

American Progress Action Fund



Memorandum for: Interested Parties

From: American Progress Action Fund

Subject: Tough but Fair: Why Progressives Should Support Comprehensive Immigration Reform

Overview

Many political experts have warned that immigration policy could become an important wedge issue for progressives in the 2006 election and beyond. Dubbed by some the “gay marriage of 2006,” some progressives have been advised to choose the path of least resistance when it comes to voting on immigration: support “get tough” measures that demonstrate some sort of action on the issue even if it means abandoning progressive principles.

The most prominent representation of this phenomenon is the draconian immigration legislation that recently passed in the House of Representatives.¹ The progressive position on immigration reform — supporting tough but fair comprehensive reform that secures the border, enforces the law, and strengthens the economy by providing employers with willing workers who pay taxes and play by the rules — is supported by public opinion polls, expert policy analysis, and perhaps most convincingly, recent election returns.

The public is rightfully concerned about a broken system that is in dire need of reform, but they also understand that reform measures must be realistic, affordable, and effective.

For progressives, enacting comprehensive immigration reform is not only a national security, economic, and moral imperative, but also smart politics.

Good Policy, Good Politics

1. The public supports tough but fair comprehensive immigration reform. Polls consistently show that a strong, bipartisan majority of the country supports the components of a comprehensive reform, including legalizing illegal immigrants currently

¹ On Dec. 16, 2005, the House passed the “Border Protection, Anti-Terrorism and Illegal Immigration Control Act of 2005” (HR 4437), an immigration enforcement bill sponsored by Judiciary Committee Chairman James Sensenbrenner (R-WI) and Homeland Security Committee Chairman Peter King (R-NY). The bill passed 239-182. 36 House Democrats voted for the bill and 17 Republicans opposed it.

in the country. Three-fourths of voters (75%-22%) support an immigration proposal with the following elements: requiring undocumented workers to register as temporary guest workers; providing additional visas for future workers; providing newly registered workers with a path to legal residency; opposing amnesty (no preferential treatment for illegal immigrants); increasing penalties for illegal employment; and increasing visas for family reunification.² The majority of voters do not favor punitive, enforcement-only solutions to immigration reform.

This support is broad and deep across various demographic cohorts: race (78% white, 67% black, 70% latino), geography (77% red states, 79% blue states, 72% purple states), party identification (70% D, 78% R, 77% I), and union vs. non-union (73% union, 75% non-union).³

Broad progressive principles are also supported overwhelmingly by the public. Ninety-two percent of likely voters supported the statement that “we need an immigration system consistent with basic American values of fairness and equal treatment under the law.” And 59% believe that if immigrants work, pay taxes, and learn English, they should be able to earn citizenship.⁴

2. Acknowledge the crisis. Progressives need not be trapped into the position of denying the crisis on our borders or in the immigration system generally. Both sides, Democrat and Republican, have acknowledged that our system is broken. Despite this consensus, opponents of immigration reform are fond of citing polls that reflect the public’s discomfort with the current state of affairs (e.g., 78% of the public supports the idea that “the federal government isn’t doing enough to secure the country’s borders”⁵), *yet this should not be surprising and is no way inconsistent with progressive principles*.

Progressives *should* be in favor of increasing security at the border. In fact, the progressive plan for solving the crisis at the border (increase manpower, deploy new technology, and create legal channels to reduce the demand for illegal immigrants to cross the border) is far more realistic than the House strategy of spending billions of dollars to build fences and criminalizing the very presence of immigrants.⁶

² A National Survey of Voter Attitudes On Immigration, National Immigration Forum, Lake Snell, Perry, Mermin & Associates/Tarrance Group, Apr. 7, 2005, available online at: <http://immigrationforum.org/documents/PressRoom/VoterAttitudesOnImmigration.pdf>. See also, Immigration Policy: Contradictions and Nuances, Time Magazine, SRBI, Jan. 27, 2006, available online at: http://www.srbi.com/time_poll.html.

³ Ibid.

⁴ Ibid.

⁵ Fox News/Opinion Dynamics, Oct. 2005. Also, in an October CBS News poll, 75% of respondents supported the statement that the federal government was “not doing enough along its borders to keep illegal immigrants from crossing into this country.” Both available online at: www.pollingreport.com/immigration.htm.

⁶ Only 41% of likely Republican voters supported the statement that the government should “[h]arshly enforce all current laws on illegal immigration so that life is so unpleasant for illegal immigrants they would be forced to leave.” A National Survey of Republican Voter Attitudes, The Tarrance Group, Oct. 2-5, 2005, Q8-10. 63% of likely Republicans oppose the idea of deporting all 11 million undocumented immigrants as unrealistic. Ibid. at Q13-14.

Experts agree that an enforcement-only approach will not work. While increasing the number of border agents (a favorite rallying cry of the right) is important, it alone will not solve the problem. Princeton sociologist Doug Massey has proven that in the last decade, the U.S. has tripled the number of Border Patrol agents and they have spent eight times as many hours patrolling the border. During that same time, the undocumented population has doubled in size, the death rate for border crossings has tripled and the per-apprehension cost has increased by nearly 500%.⁷

Progressives should not confuse public anger over the dysfunctional state of our immigration system with a mandate from the public to enact reforms that would only make the problem worse.

3. Anti-immigration candidates simply do *not* win. Period. An analysis by Grover Norquist's Americans for Tax Reform revealed that in recent elections, including the 2004 cycle, not one anti-immigration candidate defeated the mainstream candidate in Republican primaries, including races in Arizona, California, and North Carolina.⁸

Arguably the most recent high-profile referendum on immigration occurred in the December special election to fill the seat of former Rep. Chris Cox (CA-48). Despite widespread media coverage of Minutemen founder and anti-immigration extremist James Gilchrist's challenge to frontrunner John Campbell (supporter of a guest worker program), Gilchrist finished a distant third in the general election. Campbell earned 44%, Democratic candidate Steve Young earned 28%, and Gilchrist earned just 25%, even though he spent approximately \$500,000 and outspent the Democrat four to one.

Gilchrist's poor performance in a district where immigration is a top concern of voters suggests that running against progressive immigration reform is hardly a ticket to defeat; if anything, it is just the opposite. (The Hotline suggested Gilchrist's loss proved that immigration may well be the "obsession of a passionate, and vocal, minority of GOPers" rather than an emerging issue of national significance.⁹)

The recent Virginia gubernatorial race also proved the naysayers on immigration wrong. Republican nominee Jerry Kilgore vigorously attacked the proposal to construct a day labor center in Herndon, an issue that had attracted national attention. Democratic

⁷ Douglas Massey, Backfire at the Border, The Center for Trade Policy Studies, June 13, 2005, available online at: <http://www.free-trade.org/pubs/pas/tpa-029.pdf> ; <http://www.aifl.org/ipc/ipf112204.asp>.

⁸ These districts are: UT-3 (Rep. Cannon); AZ-8 (Rep. Kolbe); AZ-2 (Rep. Franks); AZ-6 (Rep. Flake); NC-5 (Rep. Foxx); and CA-3 (Rep. Lungren).

⁹ "Blogometer: Not Confused, Just Well Mixed," The Hotline, Dec. 7, 2005. Indeed, this notion has been supported by national surveys which indicate that most Americans do not rank immigration among their top concerns. In a recent NBC News/Wall Street Journal poll, only 7% of adults ranked "illegal immigration" as their top priority and only 15% ranked it in their top two priorities. In a March 2005 survey, when likely voters were asked to rank their top 10 issues, immigration ranked eighth. NBC News/Wall Street Journal Survey, November 2005, available online at: <http://online.wsj.com/public/resources/documents/poll20051109.pdf>; A National Survey of Voter Attitudes on Immigration, National Immigration Forum.

nominee Tim Kaine opposed Kilgore's views, calling them as "mean-spirited" and unfairly targeting the underclass. The result? Kaine handily carried all precincts around Herndon, Fairfax County, and neighboring Loudoun County.¹⁰

4. Progressives risk losing voters by endorsing anti-immigration measures. There is ample evidence to suggest that Hispanic voters are watching the immigration debate more closely than other voters and have little tolerance for draconian measures that antagonize immigrant communities and do not achieve systematic reform. Hispanics feel more strongly than non-Hispanics that immigration should be encouraged.¹¹ And while many Hispanics do not support illegal immigration and are strong proponents of sensible immigration reform measures, they also reject punitive measures that smack of prejudice.¹² And indeed, there is reason to believe that Hispanics will turn on politicians (and their parties) who capitulate to punitive measures aimed at immigrants.¹³

Moderate Republicans are also turned off by extreme views on immigration. Seventy-two percent of likely Republican voters support legislation that increases the number of temporary visas, creates a path to citizenship, and increases enforcement. That support falls to 56% when the path to citizenship is dropped, indicating that Republican voters understand the importance of a comprehensive solution as well as Democratic voters.¹⁴ In fact, the majority of Republicans (63%) oppose the deportation of all 11 million illegal immigrants; this opposition jumps to 84% when they are informed of the costs involved in carrying out such a policy.¹⁵ Even though a small segment of the Republican base may virulently oppose immigration (16% want to stop all immigration into the country), the polls indicate strong support by moderates within the party for sensible reform.¹⁶

5. Assign responsibility for the crisis where it belongs: the Bush administration. Illegal immigration is at an all-time high since 2001 and illegal border crossings have

¹⁰ Virginia State Board of Elections, available online at:

http://www2.sbe.virginia.gov/web_docs/Election/results/2005/nov2005/html.

¹¹ 56% of Hispanics support increased immigration to the U.S., while 34% oppose it. 52% of Hispanics believe illegal immigration helps the U.S., while 41% believe it hurts the U.S. Hispanic Survey Frequency Questionnaire, Democracy Corps, July 5-16, 2005.

¹² Andres Oppenheimer, "GOP May be Saying 'Adios' to Hispanic Voters," Miami Herald, Dec. 18, 2005.

¹³ Policymakers would be wise to recall the lasting effects of California's Proposition 187, passed in 1994 with the support of then-Gov. Pete Wilson (R-CA). Proposition 187 denied public benefits and education to undocumented immigrants. Although overturned by the courts, Proposition 187 has been widely credited with the defection of minority voters from the California GOP. Since Proposition 187 passed, no Republican has been able to win California in a presidential election. And notably, then-Texas Governor George W. Bush opposed measures like Proposition 187 in Texas. Tamar Jacoby, "The Immigration Temptation; The political issue that always disappoints is back," The Weekly Standard, Jan. 23, 2006; Macarena Hernandez, "Politicians will be back to get our votes, but for now they're all about bashing immigrants," Dallas Morning News, Dec. 19, 2005.

¹⁴ 71% of Republicans oppose a program that would prohibit illegal immigrants from ever becoming citizens. A National Survey Of Republican Voter Attitudes, The Tarrance Group, Q11-12.

¹⁵ Ibid. at Q13-15.

¹⁶ Tamar Jacoby, "The GOP's border war," Los Angeles Times, Oct. 16, 2005.

skyrocketed.¹⁷ Worksite enforcement of immigration laws has been essentially non-existent. (In 2003, just 443 illegal immigrants, out of a working population of more than 6 million were arrested at their worksites.¹⁸) The administration has done next to nothing to improve this situation and should be criticized accordingly.

The president has also been unwilling to buck his right-wing base on immigration. After an intense round of criticism last year by conservatives angry at the administration for its inaction in addressing the crisis on the border, the president retreated from his earlier support for a more comprehensive reform package and instead aligned himself more closely with an enforcement-only approach. During a visit to Tucson and the El Paso section of the border, the president offered insubstantial and oftentimes misleading reform proposals that would do little to stanch the tide of illegal immigration and may in fact make the problem worse.¹⁹

Although criticism of the administration comes chiefly from the right — conservative politicians and media regularly lambaste the administration for its half-hearted commitment to immigration reform — progressives should not be fearful of presenting well-reasoned criticisms of the administration's inability to seriously address the issue.

Conclusion

The immigration reform debate has presented the public with a false choice. The issue has been viewed through a prism that has asked the wrong questions and produced the wrong answers. When progressives ask the right questions, we get the right answers that acknowledge the crisis in our immigration system that demands a comprehensive solution.

The rewards of the debate will go to those who have the most realistic solutions, and it's a debate progressives are well-positioned to win. Attached are key points progressives may want to make in the upcoming debate on immigration reform.

¹⁷ Jeffrey S. Passel, Unauthorized Migrants: Numbers and Characteristics, Background Briefing Prepared for Task Force on Immigration and America's Future, Pew Hispanic Center, June 14, 2005.

¹⁸ Richard M. Stana, Immigration Enforcement: Preliminary Observations on Employment Verification and Worksite Enforcement Efforts, United States Government Accountability Office, June 21, 2005, available online at: <http://judiciary.house.gov/media/pdfs/stana062105.pdf>.

¹⁹ Raj Goyle and Conor Lamb, Too Little, Too Late: President Fails to Offer Meaningful Reforms to Secure Nation's Border, Center for American Progress, Nov. 28, 2005, available online at: <http://www.americanprogress.org/site/pp.asp?c=biJRJ8OVF&b=1214761>.