

PROTECTION FOR IMMIGRANTS AND THEIR FAMILIES

A Resolution submitted to Diocesan Convention

RESOLVED, that this 158th Convention of the Diocese of California condemn the U.S. government's singular focus on immigration enforcement without any corresponding reform to allow undocumented aliens a reasonable opportunity to pursue permanent residency, and further to condemn the mounting efforts at every level of society to remove all undocumented immigrants from this country and to deprive undocumented immigrants of their livelihood, Constitutional rights and human rights; and be it further

RESOLVED, that this Convention laud the efforts of jurisdictions and organizations which act in the spirit of Resolution A017 (passed by the 75th General Convention in June, 2006) and the Resolution on Migration and Immigration Issues (passed by the 157th Convention of the Diocese of California in October, 2006) in order to mitigate the suffering which is caused by the lack of comprehensive immigration reform; and further that this Convention offer these jurisdictions and organizations support in their efforts to treat undocumented immigrants with the respect and dignity due to every human being; and be it further

RESOLVED, that this Convention encourage wide participation by Episcopalians in educational events and forums, such as those developed by the Diocesan Migration and Immigration Task Force, to learn about the plight of immigrants, to listen to people's experiences of enforcement and its impact on their lives and their families, to learn about the root causes of migration, and to discuss long-term solutions to the immigration crisis; and be it further

RESOLVED, that this Convention call upon Episcopalians, including congregations, deaneries, diocesan groups and individuals, to assist undocumented immigrants who find it impossible to make a living and support their families, or who seek protection from detention and deportation, by the provision of support such as shelter, material support, legal assistance, pastoral support, and participation in the New Sanctuary Movement; and by visible expressions of solidarity through participation in actions such as vigils, fasts, marches, and advocacy campaigns for long-term solutions to the crisis brought about by the need for reform to immigration policy.

EXPLANATION

This Resolution is in keeping with Resolution A017 passed by the 75th General Convention in June, 2006, and the Resolution on Migration and Immigration Issues passed by the 157th Convention of the Diocese of California in October, 2006. (Both are attached to the end of this explanation.)

BACKGROUND

Attempts at comprehensive immigration reform. In 2006 and 2007, the Senate attempted the wise course to enact immigration in a comprehensive fashion. Sadly, the efforts for comprehensive immigration reform have failed. Broadly speaking, "comprehensive" immigration reform has three components, which are incorporated in the Episcopal Immigration Principles of the 2006 General Convention.

1. Enforcement. Countries have the right to manage their borders. The previous resolutions, and statements by the Episcopal Church, acknowledge that countries have the right to manage their borders, ports of entry and the workplace. However, enforcement must be proportional and humane. In addition, enforcement must be accompanied by other provisions which alleviate the suffering that enforcement causes to families already in this country. Please note that many of these families are "mixed," i.e. families with both undocumented immigrants and other family members who are authorized to live in the U.S., including U.S. citizens. Please note that families of undocumented parents have the choice of leaving the children here or taking the children with them. The other option is to leave them with Protective Services to place with foster families.
2. Authorizing Qualifying Undocumented Immigrants to Remain. The greatest suffering among undocumented immigrants and their families is caused by Congress's failure to authorize those of the estimated 12 million undocumented immigrants currently living and working and leading fruitful lives in the U.S. to legally live and work in the U.S.

3. Relieve the pressure to cross the border without authorization. The U.S. would issue additional work and family visas in order to relieve the pressure to cross into the U.S. without visas and thereby better manage the inflows and outflows from this country.

Unable to enact comprehensive immigration reform, Congress is moving ahead with enforcement alone. Moreover society at every level is enacting laws, rules and regulations which effectively punish undocumented immigrants and their families – both those that are fully undocumented and those that are mixed.

WHY IS THIS RESOLUTION NECESSARY?

A CATCH 22 CREATING A HUMAN DISASTER. We face a human disaster that has been unfolding since Congress decided to invest exclusively in enforcement. Undocumented immigrants can't leave the U.S. because their jobs and families are here. They can't take their families with them because their U.S.-citizen spouses and children, especially children, would suffer health problems and economic disaster. But the family can't stay because workplace enforcement makes it impossible to earn a living. In a country experiencing a growing worker shortage, wage earners daily wake up in dread that they'll be forced out of their jobs and that their families will be torn apart. Undocumented immigrants wake up to the thought, "Maybe today will be the day."

The situation will get worse. Originally, the Migration and Immigration Task Force drafted a resolution for this Convention because of work-place and neighborhood raids. Without notice, people were being detained and deported, often leaving children to wonder about their whereabouts. Undocumented children and those living in mixed families lived in terror that their families would be split apart without warning, and this fear lives in children to this day. Not only are these raids still taking place, they are being stepped up.

Then DHS passed work-enforcement regulations which make employers responsible, upon the threat of significant penalties, to ensure that their employees are working with authorization. When a discrepancy exists between workers' names and social security numbers, the Social Security Administration sends "No-match" letters to inform employers; and though the regulations are not yet in place, institutions have already begun to suspend and fire such workers, leaving them and their families without income. Inevitably, innocent people, authorized or not, are already feeling the effects.

As the Migration and Immigration Task Force amended the original resolution to accommodate these new challenges to families, more came into being. Addressing specific grievances, we can't keep up! For this reason, the Task Force here submits a more general resolution for consideration by Convention.

The situation for undocumented immigrants and their families is intolerable and every day becomes increasingly so. The situation should be intolerable, not just for Episcopalians who are here without authorization, but it should be intolerable for all of us. Scripture, tradition and reason call us to action.

OUR BAPTISMAL COVENANT. We promise to "strive for justice and peace among all people, and respect the dignity of every human being." Given that promise and our commitment to follow Jesus Christ, we need to respond to people in need, regardless of immigration status. For this reason, our General and Diocesan Conventions have committed the church to "welcome strangers and, when needed, offer them humanitarian assistance; advocate for their well being and protection; treat others as we want to be treated; and resist legislation that would try to dictate otherwise."

OUR SCRIPTURE. Our Scriptures direct us to compassion.

Christ calls us to feed the hungry, give drink to the thirsty, welcome the stranger, clothe the naked, tend to the sick, and visit the imprisoned, for "just as you did it to one of the least of these who are members of my family, you did it to me." (Mt 25:31-46)

As St. Paul so often reminds us, we are one body – the Body of Christ. When one of us hurts, the entire body suffers.

The Hebrew Scriptures tell us that God protects the alien and calls us all to do the same. The Hebrew people were once aliens in the land of Egypt. In the U.S., we live the parallel: We are a country of immigrants. Therefore:

- You shall not wrong or oppress a resident alien.(Exodus 22:21)
- Treat the alien as a "citizen," and love the alien as yourself. (Lev. 19:33-34)
- God "loves the strangers, providing them food and clothing." (Deut. 10:17-19)

REASON. Some call it justice to deport all "illegal aliens." Justice implies proportionality. We cringe at the thought of killing someone who stole bread to feed their starving family. What happens to that sensibility when considering the fate of undocumented immigrants? The offense: One or more people crossed a country boundary or overstayed a visa. They lived and worked in the U.S. so that they could provide for their families. While here, they committed no

crimes, worked hard, sent their kids to school and brought them up right. In retribution, we cut off the family's livelihood and force them to return to a country and conditions in which they cannot thrive or survive. Who could do that to anyone? Who would do this to a child? This country does it daily. Justice without mercy is not justice at all.

Politicians and pundits say that Congress has given up the possibility of immigration reform for two years. Others have said that it will be considered in the second presidential term! It is most certain that nothing comprehensive will happen any time soon, though perhaps the DREAM Act and AgJobs may pass in order to authorize the residence of some high-school graduates and agricultural workers.

But we must face the sad reality: Additional laws and regulations will challenge the survival of undocumented immigrants and an estimated 5 million families. Many more families will be torn apart.

The Episcopal Church has joined other communities of faith and all communities that care for humanity in the Millennium Development Goals. While we strive to eliminate human suffering, the U.S. will effectively add millions of people by deporting them and by forcing their families who could otherwise remain in the U.S. to leave with them.

WHAT CAN WE DO?

This resolution calls for action in the areas where inter-faith groups agree we must focus for a long-term resolution to these issues.

1. Education. is key to exposing and answering the prejudice and fear that has grown around these issues.

- For non-immigrants. When the non-immigrants of the United States can put a face on undocumented immigrants and their families, know who they are, why they are here, the contributions that they bring to this society, and the suffering that they endure in order to give their families better security and opportunity, possibilities emerge for greater justice. The Migration and Immigration Task Force is engaged in these efforts, and the resolution speaks to the Church's need to have such education reach Episcopalians at all levels.
- For immigrants. Immigrants in this country, whether authorized to be here or not, need to know their rights and how to protect them. Increasingly, people who look or sound like immigrants will be targeted and need to know the same.

Our aim is to help create an environment for just immigration reform in this country. This resolution calls Episcopalians to engage in education developed by the Migration and Immigration Task Force and other like organizations and spread the word.

2. Advocacy. As Episcopalians, we are called to speak truth to power.* Living the Gospel and our Baptismal Covenant entails prayer and action. Until everyone who has a heart for the disaster facing undocumented immigrants and their families decides to demand comprehensive immigration reform rather than enforcement only, the fear and anguish among undocumented immigrants will only increase. Silence maintains the trajectory that this country is now on.

3. Provide humanitarian assistance to undocumented immigrants and mixed families. This resolution states some of the ways that this might be done. There are others as well. Some may include nonviolent civil disobedience and others will not.

As unemployment due to workplace enforcement rises, more families will need assistance with food and shelter in order to help them through this period. Donating to food banks and shelters is perfectly legal and in keeping with our spiritual discipline. Some congregations may choose to join the New Sanctuary Movement, mentioned in the resolution. The movement's attorneys think that the actions taken in the movement are legal; and widely-respected attorneys are available to congregations who participate in the movement. At the same time, they do warn congregations that participation may entail legal risk. (Information is available on NewSanctuaryMovement.org)

FISCAL IMPACT

The Migration and Immigration Task Force will request necessary funds from Diocesan Council. Anticipated expenses include the preparation and publishing of materials for distribution, translation, and advocacy.

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* Note: In his article "Living the Truth, Speaking to Power," Larry Ingle reports that the phrase "speaking truth to power" was coined by Friend Milton Mayer in 1955 for a pamphlet on the Cold War published by the American Friends Service Committee.