

Oxford Handbook on Comparative Immigration Law
Part VI – Comparative Issues in the Treatment, Rights, and Privileges of Migrants
Migrant Integration and Assimilation Policy (United States) [Draft 6/30/22]

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The integration of immigrants is a subject of growing interest in scholarly and policy discussions that aim to go beyond repairing the exclusionary immigration laws of the last several years to building a more inclusionary society. This chapter will summarize key concepts of citizenship, their relationship to immigrant integration, and the U.S. immigration laws and policies that impact integration outcomes. It will then present empirical data, both quantitative and qualitative, from social scientists about the effect of these concepts laws and policies on various integration outcomes. It will conclude with discussion about competing proposals for the improvement of these outcomes.

The chapter begins with a description of formal citizenship. Acquisition of U.S. citizenship is a key indicator of legal integration. In the U.S. citizenship is attained at birth or by naturalization. There are separate paths for noncitizens in the military and refugees.

Supplementing formal citizenship, the chapter describes several facets of substantive integration. The chapter highlights four of interest to social scientists: social, economic, civic / political, and cultural. Social integration is the focus of sociologists who write about social citizenship or substantive belonging; it may also include spatial integration, measures of intermarriage, criminality, or disparities among racial minorities. Economic integration is the province of economists who discuss the contributions of immigrants to the U.S. and the effect of policies on the jobs, skills, and wages of immigrants. This measure may also include eligibility for health care and other welfare benefits. Political integration is defined broadly to include voting and political representation. Civic engagement encompasses activities not reserved to citizens, such as expressing views, joining social movements, writing to representatives, and other engagement with institutional politics. It may also involve consideration of dual nationality.

The chapter then turns to areas of contestation. Contemporary policy disputes focus on institutional responsibility for promoting integration. Historically, the U.S. government has taken a *laissez faire*, or hands-off approach, toward integration for most immigrant groups. States and nongovernmental organizations have played a larger role in the integration – or disintegration – of immigrants. This model leads to debates over the scope of integrative efforts and whether the federal government does enough – or too much – to address inequalities in economic, social, and cultural integration. Other controversies include the importance of undocumented status and race in integration, with the U.S.-Mexico border as a site of contestation. The chapter concludes with a comparison of integration in the US and other countries and possible reforms.

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US Citizenship and Immigrant Integration Law

Definitions and Key Concepts

The concept of immigrant integration refers to the process by which immigrants over time reach parity with the general population (Alba et al. 2012).¹ Definitions of immigrant integration focus on formal and substantive dimensions of belonging for noncitizens. Substantively, greater integration may include closing gaps in indicators such as socioeconomic inequality, residential segregation, and political participation and representation (National Academies of Sciences, Engineering, and Medicine 2015). Prior generations of scholarship use the term “assimilation,” though the connotation of the term as a one-way process that erases important cultural differences of newcomers, has led to integration or incorporation as a favored term (Waters and Jimenez, 2005).

A basic definition for formal citizenship is the acquisition of U.S. citizenship, which can be obtained by birthright or naturalized citizenship. A broader conception of citizenship instead functions as a spectrum of citizenship, with formal and substantive dimensions. The formal dimensions include legal statuses (plural), ranging from naturalized citizenship, to permanent residence, to temporary visas, to undocumented presence. Generally, it is presumed that formal citizenship enhances metrics of substantive integration and belonging (Bloemraad 2017; Hainmueller 2015).

These definitions of integration and the relationship between formal citizenship status and integration are contested. Elizabeth Cohen posits that noncitizens’ rights can be disaggregated or arranged on a spectrum of semi-citizenship (Cohen, 2009; Chen, 2020), rather than a legal binary. Others disaggregate citizenship into identity, membership, or belonging (Bosniak 2008). Empirical scholarship has shown that the dynamics of integration can be complex rather than a one-way trajectory for minorities being incorporated into mainstream society (Portes and Zhou 1993; Waters and Jimenez 2005; Jimenez 2017).

Law and Policies impacting Immigrant Integration

Federal

U.S. citizenship is provided for in the U.S. Constitution and statutory law. The Citizenship Clause specifies that “All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside” (U.S. Const Amend XIV). Under these terms, citizenship may be obtained by birth on U.S. soil (jus solis) or by ancestry (jus sanguinis). Case law interpreting the meaning of birthright citizenship reveals a gradual expansion to include former slaves (Dred Scott, overturned by enactment of 14th Amendment) and children of immigrants (Wong Kim Ark 1898). Today the majority of U.S. citizens obtain citizenship via jus solis. In 2014, the total population of the United States was about 314.1 million.

¹ Social scientists measure integration over years in the life of an individual immigrant or in terms of generations, even though second-generation or later immigrants born or naturalized in the U.S. are not considered immigrants in the legal sense of having obtained formal citizenship.

About 86.9 percent of people living in the United States were native-born citizens, 6 percent were naturalized citizens, and 7.1 percent were non-citizens (U.S. Census).

Naturalization refers to the conferring of nationality upon a person after birth and is permitted for immigrants who meet statutory requirements such as duration of residence, age, proficiency in the language, history, and civics of the U.S., a willingness to embrace Constitutional principles, and good moral character (Immigration and Nationality Act). Naturalized citizenship cannot be abridged on the basis of race, sex or marriage, though historically U.S. law permitted racial prerequisites and other exclusions from naturalization (Haney Lopez 2006). Although not consistently implemented, U.S. law requires that Constitutional protections for liberty and equality extend to noncitizens, birthright citizens, and naturalized citizens (Yick Wo 1886).

State and Local

While contemporary immigration law focuses on the federal government, citizenship and integration have sometimes been located at the state and local level, including documentation of status, access to education, verification of employment authorization, and eligibility for public benefits such as health care and welfare. Legal scholars describe the complex relationship between these federal and state laws touching on the lives of immigrants inside the U.S. under the framework of federalism (Gulasekaram & Ramakrishnan 2015; Cuison Villazor 2019; Lasch 2018; Motomura 2021). Political scientists describe a range of local interventions into integration that do not rely on the federal government (Colbern and Ramakrishnan 2020; Gleeson 2012; de Graauw 2016).

Data on Immigrant Integration Outcomes

A National Academy of Sciences report (NAS Report 2015; Waters and Jimenez 2005) show the results of these policies *and other forces* on integration outcomes. The NAS 2015 report draws 18 formal conclusions with regard to integration that can be summarized, “across all measurable outcomes, integration increases over time, with immigrants becoming more like the native-born with more time in the country,” and with many differences disappearing in the second and third generations (NAS Report 2015).

Still, substantive integration remains unequal, even after formal citizenship is acquired. The well-being of subgroups is highly dependent on the characteristics of the immigrants migrating, such as race and ethnicity, legal status, social class, country of origin, and geography of settlement.

Legal Integration

A key measure of legal and political engagement is naturalization or the acquisition of formal citizenship. The U.S. offers little support to immigrants seeking to naturalize. Green card holders can apply after 5 years of residency, passing a citizenship test, and satisfying other statutory requirements. Fees are paid by the applicant, unless a waiver is sought based on low income. The U.S. Citizenship and Immigration Services makes available study materials, but they do not otherwise offer classes or support preparing. This kind of support is usually offered by nonprofit

organizations or legal clinics. On average, just under 50% of those eligible to naturalize do so, although the number has risen with increased immigration enforcement (Chen 2020, 63-64).

In the U.S. context, refugee support is an exception to the usual hands-off approach to integration. Refugees arrive and have one-year to apply for a green card. Once they have a green card, they pursue the same naturalization process with the same fees, albeit with some additional assistance as part of resettlement. Programs related to resettlement address English language learning, job training, and cash assistance. Lutheran Family Services and other nationality-specific refugee serving organizations incorporate naturalization support in their services. Refugees naturalize at higher rates than other immigrants who are eligible (Mossaad et. al 2018). Noncitizens in the military can move directly to naturalization with fees paid by the U.S. government (Stock 2022; DHS 2020). On average, they naturalize at higher rates than other immigrants who are eligible to do so, although the number has declined due to changes in eligibility, such as the suspension of the Military Accession Vital to the National Interest (MAVNI) program (DHS 2022).

Naturalization, or the attainment of citizenship, affords social benefits to individuals and the communities to which they belong to. Naturalization enables individuals to sponsor their family members to immigrate on a preferential basis, which in turns facilitates family reunification across borders, just to offer one example. Further, studies show that naturalization promotes long-term social integration of immigrants into host society as measured by language, education, employment, and other integration outcomes (Kerwin and Warren 2021; Le and Pastor 2019). Naturalized immigrants also gain several other important rights such as the right to vote and run for office, access to public sector jobs, access to government welfare and benefits, and increased travel mobility. Therefore, naturalization provides immigrants with the necessary incentives and resources to invest more heavily in their political and social integration since they can now be certain about enjoying long-term gains from better social integration in the host country. Another explanation for the positive association between naturalization and integration outcomes is that the process of naturalization might also encourage people to internalize the democratic ideals of active citizenship and therefore result in the more active political and social engagement of immigrants (Hainmueller 2015; Street 2018). Naturalization also acts as a signal of acceptance for immigrants whose naturalization applications are accepted. This can then lead to increased attachment to the host country as immigrants feel accepted and recognized by the state as on par with birthright citizens (Hainmueller 2017).

However, there are also reasons to believe that naturalization is not sufficient for improving the social and political integration of immigrants. First, immigrants eligible for naturalization are permanent residents, a status that affords them many of the same rights and benefits as citizens, so the prospect of naturalization might do little to incentivize immigrants towards investing in a long-term future in the host country (Rytina 2002). Second, some argue that naturalization could even decrease the incentive of immigrants to further integrate into the host society, since once they are naturalized they enjoy the same rights as natives and are no longer incentivized to further integrate by the prospect of earning access to these rights (Hampshire 2010). Third, if discrimination against immigrants is deeply entrenched in the host country society, then awarding immigrants citizenship will do little to eradicate the marginalization that immigrants

face (Carbado 2005). Despite being awarded citizenship through the process of naturalization, birthright citizens might still not view naturalized immigrants as true equals.

Formal laws can also serve to limit immigrant integration, especially given the emphasis in U.S. immigration policy on enforcement against undocumented immigrants and a long history of discrimination. These exclusionary attempts have roots in the founding and early years of federal regulation of immigration (Goodman 2020), they sharpened after September 11, 2001 (Aziz 2021, CAIR 2021), and heightened during the Trump Administration and COVID-19 (Cuison Villazor and Johnson 2019; Wadhia 2019). Immigrants lacking immigration status or possessing criminal convictions are barred from many integrative programs and protections.

Political Integration

Immigrants are not permitted to vote, run for office, work in civil servant jobs, or engage in most types of institutional politics at the federal level (Hayduck 2018). However, they are counted for purposes of allocating seats in Congress (Hansi Lo Wang 2022; Chen 2021) and permanent residents can contribute to political campaigns as a matter of freedom of expression (Bluman 2012). Once immigrants become naturalized citizens, these legal barriers are lifted, but many continue to face barriers to political participation similar to those faced by other racial minorities such as voter identification laws, language barriers, underrepresentation of elected officials, and isolation from party politics.

Immigrants can also participate in state and local politics, depending on where they are located within the U.S. For example, cities in California, Vermont and Maryland permit noncitizen voting (Ramakrishnan and Colbern 2015; Markowitz 2015; Raskin 1993), whereas Alabama, Arizona, North Dakota, Colorado, and Florida have enacted legislation or Constitutional amendments to specifically prohibit it (Vasilogambros 2021).

In addition, immigrants can participate in civil society (Bloemraad et al 2022; Wong 2006). Studies of immigrant civic participation have drawn attention to a wide array of formal and informal institutions, such as indigenous dance groups, hometown associations, mutual assistance groups, and family or clan networks. The evidence thus far suggests that civil society groups—whether organized by immigrants or predominantly organized by native-born citizens who include immigrant members—can facilitate integration.

Economic Integration

Economic integration can be measured through employment rates, earnings, and occupations (NAS Report 2017; Blau 2019). While foreign-born men have sometimes had a lower percentage of employment than native-born men, as of 2012, foreign-born men in the United States were more likely to be employed than native-born men or second- and third-generations. Foreign-born women have also had lower employment prospects than U.S.-born women, but unlike men, the gap in employment outcomes between foreign-born women and U.S.-born women has grown since 1980. This gender disparity is due in part to the gender roles in the immigrant countries of labor and the impact they have on the behavior of immigrant women in the U.S. or immigration policies that limit the capacity of women to work when accompanying spouses on certain visas.

There are differences by race as well, with decreasing levels of success for Asian, Hispanic, and black immigrants.

Economic outcomes also vary for wages and occupations. Overall earnings improve relative the longer an immigrant resides in the U.S. In terms of change over time, the hourly wages of foreign-born men in 1970 were 3.7 percent higher than those of native-born male workers, and their annual earnings were slightly higher as well. This trend reversed in the subsequent decades, and by 2012, the average hourly wage of foreign-born male workers was 10-11 percent lower than that of native-born men. On the other hand, native-born women and foreign-born women went from roughly even in 1970 to a seven percent gap in favor of native-born women by 2012. This shows how earning patterns are still shaped by gender. Differentials can be seen for race and national origin as well: foreign-born male workers from Europe, Oceania, Canada, Other Asia, and China had higher wages and earnings on average than native-born men and immigrants from Africa, Latin America, and Vietnam. Growing wage inequality, or the widening gap between low-skilled and high-skilled workers, has also disproportionately affected immigrant workers, since they are more low-skilled in comparison to native-born workers. The immigrant groups concentrated in low-skilled or low-status occupations in the first generation improve their occupational position substantially in the second generation, although they do not reach parity with third-generation or native-born Americans.

How immigrant workers impact American workers is a matter of contention. Some economists like George Borjas argue that the logical conclusion of an increase in immigrants in a host country is an increased supply of workers relative to demand, thus causing a reduction in the wages of workers (Borjas 1999, Borjas 2011). Other economists like David Card find the opposite, arguing that in a well-functioning society, increases in population do not necessarily cause falling wages; instead, the effect depends on the supply of capital, on the characteristics of the added workers, and on the structure of technology (Card 2012; Card 1990). He found in a study of Cuban immigrants in Florida that the influx of immigrants increased the labor force of the Miami metropolitan area by 7% while also having virtually no effect on the wages of lesser-skilled non-Cuban workers. Further, there was no evidence of an increase in unemployment amongst lesser-skilled Black or other non-Cuban workers.

A related controversy is whether immigrants contribute more to the economy than they take in the form of social welfare benefits. Despite public sentiment to the contrary, evidence shows that immigrants contribute greatly to the U.S. economy (Gonzalez 2017). They work at high rates and make up more than a third of the workforce in some industries. Their geographic mobility helps local economies respond to worker shortages, and immigrant workers help support the aging native-born population, increasing the number of workers as compared to retirees and bolstering the Social Security and Medicare trust funds. Further, children born to immigrant families are upwardly mobile, promising future benefits not only to their families, but to the U.S. economy overall. Public sentiment that argues that immigrants are harmful to the economy has been the catalyst behind public policy projects that limit immigration and its economic benefits, such as restrictions to 1994 state and 1996 federal welfare programs and a 2019 federal rule changes that penalized immigrants for accepting public benefits for which they are legally eligible such as SNAP, Medicaid, or housing assistance programs (Sherman 2019).

Social and Cultural Integration

Basic data on education and languages shows strong intergenerational progress, despite large difference in starting points. While this is true for both men and women, significant variations exist between and within groups. More highly skilled, more educated, and wealthier immigrants typically attain higher levels of education in the U.S. than those with less skills or education or who live in residentially segregated neighborhoods or lack status (NAS Report 2015).

Although English remains the primary language in the U.S., language diversity has grown as the immigrant population has increased and become more varied. Today, about 85% of the foreign-born population speaks a language other than English -- with the more prevalent language being Spanish (62%) – although many of these immigrants show proficiency in English, even if they are multilingual (51%), and families may lose their language of ancestry by the third-generation.

As an extension of language, the U.S. has taken shifting approaches toward multiculturalism or the recognition of ethnocultural diversity seen in “the panoply of customs, traditions, music, and cuisine that exist in multicultural society” (Kymlicka 2012). In the civil rights era (1960-70s), there was an uptick in efforts to expand recognition of ethnic and cultural diversity and accommodation of diversity through a range of multiculturalism policies and minority rights (Skrentny 2004). However, since the mid-1990s, there has been a backlash and retreat from multiculturalism, and a reassertion of ideas of nation building, common values and identity, and unitary citizenship – even a call for the “return to assimilation” (Huntington 2009; Huntington 2005). This retreat is partly driven by fears among the majority group that the accommodation of diversity has “gone too far” and is therefore “threatening their way of life” (Huntington 2005) or promoting social division and isolation (Putnam 2007). The retreat also reflects a belief from the left that multiculturalism has failed to help the intended beneficiaries because it has failed to address the underlying sources of their social, economic, and political exclusion or, paradoxically, has resulted in a dilution of cultural authenticity in the effort to secure a lowest common denominator of cultural traits that crowds out minority experiences or leads to stereotyping (Barry 2001).

Key Issues and Controversies

Scope and Level of Institutional Support

Contemporary policy disputes focus on institutional responsibility for promoting integration. Historically, the U.S. government has taken a *laissez faire*, or hands-off approach, toward integration for most immigrant groups (Bloemraad 2006). Their role has often been limited to partnership with states and nongovernmental organizations. These local groups have played a comparatively larger role in the integration of immigrants. The issue of whether the federal government should play a more active role in integration and whether states should have the extent of discretion they do about whether and how to integrate immigrants is a matter of ongoing controversy. For example, some progressive states have extended driver's licenses, equalized tuition for colleges, provided health care or limited cooperation with e-Verify and ICE

detainers), whereas and other restrictionist states have enacted measures that amplify the effects of federal immigration enforcement (Rodriguez 2015).

A related controversy focuses on the scope of integrative efforts. The U.S. focuses on formal legal status as the lever of integration. There have been calls to make the scope of integration more robust (e.g. by including economic and cultural incorporation), but they have been left to voluntary rather than governmental efforts (Bloemraad et al 2022; de Graauw 2016).

The primary exception to the federal government's lack of engagement in integration is where the U.S. government is actively involved in immigrant integration is with refugees (Elias 2017) and noncitizens who service in the military (Stock 2022). The U.S. has historically resettled refugees at the highest numbers in the world, though the number has fluctuated, with decreased numbers and funding during the Trump administration and increases during the Syrian and Ukrainian refugee crises (Lai 2021). Once refugee status is determined, the federal government provides or facilitates resettlement support. This raises the issue of whether the enlarged scope of integration for refugees should be restricted to this group alone, or whether some of the benefits should be extended to "regular" (economic) immigrants as well (Hamlin 2021).

Generally, upon arrival in the United States, the refugee becomes the responsibility of a voluntary resettlement agency (VOLAG) that is contracted by the federal government (Elias 2017). During the refugee's first ninety days, the VOLAG arranges for food, housing, clothing, employment counseling, medical care, and other necessities (Elias 2017, 372-376). Asylees also receive access to Office of Refugee Resettlement services for a period of up to five years. Like refugees, they receive work authorization beginning on the date on which asylum was granted. Unlike refugees, the majority of asylees choose to settle in a particular location before they apply for and are formally granted asylum.

States receive funding for settlement through the federal refugee resettlement program, although participation is voluntary. The funding provides eight months of Refugee Cash Assistance and Refugee Medical Assistance to refugee families, funding for English language, and job training programs. As of 2017, thirty-two states receive federal funds to administer their own State Refugee Resettlement Programs. Five states -- Maryland, Minnesota, Oklahoma, Oregon, and Texas—opt to support refugees through federally funded public-private partnerships where the state retains administrative responsibility and VOLAG local affiliates are responsible for providing direct services to the refugees. Twelve states—Alabama, Alaska, Colorado, Idaho, Kentucky, Louisiana, Massachusetts, Nevada, North Dakota, South Dakota, Tennessee, and Vermont—rely more heavily on VOLAGs and other nonprofits to function as "state-designees" under the federal Wilson-Fish "alternative" program. One state, Wyoming, has no refugee resettlement program whatsoever. An executive order in 2019 made it more difficult for states to opt into the federal program. While it was resisted by states and later reversed in court (VOA 2019), the lingering effects of this and other refugee restrictions were a 70% decline in refugee arrivals that led to closure of 41 offices in 23 states (Refugee Council USA 2019).

Immigration Enforcement and Undocumented Immigrants

Legal status can be a significant barrier to integration, as previously described. Beyond demographic and country of origin traits that correlate with integration, U.S. policies often render noncitizens ineligible for public benefits. This is particularly true for undocumented immigrants, who lack access to welfare benefits, health care, and employment based on their legal status.

An important exception is *Plyler v. Doe*, a U.S. Supreme Court case that held open public education for school-aged undocumented children (Plyler 1981). Though the case was decided 5-4, it has become a mainstay of immigrant integration because education is so pivotal to later life outcomes and has paved the way for greater claims to integration (Motomura 2012). Beyond K-12 public education, *Plyler* has been extended to state higher education in many states that award in-state tuition rates to undocumented immigrants who otherwise meet residency requirements for the state (Olivas 2016). *Plyler* also inspired other attempts to empower undocumented immigrants, such as the provision of work permits for DACA recipients. The stability of these measures is less assured given that DACA was premised on executive action and legislative proposals for a DREAM Act that would provide a pathway to citizenship for undocumented children and adults who meet broader statutory criteria have not passed (Olivas 2020). Moreover, in 2022, conservatives have indicated an interest in seeking to overturn *Plyler v. Doe*.

U.S.-Mexico Border Migration and Asylum

While the U.S. ports and borders have played important roles in immigrant exclusions, the Southern border of the U.S. is the focal point of migration challenges in the 21st century. This flows directly from changes in U.S. immigration policy that capped a previously dynamic flow of migration from the Western Hemisphere. From 1990-2007, economic forces pushed undocumented immigrants from Mexico to migrate. In reaction, Congress enacted the 1986 Immigration Reform and Control Act that attempted to cut-off undocumented migration by imposing employer sanctions and stiffening penalties for unlawful work. In a similar spirit, the 1996 Personal Responsibility and Work Opportunity Act and 2020 public charge rules that limited or discouraged social provisions such as welfare and health care. While these measures did not immediately deter immigration, it did deny immigrants important means of integrating.

After 2007, migration from Mexico levelled off and then declined, due to economic improvements in Mexico relative to the U.S. (Gramlich 2022, MPI Data Hub 2020). Strict U.S. border enforcement that made family migration deterred migration as well (Massey 2003). Instead, Central American individuals seeking asylum became the primary driver of migration, with migrants from Honduras, Guatemala, and El Salvador fleeing violence and natural disasters. Refugee and asylum law have made it difficult for these and other groups to obtain legal status -- such as the requirement that persecution be caused by a state actors rather than domestic violence -- and Trump era rules such as Migration Protection Protocols prevent them from seeking asylum. These barriers delay or constrain migrants' ability to obtain employment authorization reserved for those with humanitarian protections, let alone a pathway to U.S. citizenship that provides access to public benefits that facilitate integration.

The COVID-19 pandemic led to sharp drops in immigration and asylum processing. In 2020, President Trump issued executive orders barring immigrants from countries heavily-impacted by COVID-19 infection and a proclamation entitled “Suspending Entry of Aliens Who Present a Risk to the U.S. Labor Market Following the Coronavirus Outbreak” that barred foreign workers from competing with American workers; until the ban was challenged and permitted to expire, foreign workers were unable to apply for temporary visas to work and study in the U.S. (Narea 2021). Also, during the pandemic, a public health order known as Title 42³² blocked asylum-seekers from entering the country in order to prevent contagion of COVID-19. The policy shut down the asylum system and barred otherwise qualifying migrants from receiving the refugee determination critical unlocking benefits for integration; it remains controversial.

Even once within the U.S., foreign workers were not able to access health care or social safety nets designated for those with approved working visas living in the U.S. (Gelatt 2022). Also, many of the government agencies responsible for processing immigration benefits and associated programs were operating at reduced capacity or faced budgetary constraints that crippled their service delivery. Furthermore, the COVID-19 pandemic exposed social and economic divides such as the proportion of immigrants who are essential workers and the concentration of immigrants in the service industry that led to high unemployment and economic hardship. In short, the pandemic brought attention to the precarious position of many foreign-born workers and their exclusion from the benefits that buffer other Americans during challenging times.

Racism and Xenophobia

Federal immigration and citizenship law has long contained race restrictions. From the late 1800s to 1952, Asian immigrants were excluded from entering the U.S. (Salyer 1995; Lee 2004) and the 1924 Johnson-Reed Immigration Act maintained strict quotas to limit immigrants from other parts of the world (Ngai 2014); the quotas that were only lifted during the civil rights era in the 1965 Hart Cellar Immigration Act, leading to an increase in migration from Asian, African, and Latin American countries while imposing ceilings on Mexico and the Western Hemisphere (Reimers 1992, Chin 1996). In addition, from 1790-1952, federal immigration law restricted naturalization to white persons and specifically foreclosed naturalization for Asian immigrants (Haney Lopez 1996).

While no longer as overtly racist, U.S. immigration and citizenship laws continue to demonstrate racial bias that impedes immigrant integration. Divisive politics have fomented anti-immigrant rhetoric that splinters U.S. politics and gridlocked immigration reform in Congress (Tichenor 2002). Concerns about employment led to ongoing and harsh treatment of Mexican immigrants throughout the 1980s (Massey 2002). A rising concern for crime in the 1990s and national security following the September 11, 2001 terrorist attacks unleashed new restrictions and intensified law enforcement against immigrants from Muslim-majority countries (Beydoun 2018, Aziz 2021). COVID-19 pandemic era biases against China, where the coronavirus originated, fueled a rise in anti-AAPI hate and discrimination toward Chinese Americans (Stop AAPI Hate).

Racial bias toward asylum seekers has been salient as well. After years of intensive enforcement at the southern border and streamlining of due process in immigration courts to manage the volume of asylum requests, a series of substantive and procedural policies have made it harder to seek and obtain asylum along the Southern border. As of the time of this writing, the Migration Protection Protocols (MPP) and Title 42 barred Central American asylum-seekers from crossing the U.S.-Mexico border and required them to instead remain in Mexico to wait for their refugee status determination, sometimes for 1-2 years in dangerous conditions while the cases wended their way through the backlogged U.S. immigration court system (American Immigration Council 2022a; 2022b). In contrast, Ukrainians fleeing from the war with Russia are being resettled into the U.S. with unusual speed and ease (Flores 2022), through a humanitarian exception of Title 42 with lower requirements than asylum law (American Immigration Council 2022). This treatment contrasts with reports of Haitian migrants being forced to sleep under bridges and Central Americans sleeping on the outskirts of Ukrainian camps without receiving similar resources given to the Ukrainian migrants. Some analysts say the difference in treatment stems from the belief that Ukrainians fleeing the war do not plan on staying in the US and that they will return to their home country once the war ends, lessening the burden on the US (Flores 2022). Others say it reflects race-based discrepancies in resettlement and integration at the U.S.-Mexico border (Jordan 2022).

Comparative Perspective and Proposed Reforms

How else could the U.S. bolster immigrant integration? The U.S. approach toward integration relies primarily on acquisition of citizenship to unlock integration. Yet smoothing or expanding pathways to citizenship is something politicians have debated for many years without taking meaningful action. Comprehensive immigration reform has been stalemated since September 11, instead becoming more draconian without addressing concerns about disproportionality or problematic implementation (Rosenblum 2011). On his first day in office, President Biden proposed a Citizenship Act of 2021 and related legislation to legalize multiple categories of undocumented immigrants, including DREAMers and essential workers. However, the proposed bills cannot take effect until passed in Congress. As previously explained, state and private programs provide important resources for immigrant integration, but they are not comprehensive and leave many gaps (Elias contributor).

In the absence of a coordinated integration programs, the US could look to other countries for examples of successful integration programs. The United Kingdom takes a similar hands-off approach toward integration, although its social welfare benefits are generally stronger for all (Scholten 2011). As Asha Kaushal (contributor) mentions, the Canadian government considers integration a public responsibility and offers a range of services to assist immigrants settling in their new country, including language classes, employment, and cultural orientation services (Kaushal; Bloemraad 2006, Kymlicka 2012; Griffith 2017). The European Union recently enacted an Action Plan on Integration and Inclusion for 2021-2027 to foster more inclusive societies for incoming migrants, though implementation is left to European countries who have a range of philosophies of integration (Nevena Nancheva contributor; Kaczmarczyk 2015; EU Action Plan). For example, France emphasizes civic integration and de-emphasizes ethnic

particularity (Scholten 2011). Germany focuses on the labor market as the core of integration efforts and has implemented national plans for integration in 2007, 2012, and 2018 in response to the influx of refugees from Syria (E.C. Europa). Scandinavian countries focus on education and social welfare to integrate new immigrants (Joppke 2007). Sweden has invested the most in education for immigrants, with Norway and Denmark expanding programs according to the changing profile and expanded needs of resettling immigrants (Borevi et. Al 2017, Nordic Council of Ministers).

Other countries described in this volume are more selective in their integration efforts, making opportunities contingent on individual characteristics and the political relationship between the sending and receiving nations (e.g. Kritzman on Israel's treatment of Jewish migrants vs. Palestinians and Arabs; Freier on Latin America's inconsistent laws and policies).

Conclusion

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