**US Immigration Policy Today *(2010)***

**Source – Immigration and Nationality Act**

**DIRECTIONS: Read through each section and answer the questions at the end of that section.**

**Section One** – How does the US government define an “immigrant”?

**Who is an immigrant?** According to U.S. law, an immigrant is a foreign-born individual who has been admitted to live permanently in the United States as a Lawful Permanent Resident (LPR).

**Section Two** – What criteria does the US government use to decide which immigrants to allow into the country?

**There are *three* categories of immigrants that are allowed into the U.S.…**

**1. Family – sponsored immigrants --** a U.S. citizen can sponsor his or her foreign-born spouse, parent (if the sponsor is over the age of 21), children, and brothers and sisters. A Lawful Permanent Resident can sponsor his or her spouse, minor children, and adult unmarried children. Neither citizens nor LPRs may bring in more distant family members, such as aunts, uncles, and cousins. In all, nearly three-quarters of regular immigration to the U.S. is family-sponsored.

Our immigration system divides the family members eligible for sponsorship into two tiers. *Immediate relatives* of U.S. citizens—that is, spouses, unmarried minor children and parents, but not brothers and sisters or unmarried and married adult children—are admitted as their applications are processed. There is no limit on the number of immigrant visas allotted for these close relatives of citizens. In recent years, more than 300,000 have immigrated per year. All other immigrants who come here through family sponsorship fall into the *"family preference system”* which, in recent years, has been capped at 226,000 visas per year.

# QUESTION

1. Do you agree that immigrants who have family ties to someone in America should be given preference over those that don’t? Why or why not?

**2. Employment-based immigrants—**  
 Employment-based visas are divided into the following categories:

* **1ST PREFERENCE:** About **40,000** visas a year may be issued to *priority worker*s– people who have "extraordinary ability," are "outstanding professors and researchers," or are "certain multinational executives and managers." Any unused visas from the fourth and fifth preferences are added to this category.
* **2ND PREFERENCE:** About **40,000** visas a year may be issued to persons who are "members of the professions holding advanced degrees or aliens of exceptional ability."
* **3RD PREFERENCE:** About **40,000** visas a year may be issued to *skilled workers, professionals, and other workers.* The "other workers" category covers workers who are "capable of performing unskilled labor," and who are not temporary or seasonal. Workers in this category are limited to **5,000** visas per year. *Skilled workers* must be capable of performing skilled labor requiring at least two years training or experience.
* **4TH PREFERENCE:** About **10,000** visas a year may be issued to certain special immigrants, including ministers, religious workers, and others.
* **5TH PREFERENCE:** About **10,000** visas a year may be issued to persons who will invest between $500,000 and $3 million in a job-creating enterprise. (In other words, they will provide jobs to others.) At least ten U.S. workers must be employed by each investor.

# QUESTIONS

1. Should immigrants be given preference based on their potential job skills? Why/why not?
2. How does the number of visas given to “unskilled workers” compare to the overall number of visas given out?
3. If you could change any of the preferences in the section above, what changes would you make?

**3. Diversity Visa Lottery** – Each year, 55,000 immigrant visas are divided up among countries that do not send as many immigrants to the U.S. through the other two categories. Within those countries, the visas are given to those who apply through a lottery. Applicants must also pass a security background check.

# QUESTION

1. The diversity visa lottery is designed to increase the number of immigrants from countries that send few immigrants to the United States, in order to make us a more diverse country. Do you agree that this should be a goal of US immigration policy? Why or why not?

**What about refugees?** Refugees are those people whose lives are threatened by ongoing political violence or crisis situations (like famine) in their home countries. They fall outside of the normal visa system because their cases are considered emergencies. Refugee visas are considered on a case-by-case basis and the president sets the number of refugee visas given out each year. In recent years, refugees have made up 17% of all LPRs immigrating to the U.S.

Another category of immigrants similar to refugees are **Asylum Seekers**. They are people who arrive in the U.S. and then apply for refugee status. If they are granted asylum, they are considered LPRs. While they await a ruling on their status from an immigration judge, they are not allowed to work but they may receive food stamps, Medicaid (MaineCare), and General Assistance vouchers.

**Section Three**– Many immigrants come here and never become citizens…for those that want to become citizens, what do they have to do?

**Eligibility:** An applicant for citizenship must be at least 18 years of age, and must have resided continuously in the U.S. as a LPR for at least five years prior to filing. Immigrants who are married to a U.S. citizen and immigrants who serve in the armed forces can generally naturalize after just three years. (In 2002, President Bush issued an Executive Order speeding up naturalization for noncitizens serving in active-duty during the "war on terrorism.") Children who are adopted from another country automatically have U.S. citizenship conferred to them as long as one or both parents are U.S. citizens, the child is under 18, and the child is legally residing in the U.S. with the U.S. citizen parent or parents.

Other requirements: Immigrants must be of "good moral character," usually determined by checking with the FBI for any record of a criminal background. A person must also demonstrate an ability to speak, read, and write ordinary English and have a general understanding of U.S. government and history. There are language exceptions for immigrants arriving at age 55 or older. They must still demonstrate knowledge of U.S. history and government, but they may do so in their native language.

**Interview:** After submitting an application and $680 fee to the Bureau of Citizenship and Immigration Services (BCIS), an appointment is made with the applicant to take his or her fingerprints, which are checked by the FBI. An interview is then scheduled with the applicant, during which a BCIS examiner reviews the application and determines if the applicant meets the requirements for U.S. citizenship. To demonstrate English proficiency and knowledge of U.S. history and government, the applicant must be prepared to answer several history and civics questions. They may also be asked to read a sentence or brief passage from a BCIS textbook, and to write a sentence dictated by the examiner.

**Oath and Swearing-In:** Approved candidates for citizenship must take an *Oath of Renunciation and Allegiance*, giving up foreign allegiances and swearing to support and defend the Constitution and laws of the U.S. The final step in the naturalization process is the swearing-in ceremony, which can take place before a judge or in an administrative ceremony.

# QUESTIONS

1. Do you agree with the requirements for citizenship in the US? Would you change them?
2. The following are a few of the actual questions immigrants must answer correctly to demonstrate knowledge of the history of our country…
3. Name one war fought by the United States in the 1900s.
4. What did Susan B. Anthony do?
5. How many Justices are on the U.S. Supreme Court?
6. There were 13 original states. Name three.

How would you do on this test?

Do you think it is important that immigrants be able to pass a test such as this in order to gain citizenship?