

Issues of Unauthorized Immigration

You've probably heard a lot of talk about unauthorized immigration. It is often also referred to as illegal immigration or undocumented immigration. For the last 30 years, unauthorized immigration has been a major political issue. It remains one of the most difficult to resolve.

The Numbers

No one really is sure how many undocumented immigrants live in the United States. The Department of Homeland Security calculated the January 2006 unauthorized population as 11.6 million people, but this was just an estimate. Moreover, the undocumented population fluctuates. Population experts have discovered that while there is a constant flow of undocumented people coming into the United States, there is also a counterflow leaving each year. This is especially true for undocumented immigrants from Mexico.

Undocumented immigrants come from many parts of the world—Latin America, Europe, Asia, and Africa. Mexicans make up the single largest group of undocumented workers. But many Mexicans remain only temporarily in the United States. Many get low-paid jobs that do not last long. When the jobs end, they often return to Mexico. One expert has claimed that the average stay of undocumented workers from Mexico is around six months. Of course, some remain for much longer, while others are caught and deported. Each year about 1 million people, the majority of them from Mexico, are arrested by immigration officers.

The Reasons

Thousands of Mexicans, some with their families, cross without authorization into the United States each year looking for work. They come because of conditions in Mexico. Mexico's population is increasing rapidly. It is projected to grow from 100 million in 2000 to

Period of Entry for Unauthorized Immigrants

Period of Entry	Number	Percent
2004–2005	1,330,000	12
2002–2003	1,240,000	11
2000–2001	1,590,000	14
1995–1999	3,240,000	28
1990–1994	1,980,000	17
1985–1989	1,270,000	11
1980–1984	910,000	8
Total all years	11,550,000	100

Source: "Estimates of Unauthorized Immigrant Population Residing in the United States: January 2006" (Table 1), Department of Homeland Security

135 million in 2025. In 1975, Mexico's population was 60 million.

Although its population is exploding, Mexico's agricultural output has not grown much since 1975. About half of its farmers do not grow enough to feed their families. This has pushed many to search for jobs in the cities. But the unemployment rate in Mexico often climbs to 25 percent. Of those who do find jobs, 60 percent work for very low wages. In numerous rural villages and in major Mexican cities, poverty often threatens the survival of families. Many people survive from the money that undocumented immigrants send home from the United States. Many decide to join the thousands crossing the border into the United States in search of work.

Under current U.S. immigration law, from 150,000 to 200,000 Mexicans legally immigrate into this country each year. But there is a waiting list. To get on the list, preference is made for Mexicans who either are:

- close relatives of a legal U.S. resident, or
- skilled workers or professionals.

For many poor and unemployed Mexicans, these preferences make it almost impossible to

Country of Birth of Estimated Unauthorized Immigrant Population, 2000 and 2006

Top-10 Countries

All countries	2006	11,550,000
	2000	8,460,000
Mexico	2006	6,570,000
	2000	4,680,000
El Salvador	2006	510,000
	2000	430,000
Guatemala	2006	430,000
	2000	290,000
Philippines	2006	280,000
	2000	200,000
Honduras	2006	280,000
	2000	160,000
India	2006	270,000
	2000	120,000
Korea	2006	250,000
	2000	180,000
Brazil	2006	210,000
	2000	100,000
China	2006	190,000
	2000	190,000
Vietnam	2006	160,000
	2000	160,000
Other countries	2006	2,410,000
	2000	1,950,000

Source: "Estimates of Unauthorized Immigrant Population Residing in the United States: January 2006" (Table 3), Department of Homeland Security

immigrate legally to the United States. Many do not want to immigrate permanently. They just want to get a job, make some money, and return home.

Crossing the Border

Smuggling immigrants into the United States is a big business along the Mexican border. Organized bands with thousands of guides, known as "coyotes," take in millions of dollars a year. Many immigrants learn that their chances of making it across the border are much better if

they pay someone to smuggle them in. Those without guides often get caught.

The job of stopping unauthorized immigration along the 1,951-mile U.S.-Mexico border belongs to the U.S. Border Patrol. When undocumented people are caught, they are not brought to trial. Trials for thousands who are caught would overpower the federal court system. So most are simply detained and then bused back across the border. Quite often, they attempt their journey again within a few days.

Since 1993, the government has beefed up the Border Patrol. The number of Border Patrol agents has almost quadrupled from fewer than 4,000 in 1994 to 15,000 in 2007. The Border Patrol is part of U.S. Customs and Border Protection, which is now part of the Department of Homeland Security. (Until 2003, the Border Patrol was part of the Immigration and Naturalization Service and was part of the Justice Department.)

Beginning in 1994 with Operation Hold-the-Line, the Border Patrol has focused on stopping unauthorized immigrants crossing from border cities and towns in California, Texas, and Arizona. The increased patrols have apparently shut down much unauthorized immigration in these areas as the Border Patrol makes fewer arrests in these populated areas. The border is much more difficult to cross. More and more immigrants trying to enter the United States turn to coyotes for help and try crossing through dangerous terrain like the remote deserts of Arizona and eastern California. As a result, more have died of exhaustion and exposure trying to enter the United States. From 1998 through 2004, more than 2,000 unauthorized immigrants died trying to cross.

Economic Impact

Most undocumented Mexicans come to the United States to work and make money. But they do require government services. Their children attend public schools. When they get sick, they go to public hospitals. Many studies, how-



Mounted Border Patrol agents cover remote areas that are inaccessible to vehicles. (United States Customs and Border Protection)

ever, have found that the undocumented immigrants pay more in payroll taxes—income taxes and Social Security—than the costs of these services. Undocumented immigrants also pay local taxes, but local government officials complain that local government pays for the services that undocumented immigrants need and the federal government collects the bulk of the taxes that they pay.

Many politicians, especially in California, Arizona, and Texas, have demanded that the federal government compensate the state and local governments for these services.

In 1975, Texas passed a law authorizing school districts to stop admitting children who were not “legally admitted” into the United States. The law was challenged in court, and in 1982, the U.S. Supreme Court ruled that the law violated the 14th Amendment to the U.S. Constitution. The court held that the equal protection clause of the 14th Amendment requires the state to provide free public schooling to children of undocumented workers on a equal basis with other children in the state. (*Plyler v. Doe*)

Many employers want undocumented workers who will work for lower wages. Some employers

of undocumented workers exploit or cheat them. Some employers have even refused to pay undocumented workers, because they know that the workers would be afraid to report them for fear of being turned in to the immigration service.

The Immigration Reform and Control Act of 1986 made it illegal for employers to hire undocumented workers. But this provision of the law has had questionable effect. The immigration service permits employers to accept many different documents as proof of work eligibility. For anywhere from \$20 to \$60, a worker can buy fraudulent documentation.

Perhaps the greatest worry Americans have about undocumented immigrants is the belief that they take away jobs from U.S. citizens. There is a great debate among economists and others over this issue. No hard statistics have been produced that show how seriously American workers are hurt by unauthorized immigrants taking jobs they could fill.

Some experts believe that undocumented workers generally take hard, low-paying jobs that most Americans turn down—picking crops, digging ditches, busing tables, washing dishes, cleaning, working in clothing factories, etc. A former commissioner of the immigration

service, Lionel Castillo, has stated that he believes unauthorized immigrants create jobs and benefit the economy. “Some individual workers get hurt . . .” he says. “But as a country, our economy is strengthened. . . .”

Other experts disagree. Mark Krikorian, executive director of the Center for Immigration Studies, argues that undocumented immigrants hurt both American workers and business. He says that the influx of undocumented workers keeps wages of unskilled workers low. He also argues that “illegal immigration prevents innovation and causes the industry in question to lose its competitive edge in the long term. Reducing illegal immigration and allowing wages to rise naturally would not only be good for the working poor, it would make for a more productive economy. Employers, in response to upward pressure on wages, would adopt more productive methods”

What Should Be Done?

Americans on all sides of the immigration debate believe our immigration system is broken. They debate how to fix it.

On one side are those who think that tougher immigration laws and enforcement can cut the number of undocumented persons in the country. They may differ on the methods for enforcement. Some favor employing more Border Patrol agents, building high fences across the border, and even making unauthorized immigration a felony. Others seek to punish employers who hire undocumented workers.

On the other side are those who believe that the tougher approach has already failed. They think that new laws are needed that can actually be enforced. Such an approach, they say, must accommodate the reality of the situation: Many undocumented workers are already in the United States, workers cross the border to get jobs that are awaiting them or to unite with family members, and people enter without authorization because the legal process is far too cumbersome and time-consuming.

Numerous proposals have been made to deal with the issue of unauthorized immigration. Some are outlined below.

- (1) **Intercept unauthorized immigrants at the border.** This would entail further beefing up the Border Patrol and perhaps even calling on National Guard troops to help out. The Border Patrol has already done a better job by concentrating its forces on high-frequency crossing points, such as the 13-mile border near San Diego. Lights, fences, and automobile barriers have been built along this stretch. Opponents of interception argue that it would take a small fortune to seal the border, because people will always find a way to cross it. They point out that one effect of tightened borders is that today more undocumented workers stay in the United States instead of going back and forth across the border.
- (2) **Stop employers from hiring undocumented immigrants.** This would entail stiffening punishments on employers, particularly repeat offenders. Assets from a business could be forfeited to the government. Some current federal policies being proposed urge the creation of a mandatory standard for fraud-resistant identification cards for every person authorized to work in the United States or an electronic database listing all eligible workers. Opponents argue that punishing employers would hurt business and start making employers reluctant to hire minorities. An identity card or database, they believe, would violate the privacy rights of individuals.
- (3) **Stop government services to unauthorized immigrants.** This would entail passing laws requiring public schools, hospitals, and welfare offices to require proof of citizenship or legal residency before permitting persons to use non-emergency public services. Supporters believe that this would relieve taxpayers from paying for services for undocumented immigrants.

Opponents argue that this would do nothing to stop unauthorized immigration, that it would send children into the streets and leave dangerous diseases undiagnosed, and that the Supreme Court has declared such laws unconstitutional in *Plyler v. Doe* (1982).

- (4) **Give undocumented workers a path to gain citizenship.** Undocumented workers already in the United States would be given a work permit. On showing that they have no criminal record and after a period of years, they would be given the opportunity to get permanent resident status and eventually citizenship. Supporters say that these people have entered without authorization mainly because our immigration system is broken. They argue that these workers should get a chance to earn citizenship. Opponents argue that granting an amnesty has been tried before and only encourages more unauthorized immigration. They argue that it would reward unauthorized immigrants who leapfrogged over others waiting to get proper authorization to enter the country.
- (5) **Create a guest-worker program.** This would allow a limited number of Mexican nationals to enter the country legally and work in jobs that U.S. workers are reluctant to take, such as farm work. The country did allow guest workers from Mexico (called *braceros*) from World War II until 1964. Supporters believe that it will be easier to enforce immigration laws and also protect immigrant workers if we have a legal procedure for letting in temporary workers and give them the full protection of U.S. laws. Opponents say that the *bracero* program led to more unauthorized immigration and greater exploitation of Mexican guest workers.
- (6) **Expand the number of legal immigrants to fit the existing job market.** The number of legal immigrants would be increased or

decreased each year depending on the job market. Supporters note that people enter the United States without authorization because there are many job opportunities, and there are not enough immigrants entering with authorization to fill these jobs. Opponents argue that there are too many Americans without jobs and that employers are just trying to get cheap labor.

- (7) **Streamline the legal immigration process.** The government would work to streamline the current system, which is clogged with requests to work in the United States or to join family members already in the United States. Supporters note that many people enter without authorization because the current system is so backlogged. Opponents point out that since the attacks of September 11, 2001, our borders need greater security and immigration officials should carefully check everyone entering the country.
- (8) **Aid Mexico.** Others who have studied the unauthorized immigration situation believe that something should be done to eliminate the basic cause of the problem—the poor economic conditions in Mexico. These experts propose that the United States substantially increase economic aid to Mexico, enabling it to put more of its own people to work at better wages. They also support increased trade with Mexico, to which they hope the North American Free Trade Agreement will be a contributing factor. Some opponents of assisting Mexico believe that aid money seldom works, and others think it would take more money than America can afford and too much time before it would affect the problem.

For Discussion

1. What reasons does the article cite for unauthorized immigration from Mexico to the United States each year?
2. How has the federal government used the Border Patrol to address the unauthorized immigration issue?
3. Imagine that you are an employer. Explain the economic impact of unauthorized immigration from an employer's perspective. Explain it from the perspective of the governor of a state that has many unauthorized immigrants.

Activity

A Field Hearing

What should the United States do about unauthorized immigration? Members of the U.S. House of Representatives Committee on Issues of Immigration are holding a field hearing on issues of immigration to gain a better understanding of where people stand on these issues. A field hearing is a process that allows diverse interest groups to present testimony to representatives of the legislative branch regarding governmental policy.

1. Form the following role groups:

Group A: Employers of Undocumented Immigrants: You claim that you need laborers willing to work at hard jobs for low wages. You say it's difficult to get Americans to take such jobs.

Group B: Opponents of Unauthorized Immigration: You are a group of Americans who favor stricter immigration regulations. You are convinced that undocumented workers take jobs away from Americans, keep wages low, and cause taxes to rise.

Group C: Border Patrol: You are frustrated that so many undocumented immigrants still cross the U.S.-Mexican border.

Border Patrol officers arrest thousands of unauthorized immigrants. Often they are deported only to try to re-enter the U.S. once again.

Group D: Supporters of Undocumented Workers: You are a group of Americans who sympathize with and represent undocumented workers. You believe that undocumented workers are hardworking and greatly help the American economy. Laws should be enacted to let them work legally in the United States.

Group E: Mayors of U.S. Cities: You represent a national association of mayors, and each of your cities contains a significant number of unauthorized immigrants. You feel a need to satisfy different constituencies in your cities, including business owners, employees who are U.S. citizens, and the greater immigrant community. Your group has no established position.

Group F: Committee Members: You are members of the House committee and you will be making recommendations on unauthorized immigration.

2. Follow the instructions for your group.

Instructions for Groups A-E:

Everyone in your group should approach this activity from the point of view you are assigned, even if you personally disagree. Do the following as a group:

- a. Discuss the pros and cons of each of the eight proposals listed in the article. Remember to think like the people you are representing.
- b. Agree on which one of the eight policies your group will argue should be included in U.S. Immigration laws. Agree on which one of the proposals your group will argue is your "deal breaker"—the one that you absolutely want dismissed from consideration.

Everyone in your group needs to help develop arguments for your top choice and your deal breaker to present at the hearing.

- c. Prepare a two-minute presentation to give to the House committee. Have people prepared to answer any questions the committee asks.

Instructions for Group F: Committee Members

Your job is to become familiar with each of the policies being discussed and to ask each of the invited groups questions about their recommendations. After each interest group has had two minutes to present their position and then answer the committee's questions, you will take a vote to decide which policies should be recommended to the House of Representatives.

Do the following as a group:

- a. Select a chairperson who will call upon the groups and lead the questioning.
- b. Discuss each of the eight proposals listed in the article so that you are familiar with them.
- c. Prepare at least two questions to ask each of the groups.

3. When the groups are ready, convene the hearing. Each group should be called upon to make its presentation and answer questions.

4. After all the groups have presented, the committee should discuss the information in front of the class. After the discussion, the committee should vote on each of the proposals. If a majority favors the proposal, then the proposal will be go to the floor of the House of Representatives for a vote.

5. Debrief the activity by discussing the following questions:

- Were any of the votes unanimous? What might be the reasons for this?
- Were any compromises reached in the decision-making process?
- Who will likely oppose the policies the committee advocate? Why?
- Who will likely support those policies? Why?

Additional Discussion Questions:

- Was it hard to take the perspective of the group you were assigned? Why or why not?
- If you really wanted to impact federal policy, such as policies related to immigration, what are some things you, as students, might do?