

## Issue Brief: Immigration Status and Office holding

### Key words

Immigration

(SAVE) Secure America through Verification Act

E-Verify

H-2A Visas

(DREAM) Development Relief and Education for Alien Minors Act

Reform

### Description

This issue brief addresses office holding's effects upon legislation passed in response to the various violations of United States immigration law. In addressing the issue of immigration and office holding, this issue brief will cover proposed legislation and existing systems meant to deal with the illegal aliens in the United States. This focus was chosen in particular as the main issue due to prevalence in illegal aliens and undocumented workers in recent years in United States.

### Key Points

- ❖ There are a reported over 12 million illegal immigrants in the United States
- ❖ The United States already has legislation in place for immigration from temporary work visas to a path to citizenship
- ❖ Congress is unable to pass any immigration reform due to the ideological splits amongst party lines
- ❖ The States and their respective senators as a result have sought to pass their own legislation to deal with the issue of illegal immigration
- ❖ There have been two proposed legislative measures to address the issues of illegal immigrants addressing what to do with them

### Issue Brief

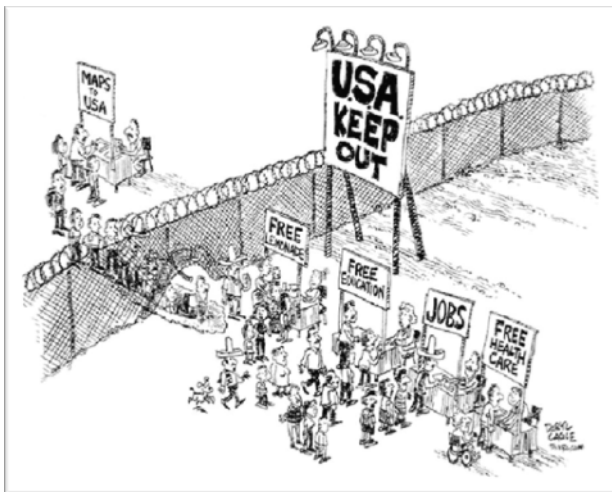
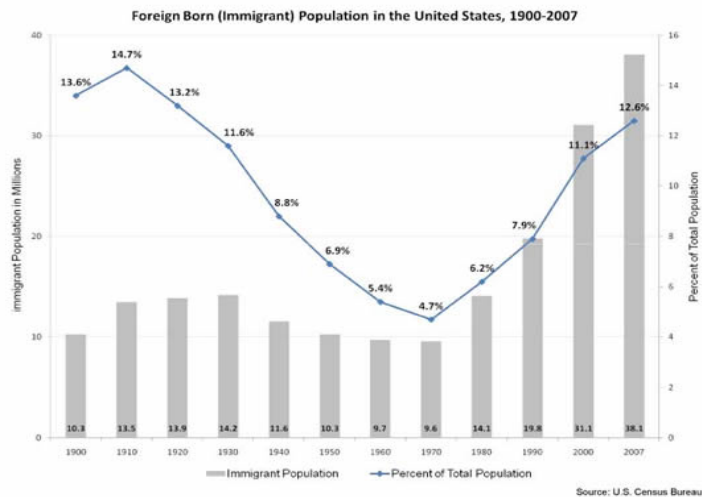
The United States recognizes citizenship by jus soli and jus sanguinis. Jus soli means that citizenship is conveyed to an individual by right of birthplace of the individual. Jus Sanguinis grants citizenship by means that citizenship is granted to an individual by being birth to at least one individual of United States citizenship. If an individual does not meet these standards, then they must apply for naturalization. The process itself requires an individual to exhibit a demonstration of adherence to several standards to be eligible for citizenship. Some of these to

receive American citizenship requirements are age, literacy and education, moral character, entry, residence and physical presence. This is what constitutes the body of American Immigration Law.

As of 2006, states like Arizona, Georgia and North Carolina amongst others saw a massive growth in its Foreign-Born populations. This spike in population has accounted for 12.6 percent of the population that identifies as immigrants. This has created tensions in these states as traditional electorate majorities are changing under these political demographics. Portions of the population that have seen a rise in this recent wave of immigration are the Latino population. This is due to the current and estimated number of illegal aliens to be more than 13 million and rising.

This rise in population of course plays out in state politics, as it affects the business community and of congressional redistricting. The more

glaring fact the United States faces in this reality is that its borders are loosely defended in a post-9/11 world from foreign attacks. These are some among the many other issues that illegal immigration raises.



workers who stay beyond their allotted time with their visas. Another critique comes from the farming business community, as they have claim that the process to gain a visa is too time consuming to the extent that it interferes with their gaining workers in time for the growing seasons.

The business community itself has come under fire for their interactions with illegal immigrations. This is due to the claim of their supporting these populations of hiring undocumented workers for below minimum wage, in order to return greater profits. The government traditionally used employers to check for the status of their workers. The (ICE) Immigration Customs Enforcement Agency in response to the perceived lack of scruple amongst employers has stepped its oversight of them. It levied \$30 million dollars in fines against employers for violations, but arrested fewer than 100 them in 2006. This has also prompted the move for legislation in congress to address the issue. The proposed piece of legislation itself is the (SAVE) Save America through Verification and Enforcement Act. This act proposes to force all employers use an electronic verification system to test for the statuses of their employed workers. The rationale behind the system is that if credit card companies can process millions of charges a day to cards, then it is possible to verify the status of workers legally. The more recently passed legislation is for the E-verify system. The system is described as by the U.S. Citizenship and Immigration Services as "...an Internet-based system that allows businesses to determine the eligibility of their employees to work in the United States."

Concurrently legislation has also been proposed at granting amnesty to illegal's, specifically those who are minors. The proposed legislation is the (DREAM) Development Relief and Education for Alien Minors Act. It was originally proposed in 2001, but never was passed. It however was recently proposed in 2009 in the House of Representatives. The legislation focuses in on granting amnesty to illegal alien minors who are of good moral standing, graduate from high school or have been honorably discharged from the military. The bill aims to forgive them for actions to which they themselves were not responsible for.





## Bibliography

1. S.729 - Development, Relief, and Education for Alien Minors Act of 2009, 17 Oct. 2010 <http://www.opencongress.org/bill/111-s729/show>
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