

# POLICY *focus*

RECIPES FOR RATIONAL GOVERNMENT

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## Addressing America's Immigration Challenges

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### Introduction

In his farewell address, former President Ronald Reagan envisioned America as a city "...wind-swept, God-blessed, teeming with people of all kinds living in harmony and peace; a city with free ports that hummed with commerce and creativity. And if there had to be city walls, the walls had doors and the doors were open to anyone with the will and the heart to get here."

The United States has a proud heritage of welcoming immigrants from around the world.

Immigrants contribute to the diversity of the U.S. culture as well as to the strength of our economy. America is such a desirable place to live that millions of people would immigrate to America if they were allowed to do so. Given that we cannot allow everyone who wants to be an American to gain citizenship, how many people do we allow and how do we prioritize them?

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And there are other questions: How should we address illegal immigration? What about illegal immigration by minors ("Dreamers")? How can we best balance the promise of freedom for immigrants with legitimate concerns about national security, the labor market, cultural assimilation, public health, taxes, public safety nets, and more?

We address these questions in this policy focus with the view that, like any sovereign country, the U.S. must control immigration, U.S. immigration law must put American interests first, and the rule of law must be followed.

## Why You Should Care

Immigration has a profound effect on the United States, where immigrants today comprise **13.6 percent** of our population. Immigrants and their U.S.-born children comprise **about 27 percent** of the population. We should all hope that the United States can continue to be a welcoming beacon of freedom to the world while implementing reasonable immigration reforms that:

- **Restore Rule of Law:** We want our laws to be fair and transparent and then to be followed. We should not create laws expecting them to be routinely broken.
- **Reduce illegal immigration:** Illegal immigration poses a risk to public health and safety and comes with costs to our public systems. The effect on our economy is mixed, as illegal immigrants increase labor supply and decrease labor costs (wages).
- **Update our legal immigration system:** It has been decades since the U.S. has revisited the factors we consider when offering admission to the United States. The U.S. may consider making changes to restrict family-ties visas for extended family members and eliminate some diversity programs in favor of increasing the number of work- and skill-related visas granted and adding greater assimilation requirements.

## Overview of Immigration in the U.S. Today

The United States is often rightly called “a nation of immigrants” because of our history as a melting pot for immigrants from around the world. Even today, our country remains very welcoming to visitors and immigrants. Immigrants comprise about 13.6 percent of the current population, which is the **highest share since 1910**. About one million people immigrate to the U.S. annually, and the U.S. is home to more immigrants than any other country in the world.

There are different types of immigrants according to U.S. law: About 20.7 million people are naturalized U.S. citizens. Another 13.1 million are legal noncitizens or Legal Permanent Residents. A small group (1.7 million) are temporary visitors who hold visas. Finally, there are about 11.3 million unauthorized or illegal immigrants in the U.S.

### Types of U.S. Immigrants

**Naturalized U.S. Citizens  
(20.7million)**

**Legal Permanent Residents  
(13.1 million)**

**Temporary Visitors with Visas  
(1.7 million)**

**Unauthorized Immigrants  
(11.3 million)**

## Current Challenges

### Illegal Immigration

While most U.S. immigrants are in the country legally, increasing numbers of immigrants are attempting to enter the U.S. through a porous Southern Border, an issue IWF covered in a **separate policy focus**. Even so, more illegal immigrants actually enter legally on short-term visas, but overstay their limit.

Illegal immigration poses a growing public policy challenge with consequences for wages, social safety nets, and public safety.

Immigration (both legal and illegal) has a mixed effect on the economy. Immigration creates as much as \$50 billion in benefits from lower labor costs, which is good for the overall economy. However, wages for workers fall as the supply of low-skilled workers rises. The nearly **8 million** illegal immigrants working today (who account for 4.6 percent of the labor force) cause the wages of competing U.S. workers to **fall** by anywhere from 0.4 to 7.4 percent.

Taxes are collected from only about half of illegal immigrants totalling roughly **\$24 billion** each year. However, illegal immigrants access tens of billions of dollars in government benefits, primarily through their U.S.-born children. Americans pay **\$18.5 billion** in healthcare costs for illegal immigrants each year, even though they are officially **barred** from federal entitlement and welfare programs, including Medicaid and the Affordable Care Act. But there are a few exceptions including emergency medical care and some nutrition assistance programs such as for women, infants, and children. Some states also provide state-funded welfare programs to illegal immigrants.

Entering the United States unlawfully is a crime, but many illegal immigrants commit other (dangerous) crimes and pose public-safety risks. Over a **quarter-million** illegal immigrants were incarcerated in the United States from 2017-2018 for crimes such as drug violations, assault, homicide, robbery, sex offense, kidnapping, or immigration offense. According to a government data survey, the average illegal immigrant in federal, state, or local prison has been arrested an average of **8.3 times**. The Bureau of Prisons estimated that the federal cost of incarcerating criminal immigrants was approximately **\$5.8 billion**.

Most of the 11.3 million illegal immigrants in the U.S. today may be otherwise law-abiding, honest and hard-working. But without better immigration controls, it's hard to know who is who.

## Asylum for Refugees

The United States provides safe harbor for asylees, or people who are the victims of persecution or fear persecution due to race, nationality, religion, membership in a particular social group, and political opinion. Asylum seekers must demonstrate a "well-founded fear" of persecution in their home countries or be ordered for removal from the U.S. Most meet that standard and are entered into the Justice Department's court system for adjudication of their case. Meanwhile they are free to live and work in the U.S. until their cases are decided, which could be years given the backlog of over 900,000 immigration cases.

Some illegal immigrants are exploiting this loophole as a fast-track into the U.S. Asylum cases have been on the rise, increasing **1,700 percent** over the past decade. However, the number of cases granted asylum is **falling** in part because fewer cases are judged to be legitimate claims. Asylum claims are driving the latest waves of migrant caravans and illegal crossings at the Southern Border, which overwhelms Border Enforcement and adds to the backlog of immigration cases.

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Providing more funding to increase immigration court staff and requiring immigrants to apply for asylum at their nearest country rather than in the U.S. can help slow the number of migrants seeking asylum at our Southern Border, but only Congress can permanently close the asylum loophole with federal law.

## Dreamers

In 2001, Congress introduced the Development, Relief, and Education for Alien Minors (DREAM) Act to provide a path for illegal immigrants who arrived as minors (thus called “Dreamers”) to gain permanent legal status provided they met certain requirements.

Congress failed to pass the DREAM Act or 21 other similar bills. In 2012, President Barack Obama used executive action to create the Deferred Action for Childhood Arrivals (DACA) Program. It allowed Dreamers to request work authorization and defer their removal from the U.S. for two years. Approved DACA recipients could renew their status in two-year increments, but it did not provide a pathway to become legal residents or citizens.

To qualify for DACA, applicants had to arrive in the U.S. before age 16; meet an age and residency requirement; attend school, have a high school education or have served in the Armed Forces; and not be convicted of serious crimes or misdemeanors nor pose any national security or public safety threats.

While many follow these requirements, some do not: Only 49 percent of DACA respondents have a high school education. According to the Pentagon, fewer than 900 DACA recipients (less than 1 percent) serve in the military. Over 2,100 have had their DACA status revoked due to criminal activity.

In September 2017, President Donald Trump ended the DACA program calling on Congress to fix the issue. Following several injunctions from federal district courts, DACA renewals were allowed to continue. At the petition of the Justice Department, we await the Supreme Court’s final decision on the DACA program.

According to U.S. Citizenship and Immigration Services (USCIS), there are an estimated 2.3 million Dreamers, and over 80 percent of them are now age 21 or over. Some 669,000 Dreamers currently have active DACA status out of the nearly 800,000 who were approved for DACA from 2012 to the end of the program in 2017.

Public sentiment favoring citizenship for Dreamers (if they meet certain requirements) is strong. However, the downside to this popular proposal could be increased illegal immigration, especially among minors, as this would create the future hope of blanket citizenship for childhood arrivals.

Instead, Congress should address Dreamers through comprehensive immigration reform. While citizenship should be off the table, work permissions and legal residency status could

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be provided immediately for a defined period of time conditioned on tightened work and educational requirements.

## Legal Immigration Reform

Policymakers are also considering changes to our legal immigration system (not reformed since 1965). Our immigration laws currently prioritize family unification, employment (favoring immigrants with valuable skills), protection for refugees, and diversity (allotting a certain number of immigrants from different countries and boosting admittance from low-immigration countries via a visa diversity lottery).

Today, only about 12 percent of America's immigrants are admitted on employment-based visas. This is **very low in comparison to other Western countries** with high levels of immigration, where immigration laws place higher priority on skills than any other factor. Consider Canada, for example: About **57 percent** of Canada's immigrants are admitted based on skills.

The lion's share of immigrants to the U.S. (**60-70 percent**) are currently admitted because of family ties. Our system is far more generous than that of other nations, who limit family immigration to spouses and children (immediate family members) only.

Canadian immigrants can sponsor other relatives, but this accounts for extremely few immigrants. Americans can debate the merits of prioritizing family ties, skills, or other factors when deciding whom to admit the U.S., but, as National Review writer Max Bloom **has noted**, proposals to emphasize skills-based immigration would not be unusual, but would move the U.S. closer to international norms.

Another point of disagreement in today's immigration debate is the amount of legal immigration that is appropriate. Some proposals have called to significantly reduce overall rates of immigration. Certainly, high levels of immigration can be problematic if immigrants cannot or do not assimilate to the democratic norms of the U.S. culture. But reducing the level of immigration would have negative repercussions on U.S. population and labor force growth.

However, this debate would change significantly if there was confidence that our immigration system actually worked and we had control over our borders. Many who currently wish to restrict legal immigration would likely be more open to higher levels if illegal immigration was successfully reduced.

The U.S. can continue to be a nation of immigrants if and only if we are first a nation of laws, and our laws must protect our national security and safety, our economic interests, and the values of the American idea.

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# What You Can Do

## Get Informed

Learn more about immigration. Visit:

- Pew Research
- Migration Policy Institute
- Department of Homeland Security

## Talk to Your Friends

Help your friends and family understand these important issues. Tell them about what's going on and encourage them to join you in getting involved.

## Become a Leader in the Community

Get a group together each month to talk about a political/policy issue (it will be fun!). Write a letter to the editor. Show up at local government meetings and make your opinions known. Go to rallies. Better yet, organize rallies! A few motivated people can change the world.

## Remain Engaged Politically

Too many good citizens see election time as the only time they need to pay attention to politics. We need everyone to pay attention and hold elected officials accountable. Let your Representatives know your opinions. After all, they are supposed to work for you!

## CONNECT WITH IWF! FOLLOW US ON:

## ABOUT INDEPENDENT WOMEN'S FORUM

Independent Women's Forum (IWF) is dedicated to building support for free markets, limited government, and individual responsibility.

IWF, a non-partisan, 501(c)(3) research and educational institution, seeks to combat the too-common presumption that women want and benefit from big government, and build awareness of the ways that women are better served by greater economic freedom. By aggressively seeking earned media, providing easy-to-read, timely publications and commentary, and reaching out to the public, we seek to cultivate support for these important principles and encourage women to join us in working to return the country to limited, Constitutional government.

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information and  
consider making a  
donation to IWF.