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DR. NORBERT WAGNER

May 6th 2010

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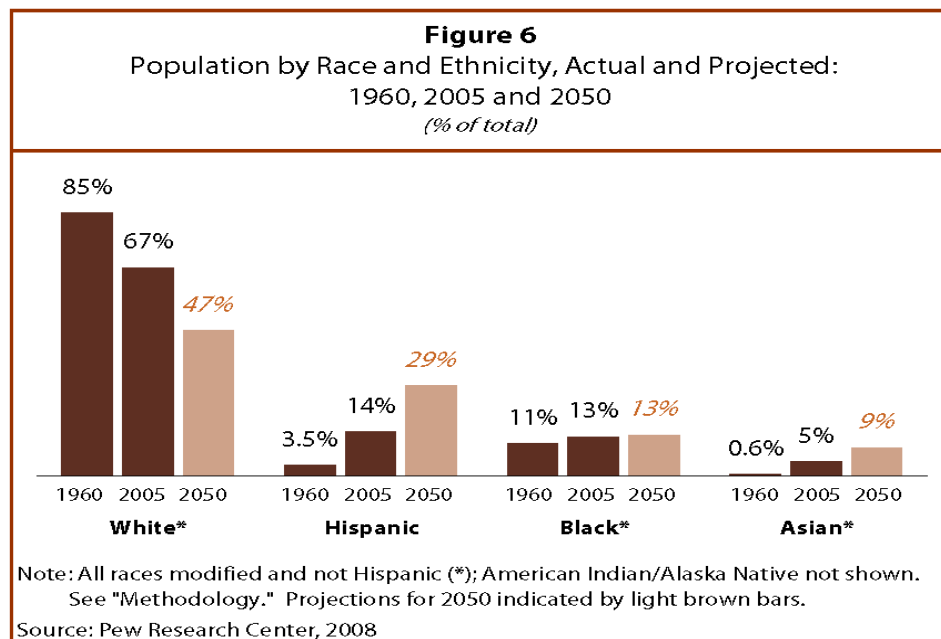
Immigration Policy in the U.S.

Democrats and Republicans are fighting for the votes of the (legal) immigrant population from Central and South America. In 2008 Latinos voted overwhelmingly for Barack Obama. At the same time the situation at the border between the United States and Mexico deteriorates dramatically. The Governor of Arizona has recently announced tough measures to fight illegal immigration arguing that the federal state has failed to provide border security. This led to an outcry among a major part of the political establishment. Senate Majority Leader Harry Reid seized this opportunity and put the reform of the immigration legislation on the top of the political agenda of the U.S. Senate. It is worth noting that Harry Reid trails in the polls in Nevada where he tries to defend his Senate seat in November. As a consequence, Republican Senator Lindsay Graham withdrew his support for the Energy/Climate Change bill of Senators Kerry and Lieberman.

Immigration policy therefore will play a major role in the coming months leading to the mid-term-elections in November.

This paper gives an overview of the

- U.S. policy towards legal immigrants
- U.S. policy to prevent illegal immigration
- attempts to reform U.S. immigration policy.



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The immigrant population in the United States has burgeoned over the past few decades. From 1990 to 2006, the number of immigrants rose from 20 million to more than 37 million, with anywhere between 8 to 20 million illegal immigrants living in the U.S. (although 12 million has been the general number used). Nationwide, immigrants are leaving the nation's cities for smaller cities, towns and rural areas. Immigrant integration is fast becoming a key issue for most American cities, and not just a few traditional points of entry.

In its final report to Congress in 1997, the bipartisan U.S. Commission on Immigration Reform defined naturalization as "...the most visible manifestation of civic incorporation as well as a crucial component of the Americanization process." The Commission urged federal, state and local government to do more to help immigrants integrate into U.S. society, by "...developing capacities to orient both newcomers and receiving communities; educating newcomers in both English language skills, and our core civic values, and revisiting the meaning and conferral of citizenship to ensure the integrity of the naturalization process."

Americans today, as in previous generations, are worried that newcomers will not successfully acculturate and absorb democratic ideals. Although most immigrants value a democratic system, they may have limited knowledge about how a democracy works. Compounding the problem are the added dimensions of isolation, dislocation, cultural and language barriers, and lack of knowledge or access to civic engagement and direct political participation. Americans continue to debate on what it means to be an American and what can be done to improve the involvement and participation of new Americans in civic life.

The Migration Policy Institute states that "integration remains one of the most over looked issues in American governance."¹ Integration of new immigrants has historically been carried out by members of the local community, including family members, community organizations, churches, and to some extent, local government. For some, it would seem that immigrant integration has not been a priority on the national or state level. In order to have a fully functioning society, not only must the system which determines who come in and stays in the country be in order, but so must the mechanisms and tools that allow immigrants who are already in the country to function and participate fully in their societies and communities.

With immigration reform discussions again taking center stage, a look at the current components of immigrant integration is helpful.

Healthcare

Many immigrants lack the access to basic healthcare. Almost half of all immigrants are uninsured, compared to approximately 13 percent of all U.S. born citizens.² Besides the obvious health problems that can arise, poor health contributes to social and economic stagnation. Unresolved health problems can limit an immigrants' ability to maintain productive employment, particularly given that many work in physically strenuous jobs or in jobs in which there is a high incidence of occupational injuries.

Immigrant access to healthcare ties into the larger healthcare reform debate. Public health insurance, such as Medicaid, does not cover undocumented immigrants and temporary visa

¹ Michael Fix, "Immigrant Integration and Comprehensive Immigration Reform: An Overview" *Securing the Future: US Immigrant Integration Policy, A Reader*, ed. Michael Fix (Washington, DC: Migration Policy Institute, 2007) iii

² Leighton Ku and Demetrios G. Papademetriou, "Access to Health Care and Health Insurance: Immigrants and Immigration Reform," *Securing the Future: US Immigrant Integration Policy, A Reader*, ed. Michael Fix (Washington, DC: Migration Policy Institute, 2007) pg. 83-84.

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holders. The State Children's Health Insurance Program (SCHIP) was recently expanded by President Obama to include legal permanent residents who are either under 21 years of age or are pregnant. All other legal permanent residents must wait five years after they enter the U.S. to be eligible for public health insurance.

Many other factors also impact immigrant's access to healthcare. Since many are uninsured, it is often extremely costly to pay for healthcare costs. Language barriers also heavily impact immigrants' ability to access quality healthcare. Overall, immigrants are less likely to use medical services than are citizens.

Education

Education is also a key factor as demographics of the nation's elementary and secondary schools have changed drastically due to immigration. This presents a new level of challenges for schools across the U.S. In recent years, there has been a rise in the number of Limited English Proficiency (LEP) students in the pre-kindergarten to 12 levels. There has also been an increase in LEP into the second and third generations. One in five children under the age of 18 in the U.S. is an immigrant or the child of an immigrant and 10 percent are LEP students. 75 percent of school aged children of immigrants were born in the U.S.

"Because of ongoing residential and school segregation by race, ethnicity, and income, many schools are linguistically segregated," says Randy Capps, a scholar for the Urban Institute, a nonpartisan economic and social policy research group.³ 53 percent of LEP students attend schools where over 30 percent of their classmates are LEP. LEP students are most likely to be concentrated in urban schools that serve primarily low-income and minority students. Also, many LEP students live in linguistically isolated households. A linguistically isolated household is defined as one in which everyone over the age of 14 have limited English proficiency. Linguistic isolation also hinders parents from being involved in their children's education.

The No Child Left Behind Act (NCLB), enacted by President Bush in 2002, "requires that schools identify, teach, and test limited English proficient students using standardized state academic tests." It also mandates that schools facilitate the improvement of LEP students' English skills. NCLB has the potential to improve the education of children of immigrants, however many challenges are also presented, including "assessing the academic progress of LEP students, closing the linguistic gap, extending immigrant parent involvement, and attracting qualified bilingual or English as a Second Language (ESL) teachers." The NCLB outlines what must occur to improve the needs of children of immigrants but does not provide means for implementation, a key issue for President Obama as he seeks ways to update or overhaul the No Child Left Behind Act in the coming future.

Labor Markets

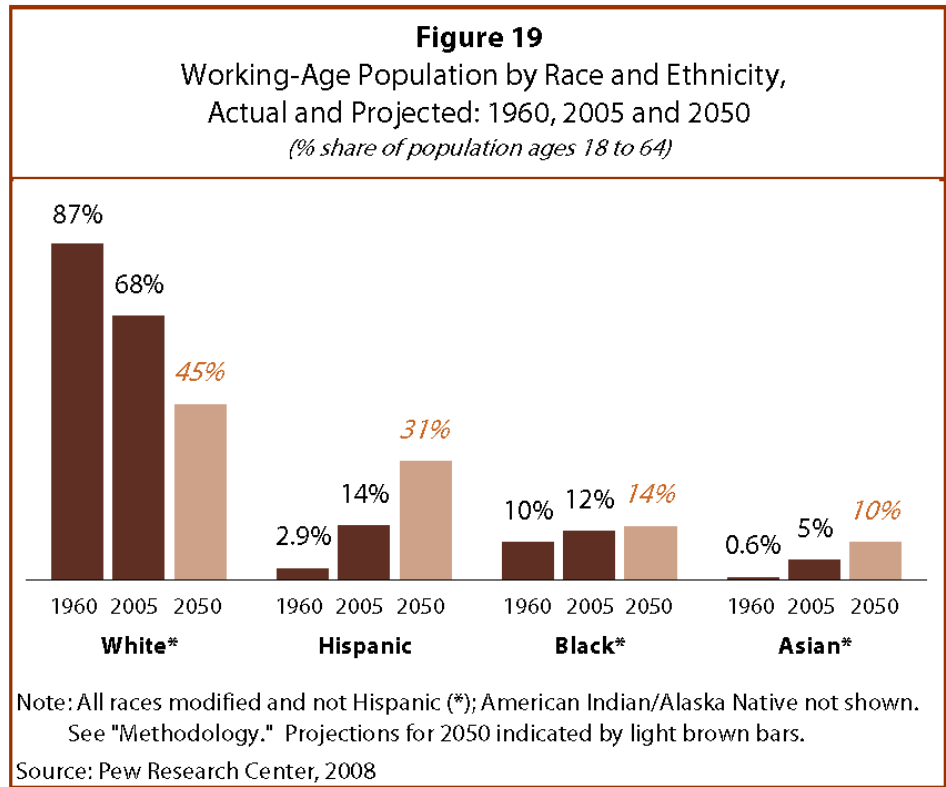
While access to healthcare and education are very important components to immigrant integration, by far the nation's most potent integrating mechanism is access to the labor markets. The U.S. is highly dependent on immigrant labor, both skilled and unskilled. As the population ages and the baby boomer generation starting to retire, immigrants will have to continue to fill the gaps left in the economy. While immigrant labor is essential to the U.S. economy, immigrants often receive the lowest paying, most dangerous jobs. Twenty percent of low-wage workers are immigrants.⁴ "Low-wage immigrant workers are concentrated in these sectors due to a number of factors, including educational background, work history

³ Randy Capps, et al., [The New Demography of America's Schools: Immigration and the No Child Left Behind Act](#), (Washington, D.C.: The Urban Institute, 2005) pg. 2

⁴ Randolph Capps, et al., ["A Profile of the Low-Wage Immigrant Workforce: Key Findings"](#) (Washington D.C.: The Urban Institute, 2003)

and skills, limited English proficiency, and immigration status.”⁵ To be fully integrated into the American labor force, immigrants need access to job training and English language acquisition, as well as cultural orientation.

Some immigrants, having held professional jobs in their country of origin, arrive in the U.S. with substantial credentials. However, upon arriving, they learn that their skills do not necessarily transfer and many are forced to accept low-paying, unskilled jobs. As of 2001, nearly half of all current immigrants enter the U.S. with at least 12 or more years of formal education.⁶ Therefore, it would seem to make economical sense to create a mechanism or system that could convert foreign credentials or assist skilled immigrants in acquiring the certifications required by the U.S. in order to continue their profession.



In the U.S., immigrants make up for 9.7 percent of all business ownership, and immigrants have a higher rate of business formation than native entrepreneurs, starting 16.7 percent of all new businesses in the U.S.⁷ In 2000, immigrant business incomes totaled \$67 billion and accounted for 11.6 percent of total business income generated in the U.S. Besides providing income for themselves, immigrant entrepreneurs provide employment for other immigrants. However, many services available to the self-employed are not available to the immigrant entrepreneur. Legal, non-citizen business owners are not eligible for some federal assistance, such as Small Business Administration benefits.⁸

⁵ National Immigration Law Center, "Facts About Immigrant Workers," April 2007
⁶ Amy Beeler and Julie Murray, "Improving Immigrant Workers' Economic Prospects: A Review of the Literature," Securing the Future: US Immigrant Integration Policy, A Reader, ed. Michael Fix (Washington, DC: Migration Policy Institute, 2007) pg. 116
⁷ Robert Fairlie, "Estimating the Contributions of Immigrant Business Owners to the U.S. Economy" [Small Business Administration Office of Advocacy](#), November 2008
⁸ Beeler, Murray, pg. 121

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Access to language services is very important towards the integration of immigrants in the U.S. Language access services are those that agencies use to bridge the communication barrier with individuals who cannot speak, understand, read or write English fluently. Language access laws ensure that LEP individuals are able to access programs and services without the cumbrance of language barriers that might prevent them from accessing services at the same rates as other individuals. Local and state laws have been created to mirror federal-level legislation that requires agencies receiving federal funds to provide LEPs "meaningful access" to services. This legislation dates back to Title VI of the Civil Rights Act of 1964 but was more recently reaffirmed by President Clinton and Bush in 2000, and 2001 respectively. Executive Order 13166 requires that any program of agency receiving federal dollars take reasonable steps to facilitate access for LEPs.

According to ProEnglish, an organization working to educate the public about the need to make English the official language of the U.S., record numbers of non-English speaking immigrants threaten to overwhelm the assimilative process. Instead of encouraging new immigrants to acquire the English fluency needed to succeed in society, the policy of the federal government is to promote "diversity" by operating in ever growing numbers of foreign languages. Opponents of "multilingualism" state that this is causing a growing underclass, which is segregated and walled off into "linguistic ghettos", according to ProEnglish.⁹ U.S. English, an advocate group for "Official English" summarizes their belief that "the passage of English as the official language will help to expand opportunities to immigrants to learn and speak English, the single greatest empowering tool that immigrants must have to succeed."¹⁰

According to these pro-English groups, a century ago immigrant ghettos were marked by extreme poverty, 80-hour work weeks, and child labor, but as the industrial revolution matured, immigrants discovered that language skills were the key to entering the emerging "middle class". This, coupled with mandatory public education and reduced immigration, resulted in the successful assimilation of ethnic communities into American society. But today, bilingual education effectively keeps classrooms segregated by language, keeping immigrant children from learning English by teaching them in their foreign languages.¹¹

To date, 30 states have enacted laws making English their official language; often by passing citizen initiatives. Opponents of making English the official language charge that it is policy that is anti-immigrant. The U.S. Senate voted on two separate changes to an immigration bill in May, 2006, regarding the official use of English. The amended bill recognized English as a "common and unifying language" and gave contradictory instructions to government agencies on their obligations for non-English publications. In 2007, in was essentially a replay of the 2006 actions, the U.S. Senate again voted on two separate amendments to a subsequent immigration reform bill that closely resembled the amendments to the 2006 bill. Ultimately, neither the 2006 nor the 2007 immigration bill has become law. Currently, all official documents in the U.S. are written in English, though some also have versions in other languages. The U.S. federal government does not specify an official language.

⁹ <http://www.proenglish.org/issues/offeng/index.html>

¹⁰ [us-english.org](http://www.us-english.org) "Background of organization"

¹¹ <http://www.proenglish.org/issues/offeng/index.html>

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Additionally, the process of naturalization and gaining citizenship helps promote stable communities and can bring significant social benefits, according to OneAmerica.¹² While there has been a steady rise of the numbers of immigrants who have naturalized, there still remain a large number of immigrants who are eligible to become naturalized citizens, but have not. Many of the eligible immigrants were LEP, had less than a ninth-grade education, and were in the low-income bracket. Additionally, immigrants are not notified by the federal government when they are eligible to become naturalized, making many immigrants eligible, without informing them of their eligibility. Then there is the actual process of becoming a citizen, which can be long, confusing and expensive.

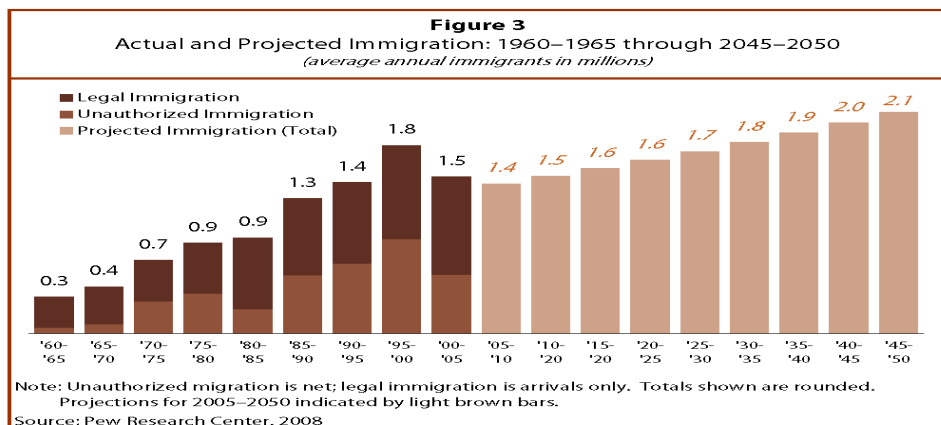
Community safety is another big issue, as immigrants (legal or illegal) resist interacting with local police enforcement authorities for a variety of reason. Many immigrants fear that their immigration status will be discovered when reporting a crime and that they will be deported. With the implementation of ICEs 287g Program, the U.S. Immigration and Customs Enforcement agency is allowed to enter into a Memorandum of Understanding with local governments and contract with local and state police and officials to coordinate and enforce immigration laws. The problem is that this movement from local policing to enforcement of immigration laws creates more fear in the immigrant community and leads to underreporting of crimes. "Immigrants need assurances that they will not be subject to deportation proceedings if they cooperate with police," said Anita Khashu, author of *The Role of Local Police: Striking a Balance between Immigration and Enforcement and Civil Liberties*.

Others may not be able to speak English and communicate with officers. Still others may not fully understand how the American justice system works. Even with the help of a translator, it may still be difficult for immigrants to understand U.S. court proceedings.

Illegal Immigrants

As the immigrant population spreads out, an intense debate has been waging about U.S. immigration policy-particularly with regard to illegal immigrants.

With an estimated 12 million illegal immigrants living within the U.S. borders, conversations continue about the impact of immigration policies with respect to family structures, the economic contributions of immigrants to the U.S. economy, job competition, tax payments and fiscal costs to local communities and the larger society.



¹² <http://www.hatefreezone.org/immigrant-integration>

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There are an estimated 5.5 million children with illegal immigrant parents. Nearly 4 million children who have at least one parent who entered the U.S. illegally were born in the U.S. and are U.S. citizens as a result, according to the study conducted by the Pew Hispanic Center.¹³ That's about three quarters of the estimated 5.5 million children of illegal immigrants inside the U.S., according to the study. About 1.8 million children of illegal immigrants live in poverty, the study found. "Among children whose parents are unauthorized immigrants, one in three is poor. The (poverty) rate of children of undocumented immigrants is similar whether the children are unauthorized immigrants or U.S. born," the study says.

In states near Mexico's border (where an estimated 7 million illegal aliens originated) - Arizona, California, Colorado, Nevada and Texas-about 10 percent of the student population are the children of illegal immigrants. These children, who represent more than 7 percent of all children in the United States, live under a legal cloud because while they are natural born citizens, their parents can be arrested at any time, separated and eventually deported. The federal government spends billions each year to arrest, detain and deport illegal immigrants, many of whom are parents. By one estimate, in the last 10 years, over 100,000 illegal immigrant parents of U.S. children have been deported from the United States.¹⁴

"This really highlights the fact that so many undocumented families are of mixed status-that there is a U.S. citizen in the direct family," said Shuya Ohno, of the Washington-based advocacy organization National Immigration Forum, underscoring the fact that the U.S. immigration situation is "not so simple."¹⁵

Economic Impact

The economic impact of illegal immigrants to the U.S. economy is also a complex matter of study and debate. Peter Andreas, a contributor to World Policy Journal, stated that labor is a mobile economic factor of production and that illegal immigration is spurred on by periods of high demand for labor. "The sad irony is that the most important constraint on the flow of illegal aliens may be continued economic stagnation in states such as California. In periods of recession, labor markets tighten, reducing employment opportunities-both legal and illegal. Economic recovery, on the other hand, propelled in no small part by the hard work of illegal laborers already here, would expand opportunities in the labor market, encouraging continued illegal immigration."¹⁶

For businesses, cheap labor can translate into big profits. If business owners use those profits to expand businesses, it would boost economic activity. "From lawn services to meat packing, you name it. The primary benefit to consumers from illegal workers is lower prices," said Nariman Behravesh, chief economist at Global Insight.¹⁷ Illegal immigrants are seen as expanding the nation's overall labor pool and productivity. "We can make more stuff and that can add to overall economic activity," said Andrew Bernard, professor of international economic at Dartmouth College's Tuck School of Business.

"There is little doubt that unauthorized, that is, illegal, immigration has made a significant contribution to the growth of our economy," former Federal Reserve chairman Alan Green-

¹³ <http://edition.cnn.com/2009/US/04/14/citizen.children/index.html>

¹⁴ Ajay Chaudry, Randolph Capps, Jaun Pedroza, Rosa Castaneda, Robert Santos, Molly Scott, Facing our future, children in the aftermath of immigration enforcement,. An Urban Institute Publication, February 2, 2010.

¹⁵ <http://edition.cnn.com/2009/US/04/14/citizen.children/index.html>

¹⁶ Peter Andreas, The Making of Amerexico (Mis)Handling Illegal Immigration, World Policy Journal Vol. 11.2 (1994): pp.55

¹⁷ Jeannine Aversa, Experts: Illegal immigrants help economy. BusinessWeek, April 4th, 2005.

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span told a subcommittee of the Senate Judiciary panel in April, 2009.¹⁸ Undocumented workers accounted for a sixth of the growth in the nation's workforce from 2000 to 2008. Even after the flow of illegal workers has slowed with the recession, they still comprise 5 percent of the labor pool. Having those people in the economy, Greenspan argued, gives businesses a margin of error to weather booms and busts. "Unauthorized immigrants serve as a flexible component of our workforce, often a safety valve when demand is pressing, and are among the first to be discharged when the economy falters."

While opponents argue that underpaid, undocumented workers drive down wages, and weigh on schools, police and hospitals, Mr. Greenspan said the economy comes out on the plus side. "The estimated wage suppression and fiscal costs are relatively small, and economists generally view the overall economic benefits of this workforce as significantly outweighing the costs."

While some researchers say that consumers and businesses may benefit from such cheap labor, others insist that the U.S. born-worker could actually be hurt by it. According to Jorge Borgas, Professor of Economics and Social Policy at the Kennedy School of Government at Harvard, increasing the labor supply between 1980 and 2000, immigration (legal and illegal) reduced the average annual earnings of U.S. born men by an estimated \$1,700, or roughly 4 percent.¹⁹ Among those born in the U.S. who did not graduate from high school - roughly the poorest one-tenth of the workforce - the estimated impact was even larger, reducing wages by 7.4 percent.

The negative effect on U.S.-born black and Hispanic workers is significantly larger than on whites, because a much larger share of minorities are in direct competition with immigrants. The reduction in earnings occurs regardless of whether the immigrants are legal or illegal, permanent or temporary. It is the presence of additional workers that reduces wages, not their legal status.

Taxes

Maria Hohn, executive director of the Immigrant Learning Center, an advocacy group that provides free English classes to adult immigrants and refugees, said that while thinking about the fiscal impact of illegal immigrants, it is important to realize that contrary to popular myth, illegal immigrants pay many local, state and federal taxes. "There are lots of hidden taxes that immigrants are paying," Ms. Hohn said.²⁰

She said it is difficult for illegal immigrants to avoid paying sales and excise taxes for goods and services and property taxes on real estate, whether they rent or own a home. Those who work above the table contribute to the Social Security trust fund in the form of payroll taxes.

The Internal Revenue Service and state officials report that an increasing number of undocumented workers are paying federal and state income taxes using an Individual Taxpayer Identification Number (ITIN), rather than a Social Security Number. An ITIN is a tax processing number issued by the Internal Revenue Service regardless of a person's immigrant status. According to the IRS, ITINs are used for tax purposes only, and are not intended to serve any other purpose. The IRS issues ITINs to help individuals comply with U.S. tax laws, and to provide a means to efficiently process and account tax returns and payments for those not eligible for Social Security Numbers.²¹ The assumption is that those

¹⁸<http://www.nydailynews.com/blogs/dc/2009/04/greenspan-illegal-immigrant-he.html>

¹⁹ <http://www.npr.org/templates/story/story.php?storyId=5312900>

²⁰ <http://www.southcoasttoday.com/apps/pbcs.dll/article?AID=/20080702/NEWS/807020304>

²¹ <http://www.irs.gov/individuals/article/0,,id=96287,00.html>

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who are undocumented want to be up to date and in compliance with IRS regulations in case immigration policy changes and they are allowed to apply for legal status.

Additionally, while calculating the fiscal contributions of illegal immigrants is difficult, calculating their costs to states and municipalities is just as tough. Many illegal immigrants take advantage of numerous public services, ranging from healthcare, police and fire protection, and educational services. Still, some advocacy groups state that this is an unfair assumption, because some illegal immigrants are afraid to call the police, go to the hospital, or use other services due to their fear of being turned over to immigration officials. Illegal immigrants also do not qualify and may not apply for a majority of state and federal benefits, including Medicare/Medicaid, welfare and food stamp programs.

Still, other researchers have asserted that the economic data regarding illegal immigrants is often mixed and tainted with bias. According to a popular 1998 National Academies Press article (The Immigration Debate: Studies on the Economic, Demographic, and Fiscal Effects of Immigration), "Many previous studies represented not science but advocacy from both sides of the immigration debate...often offered an accounting of either the full list of taxpayer costs and benefits by ignoring some programs and taxes while including others...the conceptual foundation for this research was rarely explicitly stated, offering opportunities to tilt the research toward the desired result."²²

For example, a 2006 report by the Texas Office of the Comptroller found that the state's estimated 1.4 million undocumented immigrants contributed more in state revenues than they cost in state services during fiscal year 2005. The net gain for the state was \$424.7 million, according to the report. The same study found the opposite trend for local governments and hospitals, which experienced an estimated net loss of \$928.9 million in 2005 due to undocumented immigrants.

The findings in the comptroller's study contradict an earlier report published in 2005 by the Federation for American Immigration Reform, a Washington, D.C.-based non-profit group that aims to stop illegal immigration. That report concluded that illegal immigrants in Texas created an annual fiscal burden of \$3.7 billion.

CBO Estimates

The Congressional Budget Office (CBO), which provides Congress with nonpartisan research on budget issues, reviewed 29 such reports published over the past 15 years. It concluded in a 2007 paper that the reports "were not a suitable basis for developing an aggregate national effect across all states," due to a lack of reliable and consistent data and other factors.

The report, entitled "The Impact of Unauthorized Immigrants on the Budgets of State and Local Governments,"²³ offered four general conclusions:

First, state and local governments incur costs for providing services to unauthorized immigrants and have limited options for avoiding or minimizing those costs. All of the estimates that CBO reviewed reached this conclusion. Rules governing many federal programs, as well as decisions handed down by various courts, limit the authority of state and local governments to avoid or constrain the costs of providing services to unauthorized immigrants. For example, both state and federal courts have ruled that states may not refuse to provide free public education to a student on the basis of his or her immigration status.

²² James P. Smith and Barry Edmonston, Eds., *The Immigration Debate: Studies on the Economic, Demographic, and Fiscal Effects of Immigration* (1998), The National Academies Press (1998) pg. 2

²³ <http://www.cbo.gov/ftpdocs/87xx/doc8711/12-6-Immigration.pdf>

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Second, the amounts that state and local governments spend on services for unauthorized immigrants represent a small percentage of the total amount spent by those governments to provide such services to residents in their jurisdiction. Costs were concentrated in programs that make up a large percentage of total state spending—specifically, those associated with education, healthcare, and law enforcement. In most estimates that CBO examined, however, spending for unauthorized immigrants accounted for less than 5 percent of total state and local spending for those services. Spending for unauthorized immigrants in certain jurisdictions in California was higher but still represented less than 10 percent of total spending for those services.

Third, the tax revenues that unauthorized immigrants generate for state and local governments do not offset the total cost of services provided to those immigrants. Most of the estimates found that even though unauthorized immigrants pay taxes and other fees to state and local jurisdictions, the resulting revenues offset only a portion of the costs incurred by those jurisdictions for providing services related to education, healthcare and law enforcement. Although it is difficult to obtain precise estimates of the net impact of the unauthorized population on state and local budgets, that impact is most likely modest.

Fourth, federal aid programs offer resources to state and local governments that provide services to unauthorized immigrants, but those funds do not fully cover the costs incurred by those governments. Some of the reports that CBO examined did not include such federal transfers when estimating the net effect of the unauthorized population on state and local governments.

Dr. Steven A. Camarota, director of research at the Center for Immigration Studies in Washington, D.C., said that the net fiscal impact of illegal immigrants on a town or state can fluctuate depending on what public services researchers choose to include in the equation.²⁴ If researchers include only direct services such as health care, education and incarceration, the net fiscal impact "tends to come out more positive," Dr. Camarota said. Once you begin to account for the U.S.-citizen children of illegal immigrants and population-based services such as repairs to roads, bridges and other infrastructure, "it turns very negative, very fast," he said. Dr. Camarota also discounted the idea that illegal immigrants have a large impact on the economy. Because illegal immigrants are generally less-educated than most Americans, and therefore earn lower wages, they don't actually contribute any significant amount to the overall economy, he said.

Current Trends

While integration and illegal aliens remain hot topics of discussion, they are most assuredly not the only ones in the current immigration debate. Other areas of focus include use of the term "illegal" immigrant, possible amnesty, deportation, the Mexican border fence, the terrorist and narco threat, driver licenses for illegal aliens, and using state/local law enforcement vs. national law enforcement agencies (INS, ICE,).

Use of the Term "Illegal" Alien

As protesters march in the streets and debate intensifies in Congress over how to fix the nation's immigration laws, the National Association of Hispanic Journalists (NAHJ) has called on the nation's news media to use accurate terminology in its coverage of immigration and to stop dehumanizing undocumented immigrants.²⁵ NAHJ is concerned with the increasing use of pejorative terms to describe the estimated 11 million undocumented people living in the United States. NAHJ is particularly troubled with the growing trend of the news media to

²⁴<http://www.southcoasttoday.com/apps/pbcs.dll/article?AID=/20080702/NEWS/807020304>

²⁵<http://www.nahj.org/nahjnews/articles/2006/March/immigrationcoverage.shtml>

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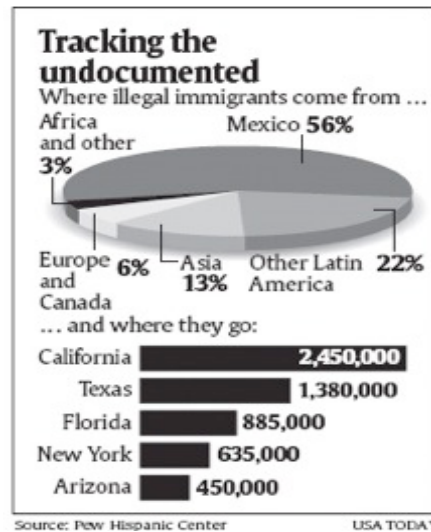
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use the word "illegals" as a noun, shorthand for "illegal aliens". Using the word in this way is grammatically incorrect and crosses the line by criminalizing the person, not the action they are purported to have committed. NAHJ calls on the media to never use "illegals" in headlines.



However, IllegalAliens.US, a website dedicated to providing information on illegal immigration prevention, enforcement, and attrition, disagrees. "The correct terminology for the nearly 20 million persons illegally in the U.S. is illegal alien. The term undocumented immigrant is purposely incorrect in order to sway the public in favor of special interest groups and only clouds the reality of the situation...The term illegal alien is broader and more accurate because it includes undocumented aliens and nonimmigrant visa overstayers...the term illegal alien, being broader in scope, is the accurate term to use. In that immigrant connotes legality, the term illegal immigrant is really an oxymoron."²⁶

Amnesty

In 1986, President Reagan signed into law an immigration reform bill that legalized the status of 1.7 million illegal immigrants. In exchange for the amnesty, the new law was supposed to have beefed up border patrols and stiffened fines for both the migrant workers and employers in cases of violation.²⁷ However, critics point to the fact that the law failed miserably (when the law was passed, there were about 5 million illegal immigrants in the U.S. Now, there's an estimated 12 million.

Nathan Thromburgh, a reporter for Time Magazine who made the argument for granting amnesty, stated that, "Whether you fine illegal aliens or stick them in English classes or make them say a hundred Hail Marys, at the end of the day, illegals would be allowed to stay and become citizens... That's amnesty. And that's a good thing for America. Amnesty won't depress wages - globalization has already done that. Amnesty will not undermine the rule of law. It sounds counterintuitive, but with immigration, forgiving a crime may be the best way to restore law and order. Amnesty won't necessarily add to the social-services burden. Amnesty would offer millions... a fighting chance at self-sufficiency and social mobility."

²⁶IllegalAliens.us "Calling an illegal alien an undocumented worker is like calling a burglar an uninvited house guest," January 18th, 2007

²⁷<http://www.politifact.com/truth-o-meter/statements/2008/jan/06/rudy-giuliani/yep-reagan-did-the-a-word/>

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Robert Rector, from the Heritage Foundation, disputes this claim, "Giving amnesty to illegal immigrants will greatly increase long-term costs to the American tax payer. Granting amnesty to illegal immigrants would, overtime, increase their use of means-tested welfare, Social Security, and Medicare. Fiscal costs would rise in the intermediate term and increase dramatically when amnesty recipients reach retirement. Although it is difficult to provide precise estimates, it seems likely that if 10 million adult illegal immigrants currently in the U.S. were granted amnesty, the net retirement cost to government (benefits minus taxes) could be over \$2.6 trillion."²⁸

Deportation

Deportation has never had any real mainstream support, at least not among the majority of U.S. officials. During the run-up to the 2008 presidential election, John McCain had this to say about deportation of illegal aliens, "I have listened to and understand the concerns of those who simply advocate sealing our borders and rounding up and deporting undocumented workers currently in residence here. But that's easier said than done...I have yet to hear a single proponent of this point of view offer one realistic proposal for locating, apprehending, and returning to their countries of origin over 11 million people. How do you do that? ...it would take 200,000 buses extending along a 1700 mile long line to deport 11 million people. That's assuming we had the resources to locate and apprehend all 11 million, or even half that number, which we don't have and, we all know, won't ever have."

Sarah Palin reiterated those sentiments in an interview to Univision, a Spanish-language television station in 2008. "There is no way that in the U.S. we could roundup every illegal immigrant-there are about 12 million of the illegal immigrants-not only economically is that just an impossibility but there's not a humane way anyway to deal with the issue that we face with illegal immigrants."²⁹

Tom Ridge, former Secretary of Homeland Security under President Bush, said "the debate we are engaged in presently is a good and necessary one. However, a solution based solely on enforcement is not. The current flow of illegal immigrants and visa overstayers has made it extremely difficult for our border and interior enforcement agencies. Despite a record performance on deportations from ICE the past two years, at current rates it would take nearly 70 years to deport all of the estimated 11 million people living here illegally, even if not a single new illegal alien entered our territory. Attempting to deport everybody is neither feasible nor wise."³⁰

Duncan Hunter, one of the few 2008 presidential candidates to publicly call for the deportation of all illegal immigrants nationwide stated, "I don't think there's anything wrong with asking folks who come here illegally...to go home. We deport thousands of people every month, and I don't see any other way to re-establish the currency of American law than to keep the law. It would reward those who have broken the rules."³¹

Mexican Border Fence

On September 29, 2006, by a vote of 80–19 the U.S. Senate confirmed H.R. 6061 authorizing, and partially funding the construction of 700 miles (1,125 km) of physical fence/barriers along the U.S./Mexican border. As of January 2010 the fence project has

²⁸<http://www.heritage.org/Research/Reports/2007/06/Amnesty-Will-Cost-US-Taxpayers-at-Least-26-Trillion>

²⁹<http://www.univision.com/content/content.jhtml;jsessionid=DOO5XKPXWA0DQCWIAA4SFEYKZAADYIWC?chid=3&schid=10414&secid=25534&cid=1716304&pagenum=1>

³⁰ Tom Ridge, The Washington Times. September 10, 2006

³¹ <http://www.politico.com/news/stories/0507/3805.html>

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been completed from San Diego, California all the way to Yuma, Arizona. The border fence was not heavily supported by the U.S. public when

it was signed into law, with more Americans supporting an increase in border patrol agents rather than the creation of a border fence.³²

President Obama initially embraced the program upon taking office in 2009, by setting out his own 5-year timetable for completion. But this February, President Obama proposed cutting funding to the program pending a broader reassessment due to reports of financial and technical problems and delays. "Not only do we have an obligation to secure our borders, we have a responsibility to do so in the most cost-effective way possible," said Homeland Security Secretary Janet Napolitano. "The system of sensors and cameras along the South-west border known as SBInet has been plagued with cost overruns and missed deadlines."³³

The Department of Homeland Security has spent \$3.4 billion on border fencing in recent years, completing 640 of a planned 652 miles of fencing and vehicle barriers as part of the Secure Border Initiative. Phase 1 of SBInet, the technology portion of the plan, was budgeted to spend \$700 million to erect about 50 camera and radio towers. Representative David Price, head of the House Homeland Security funding panel, noted that completion of SBInet's first phase could take until 2013, and no funding has been requested for Phase 2. "With only deployment to about 50 miles of the border schedule, it appears that SBInet deployment will take many more years," he said.

The Government Accountability Office, Congress's audit arm, has found the government rushed to use off-the-shelf equipment and software without adequate testing. SBInet is the federal government's third attempt to secure the border with technology. Between 1998 and 2005, it spent \$429 million on earlier surveillance initiatives that were so unreliable that only 1 percent of alarms led to arrests. However, analysts still say that technology remains a vital component of efforts to secure the border.

The Narco Threat

Mexican President Felipe Calderon declared war against the Mexican drug cartels in 2006 and has committed more than 40,000 Mexican soldiers to the fight, although the violence continues to escalate. To date, the cartels have killed more than 17,000 people. At the core of the drug war are the Sinola and Gulf drug cartels, along with Los Zetas, a group led by former Mexican military officers. They seek control of long established smuggling corridors into the U.S., with annual revenues from the drug sales totaling in the billions.

The killings of two U.S. citizens in the Mexican border town of Ciudad Juarez, including an employee at the U.S. Consulate, along with the slaying of an Arizona rancher in March, have fueled concerns among U.S. officials that Americans are becoming fair game for Mexican drug cartels seeking control of smuggling routes into the U.S.

In response, Arizona Governor Jan Brewer and Senator McCain, both Republicans, have called on the Department of Homeland Security to deploy the National Guard along the Arizona border. Governor Brewer said the rising violence showed the "abject failure of the U.S. Congress and President Obama to adequately provide public safety along our national border with Mexico."³⁴

Representative Gabrielle Giffords, a Democrat from Arizona, whose district includes the area where the rancher was killed, said that if the slaying was connected to smugglers or drug

³²http://edition.cnn.com/2006/POLITICS/10/26/border.fence/index.html?eref=rss_politics

³³<http://www.washingtonpost.com/wp-dyn/content/article/2010/03/16/AR2010031603573.html>

³⁴ Ben Conery and Jerry Seper. The Washington Times, Border violence threatens Americans, April 1st, 2010

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cartels, the federal government should consider all options, including sending more Border Patrol agents to the area and deploying the National Guard.

Even Texas Governor Rick Perry has put into play a "spillover violence contingency plan" to address attacks on Americans citizens in Mexico. The plan increases border surveillance, intelligence sharing, and ground, air and maritime patrols. A day before the March Ciudad Juarez murders, Governor Perry unsuccessfully sought help from the Department of Homeland Security Secretary Janet Napolitano to use unmanned Predator drone aircraft and 1,000 additional soldiers for missions on the Mexican border, citing what he believed to be a disparity in the amount of federal resources allotted to Texas for border security.

The White House said that President Obama was "deeply saddened and outraged" by the killings and had pledged to "continue to work with Mexican President Felipe Calderon and his government to break the power of the drug-trafficking organizations that operate in Mexico and far too often target and kill the innocent."

Two years ago, U.S. immigration and Customs Enforcement, the investigative arm of the Department of Homeland Security, said in a report that border gangs were becoming increasingly ruthless and had begun targeting rivals and federal, state and local police officers. ICE said the violence had risen dramatically as part of "an unprecedented surge." Last year, the Justice Department identified more than 200 U.S. cities in which Mexican drug cartels "maintain drug distribution networks or supply drugs to distributors" – up from 100 cities three years earlier. The department's National Drug Intelligence Center, in its 2010 drug assessment report, described the cartels as "the single greatest drug trafficking threat to the U.S." It said Mexican gangs had established operations in every area of the U.S. and are expanding into more rural and suburban areas. The report also noted that adding to the violence were assaults against U.S. law enforcement officers assigned to posts along the southwestern border. It said assaults against Border Patrol agents increased 46 percent from 752 incidents in 2007 to 1,097 incidents in 2008.

Secretary of State Hillary Clinton traveled to Mexico in March as part of a delegation to underscore U.S. concerns over Mexico's drug violence. "These appalling assaults on members of our own State Department family are, sadly, part of a growing tragedy besetting many communities in Mexico," Secretary Clinton said.

Driver's License for Illegal Immigrants

The 9/11 Commission recommended that the U.S. improve its system for issuing identification documents, urging the federal government to set standards for the issuance of sources of identification. The goal was to reduce identity theft, make it more difficult for criminals to obtain fraudulent identities, and to help fight terrorism.

In 2005, Congress passed the REAL ID Act implementing the Commission's recommendations. Key measures that increase the level of assurance for a document include information and security features that must be incorporated into each card, documentation and verification of an applicant's identity, date of birth, social security number, and legal presence in the U.S., checks to ensure that an individual does not hold multiple driver's licenses in other states, and minimum security standards for issuance of licenses and identification cards. While many states have invested in improvements to their driver's licenses and licensing processes, the lack of minimum performance standards have made it possible for criminals and terrorists to exploit jurisdictions where standards are lower and fraud is easier to commit.

However, not all states view the issuance of driver licenses to illegals in the same way. The state of Utah, with two cities that have official sanctuary policies that forbid employees or law enforcement officers from inquiring about a resident's immigration status, have offered

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a special class of driver's licenses for illegal immigrants who will be ineligible to obtain the licenses when the REAL ID federal security standards are fully enforced. Motorists who are legal residents or citizens will receive a "regular" driver's license and illegal aliens will get a driving privilege card, which can't be used as identification at places such as airports.

Critics state that the policy inevitably led to the recent murder of a Utah sheriff's deputy who was gunned down by an illegal immigrant with an extensive criminal record and multiple deportation orders.³⁵ The illegal immigrant had several felony convictions and had been deported three times yet was able to return and remain undetected because he lived in a sanctuary state.

FAIR, the Federation for American Immigration Reform disagrees with the argument that issuing driver's licenses to illegal aliens would improve national security and road safety. The group says that the security argument is spurious, since illegal aliens often use aliases and phony documents, so the aliens identity and residency are not established as a result of the driver's license process.³⁶ Additionally, the group says that the argument about road safety relies on a faulty assumption that if illegal aliens are legally licensed to drive, they will all have automobile insurance. But even if a state requires automobile insurance as a condition of getting a license, that does not keep an illegal alien from cancelling the policy the next day.

The Use of State/Local Law Enforcement vs. Federal law Enforcement

Due to the increase in violence on the southern U.S. border, coupled with the failure of the White House and Congress to reform immigration, immigration policy-making and enforcement has been acted upon by some local communities.

Audrey Singer of the Brookings Institution prepared a report, "Immigrants, Politics, and Local Responses to Suburban Washington," that describes how local officials in Prince William County, Virginia, responded to the growth of illegal immigrants in their county over the past decade by creating their own immigration policies.³⁷ Being a county that witnessed the tripling of their Hispanic population from 2000 to 2006, many long-time residents pressured the county government to crack down on illegal immigration by creating legislation to order the police to check the residency status of lawbreakers, and to allow the county government to deny business licenses and certain social services to illegal immigrants. Many long-term residents and county officials believe that they lack the infrastructure to support the new immigrant population, while many new immigrants of Prince William County feel that they are being discriminated against.

In Arizona, with an estimated number of 460,000 illegal immigrants, the state legislature passed an immigration bill that is considered to be among the toughest immigration measures in the nation. The bill would require immigrants to carry their alien registration documents at all times and would require the police to question people if there's reason to suspect they're in the U.S. illegally. It also targets those who hire illegal immigrant day laborers or knowingly transport them. The bill would also allow people to sue local governments if they feel the law was not being enforced.

Currently, officers can check someone's status if the person is suspected of a crime. Critics argue that the new law would foster racial profiling, saying that most police officers don't

³⁵<http://www.judicialwatch.org/blog/2010/jan/utah-gives-illegal-aliens-special-driver-s-licenses>

³⁶http://www.fairus.org/site/PageServer?pagename=iic_immigrationissuecenterse1df

³⁷<http://blogs.worldbank.org/peoplemove/who-should-manage-immigration>

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have enough training to look past race while investigating a person's legal status, as well as opening departments to lawsuits.

Hispanic members of Congress called on Arizona's governor to veto the bill, stating that it unconstitutionally authorizes discrimination.³⁸ "When you institutionalize a law like this one, you are targeting and discriminating at a wholesale level against a group of people," said Representative Raul Grijalva, a Democrat from Arizona. Representative Grijalva, whose congressional district runs from the Mexican border to the outskirts of Phoenix, said the legislation "is not just mean-spirited, it is directed at a specific population, infringes on the federal government's authority over immigration laws, and is out right discriminatory."

"I'm Puerto Rican. I was born in Chicago, and my family has been U.S. citizens for generations," said Representative Luis Guitierrez, the chairman of the Congressional Hispanic Caucus. "But look at my face, listen to my voice. I'd probably get picked up in Arizona and questioned. Is that what we want in America?"

Supporters of the bill say the measure is needed to fill a void left by the federal government's failure to enforce its immigration laws. The bill's leading sponsor, Republican state Senator Russell Pearce, said, "Illegal is not a race. It's a crime. We're going to take the handcuffs off law enforcement. We're going to put them on the bad guy. You know, this is amazing to me. We trust officers, we put guns on them, they make life and death decision every day. They investigate capital crimes, they investigate sophisticated crimes, but we're afraid they're going to pick up the phone and call ICE (U.S. Immigration and Customs Enforcement)."

"This bill goes a long way to bringing law and order to the state," said Republican state Senator Al Melvin, who cited costly services provided to illegal immigrants and the recent slaying of a southeastern Arizona rancher near the border as reasons for the move. Arizona

Arizona Senator John McCain said that the bill is a "tool that I think needs to be used. It is also a commentary on the frustration that our state Legislature has that the federal government has not fulfilled its constitutional responsibilities to secure our borders."

Arizona law enforcement groups are split on the bill, with a union for Phoenix Police Department officers supporting it and a statewide association of police chiefs opposed. Mexico's embassy also voiced concerns about racial profiling.

President Obama said he's instructed the Justice Department to examine the Arizona bill to see if it's legal, and said the federal government must enact immigration reform at the national level – or leaves the door open to "irresponsibility by other."³⁹

Legislating Immigration Reform

In Congress, Republican Senator Lindsey Graham (South Carolina) and Democrat Senator Chuck Schumer (New York) have been working on a bipartisan, draft framework for action on immigration.⁴⁰ The policy that they are still in the process of forming consists of four main parts; requiring biometric Social Security cards to ensure that illegal workers cannot get jobs; fulfilling and strengthening border security and interior enforcement; creating a process for admitting temporary workers; and implementing a tough but fair path to legalization for those illegal immigrants already in the U.S.

³⁸ <http://edition.cnn.com/2010/POLITICS/04/20/arizona.immigration/>

³⁹ http://www.huffingtonpost.com/2010/04/23/jan-brewer-arizona-govern_n_549290.html

⁴⁰ <http://www.washingtonpost.com/wp-dyn/content/article/2010/03/17/AR2010031703115.html>

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Besides border security, ending illegal immigration will also require an effective employment verification system that holds employers accountable for hiring illegal workers. A tamper-proof ID system would dramatically decrease illegal immigration, experts have said, and would reduce the government revenue lost when employers and workers here illegally fail to pay taxes.

The legislation would require all U.S. citizens and legal immigrants who want jobs to obtain a high-tech, fraud-proof Social Security card. Each card's unique biometric identifier would be stored only on the card; no government database would house everyone's information. The cards would not contain any private information, medical information or tracking devices. The card would be a high-tech version of the Social Security card that citizens already have.

Prospective employers would be responsible for swiping the cards through a machine to confirm a person's identity and immigration status. Employers who refused to swipe the card or who otherwise knowingly hired unauthorized workers would face stiff fines and, for repeat offenses, prison sentences.

The draft bill proposes a zero-tolerance policy for gang members, smugglers, terrorists and those who commit other felonies after coming here illegally. It would bolster recent efforts to secure the border by increasing the Border Patrol's staffing and funding for infrastructure and technology. More personnel would be deployed to the border immediately to fill gaps in apprehension capabilities.

Other steps include expanding domestic enforcement to better apprehend and deport those who commit crimes and completing an entry-exit system that tracks people who enter the United States on legal visas and reports those who overstay their visas to law enforcement databases.

Ending illegal immigration, however, cannot be the sole objective of reform. Developing a rational legal immigration system is essential to ensuring America's future economic prosperity. Ensuring economic prosperity requires attracting the world's best and brightest. The legislation would award green cards to immigrants who receive a PhD or master's degree in science, technology, engineering or math from a U.S. university. It makes no sense to educate the world's future inventors and entrepreneurs and then force them to leave when they are able to contribute to our economy.

The blueprint also creates a rational system for admitting lower-skilled workers. The current system prohibits lower-skilled immigrants from coming here to earn money and then returning home. The framework would facilitate this desired circular migration by allowing employers to hire immigrants if they can show they were unsuccessful in recruiting an American to fill an open position; allowing more lower-skilled immigrants to come here when our economy is creating jobs and fewer in a recession; and permitting workers who have succeeded in the workplace, and contributed to their communities over many years, the chance to earn a green card.

For the 11 million immigrants already in this country illegally, the bill would provide a tough but fair path forward. They would be required to admit they broke the law and to pay their debt to society by performing community service and paying fines and back taxes. These people would be required to pass background checks and be proficient in English before going to the back of the line of prospective immigrants to earn the opportunity to work toward lawful permanent residence.

Rifts within the Democratic Party

Senate Majority Leader Harry Reid, trailing in polls in heavily Hispanic Nevada, announced that he will pursue immigration reform legislation before the Senate votes on a climate change and energy bill and as Democrats defend their congressional majorities ahead of the

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November congressional elections. The announcement came as a surprise to most lawmakers, considering the political reality. Lawmakers consider it unlikely that the Senate would pass, or even bring to the floor, comprehensive immigration reform this year. The troubled economy also makes it politically difficult to tackle immigration reform, which would likely allow illegal workers to be placed on a path to citizenship. Additionally, many Democrats feel that they spent a significant amount of political capital on President Obama's healthcare reform legislation. Now, many within the Democratic Party are insisting that Senator Reid's reelection interests are putting him at odds with centrists and colleagues from conservative states.

But political experts in Nevada say mobilizing Hispanic voters could be key to a reelection victory for Senator Reid, whose favorability rating is below 40 percent. Hispanics make up 20 percent of Nevada's population and about 12 percent of its registered voters. In 2008, Hispanic voters made up 15 percent of the people who actually went to the polls and voted, and their overwhelming support for President Obama helped him carry the state.

Vulnerable Democratic senators like Blanche Lincoln (Arkansas) want to stay away from immigration reform during an election year. "Without a doubt, in Arkansas jobs and the economy is the number one issue. The people of Arkansas want us focusing on creating jobs for the 100,000 Arkansans that have lost their jobs and putting our economy back on track," said Lincoln recently.

Democrat Senator Ben Nelson (Nebraska) said immigration reform is a more incendiary issue given the nation's 9.7 percent unemployment rate. "It's more incendiary with other people coming across the border to take jobs that would otherwise be available," said Senator Nelson. "On the other hand, there is always that argument (that illegal workers) take the jobs that nobody else will take. I don't know that's the case."

Arkansas Democrat Senator Mark Pryor also prefers that the focus remain on creating jobs. "I think we ought to focus on getting our economy moving again, and also I'm very concerned about the national debt and annual deficits we have." Senator Pryor did state, however, that he would support immigration reform if it enjoyed substantial bipartisan support.

Pushing ahead with an immigration reform bill ahead of climate and energy legislation would anger many liberals and environmentalists, who see this as their best chance in more than a decade to pass a bill addressing global climate change. The division between acting on climate and energy reform versus immigration reform has reached the top, with Republican Senator Lindsey Graham (a cosponsor of both the climate change and energy bills) stating that if Senator Reid decides to bring up immigration before climate change, Senator Graham would end up not supporting the climate change legislation.⁴¹ "I want to bring to attention what appears to be a decision by the Obama Administration and Senate Democratic leadership to move immigration instead of energy," Graham said. "Unless their plan substantially changes, I will be unable to move forward on energy independence legislation at this time. I will not allow our hard work to be rolled out in a manner that has no chance of succeeding. Moving forward on immigration-in this hurried, panicked manner- is nothing more than a cynical political ploy."

In response, Senator Reid said "I appreciate the work of Senator Graham on both of these issues and understand the tremendous pressure he is under from members of his own party to not work with us on either measure. But I will not allow him to play one issue off of another, and neither will the American people. They expect us to do both, and they will not accept the notion that trying to act on one is an excuse for not acting on the other."

⁴¹http://www.politico.com/news/stories/0410/36301_Page2.html

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Hispanics are also feeling alienated to some degree by President Obama's failure to follow through on a campaign pledge to tackle immigration reform during his first year in office. President Obama instead focused on the economy and healthcare reform. In March, President Obama secured some of the votes his healthcare overhaul needed to pass by agreeing to do everything in his power to make sure that immigration reform is addressed this year. He made the announcement a few days before tens of thousands of people marched in the Washington, D.C., to press Congress and the administration for immigration reform.

In the past weeks, some immigrant advocates had become openly angry with President Obama, saying he's enforcing policies that lead to the deportation of thousands.⁴² The advocate said they were reacting to news reports that agents were working to meet deportation quotas, even after senior immigration officials had said they were no longer guided by such numerical goals. Members of the Service Employee International Union, one of the largest labor organizations supporting immigration overhaul, have set up protest rallies in front of immigration agency offices. Mr. Eliseo Medina, an executive vice president of the union, said that immigrants have been expecting President Obama to shift enforcement policy after the high-profile raids of the Bush administration. But Mr. Medina said that thousands of immigrants in the union who do not have work authorization had been fired from jobs in recent months while deportations continued. "It's pretty clear that our optimism about a change in policy was misplaced," said Mr. Median. "What they are doing makes no sense, so we are just basically mobilizing to fight back."

Former Representative Davis had this advice for Democrats: "Immigration reform should have been the first order of business. If it were to pass, it would bring 8-10 million new voters to the Democratic Party. Game, set, match. I'm surprised they waited this long."

Senator Reid, partly due to the pressure coming from his own members, and partly due to the reality of the political climate, has stated that he wouldn't raise immigration during this current work period, which ends by Memorial Day (end of May).

Rifts within the Republican Party

While at first glance it would seem that conservatives would be united in their opposition to immigration, a high-octane immigration fight could drive a wedge between the Republican Party and the Tea Party activists. "It becomes a very explosive argument when you talk about legitimizing immigrants," said retired Republican Representative Tom Davis, the former chair of the National Republican Campaign Committee. "From a Republican point of view, there is a dilemma. Republicans ought to be embracing them (immigrants) instead of chasing them away. It hasn't. It's gone from bad to worse."⁴³

In 2006 and 2007, some Republican legislators, including Senator McCain, championed a bipartisan bill that would have provided a path to citizenship for millions of illegal immigrants. But this proposition outraged the conservative base, who called it "amnesty" for law-breakers. The conservatives won the day-their attacks brought down the legislation. However, the conservative victory came at a cost, as President Bush had worked hard to woo the Latino vote, hoping to bring them into the GOP tent. In 2008, Hispanics flocked to President Obama. Such movements "underscored their divisions-between their rural and conservative blue-collar supporters and their more business-oriented and protrude segments of the Republican Party," said Democratic pollster Stan Greenberg.

⁴²Julia Preston, The NewYork Times. From Senate Majority Leader, a promise to take up immigration, April 10th, 2010

⁴³ <http://www.alternet.org/module/printversion/146522>

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The emergence of the Tea Party has only widened this conservative rift, and a good example of this division is former House majority leader Dick Armey, a vigorous proponent of immigration reform. Mr. Armey, however, is also the head of Freedom Works, which plays a key role in organizing the Tea Party. The Tea Party activists can regularly be seen bearing nativist slogans at their rallies. There is even a group called Tea Partiers Against Amnesty that organizes anti-immigration protest across the U.S.

According to reports, these two factions have been fighting out in the open recently. In March, Mr. Armey called anti-immigrant crusader and former Republican representative Tom Tancredo a "destructive" force in the GOP, adding that "the Republican Party is the most naturally talented party at losing its natural constituents in the history of the world." Mr. Tancredo recently said that President Obama was elected because "we do not have a civics, literacy test before people can vote in this country. People who could not spell the word vote or say it English put a committed socialist ideologue in the White House—name is Barack Hussein Obama."⁴⁴

The comments made by Mr. Armey prompted a scathing backlash from some of conservatism's more right leaning circles. Conservative columnist Michelle Malkin slammed Mr. Armey as "an amnesty stooge." Similar rifts can be seen in Arizona's GOP Senate primary race, where Tea Party-backed candidate J.D. Haysworth has assailed Senator McCain for his role in crafting the 2007 immigration bill. Though McCain has lurched right on the issue recently (scared by his plummeting poll numbers he has backed the call for the National Guard to be dispatched to the border) he still has not announced whether he would support the kind of immigration reform that he once championed.

With the rise of the Tea Party, even the most basic elements of immigration reform that Republican used to agree on—tougher border security—may create "difficulty for some conservatives, as an imposition on business, a government mandate," said Douglas Holtz-Eakin, a former top advisor to Senator McCain's presidential campaign. "A lot of immigration reform is very interventionist."⁴⁵

Still, not all Republicans are shying away from immigration reform. Brendan Steinhauser, director of federal and state campaigns at Freedom Works, said that "we clearly need to be proactive in terms of reforming the system...and figuring out the political calculus of that." Some Bush-era conservatives are also trying to push the GOP back towards embracing immigration reform. This February, the American Principles Project, a group launched by Christian conservative thought leader Robert George, launched the Latino Partnership for Conservative Principles. The group is trying to build momentum for comprehensive immigration reform. And in an effort to revive the Bush-era outreach to Latinos, the Latino Partnership has recruited the former president's chief of the US Office of Citizenship, Alfonso Aguilar, to serve as a spokesman. But, the group is keeping its distance from the overwhelmingly white Tea Party base. "The Tea Party hasn't come up yet as something we're going to target immediately," said Allegra Hewell, the group's communications director.

Conclusion

With Republicans charging Democrats of pandering to Latino voters as part of their reelection efforts, and with Democrats reasserting their commitment to passing immigration legislation with only one Republican supporting the bill, it seems as if the battle for immigration reform is just beginning rather than coming to a culmination. Democrats and Republican will get another chance to voice their support or opposition to immigration reform on May 19th—the date that Mexican President Felipe Calderon is scheduled to address a joint session of

⁴⁴ http://www.cbsnews.com/8301-503544_162-6177125-503544.html

⁴⁵ <http://www.alternet.org/module/prinvision/146522>

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Congress. As the debate continues, the U.S. Department of Homeland Security (DHS) has stated that it continues to promote a policy of strict enforcement in the absence of progress on immigration reform legislation.

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