

Following the recent national election, the HRC has received called from individuals and organizations seeking advice about how to respond to the disturbing racist, anti-LGBTQ, misogynist, anti-immigration and anti-Muslim rhetoric and the actions it is fueling by some members of our communities.

Vermonters value our diversity. All members of our communities deserve to be safe and free from harassment and it is up to ALL of us to ensure that this happens.

- Karen Richards

“Ignorance and prejudice are the handmaidens of propaganda. Our mission, therefore, is to confront ignorance with knowledge, bigotry with tolerance, and isolation with the outstretched hand of generosity. Racism can, will, and must be defeated.”

- Kofi Annan



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MYTH OR FACT

Immigration in the United States

There are many enduring myths and stereotypes about unauthorized immigrants. As we embark on an era of increased focus on this issue, it is important that we approach it armed with facts that can dispel some of the more harmful myths.

Myth #1—Those who are unauthorized choose to be in this status because they refuse to comply with immigration law and follow the steps necessary to become “authorized.” This demonstrates a fundamental misunderstanding of our immigration system. Historically, immigration laws favored people from European countries (white people) ([See Did You Know](#)). Immigration to the United States on a temporary or permanent basis is generally limited to three different routes: employment, family reunification, or humanitarian protection. While the U.S. immigration system is generous, each of these possibilities is highly regulated and subject to numerical limitations and eligibility requirements. Current immigration quotas penalize those from Mexico, India, the Philippines and China due to the large share of immigrants from those countries already in the U.S. Most unauthorized immigrants do not have the necessary family or employment relationships and often cannot access humanitarian protection, such as refugee or asylum status. See [American Immigration Council: Why Don't They Just Get In Line?](#) And [American Immigration Council: How the United States Immigration System Works](#)

Myth #2—Unauthorized immigrants are taking jobs from American Citizens. In order for an immigrant to be authorized to come to the U.S. and work, an employer must request permission to bring specific qualified workers, but can only do so if they meet the requirements such as job skills and education level, and if the employer cannot find a qualified U.S. worker to take the job first. Most of the qualifying professions for permanent immigration require high levels of education and professional experience, such as scientists, professors, and multinational executives. There are some temporary, seasonal opportunities for agricultural and other unskilled laborers (in Vermont these temporary visas are used to hire apple pickers and ski resort workers) but these jobs only authorize the person to be in the U.S. for the applicable season. In most of these cases, an employer must petition for the worker. Because dairy farmworkers and those who pick crops in California and Florida are needed year round, they cannot qualify for these seasonal visas. See [American Immigration Council: Why Don't They Just Get In Line?](#)

Only 5% of the total U.S. workforce is actually made up of unauthorized workers. Unauthorized workers are working hard at jobs that Americans refuse to take due to the hours of labor required, the conditions under which the work is performed, the low wages that are paid and the lack of benefits. Unauthorized people are picking crops, cleaning hotel rooms, and in Vermont, milking dairy cows. The reason unauthorized workers are hired is because employers are unable to find American workers who are willing to do these jobs for the wages the employers are willing to pay. And [Pew Research Center: Unauthorized Immigrants As Share of Labor Force, By State, 2014](#)

Myth #3—Unauthorized immigrants are costing taxpayers millions of dollars in service. Under federal law, unauthorized immigrants are ineligible for public benefits. They cannot access Medicaid, Medicare or benefits under the Affordable Care Act (Obamacare); they are ineligible for SNAP (food stamps); TANF (welfare); or subsidized housing. Some states allow access to these benefits using state only dollars. Vermont does not.

MYTH OR FACT

(Immigration in the United States - continued)

Children of at least one unauthorized parent make up only 7.3% of the total school children. Of those, 5.9% were born here and are therefore U.S. citizens. Only 1.3% are otherwise unauthorized. See [Pew Research Center: Share of K-12 students with unauthorized immigrant parent\(s\), by state, 2014](#) The U.S. Supreme Court has determined that denying unauthorized immigrants access to a public education is unconstitutional under the Equal Protection Clause which provides that “no state shall deny any person within its jurisdiction equal protection of the law. [Phyller v. Doe](#), 457 U.S. 202 (1982).

Myth #4—Unauthorized people are criminals. Only 26% of all immigrants are unauthorized. And the vast majority of immigrants are law-abiding residents just as most American citizens are law-abiding. It is not a crime to enter the United States or to over-stay one’s VISA. It is a violation of civil law punishable by deportation. It is a crime to re-enter the United States if you have been previously deported. Most unauthorized people have committed a civil, not a criminal violation, by entering or remaining in the U.S. which is why using the word “illegal” to describe such immigrants is inappropriate. Immigrants, authorized or unauthorized, who commit violent crimes are appropriately the priorities of current immigration enforcement efforts.

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[Frequently Asked Questions \(FAQ\) About The Rights Of New Americans In Vermont](#)— Please note that the Commission will make this FAQ sheet available in different languages and post to our website as soon as possible.

RESOURCES

[Education Resources for Refugees and Immigrants](#)

[National Immigration Legal Services Directory](#)

[Vermont Refugee Resettlement Program](#)

[Peace & Justice Center](#)

[Vermont Human Rights Commission](#)

[Vermont Immigration & Asylum Advocates](#)

[Association of Africans Living in Vermont](#)

NEWS

[Cities Vow to Fight Trump on Immigration, Even if They Lose Millions](#)

[SCOTUS Immigration Case Could Undermine Trump Deportation Plan](#)

[My Life as an Undocumented Immigrant](#)

[New Americans in Vermont](#)

[Trump Victory Keeps VT immigration Lawyers Busy](#)

[Various VT Officials Call for Creating Immigrant Sanctuaries](#)

[Hate Crimes Against American Muslims Most Since Post-9/11 Era](#)

[Hate Crimes Increase Post Election](#)