

U.S. Refugee Policy Raises Ethical Questions

By Tammy Tanaka
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America's "Golden Door" — though somewhat tarnished and now only partly open — remains a powerful magnet today, attracting more and more of the world's refugees and seekers of a better life.

But the unprecedented influx of refugees admitted through emergency procedures in the last few years and the growing problem of illegal aliens have raised widespread concern that the US immigration laws and policy need serious re-examination and may be out of control.

There is general agreement that the United States can't continue receiving unlimited numbers of people, no matter how great their need. However, opinions vary widely on where to set the limits.

The major American religious denominations have been on the forefront of groups pressing for immigration reform to liberalizing laws they hold are restrictive — and partly cause such problems as undocumented aliens.

Churches and their voluntary agencies — which have resettled the bulk of the 600,000 refugees admitted to the United States since 1975 — were leading proponents of the new Refugee Act of 1980, which raised the refugee quota and removed ideological and geographic restrictions.

The humanitarian stance of the churches, however, isn't universally supported in this country. Polls show the American public strongly opposes increasing the numbers of refugees admitted and want the level of total immigration reduced.

Stricter limits to immigration also are called for by environmentalists and such groups as Zero Population Growth and the National Commission for Manpower Policy.

Despite the varying opinions on issues, there is almost unanimous agreement that existing American immigration procedures have become increasingly chaotic, and action is urgently needed to restore order.

Toward this end, a Select Commission on Immigration and Refugee Policy, chaired by Father Theodore M. Hesburgh, has undertaken a comprehensive review of the existing laws and policies. Its final report is expected to be delivered to Congress and the president by mid-December or January.

"Our immigration policy must be responsible," the University of Notre Dame president said in the commission's semi-annual report. "That means essentially three things: We must respond as a nation, with a vision of freedom and progress, to a portion of the world's striving, aspiring and oppressed peoples. We must also be responsible to our own people, especially our poor and those who have suffered the sting of oppression in this country. And being responsible means we must be consistent in what we say and do in matters concerning immigration and refugees." He agreed with public complaints that immigration has lost control of the influx of undocumented aliens.

"There is no question that many of them are ambitious, hard-working seekers of opportunity and freedom," Father Hesburgh said. "But by permitting our laws to be flouted, we bring immigration policy as a whole into disrespect. . . . As rich and as large as this nation is. . . . we cannot be the single refuge for all the people in the world who flee persecution or seek opportunity."

The commission's broad mandate is to review and recommend legislative changes in immigration and refugee policy and its administration.

Under current immigration laws, there is a worldwide annual ceiling of 270,000 immigrants, with a per-country quota of 20,000. Persons are admitted on a preference system leading with family reunification.

In addition, under provisions of the Refugee Act of 1980, 50,000 refugees may be admitted annually, more in emergencies with the approval of Congress.

During 1980, an estimated 630,000 immigrants and refugees entered the United States, including 168,000 Indochinese and 130,000 Cuban and Haitian "boat people." The number who entered as illegal aliens is unknown.

The proposed revision of the American Immigration laws is the first major overhaul of the 1965 Immigration and Nationality Act (McCarran-Walter Act), which forms the basis for the current law.

In addition to solving the problem connected with illegal aliens, and revising immigration laws to make them "easier, cleaner and more just," the commission hopes to articulate "clear goals for immigration and refugee policy consistent with U.S. national interests."

But what is of U.S. national interests? Many see the problem as a moral dilemma.

Major U.S. religious bodies and their relief agencies, and ethnic groups, stress U.S. responsibility for taking a world lead in securing human justice on a global scale.

"We feel that the U.S. government should not base its action on what some other country or countries might do (regarding refugee admission) . . . but maintain our tradition of humanitarian leadership . . . and thus set an example for other countries to follow," said U.S. Catholic Conference migration and refugee official John E. McCarthy, speaking for Catholic, Protestant and Jewish resettlement agencies.

But with a "global refugee crisis" of some six million people,

do all potentially qualify for admission? Who should be picked? On what grounds?

Referring to this problem, Secretary of State Edmund S. Muskie told a convention of the American Lutheran Church that the question of how to set limits while remaining "open and generous" to would-be newcomers will be one of the most serious debates facing the nation in the next few years.

Meanwhile, surveys show the American public has become increasingly opposed to admitting new people. In 1977, some 42 per cent of Americans favored reducing the total numbers of immigrants admitted annually; the proportion has now risen to 80 per cent who favor reduction.

There have also been clashes between local American residents and new refugees, such as between the Texas Gulf Coast shrimpers and the Vietnamese fishermen. The "freedom flotilla" Cuban influx was an apparent factor in the rioting by blacks in Miami.

Advocates of liberal reform, including the major church bodies, hold that current laws don't meet the needs of present global realities.

They say that existing laws still unfairly give preference to immigrants from the largely white European countries, who no longer seek to come in large numbers, and who rarely use up their 20,000 annual quota. Meanwhile, would-be immigrants from some developing countries use up their quotas so fast there is always a waiting list several years long.

Some 90,000 immigrant petitions are now backlogged, awaiting processing by the understaffed Immigration and Naturalization Service. Most of the backlog is from Asian and Latin American countries.

Major pressure is currently coming also from the "back door" Latin American and Caribbean countries, notably Mexico. Before the 20,000 per country quota was imposed in 1976, Mexico was sending some 50,000 immigrants annually.

On the question of total immigration quotas, there are varied opinions as to how many the American society can successfully absorb in future years. Nobody advocates unlimited entry. During most of the last decade, an average of 370,000 to 470,000 newcomers entered each year.

Environmentalists and zero population growth advocates think we've already passed the safety limit and want to cut back.

At the other end of the spectrum, some advocates of greater openness believe this country can absorb up to one million a year for some time.

Father Hesburgh's commission has under study a proposed ceiling of 750,000 which is keyed to a projected stable U.S. population of just under 300 million by the year 2030 if fertility rates remain at the present level.

There are differences of opinion on the desired goal of American immigration policy. Should family reunification be the primary concern, as it is now? Or should highest priority be given to select independent immigrants who will "benefit society as a whole"?

On the matter of exclusion, some reformers have called for removal of existing restrictions that can be used to exclude people for political or moral reasons.

There is also the basic underlying conflict, the question of America's moral responsibility to the world community. What does the U.S. envision as its proper role and reason for being?

In other words, is America — as symbolized by the Statue of Liberty — still the "mother of exiles," here to take into her bosom the huddled masses of the world? Or is she "Liberty enlightening the world," as the statue was originally named by Frederic Bartholdi?



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