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Child Immigration

Thesis

Child immigration in the United states has been an issue for years, however in the last few years this issue has double due to Central American children hoping to cross the border for a better life, therefor it has hit the border patrol budget tremendously. The Obama administration is left to make a difficult solution that mainly helps this country, deport all children? Or help all children? Truly this is a difficult decision but is it ok not to help an innocent child? One of those children might be the engineer that might invent a new technology that change the world, or a surgeon that might save a life.

Scope

This paper will mainly discuss child immigration into the United States to analyze this issue the paper will include the United States federal definition for “immigrant”, history, statistics, impact of current laws, also the legal rights that an immigrant child has once he or she crosses the border illegally, process of deportation and pros and cons of allowing illegal minors immigrants to stay in this country.

Definition

The Merriam Webster dictionary defines Immigrate as “to enter and usually become established; especially: to come into a country of which one is not a native for permanent residence.” ^[1] Also defines illegal as “not according to or authorized by law.” ^[2] we can analyze that “illegal immigrant” is an action that does not follow the laws and regulations of new residing country. The United States code under title 8 describes that anyone entering this country unpermitted is committing a crime therefor will face penalties and deportation. ^[3]

Background

The United States was built by immigrants starting in the colonial times by immigrants from England, France, Spain and the Netherlands, over time immigrants coming to this country have change and as of today most immigrants are from Mexico, central and south America. The government of the United State has succeeded regulating immigration by implementing laws such as United States Naturalization Law 1790.

“restricted citizenship to any alien, being a free white person who had been in the U.S. for two years. In effect, it left out indentured servants, slaves, and most women. This implied that black and, later, Asian immigrants were not eligible to be naturalized, but it said nothing about the citizenship status of non-white persons born on American soil. Subsequent nineteenth-century legislation included a racial requirement for citizenship.” ^[4]

This naturalization Act of 1790 clearly unfair but allowed at least one type of ethnicity to become a citizen, the naturalization Act 1720 led to the case Ozawa v. United States. ^[5] The supreme court made the decision in favor of the united states, by law Asian were not consider a

free white person and denied the petition. The Naturalization act of 1790 although it was racist was clearly looking for the benefits of the country.

100 years later the Immigration Act of 1882 established categories of foreigners deemed “undesirable” for entry and gave the U.S. secretary of the treasury authority over immigration enforcement. ^[6] it was the first comprehensive immigration laws in the United states and also racist as the Naturalization Act of 1790, the difference in the 1882 act it was more on appearance rather than ethnicity. Another important event was The Immigration Reform and Control Act of 1986 Public Law 99-603 (Act of 11/6/86), which was passed in order to control and deter illegal immigration to the United States. Its major provisions stipulate legalization of undocumented aliens who had been continuously unlawfully present since 1982, legalization of certain agricultural workers, sanctions for employers who knowingly hire undocumented workers, and increased enforcement at U.S. borders. ^[7] The immigration act of 1986 focus on controlling illegal immigrants working in the United States giving them the chance to be legal immigrants in this country, this created a young and powerful work force to this Country; given the historical data and the laws and regulations created by the United States government is clear that this country will have immigrants in the future. Today the Obama administration is dealing with illegal immigrants crossing the border every day mainly from Mexico and Central America but this time is different, “children are crossing the border without parents.” More than 150,000 children have crossed the border since 2012 the big increase is due to poverty, Gang Violence, drugs, organize crime and lack of political stability.

The onestep that the United States took to help decrease child illegal immigrants was The William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 signed into law by George W. Bush gave substantial rights and protection to unaccompanied children from

countries which do not have a common border with the United States ^[8] , this means that any illegal immigrant from Central and South America and any other country except Mexico and Canada will have some rights to stay this country, such as having a trial, present the case to a judge and if he or she qualifies under The William Wilberforce Trafficking Victims Protection Authorization Act 2008, they will be allow to stay in this country.

The William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 was a great step to record and control illegal immigration however is a quick fix to a bigger issue, like any law it has its flaws, for example now 95% of children coming to the United States will claim that they have been abuse, live under a lot of violence and or organize crime and there is no way to prove otherwise and they could be criminals. Also this Act does not help Mexican or Canadian children, the following steps affect the United State budget:

- 1) Increase border patrol to eliminate illegal immigration
- 2) Capture immigrants
- 3) Put them in jail if adult if children process them in the system (in a safe environment)
- 4) Give them food and clothes (sponsor)
- 5) Give them a court date
- 6) Counsel
- 7) Appear in court.
- 8) Deport or release to their families.

Therefor is clear that the border is closed for children and that they will face deportation. All of these is very expensive for the State and Federal Government, this Act has help real victims and

their families going forward The Obama administration has to analyze the Pros and Cons of allowing child immigration.

Pros

Amnesty helps the economy as children become adults contribute to construct a bigger workforce, once the children work they will have to pay taxes and this helps the economy, mixed cultures allows more ideas there for a better country, a lot of those children will go to school and maybe become police officers, nurses, doctors, engineers, teachers, also the ability to understand two languages.

Cons

Increase Criminal activity, organize crime, terrorism, immigrants cost money and there is not guarantee that they will become good citizens, over population.

Conclusion

The Obama administration has continued its efforts to control child illegal immigration but with little or no effect as more unaccompanied children keep crossing the border every day the majority are from Guatemala, el Salvador and Honduras, it's important to consider the positives effects of allowing illegal immigrants in this country as it could help rebuild a broken economy and become better nation.

Footnotes

[1] <http://www.merriam-webster.com/dictionary/immigration>

[2] <http://www.merriam-webster.com/dictionary/illegal>

[3] 8 U.S.C. § 1325: US Code - Section 1325: Improper entry by alien.

[4] United States Naturalization Act 1790

[5] Ozawa v. United States case in 1922

[6] The Immigration Act of 1882

[7] The Immigration Reform and Control Act of 1986

[8] H.R. 7311 (110th): The William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008