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Box 78, Folder 11, American Jewish Committee - statement on undocumented persons, 1980.

THE AMERICAN JEWISH COMMITTEE

STATEMENT ON UNDOCUMENTED PERSONS

The American Jewish Committee traditionally has advocated a liberal immigration policy to the United States. Clearly, Jews have benefited greatly from America's historical role as a place of refuge for people who, for whatever reasons, either had to, or wished to, leave their homelands. Today, we continue to be dedicated to keeping America's doors open to those who must flee religious or political oppression, such as the Indochinese "boat people" or Jews from the Soviet Union, as well as to those who take advantage of our normal entrance opportunities. Our Judaic heritage, moreover, has always stressed the moral importance of welcoming and assisting the stranger in need.

The United States today has one of the most generous immigration policies in the world. Legal immigration to the United States now averages about 400,000 persons per year. A serious problem has arisen, however, because many more immigrants have been entering this country outside the legal process than enter through legal means, while others who enter lawfully as visitors overstay their visas and hence remain here unlawfully. The presence of millions of undocumented persons in the United States raises serious and difficult questions.

We recognize that people come here primarily to find work because America, unlike their countries of origin, continues to be a land of opportunity. Moreover, they often establish stable families here and make useful contributions to our economic and social systems. On the other hand, they constitute a significant body of persons who live in a legal limbo and whose presence raises grave questions about our ability and will to enforce our immigration policies. These policies simultaneously must seek to maintain the integrity of our legal system and to deal humanely with those who strive to improve their situation. If we do and say nothing, we make a mockery of our law and indeed invite more repressive measures if the problems were to become acute. We believe, therefore, that the course of wisdom lies in anticipating the problems and in developing effective yet humane methods to solve them.

Mass deportation of the millions who are now here unlawfully must be rejected out of hand as an inhumane and unacceptable remedy. Many illegal aliens have children who are American-born and hence are fully entitled to remain in this country. To expel their parents would violate the concept of family unification which the American Jewish Committee has always viewed as an essential cornerstone of any immigration policy. Further, in political as well as human terms, the forcible expulsion of millions of men, women and children would cause incalculable bitterness and division within this nation and would be utterly devastating to the image of America abroad as a champion of human rights.

(over)

The American Jewish Committee therefore recommends the following measures:

1. The granting of a one-time amnesty by our government, as of a date prior to the enactment of such an amnesty provision, to all persons who reside in this country unlawfully, excepting only those who have committed deportable crimes unrelated to their entry. Such an amnesty, of course, would entitle its beneficiaries to bring in close relatives from their countries of origin. We also support programs to help all those whose status here may be legitimized by an amnesty to integrate into our society--economically, educationally, politically and socially.

2. Such an amnesty program should be implemented, however, only if concurrent measures are taken to prevent future abuses of the immigration system. Since we recognize that the very act of granting an amnesty would be likely to spur would-be immigrants to enter unlawfully in anticipation of a subsequent amnesty, there must be effective enforcement and regulation of the flow of immigration on all of our borders.

3. Enforcement of our immigration law must itself conform to the standards established by the Constitution and the American legal system. Mass roundups or sweeps of any persons without due process of law must not be countenanced in the United States. Deportation of an undocumented person should be a remedy available to the government only after a hearing in which due process is followed.

4. Undocumented workers should receive necessary health care (not only for their sake but also to protect the health of the general community), as well as admission to public schools not only because they pay taxes but as basic human rights.

5. Recognizing that we have unique trading, migration and cultural ties with those countries with whom we share common borders (Canada and Mexico), we should liberalize our current immigration restrictions. Such a reevaluation of our policies should include increasing immigration quotas for countries contiguous to or nearby the United States, as well as cutting the time from application for entry to the United States to the time of securing a visa.

6. Since a majority of undocumented persons seek only temporary work in this country, we urge development of a reasonable and flexible program to meet this need. Expanded enforcement of fair labor standards laws in all job situations is necessary. Under no circumstances, however, would we support reimposition of a "bracero" program.

7. In order to stem the problem at its source, we endorse offering to those foreign countries which are receptive to such assistance from the United States, assistance with problems of economic development and population growth.

8. Any program here recommended must be continuously reappraised in light of developing factual information as well as changes in economic and social conditions in the countries of origin.

Finally, we recognize that huge gaps exist in our knowledge about these problems. All that can be said with certainty is that the undocumented persons situation constitutes a legal and social issue of major significance with which we must deal in accordance with our ideals of lawfulness and justice. We urge that the government, private researchers and interested groups learn more about this matter so that we may develop more compassionate and more effective policies to deal with it in the future.

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Adopted by Board of Governors  
May 14, 1980

