

Homeland Security: Immigration Policy

Student Name

University

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Homeland Security: Immigration Policy

Introduction

Immigration laws are a vital element for a country to develop and be safe; they are used to regulate the entry of foreign citizens into their respective countries. Moreover, policies are aimed at protecting refugees as well as those seeking for temporary or permanent asylum who may face abuse in their native land. Immigration policy has been instrumental in ensuring the safety of both visitors and locals in any given country. In addition, it has provided opportunities for tourism and international growth, especially in developing countries. It also contributes to restoring confidence in the government's sole objective of protecting its citizen's. There are various laws governing immigration policies. In fact, immigration policy has undergone several changes all over the globe. For instance, since it was established, the institution of immigration had been the subject of legislation in the United States. It is quite important to note that immigration policies adopted immediately aroused sharp debates among critics in terms of human rights concerning the freedom of interaction as well as the right of free movement. These have caused jitters in some countries, especially in the United States and the United Kingdom, which most people from developing countries see as safe havens. As this debate continues, governments of these countries keep strengthening their safety measures through legislations on immigration policy. This paper will explore immigration policy as entailed in homeland security. It will also endeavor to examine its contents as well as the changes it has undergone since its conception to the present day.

Homeland Security and Immigration Policy

Homeland Security

“Homeland security” is a term used to refer to the US government department agencies credited with the responsibility of protecting its states from any possible terrorist threats. In essence, its main concern is to ensure the protection of its citizens from terrorists' attacks. Their key aims are to try to minimize any hazards that may arise or any damages that can be possibly caused by any intruders. Moreover, they are also credited with reducing the country's vulnerability to terrorist acts. This cannot be achieved without involving immigration laws and policies. It is for this reason that homeland security works in close collaboration with immigration department to ensure that there is no influx of extremists into the United States of America (Kettl, 2007). It is clear that terrorist threats can arise from within or outside of the country. It is also well known that most patriotic United States nationals cannot conduct activities aimed at endangering the lives of its fellow compatriots. This leaves one possible cause of such activities: an enemy living within the borders of the United States or outside the country but planning to enter. For the criminal to get access into the country, the passage through immigration procedure should be passed through (Kettl, 2007). For this reason, immigration policies have a direct link with homeland security and require close monitoring to step up security.

The first records of the term “homeland security” dates back to the 2001 September attacks. There followed a reorganization of some of the main United States' government agencies. It may, therefore, be used to refer to actions or activities of homeland security department as well as other stakeholders, like Senators and Congress on homeland security. Homeland security department, therefore, has the

responsibility of protecting its citizens from external aggression, threats, and attacks.

This department, along with Homeland Defense, incorporates over 180 federal agencies, including the National Guard agency, among others. This shows how crucial the functions of this department are. In this regard, immigration policies form an integral part of homeland security, as scrutiny of entrants into the United States, have to be made with reference to Homeland Security Act of 2002 (Homeland Security Act of 2002). Furthermore, it is through the strengthening of immigration policies that close scrutiny can be achieved to weed out extremists and terrorist threats, which would endanger the country and its inclusions. Homeland security and immigration policies are, therefore, inseparable as they work hand in hand to ensure the safety of the country.

Immigration Policy

Immigration policy has undergone tremendous changes in centuries since the United States was founded. Among the changes, the Congress' establishment to allow people born outside the USA to become citizens of the United States was of great significance. On the one hand, this caused a huge rush for work and other benefits in the United States for over a century from 1790. On the other hand, it increased threats to its citizens and resources as extremists envied the US progress. Among others, the outcomes were new tasks aimed at reviewing all the processes of admission to the country. This has seen numerous modifications to the immigration policy. These policies have been the most useful instruments in ensuring the safety of both visitors and locals in any given country (Bullock, Haddow, Coppola, & Yeletaysi, 2009). Immigration policies are developed to help strengthen its viability in the region; it also helps restore

confidence in the government's sole objective of protecting its citizen's safety.

The term "Immigration Policy" consists of two words: "immigration" and "policy". Immigration means to enter a foreign country and may also refer to a lawful permanent resident, which means an alien who has been lawfully admitted into a country and given permanent residence status. Therefore, immigration policy may refer to the laws and regulations that have been formulated to guard the process of immigration. The Congress and the Senate are usually in charge of making these statutes. Governments cite security as the main reason for strengthening their safety measures through rigorous immigration processes.

Immigration Policy in the United States

Immigration policy in the United States has undergone several changes over the years to enable it to serve its citizens better. This has been aimed at achieving multiple goals. By doing so, the policy works to establish unity in families. The policy is also used to admit workers with definite skills. For instance, vacancies that experience continuous shortages can be categorized under this section for admittance of immigrants. This would assist the country to mitigate its labor shortages. Again, these policies are aimed at providing safety to people who face various dangers in their respective countries; these may include racial, religious as well as political discrimination, among others. These may be also referred to as asylum seekers with valid grounds for their situations. The policy would, therefore, act to save them from oppressors in their countries of origin. Immigration policy also promotes diversity by enabling admission of people from regions with very low rates of immigrants through a program dubbed "diversity program" (Bullock et al., 2009). This is aimed at making the country a home to the representatives

of all cultural entities. All these goals of immigration policies are established to enable both temporary and permanent admissions to the United States.

It is quite important to note that these policies are well laid out and stated in the Congressional Budget Office Paper. The policy describes conditions for eligibility of various categories of legal admission to the United States (Congressional Budget Office, 2013). In addition, it provides the current reforms on the policies aimed at strengthening its executions and safety to American population, resources as well as airspace, among others.

Evolution of Immigration Policy in the United States

As stated above, immigration policy has undergone several modifications since the nation was founded. Policy makers have found it difficult to maintain the same regulations in a dynamic world over the years. The country faces several threats to its existence such as attacks by terrorists witnessed on September 11, 2001, among others. This led to various legislations that continue to link immigration policies to homeland security in monitoring unlawful/lawful immigrants with suspicious activities. Evolution of immigration policies began in 1790 when the Congress allowed people born outside the United States to become its citizens. This led to a colossal influx of people mainly seeking for jobs from all parts of the world. Later on, after about a century, in 1875, the country enacted another law that sought to limit immigration (Kettl, 2007). At first, it was just aimed at prohibiting admission of prostitutes along with other criminals. Due to the continual rise in immigrants, the federal government was given exclusive rights to guard immigration by the Supreme Court. In 1891, Immigration Service was established by the Congress (Kettl, 2007). However, the processing

responsibilities still rested on the federal government.

Immigration recorded its lowest level during World War I. However, later, it resumed its high levels, subsequently leading to new immigration policies that included the quota system in 1921 and 1924. This system, which favored family reunification, was later abolished in 1965, and a categorical preference system was adopted instead of that. The latter system emphasized on granting admissions to immediate families of citizens of the United States and permanent residents as well as those with valuable skills to the country. Most of these policies are still in place even though various amendments have been made to them. This went into cap ceilings that started with 290,000 per year to a flexible cap of 675,000 immigrants annually. In 2008, the United States granted legal permanent resident status to more than 1.1 million people (Congressional Budget Office, 2013). The flexible part only came into play for unused visas. Later on, Homeland Security Act restructured the immigration policy. Department of Homeland Security became responsible for almost all the immigration and Naturalization Services' functions (Homeland Security Act of 2002). These were done to stem illegal immigrants who might have potential threat to the American population.

Categories of the Lawful Admission to the United States

Non-United States citizens can be admitted into the country through various ways. They are divided into two main categories, namely, permanent and temporary admissions, also known as immigrant or non-immigrant ones. In this regard, those who gain permanent admissions are commonly referred to as LPRs which means lawful permanent residents. They are usually given the green cards and are allowed to live and work in the United States. In addition, they may be also allowed to apply for

citizenship of the United States. Another way of entering the United States is through temporary admissions. These are usually granted to the non-United States citizens who plan to visit or enter the country for a given period. This may be for purposes of tourism, student exchange, and temporary work, among others. This category of people may or may not be allowed to work in the United States, depending on their visas. Moreover, they are not eligible to apply for citizenship in the United States. Instead, those who wish to apply for the same must first undergo the process of permanent admission (Congress of the United States, 2019).

On the contrary, visas are not capped as it is seen in admissions because the former can be valid for several years. In this case, holders of visas can enter and leave the United States whenever they want until it expires. However, whenever they enter the country, it is recorded by U.S. Citizenship and Immigration Services (USCIS), although departures are never recorded (Congress of the United States, 2019). In some circumstances, people may be denied admissions or visas into the country through categories mentioned above. These may be on the grounds of violations of immigration laws and inadequate documentation as well as for health reasons, among others. Other factors that include numerical limits may also deny those seeking for admissions or visa into the country.

Enforcement of Immigration Laws

Aliens, as well as immigrants, may be removed or granted inadmissibility in many situations. These include valid grounds for health concerns to the United States population, terrorist suspects, those with a criminal history, and those with a likelihood of getting a public charge. Other grounds under which one may be denied admission

include possession of fake qualifications and certificates, falsehood, domestic violence, child abuse as well as stalking, among other criminal activities. When immigrants are found to violate any immigration regulations, they are taken through immigration enforcement procedures. This starts with the arrest of individuals found to trespass immigration policies established by USCIS.

Those convicted of violating immigration policies may be deported to their countries of origin with subsequent bans that may include life bans to enter the United States. This can be done through voluntary departure or formal removal. Other forms of punishment may include fines, prohibition of future entry as well as imprisonment. Expedited removals are usually conducted to aliens with fraudulent behaviors or inadmissibility. However, voluntary removals are usually applied to those without criminal acts who were attempting to enter the country (Congress of the United States, 2019). The latter is usually carried out before a court hearing. Any fraudulent or policy violation cases may cause person's departure or adjustment to alien's immigration status.

Conclusion

Immigration policy continues taking a new shape in our always-changing world. The United States, for example, formerly allowed everyone irrespective of their past to enter through its borders. However, this changed as influx grew out of proportion subjecting the country to illegal aliens as well as criminals. Subsequently, various reforms to the immigration policy followed. These were aimed at limiting threats to the national security as well as immigrants with dangerous activities, which include drug trafficking and sexual abuse, among others. Establishing of Homeland Security Act of

2002, which regulates almost all immigration and naturalization services, was done to exclude and prevent any potential risks to the country and its population. The United States of America is now safer with its new reforms on immigration policies.

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