

Reading Essentials and Study Guide



Chapter 22 Making Social and Domestic Policy

Lesson 5 Citizenship and Immigration

ESSENTIAL QUESTION

How do social and domestic policies affect U.S. society and culture?

Reading HELPDESK

Academic Vocabulary

status the condition of a person in the eyes of the law

Content Vocabulary

citizen a member of a political society

citizenship the expected qualities that a person should have as a member of a community

naturalization the legal process by which a person is granted citizenship

collective naturalization a process by which a group of people become American citizens through an act of Congress

quotas numerical limits on how many immigrants are allowed in from each country

amnesty a presidential order that pardons a group of people who have committed an offense against the government

visa a special document, required by certain countries, issued by the government of the country that a person wishes to enter

green card a document issued by the government that shows a person has permission to live and work in the United States

asylum refuge or humanitarian protection given by a country

refugee a person fleeing a country to escape persecution or danger

TAKING NOTES: *Key Ideas and Details*

LISTING Use the graphic organizer to create a list of the major immigration legislation discussed in this lesson and summarize the basic features of the law.

Major Immigration Legislation	Basic Features of the Law

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ESSENTIAL QUESTION

How do social and domestic policies affect U.S. society and culture?

Recall the principles of democracy such as citizen participation, regular free and fair elections, the rule of law, majority rule with minority rights, limited government, equality, and individual rights.

- Make a list of at least ten actions people should take to demonstrate they are good citizens or positive members of our democratic society.
- Make a list of at least four character traits or values you think civic-minded people should possess in our democratic society.
- In your opinion, how does our democracy depend on people taking these responsibilities and duties seriously?
- How can or should government encourage civic participation and civic virtue?

Citizenship

Guiding Question *What are the responsibilities, duties, and obligations of citizenship?*

Citizens are members of a political society, also known as a nation. American citizens have certain rights, responsibilities, obligations, and duties. This is true whether they are born here or become citizens after they get here. Some of our rights are protected in the Constitution. Other rights are protected by law. Citizens have certain legal obligations and duties. These include following the laws, paying taxes, serving on a jury if asked, and being loyal to the nation. Sometimes citizenship requires individuals to serve the public good rather than their own personal desires and interests. These civic obligations are important but not required by law. Voting is an example.

Citizens have the obligation to respect the rights and opinions of others. Multiple viewpoints and minorities' rights are important in a democracy. Democracy also depends on citizen involvement. Citizens govern themselves by choosing their elected leaders, participating in government, and working to improve their communities. Citizens have the responsibility to be well informed about civic affairs and public issues because they are participants in government. Citizens should be willing and able to take actions that benefit their communities and their country. An example of such action might be serving in the military or AmeriCorps. These civic responsibilities are different from personal responsibilities. Personal responsibilities include taking care of oneself, accepting responsibility for your actions, and acting kindly toward others.

The term "good citizen" describes all people who are civic-minded and who participate positively in their community's health and success. The term includes both citizens of the country and non-citizen residents. Global citizenship means that people are active in caring for people and issues beyond their own national borders.

Citizenship by Birth

Every country has rules about how to get **citizenship**. Federal law governs citizenship issues and other immigration matters in the United States. People born in the United States are citizens regardless of the citizenship **status** of their parents. Status is the condition of the person in the eyes of the law. (The only exception to this is children born to foreign diplomats.) This rule comes from the Fourteenth Amendment.

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Even children born to parents who are not in the country legally are citizens. A child born outside the country to a parent who is a U.S. citizen is a citizen automatically.

Citizenship by Naturalization

The Constitution says that Congress sets the rules and requirements for citizenship. People born in other countries can become U.S. citizens through **naturalization**. Naturalization is a legal process by which people who meet certain qualifications may be granted citizenship if they ask for it. The requirements to apply for naturalization include:

- Legal residency in the United States for at least five years (with some exceptions),
- Physical presence in the United States during at least half of the past five years,
- Being at least 18 years of age,
- Good moral character,
- The ability to speak, read, and write in English,
- Passing a citizenship test about U.S. history and government, and
- Swearing allegiance to the U.S. Constitution and loyalty to the United States.

The spouse of a citizen may apply for citizenship after having permanent residence in the United States for only three years and meeting other naturalization requirements. A child who is a permanent resident may get citizenship automatically if a parent naturalizes before the child turns 18.

Citizens of another country can apply for dual citizenship. This allows them to be U.S. citizens as long as the other country allows it. However, the U.S. government does not like it when U.S. citizens apply for citizenship in another country. Their U.S. citizenship may be taken away if they do. Citizenship can also be taken away if someone commits a serious federal crime such as treason. Citizenship can also be taken away if the person got their naturalization through fraud.



Reading Progress Check

Contrasting How do citizenship by birth and by naturalization differ?

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Exploring The Essential Question

Assessing People who want to become naturalized citizens must pass an oral test about U.S. history and government. Work with three classmates to develop three history questions and three government questions that you think all citizens should be able to answer. Swap your questions with students in two other groups. Can you answer your own questions and theirs?

Then, visit the website of the U.S. Citizenship and Immigration Services, the government agency that administers the naturalization test. Look at the study guides and sample test questions. How do your questions compare to the actual test questions? Who may be exempt from the tests? What resources does the website offer to help applicants? What is your assessment of the test and the support applicants are given to pass the test?

Congress and Immigration Policy

Guiding Question *How has U.S. immigration law and policy changed over time?*

America has been a land of immigrants for more than 500 years. Our nation's laws, policies, and attitudes about immigration have changed many times. These changes reflect a long-lasting conflict between two views. One view is that immigration should be restricted, and the other view is that immigrants should be welcomed and celebrated.

The Powers of Congress

Congress has complete power over naturalization. This means no state can give U.S. citizenship to anyone or take it away. It also means Congress can make laws limiting or expanding who can be naturalized. Congress can also restrict the rights of naturalized citizens. This power is limited by some Supreme Court rulings.

Congress declared a preference for immigrants from Europe early in the nation's history. Law in the 1790s said that citizenship was possible only for someone who was "a free white person of good moral character."

Congress banned the practice of importing enslaved persons in the early 1800s. Enslaved persons were immigrants who did not come to the United States by their own choice. However, the laws at that time made it clear that African Americans would not be eligible for citizenship. It did not matter how long they lived in the United States. African Americans were not given citizenship until after the Civil War and the passage of the Fourteenth Amendment.

Early immigration policies also limited Asian immigrants. The California gold rush attracted people from many countries, especially from Japan and China. In 1882, Congress responded to their arrival by passing the Chinese Exclusion Act. It banned Chinese workers from entering the country. The Chinese Exclusion Act was not repealed until World War II. In the early 1900s, the United States also severely limited the number of Japanese people that could immigrate to the United States.

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Congress also has the power to naturalize whole groups of people. This process is known as **collective naturalization**. Congress used collective naturalization to grant citizenship to people who had been living in the territory that is now Texas. Mexico gave up control of that area after the Mexican-American war in the mid-1800s. Congress used the same power to grant citizenship to all people living in Hawaii in 1900. It also granted citizenship to residents of Puerto Rico in 1917. In 2000 it gave automatic citizenship rights to all minor children adopted abroad if one adoptive parent is an American citizen.

Quotas and Other Criteria

There was rapid industrialization in the United States in the late 1800s and early 1900s. Millions of immigrants came to the United States at that time. Most were from Russia, and Southern Europe, and Eastern Europe.

The government passed two laws in the 1920s that made immigration much more difficult, especially for people from certain countries. The laws set **quotas**. Quotas were limits on the number of people allowed into the United States from each country. The quotas were based on how many people from each country had already entered the United States by a certain date. These laws favored immigrants from Northern and Western Europe, because more people from those countries were already here. These laws limited immigration from Asia and Southern and Eastern Europe. There was much less immigration during the next 40 years.

In 1965, Congress passed the Immigration and Nationality Act. This act abolished the quota system based on national origin. This law led to an increase in the number of immigrants from regions that had been restricted under the quota system. President Lyndon B. Johnson called the old system “un-American” when he signed the bill.

The Immigration and Nationality Act was guided by two principles. First, the law would try to reunify families. Second, the law would give priority to individuals with certain skills. The family preference system gives top priority to unmarried children of U.S. citizens. Preference is then given to husbands, wives, and unmarried children of permanent residents, married children of U.S. citizens, and siblings of U.S. citizens, in that order. The law also gives preference to refugees and to highly-skilled workers. Highly-skilled workers include doctors and lawyers.

Federal Efforts to Control Illegal Immigration

Immigration policy in the 1980s began to focus on stopping illegal immigration. The Immigration Reform and Control Act (IRCA) of 1986 tried to limit undocumented immigration. It required employers to verify that potential employees were qualified to work in the United States. The law also punished employers who knew they had hired undocumented immigrants. Critics pointed out that the penalties were not strong enough and were not enforced well.

The law also established a way for some undocumented immigrants to get **amnesty** for having been in the country illegally. Amnesty is a pardon to an individual for an offense against the government. The immigrants with amnesty could become legal residents and eventually could become citizens. They had to pay a fee and prove they had been continuous residents of the United States for four years. They also had to show they were of “good moral character” and could speak English. An estimated 2.7 million people became eligible for amnesty, including one million farm workers.

By 1990, Congress had passed the Immigration Act. The Immigration Act said that no country could be the source of more than 7 percent of total immigrants to the United States in a given year.

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Congress passed new laws to increase the border patrol in 1996 and 2006. Congress also authorized the construction of a fence along parts of the border with Mexico.

Many immigration laws, policies, and procedures changed after the terrorist attacks of September 11, 2001. The criminals responsible for the acts had entered the United States legally. However, after September 11, terrorism and immigration became linked in the minds of some Americans. Spending on border patrol employees, fences, and related technology more than tripled in the ten years after the September 11 attacks. The number of individuals removed from the country has more than doubled since that time. These removals are called deportations.

Immigration and Federalism

The national and state governments often compete for power in our federal system. This is true in the case of immigration policy. The Constitution gives the national government complete authority over naturalization. However, a growing number of state governments have passed their own laws to identify and deport illegal immigrants within their borders. Supporters of such laws argue that the Tenth Amendment gives states the authority to enact immigration policy since the national government is failing to do so.

Debates About Immigration Reform

Many people do agree that current immigration policy should be reformed. However, they do not agree on what those reforms should be. Many of the controversies and proposed solutions involve ways to reduce illegal immigration. Reform ideas also deal with how to treat children of immigrants who entered the country illegally.

As of 2013, an estimated 12 million people were living in the United States without proper visas or documents. Some people believe that the priority of U.S. immigration policy should be preventing people from entering the United States illegally or staying longer than they are permitted. These people worry about limited resources and cross-border crime in communities that have a lot of undocumented immigrants. Many solutions to these problems have been suggested. Those suggestions include increasing border patrols and building a more secure fence along the border. Suggestions also include using new forms of technology to identify undocumented immigrants, and increasing penalties on employers who hire undocumented workers. Opponents of these reforms have suggested that these solutions will cost too much money. Opponents argue that people will risk everything to cross the border as long as they can find a better life in the United States. Some reformers want to focus on improving living conditions in the countries undocumented immigrants come from. Others suggest making it easier for immigrants to become U.S. citizens legally.

Some policy makers would like to make it easier for children brought to this country by their undocumented parents to gain legal status. Supporters of this reform argue that these young people came here through no fault of their own. Supporters say that these children contribute positively to the economy and to their communities. They also argue that the children are no risk to national security. Opponents of this policy argue that all people who are in the United States illegally have broken the law and should not be rewarded with legal status or citizenship. Opponents say this applies to both parents and children.

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Reading Progress Check

Analyzing How does federalism impact U.S. immigration policy?

Immigration Procedures

Guiding Question *What different types of visas are available to immigrants who visit or stay in the United States?*

As of 2010, there were nearly 40 million foreign-born people living in the United States. This was 13 percent of the total population. About 66 percent of these people are in the country legally. Nearly 44 percent have become naturalized citizens. Twenty-two percent have legal permanent resident status, or are holding **visas**. Visas are special documents issued by the government that give individuals from other countries permission to enter and to stay in the United States for a certain period of time.

Key federal agencies responsible for immigration are part of the Department of Homeland Security. U.S. Citizenship and Immigration Services (USCIS) manages legal immigration to the United States. Immigration and Customs Enforcement (ICE) investigates illegal activities related to immigration. The U.S. Customs and Border Protection Agency guards America's borders.

Visas

The United States provides various ways for foreign-born people to come to the United States on a temporary or permanent basis, using a visa.

There are more than 30 types of visas for visitors. For example, tourist visas allow individuals to visit for pleasure or for short business trips. Student visas allow individuals to study at American schools. Visitors who come for medical treatment can receive another type of visa. Individuals who have these types of visas are not allowed to work in the United States.

Individuals who want to work in the United States for a certain period of time can apply for a temporary work visa. Visitors with work visas must leave the country once they reach the deadline listed on their visa.

Each year, the government issues a specific number of immigrant visas that allow certain people to stay in the United States indefinitely. People who receive these types of immigrant visas become legal permanent residents (LPRs). The government gives these immigrants a document commonly known as a **green card** that shows they have permission to live and work in the United States.

Congress sets a limit on the number of immigrant visas issued each year in specific categories. The great majority of immigrant visas are issued in the category of family-sponsored visas. Current U.S. citizens may ask to sponsor a spouse, a child, a parent, or a sibling. LPRs can ask to sponsor spouses and their unmarried children.

The second largest number of immigrant visas are issued to people who are sponsored by employers. Most of these visas are given to people who are highly educated and highly skilled professionals.

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Asylum and Refugees

Every year, thousands of people come to the United States fleeing persecution. Others cannot return to their homeland due to life-threatening or special situations. The United States provides refuge or humanitarian protection through two programs. The first is an **asylum** program for people who are already in the United States and their immediate relatives. The second is a **refugee** program for people outside the United States and their immediate relatives. Immigrants who are given refugee or asylum status may eventually become U.S. citizens.



Reading Progress Check

Summarizing How are visas used to manage immigration to the United States?
