

POLICY FOCUS

Rethinking Our Approach to Immigration

RECIPES FOR RATIONAL GOVERNMENT FROM THE INDEPENDENT WOMEN'S FORUM

By Rachel DiCarlo Currie, Senior Fellow, Independent Women's Forum

February 2016

Volume 6, Number 2

IN THIS ISSUE

**What You Need
to Know**1

Why You Should Care2

More Information

The Great
Immigration Divide2

Restoring the Rule of Law 2

Schools, Welfare,
Wages, and Jobs.....4

Sensible Guidelines
for Reform5

America's Mythical
'STEM Shortage'5

What You Can Do6

WHAT YOU NEED TO KNOW

Thanks to a confluence of factors — including the waves of Middle Eastern and North African migrants pouring into Europe, the (smaller) waves of Central American migrants crossing the U.S.-Mexican border, the deadly shooting of San Francisco woman Kate Steinle by an illegal immigrant, recent terrorist attacks, and the presidential campaign of Donald Trump — immigration has emerged as one of the hottest issues of 2016.

Americans remain committed to welcoming a reasonable number of immigrants arriving through the proper channels. Yet the current U.S. immigration system is not serving our national interests.

Our most urgent challenge is restoring the rule of law, which has been devastated by President Obama's non-enforcement policies, his 2012 and 2014 executive amnesty programs, and the refusal of "sanctuary cities" to cooperate with federal authorities. The evidence is clear: Rewarding illegal immigration encourages *more* illegal immigration. Congress should therefore reject all future amnesty proposals — at least until U.S. officials can secure the southwest border and create an effective interior-enforcement regime.

We also need to reform legal immigration, by shifting from a family-based system that promotes chain migration to a skill-based system that promotes economic vitality. In addition, we need to overhaul our many temporary-visa programs — which distort U.S. labor markets, and have been widely abused by employers — so that we can better protect the jobs and wages of American workers.

Immigration policy is critical to America's future, and we cannot afford to get it wrong.

WHY YOU SHOULD CARE

Our current immigration policies are failing the American people. Among other things, they are:

- **Jeopardizing public safety.** In fiscal year 2014 alone, a remarkable **30,558 criminal aliens** — with a combined total of **more than 79,000 convictions** — were released from federal custody, according to data collected by the House Judiciary Committee.
- **Straining government finances.** In 2012, a majority (**51 percent**) of immigrant-headed households reported using at least one means-tested welfare program, according to research by the Center for Immigration Studies. Among households headed by a legal immigrant, the figure was **49 percent**. Among legal-immigrant-headed households with children, it was **72 percent**.
- **Hurting U.S. workers.** A range of companies — including **Disney, Southern California Edison, and Northeast Utilities** (which is now Eversource Energy) — have reportedly abused the H-1B visa program to replace American employees with (cheaper) foreign guest workers. Also, a recent **news investigation** of the H-2 visa program found that “many businesses go to extraordinary lengths to skirt the law, deliberately denying jobs to American workers so they can hire foreign workers on H-2 visas instead.”

We need immigration policies that serve our *national* interests rather than special interests.

MORE INFORMATION

The Great Immigration Divide

However one feels about Donald Trump, he has certainly thrown the issue of immigration into sharp relief. In particular, he has exposed the yawning divide between elite opinion, which favors much higher levels of immigration, and popular opinion, which does not.

To appreciate the magnitude of this divide, consider a few recent poll numbers. In January 2015, **the Gallup organization** asked Americans whether they were satisfied with U.S. immigration levels. Thirty-nine percent said they were dissatisfied and wanted less immigration; only 7 percent said they were dissatisfied and wanted more immigration. Meanwhile, a **survey** conducted by the Pew Research Center in March and April 2015 indicated that a large plurality of Americans (49 percent) think immigration should be reduced, whereas just 15 percent think it should be increased.

And yet, despite substantial public unease over mass immigration in general and mass low-skilled immigration in particular, Washington has not responded. Instead, over the past decade, members of both parties have repeatedly tried to push through a *vast expansion* of legal immigration, in addition to a sweeping amnesty program for illegal immigrants. These are the wrong priorities.

Restoring the Rule of Law

Our most immediate priority should be to revitalize the Immigration and Customs

Enforcement agency (ICE). Under the Obama administration, U.S. officials have repeatedly cited “prosecutorial discretion” to justify their lax approach to deportation. “If you are a run-of-the-mill immigrant here illegally,” former ICE director John Sandweg **told** the *Los Angeles Times* in 2014, “your odds of getting deported are close to zero.”

Indeed, since 2011, deportations from the interior of the country have fallen by **more than two-thirds**. Alarming, interior deportations of criminal aliens have fallen by **more than half**. We have also learned, from the **House Judiciary Committee**, that in fiscal year 2014 alone, some 30,558 criminal aliens — with a combined 79,059 convictions — were released from federal custody. In most cases, they were released because of administration policy. And according to current ICE director **Sarah Saldaña**, a stunning 121 of the criminal aliens released between 2010 and 2014 “were subsequently charged with homicide-related offenses.”

President Obama has compounded his non-enforcement policies by creating multiple executive amnesty programs. In 2012, he established the **Deferred Action for Childhood Arrivals (DACA)** program, which granted “temporary” amnesty to a large number of illegal immigrants who first came to the United States as minors. In 2014, he expanded DACA and also launched a new program called **Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA)**, which granted temporary amnesty to millions more illegal immigrants.

At the time, Obama said that DAPA was nothing more than a deportation freeze. In reality, it makes illegal immigrants eligible for work permits, Social

Security numbers, and Earned Income Tax Credit payments. Such benefits fall well outside the realm of prosecutorial discretion. That’s why, in February 2015, U.S. District Judge Andrew Hanen **issued an injunction** that blocked DAPA from taking effect, and it’s why the Fifth Circuit Court of Appeals **upheld that injunction** in November. The Supreme Court will **deliver its own ruling** later this year.

Not surprisingly, the DAPA and DACA programs, combined with Obama’s broader aversion to deportation, have contributed to surges of illegal immigration, particularly from the Central American nations of El Salvador, Guatemala, and Honduras. According to the **Migration Policy Institute (MPI)**, the number of unaccompanied minors and family units arriving at the U.S.-Mexican border reached 27,000 in June 2014, before dropping to 3,743 in January 2015. By November, it was back above 12,000. In fact, as MPI reports, “Arrivals in October and November 2015 represented two of the highest levels ever observed, surpassed only by the five months at the peak of the 2014 surge.” The overwhelming majority of the recent arrivals have **effectively been allowed to stay**, as the Obama administration has shown little desire to enforce removal orders.

Even when federal officials *do* try to enforce our immigration laws, they encounter resistance from so-called sanctuary cities, which generally refuse to hand over criminal aliens for deportation, and which make it more difficult for ICE to communicate with local authorities. Sanctuary-city policies have come under renewed scrutiny since the deadly July shooting of San Francisco woman Kate Steinle by a Mexican illegal immigrant with **seven felony**

convictions who had previously been **deported five times**. A well-known sanctuary city, San Francisco had chosen to release Juan Francisco Lopez-Sanchez from custody, rather than hold him for ICE, a few months before the shooting.

Add it all up, and you have a bona fide crisis in U.S. immigration enforcement.

Schools, Welfare, Wages, and Jobs

The crisis has affected cities and towns across America. Consider the recent illegal influx of Salvadorans, Guatemalans, and Hondurans. The *Washington Post* **reports** that, from October 2013 through December 2015, “federal officials released more than 95,000 unaccompanied minors into U.S. communities, virtually all of them entitled to enroll in public school.” This has strained local education budgets and resources, while also **exacerbating gang activity**. By failing to uphold the rule of law, we are acquiescing to a large-scale importation of poverty and social problems.

Unfortunately, our legal-immigration system imports poverty, too, because it is prioritizes family ties over skills. Analyst Steven Camarota of the Center for Immigration Studies estimates that, in 2012, a majority (**51 percent**) of immigrant-headed U.S. households — including **49 percent** of legal-immigrant-headed households, and **72 percent** of legal-immigrant-headed households with children — reported using at least one means-tested welfare program, compared with only **30 percent** of native-headed households. Perhaps even more discouraging, the figure among households headed by an immigrant who had lived in America

for more than 21 years was **48 percent**, indicating a lack of upward mobility.

Which brings us to an underappreciated consequence of mass low-skilled immigration: It makes it harder for previous waves of low-skilled immigrants to get ahead, because past arrivals tend to compete with newcomers for the same types of jobs. Even UC-Davis economist Giovanni Peri, who **believes** that the wages of native-born workers “do not change much in response to immigration,” has **acknowledged** that “the wage effects of recent immigrants are usually negative and slightly larger for earlier immigrants than for native workers.”

Whatever the overall impact on native workers, there is compelling evidence that immigration has reduced the wages and employment rates of groups such as **young people** and **low-skilled African Americans**. One reason is that companies have abused our temporary-visa programs. When journalists Jessica Garrison, Ken Bensinger, and Jeremy Singer-Vine **examined** the **H-2 program**, they discovered that firms using H-2 visas “have made it all but impossible for U.S. workers to learn about job openings that they are supposed to be given first crack at. When workers do find out, they are discouraged from applying. And if, against all odds, Americans actually get hired, they often are treated worse and paid less than foreign workers doing the same job, in order to drive the Americans to quit.”

The H-2 program is supposed to fill real labor needs. So is the **H-1B program**. Yet according to recent reports, **Disney** and **other companies** have been using H-1B visas to replace American employees with cheaper alternatives. In other

words, certain industries have an increasingly bifurcated job market in which native workers face a competitive disadvantage.

Sensible Guidelines for Reform

As a country, we want to remain a place where people of different backgrounds, from all around the world, can find opportunity. But in order to make our immigration policies work better for natives and immigrants alike, we need serious reforms.

For starters, we should seek to prevent illegal immigration through triple-layer border fencing; a mandatory, nationwide **E-Verify system** for employers; a **biometric screening system** for foreign visitors entering or exiting the country; and a denial of federal-law-enforcement dollars to all sanctuary cities. We should let President Obama's DACA and DAPA programs expire, and we should not even consider another amnesty until we have solved the root problem. Meanwhile, we should establish a legal-immigration system based primarily on skill levels rather than family connections, and we should curtail low-skilled immigration significantly. We should also overhaul our temporary-visa programs to safeguard the wages and jobs of American workers.

Finally, when addressing the migration crisis in Europe — a source of heightened anxiety following the Paris and San Bernardino terror attacks and the **mass sexual assaults and robberies** in Cologne — we should work with other governments to distinguish genuine refugees from economic migrants. (A senior European Union official has said that **60 percent** of the migrants flooding into Europe from the Middle East and North Africa “come from

countries where you can assume they have no reason whatsoever to ask for refugee status.”) We should then look to settle the true refugees as close to their home countries as possible.

These policies would promote public safety, cultural assimilation, broad-based prosperity, and the rule of law.

America's Mythical 'STEM Shortage'

While immigration policy evokes fierce passions on Capitol Hill, there is more bipartisan consensus than one might think. Unfortunately, the bipartisan consensus is often wrong.

For example, many Republicans and Democrats believe that America faces a shortage of qualified workers in the so-called STEM fields — science, technology, engineering, and math — that will only get worse without a major increase in high-skilled immigration. Yet the evidence of a STEM shortage is remarkably slim.

In fact, **writes** Harvard law professor Michael Teitelbaum, a large body of research has “concluded that U.S. higher education produces far more science and engineering graduates annually than there are S&E job openings — the only disagreement is whether it is 100 percent or 200 percent more.” According to a 2013 **study** from the Economic Policy Institute, “For every two students that U.S. colleges graduate with STEM degrees, only one is hired into a STEM job.” Most computer-science and engineering graduates working outside their degree field cite career prospects or a lack of jobs as the primary reason.

Granted, STEM industries tend to be cyclical and volatile. But the “STEM-worker shortage” is, at least for now, a bipartisan myth.

WHAT YOU CAN DO

You can help build support for the immigration reforms America needs.

- **Get Informed:** To learn more about U.S. immigration policy, visit:
 - The Independent Women's Forum
 - The Center for Immigration Studies
 - The House Judiciary Committee
- **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!

ABOUT THE INDEPENDENT WOMEN'S FORUM

The 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.

We rely on the support of people like you! Please visit us on our website www.iwf.org to get more information and consider making a donation to IWF.

OUR PARTNERS

Contact us if you would like to become a partner!

CONNECT WITH IWF!
FOLLOW US ON: