

THE NEW CENTER



Issue 01

Think Centered

The Immigration Debate

The Poison Infecting Our Politics

ABOUT THE NEW CENTER

American politics is broken, with the far left and far right making it increasingly impossible to govern. This will not change until a viable center emerges that can create an assertive agenda that appeals to the vast majority of the American people.

This is the mission of The New Center, which aims to establish the intellectual basis for a viable political center in today's America.

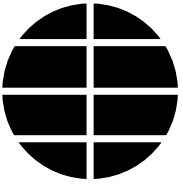
We create and promote ideas that help people see common sense solutions to the problems we face.

This paper was developed with indispensable research and writing contributions from the New Center policy team: Julia Baumel, Evan Burke, Zane Heflin, Laurin Schwab and Aleksandra Srdanovic.

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IMMIGRATION

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“The immigration issue is poisoning democratic politics, and not just in the United States. Purging this poison means resisting the urge to demonize the critics of current policies and instead searching for common ground that promotes the common good.”¹

—**Bill Galston, New Center Co-Chair**

An Overview

The Poison Infecting Our Politics

If there's one issue in which the right and the left are living in parallel universes, it is immigration.

Click on right-wing news, and you'll see story after story of illegal immigrants committing acts of violence and cruelty against innocent Americans. Click on left-wing news, and you'll see the opposite: story after story of the American government committing acts of cruelty against innocent immigrants. Between these two poles stand the vast majority of Americans, spectators in a fringe war that decidedly ignores their opinions.

Unlike the radicals on both sides, the vast center of the country has nuanced, considerate, and sensible views on how America should fix its antiquated immigration system.

They believe immigrants are good for America, but they don't understand or agree with how or why the government lets people into our country.

They want innocent people to be protected, but also for our borders to be strong and our laws to be enforced.

Despite the rampant hysteria and vitriol in the immigration debate, most Americans are remarkably pragmatic about what is needed to fix our immigration system.

It's a good thing, too, because everything about the immigration debate requires nuance. While both the left and the right tout their own curated facts, they rarely tell the whole story.

TRENDS

The number of illegal immigrants living in America has effectively been flat for the last ten years. But the number also more than quadrupled in the two decades prior.

SAFETY

Illegal immigrants do commit all categories of crime at lower rates than native-borns. But unauthorized immigrants are also much more likely to be involved in fatal car accidents due to their lack of driver's licenses.

ECONOMY

Legal immigration is generally good for the economy and for U.S. workers—but it isn't good for all workers in all places, and the benefits accrue more to some (white-collar workers living in cities) than others (blue-collar workers who don't).

BUDGET

Immigration tends to positively affect the federal budget, but negatively impact state and local budgets in the short term.² This helps to explain why attitudes about immigration vary so much by region.

GROWTH

America is and always has been a nation that welcomes immigrants. But the share of foreign-born people living in the U.S. is now higher than at any point in almost a century.

The U.S. needs a new approach to immigration: one that resolves the status of the unauthorized and creates a better process for selecting and tracking immigrant hopefuls. So far, Washington has failed to find one. The stagnation stems from both partisan gridlock and the failure of legislators to ask the right questions. Which policies will strengthen American communities? What is the price to the public of admitting or deporting the unauthorized? How do we get various federal, state and local entities working together instead of separately?

Although illegal immigration dominates the public debate, the shape of America's system of legal immigration is just as consequential. How many people should receive the privilege of becoming Americans every year? Should family-based immigration continue to be the prime criterion for entry into the U.S., or should we give more weight to another, like the potential contributions of new arrivals to our economy?

What the American people want—and what Washington refuses to give them—is an immigration system that makes sense for the times we live in, provides security, and strengthens our country. The last time Washington passed a comprehensive immigration reform bill was in 1965. Since then, a gap has formed between what the people want and what policymakers deliver. The tragedy? Common ground *has* been found in Congress. Bipartisan immigration bills cleared the Senate twice by large margins (once in 2006, and once in 2013) but were left to die in the House because of the Speaker's refusal to allow a vote. The American people are eager for an immigration deal forged in the center. It's time for Washington to fix the system and to drain the poison from our politics.

1.



THE SYSTEM OF LEGAL IMMIGRATION

Many other U.S. peer countries—like Canada and Australia—give much more weight to the potential economic contributions of immigrants when deciding whom to let in the country. The U.S. should do the same.

2.



UNDOCUMENTED IMMIGRANTS IN THE U.S.

It is unacceptable to have over 11 million people living illegally in America. But mass deportation is unacceptable too—both morally and logistically. Unauthorized immigrants living in the U.S. should be brought out of the shadows and offered a long and rigorous road toward citizenship that depends on maintaining clean criminal records, paying taxes, and meeting several other requirements.

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Solutions in Brief

3.



THE U.S.-MEXICO BORDER WALL

It is essential to have a fortified border that allows the U.S. to reliably and consistently prevent unauthorized entry. On some parts of the border, a wall or fence may make the most sense; on others, obstacles make a physical border impractical. A focus on physical barriers, technological improvements, and the renovation of infrastructure along land ports of entry should be coupled with revised legal measures that quicken deportation proceedings to deter crossings.

4.



INTERNAL IMMIGRATION ENFORCEMENT

Immigration enforcement needs to be refocused on unauthorized individuals conducting criminal activity in the U.S., and employers need to step up to play a lead role in preventing undocumented individuals from working through the implementation of a universal E-Verify system.

5.



DEFERRED ACTION FOR CHILDHOOD ARRIVALS AND DREAMERS

Dreamers should not be held culpable for the actions of their parents who brought them to the U.S. If they contribute to American society and the economy by working, acquiring an education, or serving in the military, they should have access to a path to citizenship assuming clean criminal records.

50 MILLION IMMIGRANTS

both authorized & unauthorized,
living in the U.S. in 2017. ³



15%

of the country's population
are immigrants.



19%

of all international migrants
currently live in the U.S. ⁴

The U.S. has the largest absolute
number of migrants out of all countries
in the world by a wide margin. Today,
it also has nearly the highest portion of
foreign-borns in the history of the U.S.

THE BIG PICTURE

Numbers At-a-Glance

AT LEAST 11 MILLION UNDOCUMENTED

And a 2018 Yale-MIT study suggests that the true number might exceed 22 million.⁵



75%

of undocumented migrants have lived in America for at least a decade.⁶



3.4%

of all people living in the country were undocumented in 2017.



Most undocumented immigrants—6.6 million or 56%—are Mexican. The second largest regional demographic is Central Americans (approximately 14%), and the third largest is East Asians.⁷





How Does the Immigration System Work Across the Globe?

PASSPORT

The United States is one of the few nations that puts an emphasis on family reunification in its immigration considerations.

It leads the world in admitting immigrants due to family criteria, with 68% of those admitted in 2016 accepted for family-based reasons.⁸ Canada and Australia, on the other hand, place greater emphasis on economic factors.

JUSTIFICATIONS FOR ADMITTING NEW IMMIGRANTS:

Family Considerations Employment Other (incl. humanitarian)

U.S.⁹



68%

12%

17%

CANADA¹⁰



26.7%

31.5%

41.8%

AUSTRALIA¹¹



27.7%

62.0%

10.3%



How Does the Immigration System Work in the U.S.?

Immigration in the United States is governed through The Immigration and Nationality Act (INA), which provides several avenues through which people can enter the United States. Methods include family-sponsored, employment-based, diversity immigration, and refugee and asylee status.

For each section, Congress imposes numerical limits among other criteria. Annually, the INA allows for a total worldwide cap of 675,000 immigrants. This limit is usually exceeded, however, due to the unlimited nature of certain legal permanent resident categories. As a result, the U.S. has admitted approximately 1 million lawful permanent residents annually in recent years.¹²

Once individuals meet certain requirements—such as being permanent residents for five years, being at least eighteen years old, and being able to read, write, and speak English—they can apply for naturalization, a process that involves completing an interview, taking an exam, and submitting necessary documents among other things.¹³ But the English language test for naturalization has come under fire by some groups; in fact, a report by the Center for Immigration Studies found that 32% of naturalized citizens fall below basic functional English literacy.¹⁴

Method	Criteria & Eligibility	Imposed Limits	Number Admitted
Family Sponsored	Immediate relatives (spouses, minor unmarried children, and parents) of U.S. citizens; legal status of the petitioning U.S.-based relative; age, family relationship, marital status of the prospective immigrant	480,000 per year plus certain unused employment-based preference numbers from the prior year. Each country has a ceiling of 7% of the total annual limit	804,793 ¹⁵
Employment Based	<ul style="list-style-type: none"> • 1st preference: priority workers who have extraordinary ability in their field, are professors or researchers, or are executives and managers • 2nd preference: professionals holding advanced degrees and persons of exceptional ability • 3rd preference: skilled workers, unskilled workers, and professionals • 4th preference: special immigrants such as ministers of religion and employees of the U.S. government abroad • 5th preference: immigrant investors ¹⁶ 	140,000 per year plus certain unused family preference number from the prior year	112,189 ¹⁷
Diversity Immigration	Individuals from countries with historically low rates of immigration to the United States ¹⁸	55,000 per year	49,865 ¹⁹
Refugees	People outside their own countries who are unable or unwilling to return because of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion	2015: 70,000 2016: 85,000 2017: 110,000 2018: 45,000	84,994 ²⁰

(2016)





Illegal Immigration

Illegal Immigration— What’s Really Happening

Most American people believe illegal immigration is a significant problem. But it’s hard to solve a problem when there’s so much misinformation about what it looks like and why. Recent years have seen significant shifts in the number, nationality, and status of people living in the U.S. illegally.

42%

of illegal immigrants came here legally, but became illegal by overstaying their visas.²¹



In Recent Years

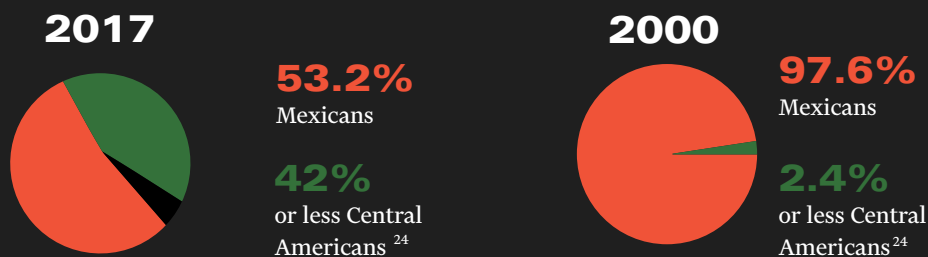
The net number of illegal immigrants living in the U.S. has NOT increased in the last ten years.²²

In other words, the number of unauthorized immigrants entering the U.S. equaled the number leaving.

Past Trends

Illegal immigration exploded by a factor of 3.4 between 1990 and 2007

from 3,500,000 to 11,989,297.²³



In the past few years, the nationalities of illegal immigrants shifted from almost exclusively Mexicans seeking work to more Central Americans seeking refuge from drugs and violence at home.

From 2010 to 2018, approximately 345,000 undocumented unaccompanied minors were apprehended at the border—a figure larger than the population of Cincinnati, Ohio.²⁵

About 97% of these minors are not in American detention centers. It is unknown exactly how many have been repatriated, placed in foster homes, placed in institutionalized foster care, or lost.²⁶

REGIONALLY



Although immigration is a nationwide issue, its impact—for better or worse—often concentrates in certain communities, cities, and states.

California
Texas
Florida
New Jersey
New York
Illinois



Just six states account for 59% of all undocumented immigrants in the U.S.²⁷

+15%

From 2010 to 2016, the immigrant populations in fifteen states grew by at least 15%.²⁸

From 2000 to 2017, about 98% of illegal border-crossers entered through the southern border.²⁹ The other 2% came in coastally or through the U.S.-Canada border.

Almost half of illegal southern border crossings come through one entry point, the Rio Grande Valley Patrol Sector.³⁰ This is a 320-mile stretch of the Rio Grande River along the southernmost tip of Texas.³¹ It is one of just nine Border Patrol sectors that span the approximately 2,000-mile-long U.S.-Mexico border.



Immigration Impact

The Impacts of Both Legal and Illegal Immigrants on the Economy, Public Safety, and the Social Safety Net

When it comes to immigration, there are three dominant questions on the minds of many Americans:



Does immigration increase or decrease the wages and economic prospects of native-born Americans?

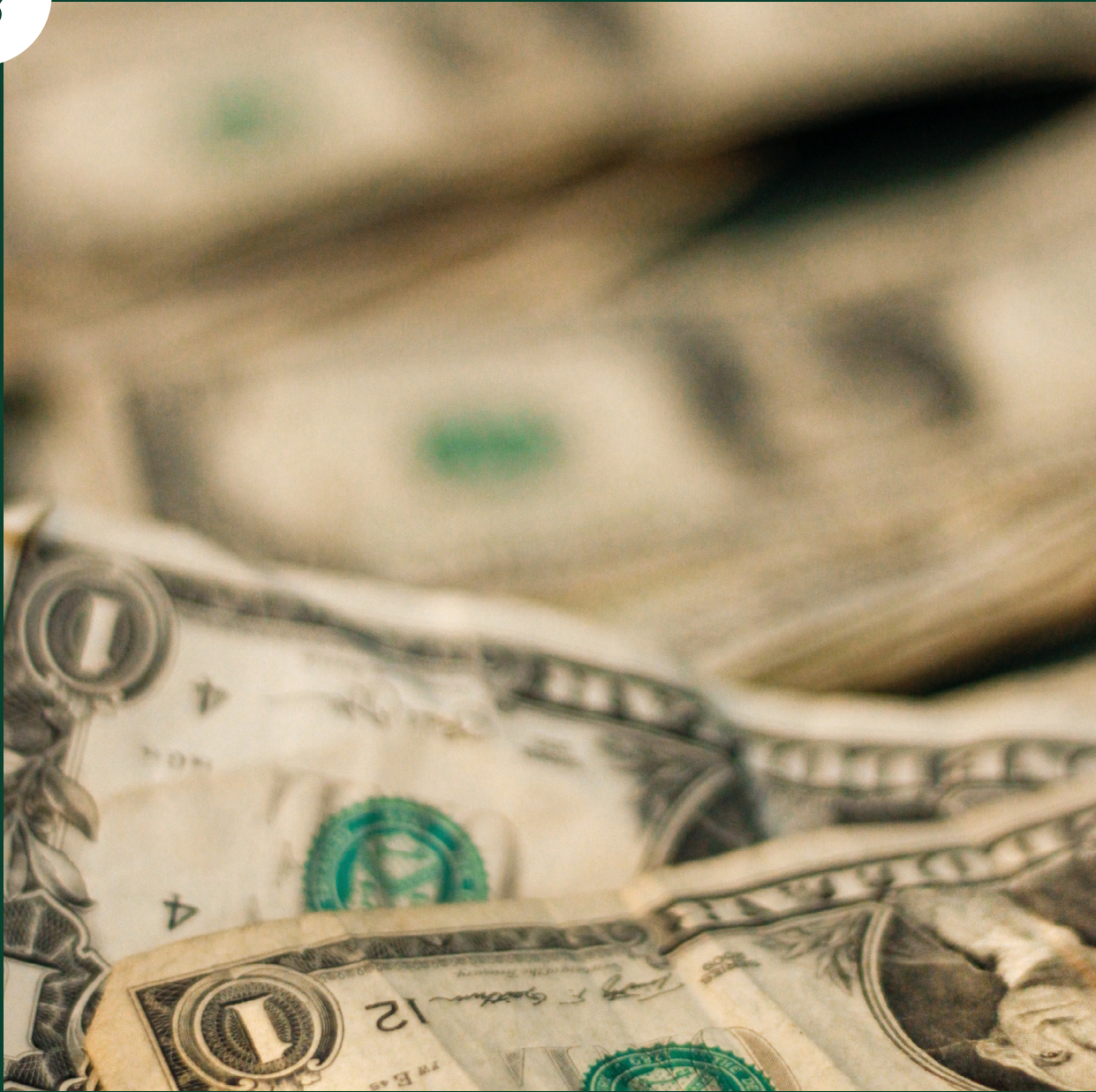


Does immigration make us more or less safe?



Does immigration strain our social safety net?

The short answer to all three questions is: it depends. But there is plenty of research, conducted over several decades, that can provide credible insights on each.



The Economy

U.S. economic growth is fueled by two key factors: either our workforce expands, or we become more productive—usually through technology that allows us to produce more with less. We are approaching trouble on both fronts. Productivity has been slowing for decades. Economists don't agree why, but innovation just isn't delivering the economic boost it once did.³²



STATE OF THE LABOR FORCE

America needs more people working to keep our economy growing, but the growth of the U.S. labor force is slowing down. It was 1% each year in the 1990s, but is projected to drop to an annual average of 0.6% from 2018 to 2026.³³ The reason is simple.

- Baby Boomers are retiring en masse, and our birthrate is now half what it was 50 years ago. In fact, at 1.84 births per woman, **the American total fertility rate has fallen below the rate of replacement.**³⁴



THE POSSIBLE SOLUTION

An orderly influx of legal immigrants could help solve this problem for the United States. Research shows that:

30 to 50%

of the productivity growth that took place in the U.S. between 1990 and 2010 was contributed by immigrants with science, technology, engineering, and math degrees.³⁵

ECONOMIC IMPACT

Immigration and Entrepreneurship

Immigrants are uniquely entrepreneurial, as they are twice as likely to start a business as a native-born American.³⁶ And some of these small businesses become very big businesses.

Entrepreneurship is the fire that stokes the U.S. economy. In fact, new businesses create all net new jobs in the United States, with immigrant-founded businesses helping to create millions of jobs.

MORE THAN HALF OF ALL AMERICAN STARTUPS WORTH \$1 BILLION OR MORE TODAY WERE FOUNDED BY IMMIGRANTS.³⁷

The Sara Lee logo, featuring the brand name in a black, elegant script font with a registered trademark symbol.The Colgate logo, consisting of the word "Colgate" in white, italicized, sans-serif font inside a red rectangular box with a slight shadow effect.The Google logo, with the word "Google" in its signature multi-colored font (blue, red, yellow, blue, green, red).The DuPont logo, featuring the word "DUPONT" in a bold, red, sans-serif font enclosed within a red oval border.The Pfizer logo, with the word "Pfizer" in a white, italicized, sans-serif font inside a blue oval shape.

Who Is Affected by the Economic Impacts of Immigration?

Immigration reduces the costs of goods for all Americans, with the most benefits accruing to white-collar workers.

-2%

decrease in the prices of immigrant-heavy services is associated with a 10% increase in low-skilled immigrant labor supply.³⁸

-1.9 to 2.5%

price drop of IT goods is associated with an increase in high-skilled immigrant labor.³⁹

According to a 2015 study published in *The Society of Labor Economics*, a 1% increase in the share of foreign STEM workers in American cities was associated with a 7 to 8% increase in wage growth among native-born college-educated workers and a 3 to 4% increase in wage growth in native-born non-college educated workers between 1990 and 2010.⁴⁰

But the benefits of immigration aren't shared equally. Some native-born American workers do worse—at least in the short term—when immigration increases.

For less educated blue-collar workers, low-skilled illegal immigration can reduce wages.

Harvard researcher George Borjas found a 10% increase in low-skilled immigrants was associated with a wage drop of low-skilled Americans by 3 to 4%.⁴¹

Another study documented a 0.3% wage drop due to low-skilled immigration between 1990 and 2000.⁴² Other studies, however, have refuted this conclusion. An extensive study by the National Academies of Science, Engineering, and Medicine found that immigration and immigrant workers had no negative effects on the hours or wages of any worker with at least a high school degree.⁴³

For educated white-collar tech workers, high-skilled legal immigration reduces employment and wages. A study published in the *National Bureau of Economic Research* in 2014 found that the H1-B program reduced the wages of native-born computer scientists by 2.6% to 5.1%, and reduced their employment by 6.1% to 10.8% from 1990 to 2010.⁴⁴



Safety

Immigrants Do Not Make Us Less Safe Overall, but There's More to the Story...

Both authorized and unauthorized immigrants are significantly less likely to be convicted of felonies and other crimes than native-born Americans.⁴⁵

- After a careful analysis of Texas arrest records, the Cato Institute reported that illegal immigrants commit all categories of crime at lower rates than native-born Americans—despite having 4.5% fewer females, who are disproportionately less likely to commit crimes than males.⁴⁶

As with most issues regarding immigration, the topline numbers don't tell the whole story.

- Although these findings have not been definitively linked to the U.S., migrant flows to some countries have been associated with the spread of terrorism when they come from terror-prone states.⁴⁷
- Unlicensed drivers are almost five times more likely to be in a fatal crash than licensed ones.⁴⁸ Only twelve states and D.C. allow unauthorized migrants to obtain driver's licenses, forcing many of them to drive without safety training.⁴⁹



The Social Safety Net

Legal Immigration Could Help Save Social Security

Immigrants—both high-skilled and low-skilled—have higher total fertility rates than native-born Americans, and tend to enter the country as young adults.

- Making up just 13% of the U.S. population, immigrants produced nearly 25% of births in 2015.⁵⁰
- Most immigrants enter the country young and work and pay taxes for decades.⁵¹ That's why the chief actuary of Social Security estimates that immigration could add an additional \$500 billion to Social Security's finances over the next 25 years and \$4 trillion over the next 75.⁵²

The Costs of Illegal Immigration Are Often Overstated but Are Still Significant

Approximately \$18.5 billion of medical care for unauthorized immigrants is publicly funded each year.⁵³ Although the cost relative to national health care spending is small, care for illegal immigrants can place a significant burden on local health care systems:

- In New York City, the largest public hospital system provides annual care to over 200,000 illegal immigrants each year, at a cost of \$400 million.⁵⁴
- 65,000 illegal immigrants in Houston received care funded by charity in 2016.⁵⁵
- California is expected to have around 1.5 million adult immigrant residents without insurance by 2019.⁵⁶

At least some of the cost for this publicly funded health care is offset by taxes. Unauthorized immigrants collectively pay \$11.64 billion a year in state and local taxes in the U.S.—forking over an average of 8% of their incomes.⁵⁷ They also contributed a portion of the \$23.6 billion in federal taxes paid by citizens without social security numbers in 2015.⁵⁸ A share of these taxes pays for the very programs that these immigrants benefit from, like Medicare and Medicaid.

In addition, illegal immigrants contribute \$7 billion to Social Security every year, but never collect benefits due to their status.⁵⁹



Border Security

Why Are Border Security and Immigration Enforcement So Hard?

The United States has difficulty securing its southern border and keeping track of new immigrants once they arrive, despite investing \$263 billion since 1986 and having a slew of federal, state, and local agencies dedicated to regulating our borders and interior.⁶⁰

Trend lines seem to be improving. While the budget for U.S. Border Patrol ballooned by 47%, border apprehensions dropped by 81.5%.⁶¹ But several studies have found that there is a point of diminishing returns in expanding our border patrol presence, as increased staffing has not correlated with more apprehensions.⁶² Border security issues and immigration enforcement problems persist, and the United States lacks a clear path forward on this problem.

1. Border Security and Internal Enforcement Can Be a Bureaucratic Mess

AUTHORITIES DON'T HAVE THE RIGHT INFRASTRUCTURE OR TECHNOLOGY.

A U.S. Department of Homeland Security report found that the immigration enforcement system had:

- Difficulties with tracking and documenting stemming from unintegrated databases that didn't electronically share information
- No oversight or centralized management on the part of the DHS Chief Information Officer
- A lack of systems training for Immigration Customs and Enforcement (ICE) personnel
- No comprehensive biometric exit system at ports of departure⁶³

COORDINATION IS LACKING BETWEEN FEDERAL, STATE, AND LOCAL AUTHORITIES.

These levels of law enforcement must collaborate to enforce U.S. immigration policy on identification, detention, and deportation. Examples include the El Paso Intelligence Center (run by the DHS and U.S. Customs and Border Protection (or CBP)), the Joint Field Command (which integrates CBP agencies), the Alliance to Combat Transnational Threats (combining Arizona law enforcement, ICE, and CBP), and the Border Enforcement Security Task Forces (incorporating personnel from the DHS and the Departments of Justice, Defense, and Transportation among others). Despite this, there is a lack of a national, across-the-board policy on collaboration and information sharing.⁶⁴ And individual states such as Vermont, California, and the District of Columbia have enacted legislation in support of sanctuary policies that prohibit information sharing with local and government officials.⁶⁵

2.

The U.S.-Mexico Border—Where 98% of Border Apprehensions Occur—Is Huge

THE U.S.-MEXICO BORDER



■ Our border with Mexico is 1,933 miles long and spans Texas, Arizona, New Mexico, and California.

■ Since 2015, only 703 miles of fencing have been installed.⁶⁶

The terrain is difficult, and the border runs through water, mountains, Native American and private land, and a national park.⁶⁷

3. Other Countries Have Managed to Secure Their Borders, but They're Much Smaller

One country that has successfully reduced illegal immigration is Israel. From 2010 to 2013, Israel constructed a wall along its southern border to deter illegal immigrants from African countries like Eritrea and Sudan. The wall spans 150 miles and cost an estimated \$400 million to build. In addition to constructing the wall, Israel also enacted policies that:

- Make it illegal for immigrants to transfer money out of the country; and
- Force employers to deposit 20% of an immigrant's salary into a bank account where it can only be withdrawn once they exit the country.

For the most part, it was successful; only 43 African migrants entered Israel in 2013 compared to 17,000 in 2011. But Israel's southern border is completely surrounded by desert, and is ten times shorter than the proposed U.S. border wall with Mexico.⁶⁸





The Cost of a Wall

WHILE COSTS CAN VARY WIDELY, THE ACCEPTED BUDGET FOR PRESIDENT TRUMP'S BORDER WALL—MEANT TO COVER THE REMAINING UNFORTIFIED GAPS OF LAND—RANGES BETWEEN \$15 AND \$25 BILLION.⁶⁹

Some suggest more cost-effective alternatives for border security, such as CBP's Integrated Fixed Towers program. The program includes technology such as remote video surveillance, aerial monitoring, and sensors, and its implementation along the same area as Trump's proposed wall would cost only \$145 million.⁷⁰

The Dreamers

The fate of Dreamers—young people brought to America illegally by their parents—is one of the most contentious elements of the immigration debate.

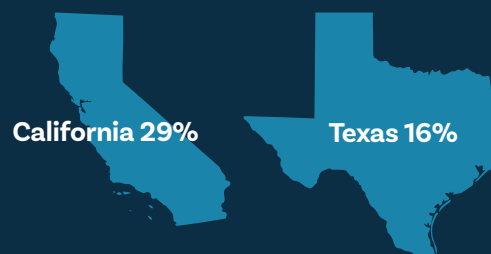
At issue is Deferred Action for Childhood Arrivals (DACA), a program instituted through executive order by the Obama administration's Department of Homeland Security in 2012. It provided eligible grantees deferred action on deportation for two years with the option to renew, as well as eligibility for a work permit, social security card, and driver's license. Out of 1.9 million individuals who are eligible for DACA, about 800,000 are currently protected under the program.

On September 5th, 2017, Attorney General Jeff Sessions announced that the Trump administration would end DACA in an attempt to force Congress to pass a long-term solution. A variety of court rulings, however, ordered the administration to not only continue renewing applications, but also to keep accepting new ones. As of August 2018, the court battle has preserved the ability of DACA recipients to renew their status, but has halted the consideration of new applicants. A congressional solution has still not been passed.⁷¹

The top countries of origin for DACA recipients:



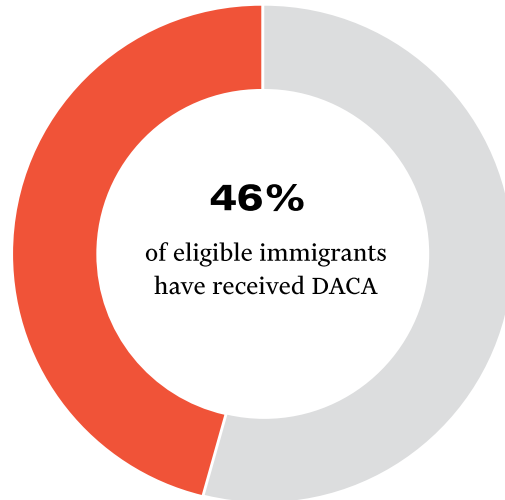
In the U.S., the majority of DACA recipients tend to settle in urban areas:



The Los Angeles-Long Beach-Anaheim area alone is home to 89,900 recipients, the largest number of active enrollees in one region.⁷²

What are the results of DACA?

Because of DACA, 886,814 of the potentially eligible 1,932,000 undocumented Americans had their applications accepted.



Source: Migration Policy Institute

A survey of 1,308 DACA recipients showed:

95% | are currently working or in school

63% | got a better paying job

54% | bought their first car

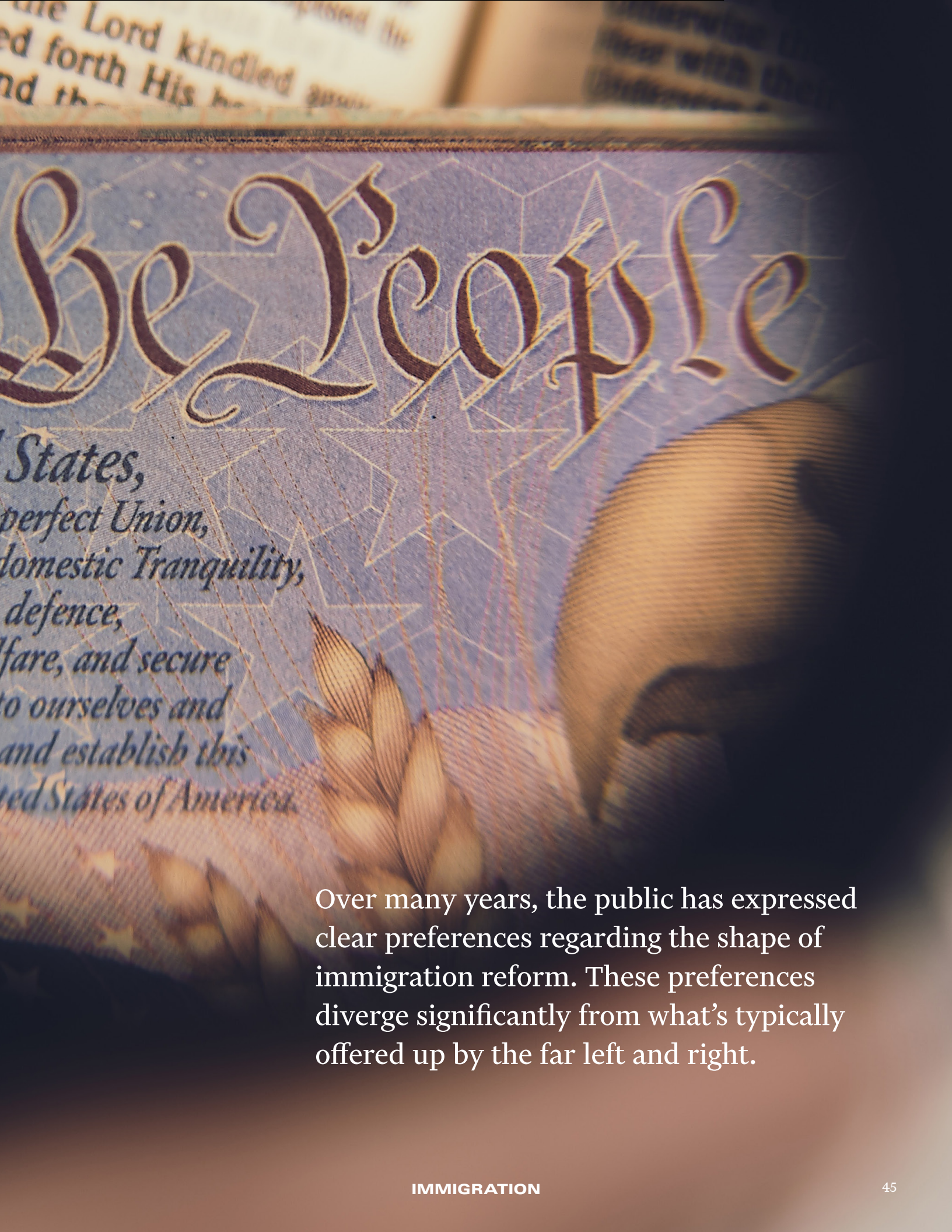
48% | got a job with better working conditions

12% | bought their first home

Source: Professor Tom Wong of the University of California, the National Immigration Law Center, and the Center for American Progress



Public Opinion on Immigration



...the Lord kindled
...ed forth His
...nd th...

We the People

...States,
...perfect Union,
...domestic Tranquility,
...defence,
...fare, and secure
...to ourselves and
...and establish this
...ted States of America.

Over many years, the public has expressed clear preferences regarding the shape of immigration reform. These preferences diverge significantly from what's typically offered up by the far left and right.

PUBLIC OPINION



In a June 2018 survey conducted by Pew, 38% of respondents called for current levels of immigration to be kept the same, 32% called for them to be increased, and only 24% called for them to be decreased.⁷³

66%

of Americans oppose separating unauthorized families at the border.

66%

of respondents in a June 2016 Gallup Poll opposed or strongly opposed the blanket deportation of all unauthorized immigrants.⁷⁶

THE SYSTEM OF LEGAL IMMIGRATION

Most Americans have distinct opinions surrounding the levels of legal immigration, the diversity lottery program, and the system's preference toward certain types of immigrants over others.

A January 2018 Harvard-Harris poll found that almost seven in ten Americans opposed diversity visas (68%), while almost eight in ten favored merit-based immigrants over family-based ones (79%).⁷⁴

Separating unauthorized families at the border, specifically children from their parents, is highly unpopular with the American public. CBS News, CNN, and Quinnipiac all found in June 2018 polls that at least 66% of Americans opposed this practice. An IPSOS poll in the same time period found that 55% of Americans opposed it while only 27% supported it and 17% were uncertain.⁷⁵

UNDOCUMENTED IMMIGRANTS IN THE U.S.

The overwhelming majority of Americans does not support the blanket deportation of unauthorized immigrants living in the U.S. Even in more traditionally conservative states like Alabama, Georgia, Mississippi, and Tennessee, a March 2018 NBC News survey found that at least six in ten adults in each of these states favored giving unauthorized migrants a chance to obtain legal status.⁷⁷

INTERNAL IMMIGRATION ENFORCEMENT

Immigration and Customs Enforcement plays a significant role in internal enforcement and most Americans resist the recent calls from some on the left to abolish it. After recent criticism surrounding ICE's practices and relationship with immigrant communities, a June 2018 Harvard-Harris Poll found 69% of Americans disagreed with the idea that ICE should be eliminated. Americans also express strong concerns regarding how state jurisdiction plays into immigration enforcement; an overwhelming 80% of voters believe that local authorities should have to comply with the law by reporting to federal agents the illegal immigrants they come into contact with.⁷⁸

THE U.S.-MEXICO BORDER WALL

Favored solutions to border enforcement vary drastically between Democrats and Republicans. According to an IPSOS poll, only 15% of Democrats versus 74% of Republicans believe that building a wall along the entire U.S.-Mexico border is necessary.

Despite this partisan divide on border security, Americans unilaterally oppose President Trump's proposal to tie border security to the fate of Dreamers. An overwhelming 82% of Americans believe that the issue of Dreamers should be handled separately from that of border security funding, according to a Monmouth University Poll.⁷⁹

DACA & DREAMERS

According to a Monmouth University Poll, 66% of Americans believe it is imperative that Congress reach a solution regarding the status of Dreamers and Deferred Action for Childhood Arrivals (DACA). Although Democrats (87%) were much more likely than Republicans (61%) to support a path to citizenship for Dreamers, that still means near super-majorities of both parties, along with most independents, support the path to citizenship.⁸¹

40%



Overall, less than half of the American public believes building a wall is necessary.⁸⁰

66%



Believe it is imperative that Congress reach a solution regarding the status of Dreamers and Deferred Action for Childhood Arrivals (DACA).



The Two Most Consequential Immigration Laws of the 20th Century

1. THE IMMIGRATION ACT OF 1924

- The Immigration Act of 1924 was signed into law by President Calvin Coolidge. It established a quota system that limited immigration to 2% of the total number of individuals from each nationality that resided in the United States in 1890. The act also excluded from entry any alien who by virtue of race or nationality was ineligible for citizenship.⁸² Because laws existed from 1790 to 1870 that excluded those of Asian descent from naturalizing, they would no longer be admitted.⁸³ The legislation would pave the way for the most restrictive and stringent immigration policy to date in the U.S. by making a concerted effort to preserve ethnic and racial majorities from Northern European and Scandinavian countries, while excluding Southern Europeans and Asians.



2. THE IMMIGRATION AND NATIONALITY ACT OF 1965

The Immigration and Nationality Act of 1965, signed into law by President Lyndon B. Johnson, had as its main features:

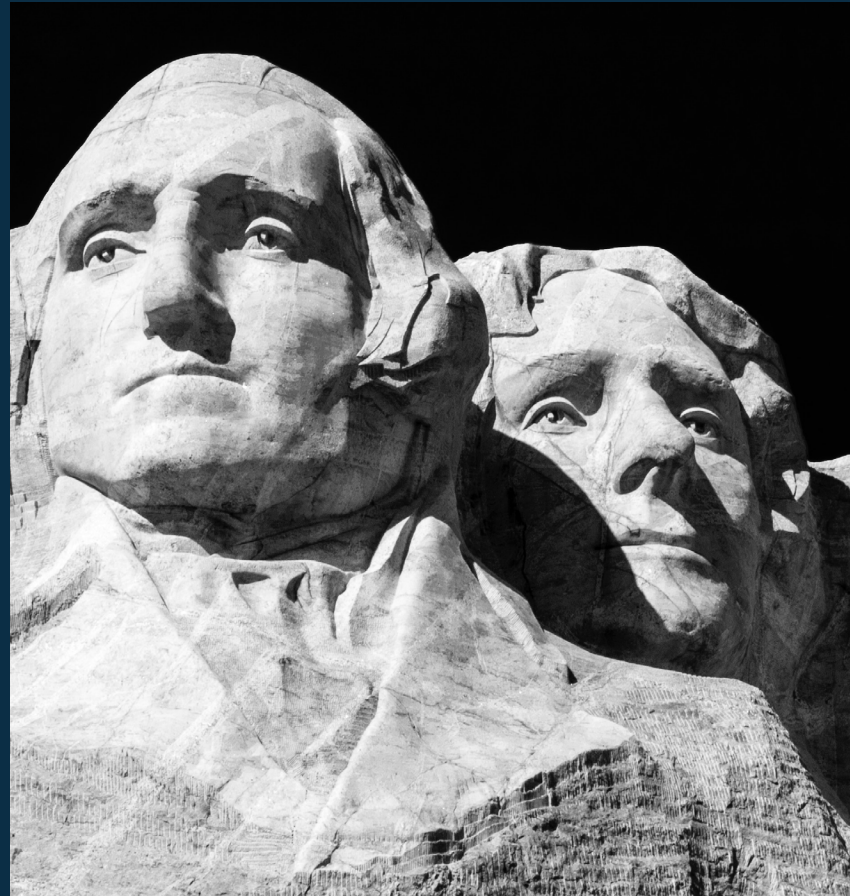
- Abolition of the national origin quota system, which prioritized Northern and Western European immigrants over Asian, African, and Middle Eastern ones.⁸⁴ As a result, immigrants from other countries would theoretically have a fairer shot at migrating to the U.S.
- Implementation of a system in which immigrants were chosen by their family connections and their skills, with all nationalities treated relatively equally. Conservative Democrats and Republicans alike hoped that this would preserve the status of Europeans as the largest portion of the immigrant population; there were already many European immigrants in the U.S., so prioritizing family connections would theoretically favor them. However, fewer Europeans wanted to migrate to the U.S. in the decades ahead, and the law instead functioned to admit skilled non-Europeans, creating a much more diverse population than many of this bill's signers intended.



Although the 1986 Immigration and Control Act contained significant new provisions to control and deter illegal immigration, it did not deal with America's system of legal immigration.

So America's answers to the most consequential questions of immigration—who gets to come to our country and why—are still largely guided by a law passed 53 years ago.

Where the Left and Right Get It Wrong



Of late, neither the far right of the Republican Party nor the far left of the Democratic Party has much interest in a real immigration debate or a comprehensive solution.

Instead, what they offer is political symbolism used to fire up their bases—along with half-baked measures that would treat only the symptoms of broader immigration problems.

One of, if not the, most fundamental problems in the U.S. immigration system is the lack of coordination between the federal government and state and local officials. And yet what the left and the right have recently suggested would inarguably make this even worse.

In Congress, members on the right want to cut off federal funding for localities that refuse to turn their local law enforcement into an extension of ICE, while members on the left want to eliminate ICE entirely.

Too many on the left are quick to accuse security-concerned Americans of racism and xenophobia and to dismiss the potential dangers of unregulated immigrant flows. Too many on the right seem increasingly mean-spirited, proposing draconian cuts to even legal immigration, lengthy jail sentences for unauthorized border crossers, and even the refusal of emergency medical care for those living illegally in the U.S.

Americans are frustrated, but this frustration won't be alleviated by the left and the right's efforts to force fringe solutions into the mainstream.

The only path forward is a sensible and comprehensive compromise in the center.





Policy Solutions

1.

The System of Legal Immigration

■ Tilt toward more of a merit-based immigration system.

The U.S. currently admits almost *five times* as many immigrants for family-based reasons as employment-related ones. We should shift our targets closer to those from countries like Canada, which currently has an almost equal split—letting in 27% of refugees for family-based reasons and 32% for employment-based ones. Like Canada, the U.S. could use multiple criteria to determine which immigrants qualify for merit-based entry, including:

- a. Education
- b. English language ability
- c. Work experience
- d. Age
- e. Arranged employment (those who already have job offers)
- f. Adaptability, which includes previous experience living legally in the United States, or personal connections that would make assimilation easier.

PUBLIC OPINION



63%

of registered voters favor the following deal.

Giving undocumented immigrants brought here by their parents:

- Work permits & a path to citizenship

In exchange for:

- Increasing merit-based over family-based immigration
- Eliminating the diversity visa lottery
- Funding border security

(Harvard-Harris Poll, June 2018)

POLICY SOLUTIONS

PUBLIC OPINION



75%

of Americans now say that immigration is generally good for the U.S.

38%

of adults call for legal immigration into the U.S. to be kept at the present level and 32% call for it to be increased.

(Pew Research Poll, June 2018)

- Temporary visas should become portable after an initial period so individuals aren't forced to stick with one employer to maintain legal status and can change jobs to maximize their contributions to the economy.

- The government should create a new system for provisional visas.

Immigrants can currently obtain only permanent and temporary visas, with employers often forced to fill long-term positions with temporary workers who are really de facto permanent residents. A new provisional visa would align with current economic needs by creating visas for immigrants of all skill levels who have offers of employment. The provisional visa program would increase these employees' freedom by not tying them to their employers, and would enable them to eventually transition to lawful permanent residence. Provisional immigrants would be sponsored for three-year visas, but could change their employer after one year. They could apply for a second three-year visa, and afterward, could adjust to lawful permanent residence.

- The diversity immigrant lottery should be eliminated

in favor of immigrants who possess functional English language skills, have achieved superior education or employment experience, or have American family members.

- Family-related immigration should be limited to nuclear families.

Specifically to spouses, minor children, and parents of U.S. citizens and the spouses and minor children of legal permanent residents (LPRs).

- The number of legal immigrants admitted should stay roughly the same (about 675,000 per year).

Per-country immigration limits should be eliminated to allow for the admission of the best qualified applicants.

- The U.S. should consider fear of persecution from organized gang violence as a legitimate claim to asylum.

According to the U.S. Citizenship and Immigration Services (USCIS), refugees are people who have been persecuted or fear they will be persecuted on account of race, religion, nationality, and/or membership in a particular social group or political opinion. The United Nations, which uses the same definition, allows careful consideration of people claiming persecution by organized gangs. In the U.S., however, these claims are rarely considered and rarely succeed—especially since Attorney General Jeff Sessions declared them invalid in a ruling in June of 2018. The United Nations, on the other hand, has elevated Central American displacement from gang violence to the level of a humanitarian crisis.

The U.S. should consider, on a case by case basis, whether the threat to these particular individuals (as opposed to the more general threat of living in poor or violent areas) rises to the level that warrants refugee status protection in the U.S. Because this is a hemispheric problem, the U.S. should work more closely with countries like Mexico, which can also provide safe asylum for refugees within its borders.

- There should be toughened language requirements for naturalization.

Testing by the Program for International Assessment of Adult Competencies found that 32% of naturalized immigrants' English language skills fell below basic English literacy standards.⁸⁵ Although exceptions should be made (e.g. for older immigrants) and additional funding for language education might be required, the system should set and promote a clear goal toward higher language proficiency among new citizens.

- Congress should establish two new federal commissions that inform the executive branch on immigration-related policymaking:

A Standing Commission on Immigration and an Office for New Americans. The U.S. immigration system was last seriously revised 53 years ago, and the world is changing too fast for Americans to go decades without adapting to changing circumstances. The Standing Commission should be an independent commission that advises Congress and the president on immigration in addition to producing an annual report, while the Office for New Americans should oversee state-wide efforts to integrate immigrants into American society.



2.

Undocumented Immigrants in the U.S.



Undocumented immigrants living in the U.S. should have access to a path to citizenship, but the criteria must be exceptionally rigorous. Citizenship must be earned.

Unauthorized immigrants living in the U.S. would first apply to become Registered Provisional Immigrants (RPIs). To become RPIs, they would be evaluated based on their history of continuous presence in the U.S. since December 31st, 2011, their payment of application fees, their outstanding tax payments, and their criminal backgrounds.⁸⁶ (Their criminal backgrounds must be clean.)

UNDER REGISTERED PROVISIONAL IMMIGRANT STATUS, THEY WOULD BE PERMITTED TO:

- Both work in the U.S. and return to the U.S. after traveling abroad
- Renew their status as RPIs in 6-year periods
- Transition to become LPRs after ten years of RPI status, continuous presence in the U.S., regular employment or educational enrollment or completion of a course in English and U.S. history

After three years of LPR status, immigrants would be able to apply for U.S. citizenship.

64%

of Americans say the immigration system should allow immigrants currently living in the country illegally to become citizens provided they meet certain requirements.

(PRRI, 2017)



3. The U.S.-Mexico Border Wall



**PUBLIC
OPINION**



61%

of registered voters believe
that current border security is
inadequate.

(Harvard-Harris Poll, June 2018)

**PUBLIC
OPINION**



54%

of Americans supported "building a combination of physical and electronic barriers across the U.S.-Mexico border."

(Harvard-Harris Poll, June 2018)

Both sides of the immigration debate should be able to agree that it is essential to have a fortified border that allows for the U.S. to reliably and consistently prevent unauthorized entry. On some parts of the border, a wall or fence may make the most sense; on others, private property, mountain ranges, national parks, and reservations make a physical border impractical.

Here, emphasis should be placed on electronic surveillance as a better tracking method. This should be coupled with revised legal measures that quicken deportation proceedings in order to deter crossings.

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- Build physical barriers along the border where they are effective and economical. During every year from 2014 to 2017, the Rio Grande Valley Sector in Texas saw more than half of all U.S.-Mexico family unit border apprehensions.⁸⁷ In addition to the fencing scheduled to be built in the area, more funding should be designated to fill uncovered spots. This will prevent migrants from setting foot on U.S. soil, mitigating the lengthy and costly legal proceedings that follow unauthorized entry.
 - Shift towards a focus on technological improvements along the border, such as the implementation of the Integrated Fixed Towers System, which relies on sophisticated cameras, sensors, and radar to detect border crossings.
 - Renovate infrastructure at land ports of entry and ensure that they are adequately staffed by officers and agents.

4. Internal Immigration Enforcement



Regular immigration enforcement actions in schools, hospitals, and other public areas only escalate tensions between local communities and the federal government. Instead, more emphasis should be placed on those who have actually committed crimes.

U.S. IMMIGRATION ENFORCEMENT SHOULD SHIFT AS FOLLOWS:

- End the practice of separating children from their families on the border, and stop subjecting families to lengthy detention under any circumstances.
- Establish a legal mechanism for enforcing higher civil detention standards in ICE detention centers, and allow for more frequent inspections that increase both accountability and transparency.
- Discontinue the use of private prisons and county jails for immigrant detention, thus reducing the financial corner-cutting that causes deaths, suicides, sexual abuse, and lack of access to medical care.
- End mandatory detention. Ensure that individuals are not placed in detention centers unless they are deemed a threat to the public or a flight risk.
- Implement and require a universal E-Verify system that would assist employers in ensuring that they only employ individuals who are authorized to work in the United States. Potential employers have an essential role to play in enforcement. If undocumented immigrants can't work, many will return home. E-Verify should continuously be improved in order to limit false negatives and false positives. This system should be implemented only after a registration period, during which unauthorized individuals living in the U.S. can apply to become Registered Provisional Immigrants.
- Get serious about visa overstays. Many people living in the U.S. illegally today initially came here under legal means. Biometric technologies (which use methods like fingerprints and facial recognition) have made great strides in recent years. A robust and fully funded biometric entry and exit system—which would include regular text and email communications to visa holders from the DHS about departure deadlines—should be implemented immediately. In addition, foreign countries should be incentivized to educate their citizens about U.S. visa requirements.⁸⁸

PUBLIC OPINION



71%

of Americans oppose a policy that would separate immigrant children from their parents.

(PRRI, June 2018)

79%

of Americans support requiring employers to verify all new hires are living in the U.S. legally.

(Washington Post-ABC News Poll, September 2017)

60%

of registered voters support building a combination of physical and electronic barriers across the U.S.-Mexico Border.

(Harvard-Harris, June 2018)

5. Deferred Action for Childhood Arrivals & Dreamers



**PUBLIC
OPINION**



73%

of Americans support allowing Dreamers to automatically become U.S. Citizens as long as they don't have a criminal record.

*(Monmouth University Poll,
February 2018)*



Dreamers should not be held culpable for the actions of their parents. If they contribute to American society and the economy by working, acquiring an education, or serving in the military, they should have access to a path to citizenship.

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- Dreamers should receive green cards immediately, while those who serve in the military should receive citizenship on an expedited basis.

For those who are not in the military, a process needs to be developed to determine their place in the queue alongside other immigrants who wish to receive American citizenship.

- Assuming an otherwise clean criminal record, misdemeanors should not be a bar to citizenship.

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