such as fingerprints and other unique biological characteristics.

The Department of Homeland Security is the hub for many other agencies involved with immigration oversight. The U.S. Citizenship and Immigration Services fall under the DHS umbrella. This agency deals with the daily immigrants and assists with various services they may need. Services include casework in the areas of pathways to citizenship, obtaining of green cards, employment in the United States, and various others. xxxvi This agency is also in charge of making sure that people get the right forms for the services. They are in charge of legally bringing immigrants to the U.S. However there is a problem because the agency’s process is slow. One reasons is because there is a substantial backlog of visas due to statutory reasons, and the lack of
modernization on behalf of the USCIS with the visa application system. A lack of protection from systematic abuse is also an issue. xxxvii Kenneth Palinkas, president of the National Citizenship and Immigration Services Council says that there are four key issues that need to be addressed before any amnesty proposal can move forward. He says that the four problems are that the software needs to be updated, the department fails “to protect taxpayers from abuses of the welfare system by those granted immigration benefits,” orders from the administration requiring immigration benefits to those who are not eligible under the rule of law, and a culture that views illegal immigrants not as US citizens or taxpayers but as a customer. He says that the agency’s focus must be the safety and security for the American people. xxxviii

In February 2015, House Republicans, with the Power of the Purse, threatened to cut funding for the Department of Homeland Security. With a Republican controlled House, the majority opposed the deferred deportation for millions outlined in President Obama’s executive action. Congress saw this as the only way to remedy the immigration crisis and exude some level of control that they were denied when the order was issued. The Senate passed a bill that would fund the Department of Homeland Security for the next year which funded the agency, and prevented a departmental shutdown. House Republicans considered blocking the bill, but ended up signing it. If House Republicans did not approve the budget, it could have huge implications beyond just Obama’s immigration executive order. xxxix This is just one way in which a government agency is affected by the policies and budget of immigration.

**Biblical Perspective**

In the Old Testament, there are references to how believers should respond to foreigners. One passage comes from Exodus 22:21, “do not mistreat or oppress a foreigner, for you were foreigners in Egypt. (NIV).” Secondly, Leviticus 19: 33-34 commands, “ When a foreigner
resides among you in your land, do not mistreat them. The foreigner residing among you must be treated as your native-born. Love them as yourself, for you were foreigners in Egypt. I am the Lord your God (NIV).” Finally, Deuteronomy 24:17-18 says, “Do not deprive the foreigner or fatherless of justice, or take the cloak of the widow as a pledge. Remember that you were slaves in Egypt and the Lord your God redeemed you from there. That is why I command you to do this. (NIV).” The Old Testament instructs believers to love the foreigners. It makes no mention of what kind of laws should be passed, but rather makes it known that our relationship with immigrants and how we treat them is most important. God commands us to do by reminding us that we were once slaves in Egypt, so we know firsthand what it is like to be a foreigner. An important distinction to make is that these commandments from the Lord are personal ones. It is not commanding the government to love foreigners and be accepting. Proponents of amnesty argue these key verses, but these verses apply to the believer. The Bible does give specific instructions about how to approach government.

Romans 13: 4 says, “For the one in authority is God’s servant for your good. But if you do wrong, be afraid, for rulers do not bear the sword for no reason. They are God’s servants, agents of wrath to bring punishment for the wrong doer.” A governing body is comprised of individuals called by God to lead a nation. Verse 4 references that wrongdoers should be afraid because government does not hold the sword without reason. This relates to immigration because individuals who cross the border illegally are wrongdoers. It is against the law, and it is punishable. They should fear the government, but instead they run to our country because many laws have been passed that encourage them to stay, and provide privileges for their children. Illegal immigration is not a biblical principle, but loving illegal immigrants is.
Another New Testament reference can be seen in 1 Peter 16-17, “Live as free people, but do not use your freedom as a cover up for evil; live as God’s slaves. Show proper respect to everyone, love the family of believers, fear God, honor the emperor.” This verse relates both the Old Testament commandments of loving the foreigner and accepting them as one of your own; with the New Testament commandments of obeying the governing authority because it is established by God. Both principles must work together. This is where biblical basis for immigration reform can be reconciled. As a nation established by God, governed by laws in order to protect the citizens, there are laws that state who can and cannot enter the country and in what circumstances. However, if people break these laws and live as illegal foreigners in our nation, then it is our divine duty to love them.

**Policy Proposal**

Immigration policy is not an easy topic to analyze. It involves federal law, individual states, government agencies, and most importantly, the lives of millions of Americans and illegal aliens. Comprehensive reform is necessary for Americans to keep enjoying the quality of life that our country offers. The policy I propose is comprised of four parts: first, secure the border; second, ensure American safety by deporting all illegal criminals; third, cut benefits that incentivize illegal immigration; and fourth, make illegal immigration a state’s rights issue rather than being controlled by the federal government.

The first part of my policy proposal is to secure the border. It is clear that open borders in the U.S. are not working. It’s creating a public safety concern for law-abiding American citizens. Illegal immigration brings along crime, drugs, and violence, and it is unnecessary and can be prevented. So, in order to secure the borders, I propose that an increased volume of national guard soldiers are present at the most popular points of entry on the U.S.
border. The National Guard presence would only be a temporary solution while federal laws are in the process of being passed.

The second part of my policy proposal is to deport all known criminals. Many U.S. communities, notably urban areas, experience high levels of crime. This means that any illegal residents who have committed a crime in the U.S., in the past, and all future crimes committed by illegal aliens would be an automatic deportation. In these cases, criminals would not be entitled to an immigration court case, but would be deported immediately. U.S. law enforcement does not need to be wasting time with cases in regard to illegal immigration when it can be curbed, and deportation can happen swiftly.

Third, it is important that the United States does not incentivize immigrants to cross the border illegally. The third portion of this proposal is for the U.S. to pass a bill similar to SB 1070 of Arizona. Illegal immigrants must be punished for breaking the law. In addition, privileges must be stopped immediately. As examined in Texas, illegal residents do not pay nearly as much in taxes as they cost the state. With that being said, programs such as the California Dream Act (SB 130 and 131), driver’s license privileges, and programs such as DACA must be terminated immediately. It is a disservice to hardworking, taxpaying Americans to pay for the illegality of people in the U.S. when it can be prevented. If the United States enforces immigration law, and cuts benefits to illegal immigration, our economy would be more stable, and our streets would be safer. In conjunction with securing the border, deporting criminals, and cutting social programs for illegal aliens, the immigration crisis in America would become an issue of the past.

Finally, the fourth part of my policy proposal is to make matters of immigration more accessible to the states. Many members of Congress do not understand or know the ramifications that illegal immigration poses to the United States because they simply have not experienced it.
Some states know and understand said ramifications all too well, but cannot do what they need to since it is under federal jurisdiction. Allowing the states to set their own policies by creating a coalition between the governors of the border states would allow expedited immigration relief.

**Conclusion**

Our country was founded on the principles of freedom and opportunity. From the Puritans who landed at Plymouth Rock, to the Spanish mission building in California, and the two modern “great waves,” immigration is deeply-rooted America’s identity. But over time, this idea has been diluted. In the past congressional session, the Republican controlled House of Representatives and the Democratic controlled Senate in parallel with increasing pressure and opposition from the Obama Administration lead to immigration policies that neither side of the political aisle was happy with. Obama issued an executive order in 2014 that would grant amnesty to millions of undocumented residents of the United States. This did not please the Republicans, so a lawsuit was filed against the actions of the President, and the order was delayed. Not only that, but there is a threat to revoke funding to the Department of Homeland Security due to the apathy of the executive order. Immigration law directly affects government agencies, and they can either make or break the policies. As discussed, the ICS is incredibly slow, but without funding or proper technology, there is little that can be done. Immigration is a federal issue, but a few states in particular experience the burdens that come with illegal immigration. California has the largest population of illegal immigrants, but their legislature passes that laws that encourage illegal residents to stay and not become naturalized, while Texas endures extreme monetary costs associated with supporting illegal aliens. Arizona is the mecca for illegal border crossing since they do not have the same security that other border states do. They passed reform that strictly enforces federal law and makes it a crime to not carry
citizenship paperwork. The immigration topic can bring up questions of how Christians should respond to illegal immigrants, and it can be answered by three parts; first, love people; second, respect the governing authority; lastly, comprehensive reform is necessary. A policy that includes temporary increased security at the border, deportation of criminal illegal aliens, and enforcing immigration laws in conjunction with cutting benefits and giving power to the states will help to significantly decrease the affect that illegal immigration has on our nation today.
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