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Illegal Immigration in the United States:
*An Economic, Social and Political Overview of the Current
Debate*

Robin Colleen Ledbetter
August 11, 2006



HONORS THESIS

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Introduction

"We are a nation of immigrants, dedicated to the rule of law. That is our history—and it is our challenge to ourselves...It is literally a matter of who we are as a nation and who we become as a people. E Pluribus Unum. Out of many, one. One people. The American people."

—Barbara Jordan, Chair, U.S. Commission on Immigration Reform, August 1995.¹

In the last year, much has been made of the current immigration situation in the United States. With the debut of George Bush's ambitious proposal to reform current immigration legislation, the attention of both lawmakers and the nation has been drawn inexorably toward this thorny, complex topic. In response to Bush's proposal, economists have calculated the costs and benefits of illegal immigration, conservatives have spoken out against illegal immigration and any perceived amnesty offered to those here illegally, liberals have struggled to support immigrant rights as well as the rule of law, and the immigrants themselves have come together to make themselves heard both socially and politically. Everyone in the country, from the Spanish-speaking migrant worker, to the highly visible Congressmen battling to create a policy that everyone can get behind, has something to say about this issue.

When I began researching this topic, I knew nothing about immigration and had, at least as far as I knew, no real biases. I had worked with migrant youth briefly in the past through tutoring programs, and a few of my friends came from immigrant backgrounds, but I had never considered the policy, the economic ramifications, or the heated emotions that come into play when the topic of immigration is raised. In January of this year, before much of the current media coverage on immigration had begun, the idea of taking a better look at the issue of immigration was suggested to me as a topic that would suit me well for my thesis; my majors are Political Science and Spanish, so the political and social effects of immigration, specifically from Latin America, were right up my alley.

It seems strange to me that immigration should have become so visceral a topic; other issues that have been discussed with similar passion in the media and in Congress include the theory of evolution in public schools and abortion, but these issues are complicated by religious beliefs and moral questions about science and the truth. Immigration, by contrast, is neither religious nor particularly moral, by most accounts. It is a simple question of numbers. And yet, so many people get excited. Politicians use immigration as a buzzword to attack their opponents, to vilify the opposing party, to criticize certain branches in government and to rally constituents around their brand of immigration reform. Media moguls make much of their opinions and manipulate often biased and at times completely inaccurate information in order to make their point. People talk about immigration at home, in the classroom and at work, often with no little heat. And of course, the immigrant population, legal and illegal, pays close attention to the proceedings.

Is it simply our nativist streak showing, as it has in the past? Why is America in such an uproar about something that has been occurring since well before America ever even became a country? Granted, the levels of immigration today are the highest they've been in nearly a century; the last comparable wave of immigration occurred in the 1890s through the 1920s, and it was also met by a swell of nativism and at times even blatant racism. This pattern has been

¹ U.S. Commission on Immigration Reform. Dedication, *Becoming an American: Immigration and Immigrant Policy*, A Report to Congress. 1997 Executive Summary.

seen several times throughout American history, as new immigrants assimilate into the culture and become “American,” only to react with distrust and outrage as the next wave pours in. Historians and social scientists have studied this amnesic occurrence with interest.

“Each generation of Americans confronts the issue of what to do about immigration. There is good reason for this. Our attitudes and beliefs concerning what is “American” are implicitly intertwined with our attitudes and beliefs about immigration. The history of the United States is one of different waves of immigrants coming to its shores seeking a new life. Central as immigration is to our national identity, we have always been ambivalent about the ‘new immigrants.’ These newcomers threaten us because they bring with them foreign languages, dress, customs and religions. The new immigrants represent diversity, which makes them the focal point for the ongoing debate over how much diversity is good for society. Ultimately, the issue of immigration is framed as one of whether these new immigrants make the United States a better country for all...”²

The debate over immigration seems to be an enduring feature of the landscape of American social and political conflict. Although it had seemed to me that this current excitement was novel, I realize now that this question has been attracting attention off and on for a century. It is a highly divisive issue despite its secular, realistic nature. This is because immigration policy, at its roots, deals with what it means to be an American, and what it means to *become* an American. It qualifies or penalizes people’s heritage, language, and culture. It rests on the tender topic of what a country’s duty to its own people is, and just what being a citizen means.

Other countries have dealt with this dilemma, (Spain and France, just two examples, are dealing with it right now) but it is particularly sticky for America, which prides itself on being a nation of immigrants. Although everyone here with the exception of the Native American population is an immigrant, immigration policy in the past has often been prejudicial and downright racist, and constituents within America have influenced legislation with their own personal biases more than once. Think of the Chinese Exclusion Act of 1882, or the legislation restricting Japanese immigration in 1907. These examples, and these feelings that still linger, make the dispute all the more uncomfortable. The statue of Liberty still stands with her lamp raised, reminding us of our hypocrisy when we seek to exclude newcomers simply because they are new, because they seem different.

In truth, America is already highly multicultural, but many within the society wish to close their eyes to this fact, to malign those who speak a different language or worship differently, especially if they are immigrants. This results in nativism, which has flared at times in the past and seems currently to be waxing again. The minute-men phenomenon and the impractical proposal of building a wall along the Mexican border are prime examples of this type of chauvinism, which can lead to inflammatory and irritating editorials in the best case and to rabid patriotism, racism and prejudice in the worst cases.

I have struggled to gain a clearer picture of the issue of immigration, and specifically of illegal Latin American immigration, over the last several months. I have sifted through opinions, half-truths, studies and interviews to try to focus on the squirming, difficult beast at the bottom of it all. The trouble is, immigration is a monster that looks different to everyone, and even the hard facts aren’t powerful enough to nail down such a troublesome and elusive problem. It has

² Cafferty, San Juan Pastora and McCready, William C. *Hispanics in the United States: A New Social Agenda*. Transaction Books Inc., New Brunswick. Copyright 1985.

been trying at times, but an endeavor worth attempting; I know a lot more now than when I started.

Counter-intuitively, I began at the end of the debate when I embarked on my research. My first idea was to read every article I could get a hold of from the *New York Times* and CNN.com discussing the current and ongoing immigration debate in the United States. But the more I read, the more I realized that I didn't have enough background. Without knowing the details of current immigration legislation, and where the debate had its roots, it was difficult for me to follow the discussion. I had to look into the history of immigration in the United States, and specifically within about the last twenty-five years, in order to really understand the nuances of today's dilemma.

Immigration, I will say again, is not a simple problem, and even though I've read research and articles and books discussing the political, social and economic ramifications of immigration, immigration legislation, and immigration reform, I still don't have a perfect grasp of the finest points. Nor do I have any perfect solutions. But it is a step in the right direction that I have a more lucid, comprehensible picture in my mind of this sensitive subject which affects so many people in the United States, both native and foreign-born. I'm glad that I have been able to gain this knowledge and understanding, and I hope that through this paper, I will be able to pass a little bit of it along.

Economics: Your Poor, Your Huddled Masses

“Illegal immigrants use more government services than they pay in taxes, which is not surprising since they are predominately unskilled and low-paid.”

-Alfred Tella, *The Washington Times*.³

“[O]ver the very long run, an additional immigrant and all descendants would actually save the taxpayers \$80,000. Half of this would be realized within 75 years, the planning horizon for Social Security.”

-James P. Smith, National Academy of Sciences⁴

Before I wade into the more dangerous waters of the social and political debate surrounding immigration, it seems best to start where the issue really is just numbers...or at least, that's what I wish it was. Realistically, economics is where the fight over immigration gets the hottest, since some of the primary ideas raised in this arena strike a nerve that runs deep—right into the pocketbook—on one side or the other. Just to produce two examples, the beliefs that immigration either only strengthens the economy and makes goods and services cheaper for the American people, or that immigration only puts a strain on social services, drives down wages and sucks up good American jobs, elicit very strong opinions on both sides. And unfortunately, despite their popularity, both of these myths are exactly that—myths. While there is a bit of truth in both of these statements, the reality is more complicated.

Let me address them in order of appearance. First, we have the suggestion that immigration, legal and illegal, benefits the economy. This is at least partially true, and several studies have found that immigration is actually a boon for the American economy. In 1997, the National Academy of Sciences panel on the Demographic and Economic Impact of Immigration concluded that, “Immigration benefits the U.S. economy overall and has little negative effect on the income and job opportunities of most native-born Americans.” Also, it discovered,

“[I]mmigrants are an overall net fiscal plus to the nation. In answer to the key question, what is the overall fiscal impact of an immigrant entering the United States today, the Academy found that it is an \$80,000 benefit to taxpayers. In other words, the typical immigrant and his or her descendants will pay \$80,000 more in taxes than the cost of the local, State and Federal benefits they will receive.”⁴

James P. Smith, chairman of the NAS panel that produced the study, also argues that individual natives benefit significantly from the presence of legal and illegal immigrants. According to the 1997 study, native born workers gain as much as \$10 billion each year, much of this through cheaper prices on consumer goods, because of the immigrants that have migrated here since 1980. The total gross national product is roughly \$200 billion greater because of their contributions.⁴

³ Tella, Alfred. “Immigration Economics.” *The Washington Times*, March 13th, 2006. Found at <http://www.washtimes.com/commentary/20060312-101234-9387r.htm>

⁴ *The Economic and Fiscal Impact of Immigration: Examining the Report of the National Academy of Sciences*: Tuesday, Sept. 9th, 1997- Hearing before the Subcommittee on Immigration of the Committee on the Judiciary United States Senate, 105th Congress.

These gains were calculated by considering the potential social services that an immigrant would utilize during his or her stay in the country as well as taxes paid and goods produced. Because most immigrants arriving in the country today, especially those immigrating from Latin America, arrive here already past school-age and ready to enter the work-force, they don't put the same amount of pressure on social services such as education as native-born Americans. And while immigrants do in some cases cause "increased expenditures for schools, roads, and other social infrastructure," explains Ronald D. Lee, member of the NAS panel and professor of demography and economy at Berkeley, these negative effects are offset by other factors.

However, the effects of these immigrants are not spread evenly throughout the country in many cases, and the trade-off between fiscal contributions and withdrawals can sometimes be uneven. For instance, in California, where the state and local governments must fund the costs of social services used by the massive illegal immigrant population, there is a net loss, even though the federal government realizes a net gain from the taxes and eventual contributions the immigrants make. Across the nation, this difference in the effects of immigration is seen depending on the level of government. According to the NAS, "The Federal Government actually realizes a net gain of \$105,000 per immigrant, while an immigrant costs State and local governments \$25,000 on average. State and local governments provide costly education for the children of immigrants as well as natives. Yet, they receive only a fraction of the resulting higher taxes." Therefore, although even illegal immigration benefits the U.S. economy overall, they can sometimes create problems for state and local governments.

This is assuming, of course, that the illegal immigrants in question do not pay taxes at the state level, which is not always the case. Many immigrants here illegally use falsified documents to become a "legal" employee. These documents typically cost around \$110 once someone knows where to procure them. Because they are able to produce a reasonable-looking green-card and believable documentation, they are able to slide under the 1986 law which makes it a crime to knowingly hire illegal immigrants. They are on official pay-rolls and fill out their W-2 forms just like everyone else. Eduardo Porter, journalist for the New York Times, wrote in June that "[m]ore than half of the estimated seven million immigrants toiling illegally in the United States get a regular paycheck every week or two...many file income tax returns using special ID numbers issued by the Internal Revenue Service so foreigners can pay taxes. Some even get a refund check in the mail."⁵ These immigrants, who contribute to state and local budgets just like citizens, do not weigh down the economy as many suggest.

That brings me to the second commonly-held belief, that immigrants put a strain on social services and steals American jobs. This idea comes in two pieces, and I have already partially addressed the question of social services, so I will begin there.

I have already mentioned that experts have concluded that in the long run immigrants not only do not use more social services than they pay taxes for, but actually contribute roughly \$80,000 over the cost of what they will use over their lifetimes. And while many point to education as a prime example of an area where the costs of providing a service to the illegal population far outweighs the benefits, people who argue this point are not looking far enough into the future. The children of illegal immigrants who make use of our educational system today will tomorrow be legal workers who contribute to state and federal budgets, more than repaying

⁵ Porter, Eduardo. "Here Illegally, Working Hard and Paying Taxes." *The New York Times*, June 19th, 2006. Found at <http://select.nytimes.com>.

the costs of their education in the long-run by becoming productive members of the working world.

Another argument against this idea that immigrants use a disproportionate amount of U.S. social services comes from the contributions that immigrants make to the social security system. While population trends of native-born Americans show that the native population birthrates will soon reach the point of decrease,

“Population projection models show that moderate levels of immigration in the coming years will postpone the arrival of negative population growth, will lead to the somewhat higher eventual population size, and will *mitigate the inevitable trend to a much higher ratio of the elderly-dependent population to the working-age population.*”⁶

Put more simply by Mr. Lee of the NAS, “Immigrants will help pay for the baby-boomers’ retirement.” It is a familiar concern for economists and politicians alike: as the median age increases and the huge baby-boomer generation retires and starts garnering social security, there will be a lot of stress on the current working population to support these retired people. Immigrants, who come here usually for the sole purpose of working, are adding to the pot which provides for social security earners and keeping the program that much less in the red in the coming years. Professor David Card, a UC Berkeley economist, agrees. “If you have population growth, you can finance intergenerational transfer systems,” such as social security and Medicare.⁷ Perhaps President Bush should have considered using high levels of immigration to fix social security, instead of privatization.

As for other social services with the exception of education, I believe that the argument that illegal immigrants are an excessive burden is overstated, specifically because they are already barred by law from using these services. If there is a problem with illegal immigrants using social services then the problem is with enforcement of existing laws, not a lack of legislation. Professor Vernon Johnson of Western Washington University agrees. “[Illegal immigrants] are not legally party to social services, and I’m willing to say that most of them don’t access most of those services...they’re not supposed to be able to get things like driver’s licenses and social security numbers.”⁸

According to a report issued by the U.S. Commission on Immigration Reform to Congress in 1997, while it does not seem, as Dr. Johnson mentioned, that public benefit programs are a great draw for illegal immigrants in the first place, the law is very clear: unlawful residents are not eligible to use them. On the contrary, even some *legal* residents and immigrants are currently barred from utilizing social services such as welfare because legislation passed in 1996 treats them the same as illegal aliens for the purposes of many public benefit programs.⁹

For the second part of this idea, that immigrants steal jobs from Americans, there is ample evidence to the contrary. At the base of this assumption, first of all, there seems to be the

⁶ Edited by Nancy A. Denton and Stewart E. Tolnay. *American Diversity: A Demographic Challenge for the 21st Century*. State University of New York Press, copyright 2000. Hirschman, Charles. “Race and Ethnic Population Projections: A Critical Evaluation of Their Content and Meaning.” Emphasis added.

⁷ Altman, Daniel. “Immigration Math: It’s a Long Story.” *Economic View, New York Times*, June 2006. Found at <http://select.nytimes.com>

⁸ Professor Vernon Johnson, Western Washington University. Quoted from an interview, July, 2006.

⁹ U.S. Commission on Immigration Reform. *Becoming an American: Immigration and Immigrant Policy*, September 1997 Executive Summary. A Report to Congress.

belief that there is only a set number of jobs to be had, which is very untrue. In response to this belief, Economist William Bernard attacked with the following:

“One of the most persistent and recurrent fallacies in popular thought is the notion that immigrants take away the jobs of native Americans. This rests on the misconception that only a fixed number of jobs exist in any economy and that any newcomer threatens the job of any old resident...Job opportunities in any society are not fixed at any particular level but expand with a rising population.”

Proving this statement, between 1960 and 1997 the number of jobs in the U.S. doubled from 65 million to 128 million. As our economy grows, the number of jobs available grows along with it. The arrival of new immigrants even fuels this process, providing a fresh source of labor to sectors ready to expand and a fresh supply of consumers who will buy new products, producing demand. Furthermore, projections indicate that 2.5 million new jobs were created at the lowest skill-level between 1994 and 2005, which is where the majority of illegal immigrants come in. That’s even without considering the 9 million low-level jobs which already existed needing to be filled during that period.¹⁰

Despite the fact that immigration is an active force in creating new jobs, many people still worry about American workers who are forced to compete with illegal immigrants, who will work for much lower wages. Many claim that immigrants depress wages in certain low-skilled areas of the economy as well, making it more difficult for those at the bottom to get by. However, the same NAS study I referred to before also demonstrates that there are actually only two demographic groups that compete with newly arrived immigrants: high school dropouts, and previous immigrants. If we can set aside previous immigrants for a moment, the high school dropout demographic makes up less than 10% of the American population. And because immigration depresses the wages of dropouts while actually raising the wages of everyone else, it serves as motivation for American natives to stay in school. Mr. Smith of the NAS explains,

“The competition created by immigration increases the likelihood that native-born Americans will stay in school rather than drop out. As we document in the report, immigration increases the wages of native-born high school graduates relative to native-born high school dropouts. This bigger wage premium from completing high school gives native-born Americans an extra incentive to get their high school diploma.”

The information I have shown here clearly indicates that immigrants, legal and illegal, benefit the United States economy overall, but it also demonstrates that the benefits that immigration creates are not evenly distributed. California and other high-immigration states bear the brunt of providing state-funded social services to large influxes of illegal immigrants but do not receive a compensating level of funds from the federal government, which sees most of the positive contributions from these same immigrants. States like California, Texas and New York lose out, while the great majority of the nation wins. Much of this disparity has to do with the way that our public education system is funded at the state and local levels rather than at the federal level, and could likely be greatly mitigated if the funding system were overhauled so that states received money from the federal budget for schools.

I wouldn’t hold my breath for that, though.

¹⁰ Levine, Linda. *The Education/Skill Distribution of Jobs: How Is It Changing?* Congressional Research Service Report for Congress. Submitted for the record August 8th, 1997.

One last belief that I would like to dispel is that immigrants drive down wages for low-skilled workers in America. While I have already addressed the fact that immigrants create job competition for high school dropouts and previous immigrants, I did not discuss their effects on the jobs that they do take up. It seems reasonable to suggest that since two-thirds of the 8 million illegal immigrants who have arrived in the U.S. since 1980 have less than a high school education and are ready to work for less than citizens here, they would cause wages to decline, hurting native-born job-seekers economically by making them to work for less or be forced out of the market. And wages for low-skilled workers have dropped significantly since 1980 in California, which has been hit hard by immigration in the last 25 years. According to the *New York Times*, "The wages of high school dropouts in California fell 17 percent from 1980 to 2004."¹¹

However, when we examine Ohio, which has experienced almost no illegal immigration since 1980, wages for low-skilled occupations fell 31 percent. Clearly this change cannot be attributed to immigration, which makes one wonder about the dropping wages in California, as well. And in fact, last year Professor Card published a study comparing wages in cities with very high levels of illegal immigration to cities with very low levels, and found that there was no wage difference that could be attributed to immigrants at all. Even the economists struggling to find any evidence of immigration on domestic workers find that there has been hardly any impact, and what small effect immigration has caused is likely dwarfed by greater forces such as the revolution in technology and the decreased buying power of the minimum wage.

Clearly, then, the impact of illegal immigration on the domestic job market has been overstated by those opposed to immigration. Although there probably has been an effect, other factors have mitigated it. New jobs have been created because of illegal immigration, and the presence of illegal aliens creates incentive for native born workers to get a better education while providing necessary labor capital in the lowest skill areas around the nation. Illegal immigrants also usually pay at least some taxes while using very few social and public services excepting public education, creating a positive contribution to the federal economy. And while a small portion of the native population suffer because of increased competition due to immigration, the vast majority of Americans benefit because of this positive contribution. Also, and not to be overlooked, evidence shows that the children of illegal immigrants grow up to be productive, generally well-educated citizens who pay taxes and contribute to the economy. According to Mr. Card, "The limited evidence of adverse effects on less skilled natives suggests that the new immigration may not be so bad after all."

¹¹ Card, David. "Is the New Immigration Really So Bad?" Department of Economics, UC Berkeley, January 2005. Found on the World Wide Web at <http://www.phil.frb.org/econ/conf/immigration/card.pdf>

Society: Yearning to Breathe Free

"While the economic case for immigration is important, it does not capture all that is important about immigration policy. Much about immigration is embodied in the freedom for people to seek a better life for themselves and the children, the freedom for families to reunite, the freedom to hire individuals who will help American companies grow and compete, and above all the freedom to live in a land where we do not persecute people based on their religious beliefs or the color of their skin, but judge them solely on the content of their character."

-Senator Spencer Abraham.

"In much of the U.S., legitimate concerns over immigration and anti-immigration laws have had a secondary destructive effect: they have dehumanized and demonized the immigrants...the migrants have seen themselves reduced to a factor in cost-benefit calculus."

-Sonia Nazario, *La Travesía de Enrique*¹²

*"The Minuteman Project...is a reminder to Americans that our nation was founded as a nation governed by the "rule of law," not by the whims of mobs of ILLEGAL aliens who endlessly stream across U.S. borders...Future generations will inherit a tangle of rancorous, unassimilated, squabbling cultures with no common bond to hold them together, and a certain guarantee of the death of this nation as a harmonious 'melting pot.'"*¹³

-Jim Gilchrist, The Minuteman Project

Although its economic impact cannot be ignored, illegal immigration has had a no less dramatic effect on American society. The rush of immigration in the last quarter-century has resulted in a flow of culture and language as well as labor. However, even more than the economic effects, America has been dealing with the social and cultural effects of immigration since it was founded.

America is a multicultural society, today perhaps more so than ever before. The data from the 2000 U.S. census show that a full 12.5% of the American population considers their origins to be Hispanic or Latin American; that's over 35 million people. African Americans make up another 12.3%, and the respondents who consider themselves Asian are another 4% of the U.S. population.¹⁴ While America is still overwhelmingly white, there are sizeable ethnic minorities present which contribute to its diversity. The large percentage of foreign-born residents represents dozens of these minority groups, and their share of the U.S. population is increasing. "... We can estimate a foreign-born population of the U.S. of about 30 million, almost 11 percent of the U.S. population," says Dr. John F. Long of the Census Bureau.¹⁵ People of Hispanic-origin, which includes anyone from Central and South America as well as Mexico, have become the

¹² Nazario, Sonia. *La Travesía de Enrique: La Arriesgada Odisea de un Niño en Busca de su Madre*. Random House Inc., New York. Copyright 2006.

¹³ Gilchrist, Jim. Minuteman Project Inc. *About the Minuteman Project*. Found at <http://www.minutemanproject.com/default.asp?contentID=2>

¹⁴ U.S. Census Bureau, 2000 Census of Population and Housing, United States. Profiles of General Demographic Characteristics: 2000. Table DP-1. Found at <http://www.census.gov/prod/cen2000/dp1/2kh00.pdf>.

¹⁵ U.S. Population and Immigration: Hearing, Subcommittee on Immigration and Claims of the Committee on the Judiciary House of Representatives. 107th Congress, August 2, 2001.

largest minority in the last decade, and their numbers are growing the fastest of any demographic. Much of this growth can be attributed to immigration.

It is estimated that there are between 7 and 11 million illegal immigrants in the country today, and most of them are from Latin America. These immigrants consume U.S. products and send their children to U.S. schools. They struggle to learn survival English and falsify documents so that they can work and drive and live. The vast majority of them have come to America seeking economic and social opportunities that they would not otherwise have access to. They come here so that they can support their families and give their children a decent education, whether by enrolling them in American schools or sending money back in the form of remittance so that their offspring can afford clothing and school supplies. Sonia Nazario's book, *La Travesía de Enrique (Enrique's Journey)*, details the growing trend of mothers who leave children behind in Latin America to come to the U.S. in order to support them...and the cultural and social damage this trend is creating. She speaks with dozens of mothers and children whose destinies are tied to the U.S., showing the human aspect that so many American politicians and pundits neglect.

“Carmen left for the United States for love. She hoped to be able to give her children an escape from agonizing poverty, an opportunity to go to school beyond the sixth grade. She brags about the clothing, money and photos that she sends to her children.”¹²

The mothers in Nazario's book are only a small, illustrative sample of a broader demographic. They come illegally, chasing the American dream. Other mothers or fathers bring their children along to give them a better life, and statistics on the children of immigrants demonstrate that many eventually find something like it. The children of immigrants often complete more years of education than their native socioeconomic counterparts. “You can expect a child of immigrants whose parents have ten years of education to do a lot better than a child of natives whose parents have 10 years of education,” says Professor Card. Being the child of immigrants “sort of boosts your drive.”⁷

Assimilation into American culture, however, is not always simple. Linguistic research shows the difficulties of learning a new language as an adult, and many illegal immigrants find it difficult to participate in civil society because of the language barrier and other factors. The children of immigrants, also, must struggle to adapt to a new culture and language in a new place.

Meanwhile, American society finds itself in conflict over the cultural and linguistic differences of immigrants, both legal and illegal. America has always been fighting to preserve the bonds of civil society in the face of the continued influx of outsiders. “[O]ne of our greatest national conundrums is to create a sense of community, despite the instant assumptions that make social, political and economic life possible for some, impossible for others,” explains Ronald Fernandez, professor of sociology at Central Connecticut State University.¹⁶ Just as Fernandez points out, the biases and assumptions we form about people different from us allow us to adapt to changes and process information quickly. They facilitate analysis and classification of the world and the people around us, making civil society and community bonds possible in the face of dynamic diversity. But these assumptions and biases can also interfere with understanding and can prejudice people against one another, creating distance and distrust. Bias

¹⁶ Fernandez, Ronald. *America's Banquet of Cultures: Harnessing Ethnicity, Race and Immigration in the Twenty-First Century*. Praeger Publishers, Westport, CT. Copyright 2000.

and stereotyping can even eventually dehumanize the portion of the population which is unfamiliar and misunderstood.

The proposals of English Only legislation in several states and at the federal level reflect this fear and uncertainty in the face of cultural and language struggles within society, and the heat and passion with which these bills have been debated both on the floors of Congress and in the streets of America denote emotional ties to the issue that reach beyond words in any language. According to Walt Wolfram, a social linguist at North Carolina State University, "Language is never about language. Why should it be any different in the United States?...It's never about the language. It's always about the cultural behaviors that are symbolically represented by language. That's what scares us." Our sense of identity is inextricably linked with our culture, which is defined in large part by the language we speak. The anger and fear which exists in America today over the issue of English Only is symptomatic of deeper anxieties over the loss of cultural identity and heritage. Ilan Stavans, the Lewis-Sebring Professor in Latin American and Latino Culture at Amherst College, suggests that people are worried over the subject of language because they fear losing the unity and identity that they associate with English as the language of America:

"The proponents behind the measure contend that, as a result of unmitigated immigration, the failure of the school system, and the nefarious implications of multiculturalism, newcomers to the United States aren't learning English as quickly as previous groups. The result, they believe, is a fracture in the collective identity that threatens to Balkanize the nation."¹⁷

The debate over the English Language Empowerment Act of 1996, the same year that serious illegal immigration reforms were being introduced, is illustrative of the strong feelings people have on the subject. The English Language Empowerment Act was first introduced in 1991 by Congressman Bill Emerson. It originally proposed the repeal of section 203 of the Voting Rights Act of 1965, the Bilingual Voting Requirement, which required that ballots be offered in other languages such as Spanish. It also declared English the official language of the U.S. government. Although it passed the House, it stalled twice in the Senate after being referred back to committee and wasn't seen after 1999. The heated debate over the bill in Congress, however, illustrates a fundamental rift between the two camps. Congressman James Sensenbrenner, currently a leading figure in the ongoing battle over immigration and author of the House immigration reform bill which makes it a felony to be or to aid an illegal immigrant, was outspoken then as well on the topic of English Only.

"I believe it is essential to have English as the official language of our National Government, for the English language is the tie that binds the millions of immigrants who come to America from divergent backgrounds. We should, and do, encourage immigrants to maintain and share their traditions, customs, and religions, but the use of English is essential for immigrants and their children to participate fully in American society and achieve the American dream."¹⁸

¹⁷ Stavans, Ilan. "English as the official language?" *San Francisco Chronicle*, August 10, 2006. Found at <http://www.sfgate.com/cgi-bin/article.cgi?file=/chronicle/archive/2006/08/10/EDGOBIQ0NB1.DTL>

¹⁸ Crawford, James. *Debate on English Only Legislation*. U.S. House of Representatives, August 1, 1996 Copyright © 1997-2002. Found at www.humnet.ucla.edu/.../grads/macswan/debate.htm

Rosa DeLauro, speaking for the anti-English Only side of the fight, made an important point when she suggested that forcing immigrants to learn English without providing the necessary fiscal and social support was counter-productive.

“If we are truly interested in codifying the importance of English, we should increase resources for bilingual education in our schools, reach out to residents who are struggling to learn the language. Ironically, this majority leadership, that claims to want to enshrine English as the language of all our residents, has cut bilingual education for thousands of students trying, like my father did, to fit in and to contribute to American life.”¹⁸

Many other pieces of English Only legislation have been introduced both at the state and local levels, with varying degrees of success. The California Proposition 227 drew particular attention because it drastically cut funding for ESL programs in a state where more than 40% of immigrants, most of them Spanish-speakers, reside. California had 1.4 million LEP students in 1998. Of those, 81% spoke Spanish as their first language. Proposition 227 eliminated the great majority of funding for second-language support in public schools.¹⁹

The politics surrounding English continue to be a prime area of conflict, as several bills introduced in the past year have categorized English alternately as the “official” language, the “common and unifying” language, and the “national” language of the U.S. For people in favor of declaring English the official language these classifications are met with approval, but many fear the social ramifications of choosing one language, since historically as a nation of immigrants America has never had a designated national language. English-as-a-Second-Language programs across the nation already struggle to provide services to the influx of new legal and illegal immigrants despite funding and teacher shortages. And it isn’t as though legal or illegal immigrants are against learning English in order to participate in American society. On the contrary, according to a study done by the Pew Hispanic Center, “Hispanics by a large margin believe that immigrants have to speak English to be a part of American society and even more so that English should be taught to the children of immigrants.”²⁰

Making English the official language or making it a requirement for citizenship, as even the most generous of current bills are suggesting we do, will not help the millions of immigrants and children of immigrants who are working hard to master English learn any faster. Additional funding for ESL, bilingual and other second-language acquisition programs (and while we’re fantasizing, additional funding for education in general) would, but again...don’t hold your breath.

Language has been one of the primary areas of conflict in the broader debate over illegal immigration, but it has not been the only one. The presence of the children of illegal immigrants in public schools and illegal immigrants in health care facilities such as overcrowded hospitals has also caused bad feelings in many parts of American society; one legislator even went so far as to propose refusing automatic citizenship to the children of illegal immigrants, which flies in the face of the 14th amendment to the Constitution.²¹ But even when there are no detrimental

¹⁹ WestEd.org. Quoted from the California Department of Education. *Summary: California's Proposition 227 Experience*. Found at www.wested.org/policy/pubs/prop227/main.htm.

²⁰ Pew Charitable Trusts. *Hispanics in America: Hispanic Attitudes toward Learning English*. June, 2006. Found at http://www.pewtrusts.com/ideas/ideas_item.cfm

²¹ Rich, Frank. “How Hispanics Became the New Gays.” *The New York Times*, June 11th, 2006. Found at <http://select.nytimes.com>.

effects cited by the opponents of immigration, many in the U.S. are angry simply because the immigrants dare to break the law and come here, even if it is only for work. They don't need specific reasons to be outraged in some quarters.

A few people on the sidelines of the current debate believe that the ire among the American population over the issue of illegal immigration has less to do with immigration itself and more to do with the current economic situation of the country, which is caused by recession, income inequality, rising gas prices and the effects of globalization. Frank Rich, a journalist with the New York Times, suggests that perhaps Americans were already angry and dissatisfied because of other subtle issues; illegal immigrants simply provide a target for these frustrations:

“The historical response to [this] plight is a witch hunt for scapegoats on whom we can project our rage and impotence. Gay people, though traditionally handy for that role, aren't the surefire scapegoats they once were...Hence the rise of a juicier target: Hispanics. They are the new gays, the foremost political piñata in the election year of 2006.”²¹

There is little doubt that because of economic factors immigrants have a lot of motivation to come to the United States, and once they are here they are highly employed as a demographic group. Dr. Hans P. Johnson of the Public Policy Institute of California, explains, “One of the paradoxes of Mexican immigration is that you have these workers with low skills but incredibly high employment rates.”⁷ Along with these high employment rates in the lowest skilled—and generally lowest paying—bracket of the American economy, immigrants contribute by paying sales taxes on consumer goods and often even pay income taxes. Most of the illegal immigrant population struggles to learn English so that they can communicate, and we've already dealt with the myth that illegal immigrants are a burden on social services overall. Why, then, are people so angry, if not because they fear the loss of unity, identity, a sense of community and cultural cohesiveness? Dissatisfaction over current domestic and international circumstances that have very little to do with illegal immigration is wide-spread, and two-thirds of people believe that America is on the wrong track for one reason or another.²¹

Is illegal immigration really the most important issue, then? Schools are straining under the weigh of so many students, but this is the case even in areas where there is almost no immigration, and can probably be attributed in almost all cases to a lack of funding. Immigrants don't make gas prices rise; in fact, because they work for lower wages, they make consumer goods cheaper across the nation. Immigrants have nothing to do with the war in Iraq, the current conflict in Afghanistan, or the domestic issues such as gay marriage, evolution vs. creationism, and abortion that polarize the nation. Immigrants actually help to alleviate the problems with the Social Security System.

If illegal immigrants are not actually the source of ire because of any detrimental effect to the nation that they produce, then can the current social crisis sentiment be explained by nativism? The ideas of building a wall along the Mexican border, of making illegal immigrants and the people who employ them felons, of declaring English the official language of the U.S. and of deporting all of the estimated 11 million illegal immigrants here working to make a better life for themselves seem to point to this as a possible explanation. America is defensive of its heritage, and hostile to new-comers who bring with them change and different sets of values; rationality becomes secondary to rebuffing the outsiders. This isn't the first time such a social monster has

reared its ugly head and entered the political fray, but it is regrettable and unfortunate once one can see it for what it is.

The immigrants themselves, however, have not sat idly by and become the whipping boy of a dissatisfied American population. After the controversial and rather draconian Sensenbrenner bill was introduced in Congress, immigrants both legal and illegal rallied in the streets to protests. Many Hispanics staged walk-outs of school and work; thousands of people marched in the streets of cities across the nation. April saw the largest march in the history of San Diego as immigrants protested what they perceived as racism and a violation of their rights. They stood up and made themselves heard, not only to the legislators ready to forget about them, but also to employers.

The economic impact of the walk-outs was immediately evident as thousands of employees stayed home from work. Factories closed, some out of necessity, and some out of support. According to New York Mayor Michael Bloomberg, New York City would not be what it is today without illegal immigrants. He spoke at one of the nation-wide Senate hearings on immigration, condemning any proposal that all immigrants be deported. "Although they broke the law by illegally crossing our borders...our city's economy would be a shell of itself had they not, and it would collapse if they were deported. The same holds true for the nation."²² Immigrants flexed their economic and social muscle, and garnered media attention around the nation through their protests. As the United States watched, astounded in large part by the evidence of a sleeping giant waking, illegal and legal immigrants mobilized to show the extent of their contributions to the nation. As one protester said in a burst of pride and enthusiasm, "Without immigrants, there is no United States."²³

Although many Americans were outraged by the outpouring of solidarity and pride surrounding illegal immigration, the protests demonstrated that the Hispanic population in the United States is both powerful and aware of the events occurring within society, and will not take any attacks on their interests lying down. This show of strength very likely mitigated the growing nativist sentiment around the nation and re-humanized what had become a very one-sided debate.

Ever since the 1960s Latinos in the United States have been organizing politically in support of basic rights and freedoms. Although back then Latinos had little political power within the system, they learned to use protest and other grassroots organizational techniques to make themselves heard and forward their own agenda. They had the fine examples of the Civil Rights movement and the Women's Rights movement to show them the way, too. "It took the experience of the Black Civil Rights Movement to show the Hispanics how to bring their case before the nation. They learned, as one Chicano put it, that the demonstration or riot is the press conference of the powerless and from the streets of New York's East Harlem to the barrios of East Los Angeles they moved to put that tactic into effect."²⁴

Mary F. Corey, a lecturer at the University of California L.A. and an expert on protest movements, says that the current movement against one-sided or prejudicial immigration reform has its roots in the student protests of the 1960s and 70s. Back then, students fought for better

²² CNN.com. "Bloomberg: Economy Relies on Illegal Immigrants." July 5th, 2006. *Associated Press*, copyright 2006. Found at <http://www.cnn.com/2006/POLITICS>

²³ Berestein, Leslie. "Protesters seek to sway Congress, overhaul policy." *Union Tribune* (Copley Press). April 10, 2006. Found at <http://www.gnn.tv/H08499>.

²⁴ Sandoval, Moises. *Si Se Puede*. Copyright 1977. Published as part of a fellowship with the Alicia Patterson Foundation and with credit to *Maryknell Magazine*. Found at <http://www.aliciapatterson.org/APF001977/Sandoval/Sandoval01/Sandoval01.html>.

conditions in public schools and more multi-cultural curriculums. Today, students are fighting for the rights of their families. Dr. Corey explains, “They’re basically asking Americans to make good on their promises, to live up to the American credo—the belief that all men, and now women, are created equal and that we believe in giving people freedom.”²⁵

For that is what immigrants today, both legal and illegal, come here seeking: freedom. They want the freedom to live decent lives and to be able to support their families, and the social and economic conditions of their home countries, for one reason or another, do not offer them this freedom. The protests in response to new immigration reform legislation and in answer to the English Only movement have served two purposes: they demonstrate how important these opportunities are to illegal immigrants, as well as how important illegal immigrants are to us.

If the surge of Hispanic activism in recent years, and especially in the last few months, shows nothing else, I think it shows a picture of the future in sharp contrast to the predictions of those who fret over social disintegration and cultural fragmentation as a result of the tides of immigration. Rather than moving away from the cultural and social center, “Balkanizing” the country and fracturing the “sense of community” which may have never truly represented America in the first place, the rise of the Chicano voice in American society demonstrates that Hispanics are becoming integrated into the United States in many important ways. As immigrants and the children of immigrants organize and lobby their interests, they are using the defined channels of influence set up by our society. They have become tuned in to American thought, they have learned to speak English in order to express and defend their views, and they understand how to use their political strength to be heard. These things require a high level of assimilation, and should not be underestimated.

Although I offer no definite solutions, since the social problems discussed are too visceral, too emotional, and too deeply ingrained in people for any simple suggestion to allay, I think that the current social and cultural dialogue could be significantly improved if both native American citizens and illegal immigrants could only express themselves better. Although many Americans appear infuriated and reject any suggestion of amnesty, in reality many of them are misinformed, and wary of the social and cultural fragmentation I have mentioned above. They form assumptions about illegal immigrants without bothering to look deeper and see the people beneath the stereotypes. Most Americans have little concept of just how much immigrants give up, and how much they risk, when coming to this country; and even less of an understanding of just how limited their options were at home—the primary motivating factor in them ending up here. Many illegal immigrants, meanwhile, have little understanding of the deeper concerns and fears of Americans and see only the nativistic surface rhetoric. They see prejudice, racism and isolationism when in reality Americans are anxious and fearful of change and new-comers simply because they represent something different. And although most immigrants strive to assimilate into American culture quickly in order to succeed, many Americans don’t seem to know that. If both sides worked on communication and understanding rather than combatively struggling to out-shout one another, compromise in the political sphere might be a lot easier.

²⁵ Navarro, Mireya. “Talking to the Streets, For Parents’ Sake.” *The New York Times*, June 11th, 2006. Found at <http://select.nytimes.com>

Politics: The Golden Door

"Credibility in immigration policy can be summed up in one sentence: Those who should get in, get in; those who should be kept out, are kept out; and those who should not be here will be required to leave...For the system to be credible, people actually have to be deported at the end of the process."

-Barbara Jordan, February 24, 1995 Testimony to House Immigration Subcommittee.

"Immigration is not a problem to be solved; it is a sign of a confident and successful nation."

-President George W. Bush.

I've now touched on some of the basic themes surrounding immigration, both economically and socially. These facts and ideas are integral to understanding the issue of immigration, especially illegal immigration, and they provide background and detail for the current political dispute. Social and economic concerns sway public opinion and serve as powerful ammunition for debate, but politics is the casualty-strewn battleground of immigration, just as it always has been.

Despite the fact that America is a nation of immigrants, the history of immigration legislation in the United States is riddled with examples of prejudice and racism, and even today the tone is cool toward both legal and illegal immigrants. Politicians often use the subject of illegal immigration to wrangle up support from constituents and distract from other issues. According to Charles Hirschman, professor of sociology at the University of Washington,

"The new immigration flows of the 1970s and 1980s have fed into the political debates of the 1990s. Even with frequent platitudes that the U.S. is a nation of immigrants, the political reality is that taking a hard stand against immigrants can be very popular with some segments of the American population."

And it isn't a new occurrence.

*"Fears about the future ethnic composition of the American population are frequently noted with alarm by anti-immigration lobbies, some journalists, and a few politicians. Although public rhetoric has not reached the level of the hysteria that was part of the response to the immigration from Eastern and Southern Europe during the first two decades of the 20th century, there are ominous parallels."*⁶

The current political frenzy is neither novel nor exceptional, but it continues to attract the attention of the media and society at large as legislators struggle over immigration reform. The issue first began to get serious attention in 2000, as President George W. Bush introduced a desire to overhaul the current immigration system and possibly create a new Bracero program with the cooperation of Mexican president Vicente Fox. The Bracero, or temporary worker, program was a set of agreements that existed between Mexico and the United States from 1942 until 1964, when it was scrapped due to criticism and wide-spread accusations of human rights abuses. The Bracero program served to provide much-needed agricultural workers for American

farms and additional labor for U.S. railroad construction. At its peak, 50,000 temporary worker visas were given to agricultural workers and 75,000 to railroad workers.²⁶

After the events of September 11th, 2002, the proposal was set aside as American foreign policy shifted toward the war on terror and the conflicts in Afghanistan and Iraq. It wasn't until 2004 that the limelight began to return to the topic of immigration reform, perhaps because of the waning public approval for the earlier distractions. After his reelection, President Bush began serious work on an immigration reform bill which would legalize many illegal aliens across the country and provide more funding for border control and protection. These reforms were planned because of the perceived lack of efficacy in current legislation, which included the 1986 Immigration Reform and Control Act, the Immigration Act of 1990, and the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

The 1986 Immigration Reform and Control Act was the first real comprehensive immigration reform bill introduced since 1965 and was meant to address the growing problem of illegal immigration. Evidence of the growing problem, the annual apprehension of undocumented aliens by the Department of Justice's Immigration and Naturalization Service (INS) increased from 505,949 in 1972, the first year legislation aimed at controlling illegal immigration received House action, to 1,767,400 in 1986.²⁷ It provided amnesty to illegal aliens residing in the U.S. since 1982 and created provisions for a 7-year agricultural temporary worker program in response to wide-spread agricultural dependence on seasonal migrant workers. It also streamlined the H-2 visa program to speed up the availability of temporary labor.

The Immigration Act of 1990 overhauled the Immigration and Nationality Act of 1952, which was still the primary piece of immigration legislation on the books. It revamped the preference system and the caps on immigration from certain countries, creating a new preference system that gave priority to immigrants in three categories: family-sponsored immigrants (individuals with immediate family already in the U.S.), employment-based (people coming here to work, many with specific, desired skills), and "diversity" immigrants (citizens of countries underrepresented in previous immigration). It set a permanent cap of 700,000 legal immigrants per year, and authorized the attorney general to designate nationals from certain countries with temporary protected status in the event of conflict or natural disaster. It also increased workplace anti-discrimination provisions created in 1986.

In 1996 the Illegal Immigration Reform and Immigrant Responsibility Act (IIRAIRA), was written in response to the recommendations of the U.S. Commission on Immigration Reform, which was established by President Clinton and the Congress to examine both legal and illegal immigration issues. This legislation was aimed at dramatically reinforcing border control and preventing the entry of illegal immigrants, and its reforms covered a variety of areas. It allocated more than 5,000 additional agents and investigators for the Border Patrol by 2001 and authorized the construction of a 14-mile long fence at the San Diego border crossing. Further, it restricted the attorney general's authority to allow special admissions and made it possible only on a case-by-case basis. It made it illegal for previously deported immigrants to gain citizenship, and dispensed with the procedure of releasing convicted aliens before deportation. It also put a cap on the judicial appeal process, which many immigrant lawyers had taken advantage of to keep

²⁶ Wikipedia.org. "Bracero Program." Found at http://en.wikipedia.org/wiki/Bracero_program.

²⁷ Federation for American Immigration Reform. *U.S. Immigration History: The 1970s to the Present*. "Illegal Immigration and the IRCA of 1986." Found at http://www.fairus.org/site/PageServer?pagename=research_research9c29

their clients in the country. It also mandated that states institute tamper-proof and counterfeit-resistant forms of ID such as driver's licenses.²⁷

Although these bills were all three sweeping reforms of the current immigration system, the problems with them during the last ten years have been problems of enforcement and comprehensive coverage of the issues at hand. The 1996 bill mandated the hire of 5,000 new border patrol agents, but the border patrol is still stretched too thin to be effective. And even when they can apprehend people, there often aren't enough cells in the detention centers to accommodate people, resulting in a practice known as "catch and release." President Bush mentioned this practice and the need to end it in one of his weekly radio addresses in May of this year, demonstrating that it is still a problem.

Also, according to the Associated Press, "Only 46 people were convicted in 2004 of hiring illegal immigrants, a number that has changed little over the last decade."²⁸ This low number is almost ludicrous in the face of government attempts to deter illegal immigrants from coming and employers from hiring them. Employers still hire illegal aliens with impunity. Many go through the motions of filing the proper paperwork, which is easy when the worker presents documents. Current legislation does not require that employers verify the documentation of workers, so anything that looks plausible is generally enough to get a job. This pleases both the illegal immigrant and the employer; everybody's happy...except much of the American public and the government.

The ease with which the system can be circumvented comes as a boon to many immigrants, but it can also expose them to workplace abuses and ill-treatment. A recent study done on illegal immigrant workers helping to rebuild New Orleans after hurricane Katrina showed that illegals earn on average \$10 an hour, compared with \$16.50 an hour for legal workers. Fear that they will be deported makes illegal immigrants reluctant to complain or file suit over exploitation, despite the fact that "[u]nder federal labor law, illegal immigrants are afforded the same health and safety protections as documented workers. Regardless of their legal status, laborers can sue most employers under the Fair Labor Standards Act for violation of the minimum wage law and overtime regulations."³⁶ Most illegal workers, however, don't know this, and employers are not always eager to tell them. Even the ones that do know often choose not to get their name into the legal system by drawing attention in any way.

The most obvious evidence that the current immigration system isn't working, however, are the hundreds of thousands of illegal immigrants that continue to arrive each year however they can. According to Nazario, "Each year, some 700,000 immigrants enter the United States illegally."¹² During my research I have seen estimates as conservative as 22,500 per year to close to a million on the generous end. Although these estimates vary widely, and for good reason, since it's fairly difficult to get accurate information on a portion of the population that doesn't really want anyone to know that they're here, a decent ballpark would be between 400,000 and 700,000 illegal immigrants arriving annually across the border. These multitudes come here for work and better lives, but they come illegally because the current legal immigration system is limited and bogged down by backlogs, and because they are *able* to enter the country illegally. Representative John Hostettler said it well: "Time showed us that IRCA has utterly and

²⁸ *The Associated Press*. "Hiring Only Legal Workers Grower's Dilemma." *The New York Times*, July 4th, 2006. Found at <http://www.nytimes.com>

³⁶ CNN.com. "Study: Katrina Rebuilding Exploits Illegals: Immigrants in New Orleans often work in hazardous conditions." Posted June 7th, 2006. Copyright 2006, *Associated Press*.

completely failed. Illegal immigration has not been controlled, but has increased significantly in the past two decades."²⁹

Because of these problems with the immigration situation, the current political debate sprouted. The issue of immigration reform has been on the table since 2000, but wasn't addressed until recently. Dr. Johnson points out, "We've been talking about new immigration policy ever since Bush got elected. It's been five years ago now."⁸ Finally after his re-election in 2004, Bush reasserted his desire for comprehensive immigration policy reforms to Congress. Since then, several bills have been introduced in both the House and the Senate.

Because cataloguing the specific traits of each bill would waste time and space, I'll give a brief overview of two of the less-prominent bills before moving on to the two that are currently at loggerheads in the House and Senate. The first of these secondary bills is the Cornyn-Kyl Senate bill No. 1438. This bill would create a temporary worker program, but would give no path to citizenship, and would set the maximum length of stay for temporary workers at 5 years. It would also get rid of the Diversity Visa program created in 1990. No mention of human rights, but it would establish a new method of documenting temporary workers³⁰.

The second bill, the Jackson-Lee House bill No. 2092, was the most liberal of the four bills I will address here. It would provide a path to citizenship for illegal immigrants currently in the United States and give amnesty opportunities to people aiding in the investigation of human smuggling rings. It also would create a taskforce to crack down fraudulent documentation and award funds to programs which focus on preventing human smuggling. Finally, it would amend the current welfare legislation to make illegal residents eligible for public benefits and decrease current penalties for minor immigration violations.³¹

However, neither of these bills met with as much media attention or as much success in Congress as the two which, as of this writing, still sit in their respective chambers after making it through the first but unlikely to pass the second. The first piece of legislation, which passed in December of 2005, is the Sensenbrenner House bill 4437. This bill would make it an aggravated felony to be in the United States illegally, or to significantly aid an illegal immigrant. The bill provides for a "wall" fund to eventually erect a barrier on our southern border but outlines no path to citizenship. It would allocate a billion dollars to the State Criminal Alien Assistance Program, or SCAAP in order to award grants to local programs and governments dealing with criminal illegal immigrants. It calls for more employer accountability through the required verification of documents. It also provides additional funding for border protection and defense, but makes no offer to the 11-12 million illegal aliens currently in the country.

It was this bill which elicited the massive nation-wide protests in the spring of 2006. Hispanics as a political demography spoke out in harsh criticism of the bill, and many others condemned the bill for its one-sided "enforcement" flavor. The bill, when it passed in the House, was supported by conservative Republicans, and passed with a 229-183 margin in the Republican-dominated chamber.³² Not only would the bill make it a felony to be in the U.S. illegally while making no provision for needed labor to enter the workforce, it would also make

²⁹ Hurt, Charles. "Senate Immigration Bill 'Far Worse' than in '86." *The Washington Times*, July 19th, 2006. Found at <http://www.washingtontimes.com/national/20060719-122124-9029r.htm>

³⁰ John Cornyn: U.S. Senator, Texas. *Immigration Reform*: "Cornyn, Kyl Comprehensive Border Security, Immigration Reform Bill." 2006. Found at <http://www.cornyn.senate.gov/index.asp?f=page&pid=235&gid=5>.

³¹ Turner, Eliot and Rosenblum, Marc R. "Solving the Unauthorized Migrant Problem: Proposed Legislation in the US." Migration Policy Institute, Sept. 2005. Found at <http://www.migrationinformation.org/Feature/display.cfm?>

³² National Council of La Raza. *Sensenbrenner Bill, H.R. 4437*. Copyright 2006. Found at <http://www.nclr.org/content/policy/detail/35618/>

it more difficult for legal immigrants to become citizens. It fails to address the economic realities of illegal immigration and supply and demand and ignores the American roots and lives that long-term illegal residents have established over the course of many years.³²

The second bill which has passed one chamber of Congress and which had been garnering significant media attention for months now is the McCain-Kennedy Senate bill No. 1033. This bill is much more comprehensive in its outlook than the Sensenbrenner bill, but still fails to address certain issues. If passed, this legislation would create a temporary worker program that allowed workers to be in the U.S. for up to 6 years. It would authorize the construction of a 370-mile fence along the U.S./Mexican border, and send 6,000 National Guardsmen to aid the Border Patrol in accordance with President Bush's plan. It would levy fines of up to \$20,000 on employers who illegally hire unlawful workers, and it would create a three-group system of possible citizenship, with immigrants here more than five years eligible to apply for citizenship after paying back taxes and learning English.

These two bills have vastly different directions and viewpoints, and since the passage of the Senate bill in May 2006 with tenuous bi-partisan support, conservative Republicans and Democrats as well as a handful of more moderate Republicans have been at each others' throats over the issue. Despite widespread pressure to come up with a compromise before the end of the session in order to appear effective before the midterm Congressional elections in fall of 2006, the Senate and the House could agree on nothing. Conservative Republicans dug in and began calling the provisions for citizenship in the Senate bill "amnesty" while proponents of the Senate bill called the House bill enforcement-only and a militarization of the border.

President Bush is caught in the middle, subject to criticism on all sides. The conservative members of his own party in Congress ridicule him as pro-amnesty and soft on immigration while media pundits like Lou Dobbs claim that he is disloyal to the American people and in the pocket of big business. While he courts the Hispanic vote for the 2008 elections by promoting an expanded path to citizenship, many within his party see an opportunity to court the conservative and under-informed American constituency by demonizing illegal immigrants and raking him over the coals. The trend has not gone unnoticed, either. Frank Rich points out, "Most Americans who are in favor of stricter border enforcement are not bigots. Far from it. But some politicians and other public figures see an opportunity to foment hate and hysteria for their own profit. They embrace nativism and xenophobia that recall the 1920s."²¹

Many governors and congressmen have been watching the primary elections in particular as a sort of litmus test of the political waters on immigration. While Chris Cannon of Utah won the Republican primary with a slightly less severe stance on immigration than his opponent, Republican Brian Bilbray edged out his competitors in the California special election in June by taking a hard-line stance and supporting the House bill. The political atmosphere for the coming election seems hazy, although the fact that both the Senate and the House bills have stalled in complete deadlock doesn't bode well for the Republicans in control of Congress, no matter where they stand on immigration.

Meanwhile, international leaders such as Mexican President Vicente Fox watch on the sidelines, occasionally cheering Bush on in the midst of the storm. During a visit to California in May, the Mexican leader praised the Senate bill and suggested that the U.S. and Mexico would be able to develop effective border policies together. "Over the years, we have moved away from a notion of distant neighbors to one of strategic partners," he said. "We have pursued this course

with the firm conviction that a legal, safe, orderly migration policy with full respect to human rights and labor rights will benefit the security and prosperity of both of our nations."³³ He criticized proposals to increase the number of border patrol agents to militant levels and the edification of a wall along the shared border, however. But Fox understands the touchy subject of border control perfectly, since Mexico also has a significant border security problem on its southern edge, as well:

“The Mexican authorities report that detentions and deportations have risen in the past four years by an estimated 74%, to 240,000, nearly half along the southern border. But they acknowledged there had also been a boom in immigrant smuggling and increased incidents of abuses and attacks by corrupt law enforcement officials, vigilantes and bandits. Meanwhile, the waves of migrants continue to grow.”³⁴

Mexico has a history of human rights abuses against migrants, and wide-spread corruption makes it difficult to correct this problem or to create solutions to the flood of immigration the country is experiencing. More and more workers, not only from Mexico but from Central and South America as well, are migrating “al norte,” hopping atop freight trains or hiring “coyotes”—human smugglers—to sneak them into a land of opportunity. These workers leave because of poor economic conditions that result in wages of \$6 a day or less in some cases. In the poorest areas such as the Mexican state of Chiapas, or in Guatemala and Honduras, the poverty is so overwhelming that thousands are picking up and leaving despite the myriad dangers contingent upon traveling north. Because of these trends and conditions, Fox is *quite* familiar with the problems facing President Bush over immigration.

Unfortunately, the biggest problems over illegal immigration that President Bush has on his plate are domestic issues, not international ones. And while Bush may not be able to salvage the support of the most radical elements of his party, he can still accomplish something by attempting to form a coalition around the Senate bill which he supports. As Mr. Rich points out,

“Mr. Bush is a lame duck, but he still has a bully pulpit. Here is a cause he has professed to believe in since he first ran for office in Texas, and it’s threatening to boil over in an election year. Imagine if he exercised leadership and called out those who trashed immigrants rather than merely mouthing homilies about tolerance and dignity.”¹²

Although there may not be many immediate political advantages to it, especially for Republicans, I’d like to see someone more than just President Bush vote their conscience on this one. Immigrants, both legal and illegal, are an integral part of our economy and society, as I have clearly shown. They send their children to school and work hard just like citizens, and their concerns are in large part the same. Considering the demographic evidence, the Hispanic portion of the population will likely become a powerful voting block in the years to come, and they will remember the events of today tomorrow. The one-sided enforcement-only proposal of the House is foolish because it makes no reasonable allowances for the 11 million illegal immigrants already here, working hard and contributing to make America stronger globally and domestically.

³³ Kurtzman, Laura. “Mexico’s Fox Praises U.S. Senate Vote on Immigration.” *BirminghamNews.Net*. May 26th, 2006. Found at <http://feeds.birminghamnews.net/?rid=6cd26dadde7a1ae0&cat=0cd1f7701040892f&f=1>

³⁴ Thompson, Ginger. “Mexico worries About Its Own Southern Border.” *The New York Times*, June 18th, 2006. Found at <http://select.nytimes.com>

If these people were to suddenly disappear, no one would thank Mr. Sensenbrenner for the ensuing national disaster.

Furthermore, according to the U.S. Commission on Immigration Reform,

“Immigrants can also strengthen America’s economic and political ties with other nations and, thus, enhance our ability to compete in a global economy and provide leadership in international and humanitarian affairs. Although additional research is needed on the relationship between immigration and competition in a global economy, workers with foreign language skills, contacts, knowledge, and experience appear to offer a unique advantage in a global business community.”³⁵

Our multiculturalism works to our advantage in an increasingly interconnected world. Therefore, although short-term profit seems to suggest that some mixture of rabid nativism and misinformation is the winning recipe for today, the long-term political benefits will most likely be found in a compassionate and comprehensive approach to immigration reform that considers both the contributions that immigrants make to America and the very humanity of illegal immigrants themselves.

³⁵ U.S. Commission on Immigration Reform. *Legal Immigration: Setting Priorities*. June 1995. Legal Immigration Report to Congress.

Conclusion

In the course of this paper, I did my best to cover some of the economic, social and political issues surrounding illegal immigration in the United States. Much of the information presented was very general, more of an overview than an in-depth assessment. I regret that I couldn't go into more graphic detail about the nitty-gritty, but I wanted to keep the paper reasonably-sized and addressed to the public-at-large, most of whom wouldn't read something any longer than this. I wanted to compose something that the average person could skim through to gather meaningful information about illegal immigration presented in a clear, relatively concise way. If I failed in that aim, it was not for lack of trying.

The information I did cover, however, is fundamental to understanding the complex and difficult issue of immigration. I discussed the economic impact of illegal immigration through an examination of immigrant contributions to and demands on social services, and through the effects of immigrants on native workers. I reviewed some of the basic social forces at work today in the immigration debate, including English-Only legislation, feelings of nativism, scapegoating and Hispanic mobilization to give a fuller picture of just why the issue has become so charged with emotion. Finally, I examined briefly the salient pieces of immigration policy legislation and reform enacted during the last 20 years, ending with the current deadlock between the House and Senate versions of immigration reform.

There were many things I didn't cover, most notably being the broader political and social effects of immigration on Latin America. The huge impact that rises in oil prices, pharaonic foreign loans with soaring interest rates, globalization and NAFTA have had on our neighbors to the south begs attention for anyone who truly wants to understand the root causes of immigration...and possibly, for anyone who seeks real, durable solutions to the dilemma of illegal immigration. Unfortunately, I will have to leave the examination of these areas to the reader and hope that natural curiosity prods you to delve a little deeper.

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