



IMMIGRATION
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CENTER

AMERICAN IMMIGRATION COUNCIL



Tackling the Toughest Questions
on Immigration Reform:
Short
Answers
to
the
Most
Common
Questions



Why Do I Need this Guide?

Throughout 2013, immigration reform has captured public attention. Millions of people followed S. 744 as it worked its way through committee and watched as the Senate voted 68 to 32 to pass a comprehensive immigration reform plan. In the next few months, immigration reform will be high on the list of priorities in the House of Representatives. Despite significant public support for immigration reform among members of the public in both parties, many of the most basic facts about immigrants and immigration remain misunderstood. Debunking the myths about immigration and providing short, concise answers to the often complex issues raised by the immigration debate is a challenge. Smart, thoughtful answers often take longer than the sound bites and quick retorts that the media demands today. The staff of the Immigration Policy Center (IPC) has prepared this Q&A Guide to help you get to the heart of the toughest questions on immigration. While we've included succinct answers to many immigration questions, more in-depth analysis, fact sheets, and data can be found on our website, www.immigrationpolicy.org.

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The Importance of Immigration Reform



Why should we bother with immigration reform?

Immigration reform is part of the solution for creating a stronger, more successful, and unified nation. America is a nation of immigrants, and welcoming immigrants reflects the key values on which this country is based: hard work, perseverance, taking on challenges, demonstrating individuality, and showing compassion. In addition, immigration reform is a bipartisan issue where everyone can agree that a working immigration system contributes to a stronger country—economically, socially, and culturally. Anti-immigrant pundits often downplay the importance of immigration to America's future, treating immigrants and immigration as a threat. While there are plenty of legitimate issues to question and debate in immigration policy, choosing to use the topic as a wedge issue, stirring up fear and uncertainty, hoping to pit people against each other, is not only unproductive, but damaging to our civic life.

The facts make it clear that reform of our immigration system can benefit everyone. We must ensure that we have a legal immigration system that works, which will make it far easier to enforce our laws, protect our borders, and provide the people and ideas we need to thrive in the 21st century.



Why allow unauthorized immigrants to become U.S. Citizens? Isn't legal status enough?

The integration of the **11 million** unauthorized immigrants now living in the United States into full citizenship is not only good for those individuals, but the country as a whole. Citizenship, and the quest for citizenship, facilitates integration in myriad ways that legal status alone does not. From learning English and U.S. civics to earning higher incomes, serving jury duty, and voting in elections, citizens and would-be citizens benefit from a deeper form of incorporation into U.S. society than do legal immigrants who have no hope of ever applying for naturalization.

As the U.S. Commission on Immigration Reform **wrote** in a report to Congress in 1997, "Naturalization is the most important act that a legal immigrant undertakes in the process of becoming an American. Taking this step confers upon the immigrant all the rights and responsibilities of civic and political participation that the United States has to offer." Any sort of legal status which precludes the right to apply for naturalization would define the newly legalized population as permanently "separate and unequal," to the detriment of the immigrants themselves and U.S. society as a whole.

Moreover, numerous polls have shown that a majority of Americans support a path to citizenship. In fact, once Americans overwhelmingly began to reject the idea that unauthorized immigrants should not be allowed to become legal residents, the issue of citizenship became a straw man. In this country, lawful permanent residence implies a pathway to citizenship, and citizenship is essential to American identity.



Why can't the states just handle immigration?

In 2012, the [Supreme Court](#) struck down three provisions of Arizona SB 1070, the most famous of the recent state immigration-control laws, and left a fourth open to future legal challenge. In the process, the Court confirmed that states cannot enact their own immigration policies, and may not empower their law-enforcement officers to make immigration arrests unless specifically authorized by Congress. [State immigration-control laws](#) are ineffective and can't change the federal system. As the Supreme Court made clear, only the federal government can reform our immigration laws. State immigration-control laws are expensive, devote precious law-enforcement resources to questioning immigrants about their status, and divert law-enforcement resources away from investigating serious criminal activity. SB 1070-like laws can also lead to racial profiling and discriminatory behavior. Police already have the ability to arrest immigrants for state crimes they may commit, and they already can cooperate with the federal government to enforce immigration laws.

The Most Visible Symptom of a Broken System: Unauthorized Immigrants

TWO



What can be done about unauthorized immigration?

Unauthorized immigration as we know it will only end when we change the way we think about our immigration system as a whole. A public policy that seeks to end unauthorized immigration must understand the reasons it occurs in the first place. While enforcement plays a role in reducing unauthorized immigration, the deciding factors are often based on economic need, family unity, or fear of persecution, which will never be fully addressed through enforcement-only measures. Instead, reducing unauthorized immigration turns on increasing the number of visas available for employment and family members—numbers that haven't changed since 1990. It also requires addressing the roughly 11 million people living unlawfully in the United States, **more than 60%** of whom have been in the U.S. more than a decade. Creating a roadmap to legalization that acknowledges the integral role many of these immigrants play in our communities is key. Millions of U.S.-citizen children and family members risk separation from deported loved ones, and the country cannot afford to deport 11 million people. This requires lawmakers to focus on fair ways to bring those who have resided unlawfully in this country for years into full legal participation in their adopted home, which is the only thing separating them from truly being American.

Most undocumented immigrants just got here, didn't they?

Most unauthorized immigrants are integrated members of U.S. families and communities. Nationwide, unauthorized immigrants comprise [5.2% of the workforce](#), and in states like Arizona, the unauthorized share of the workforce is even higher. In certain sectors, like agriculture and construction, unauthorized workers comprise up to 25% of the workforce. Nationwide, there are approximately [4.5 million U.S.-citizen children](#) with at least one unauthorized parent, and policies that target their parents have grave effects on the children. [Approximately three-fifths \(61%\)](#) of unauthorized immigrants have been in the U.S. 10 years or more.

What part of illegal don't you understand?

Some people can't get past the fact that persons living unlawfully in the United States are here without authorization. They broke the law, and the assumption is that only by being deported will things be made fair again. At the same time, most people acknowledge that the country could not afford to deport 11 million people, given not only the costs of enforcement of a mass deportation scheme, but also the costs to the economy and our communities if millions of workers were deported and families were separated. Proposals for legalization attempt to balance past violations of law with the economic and social realities of the day. If we truly want to fix our broken immigration system, we have to impose reasonable penalties that don't undermine the country as a whole.

Aren't you a criminal just by being here illegally?

Most immigration violations are civil in nature and don't result in criminal prosecution. Even the criminal charges that are sometimes used, such as "improper entry by alien" (entering the United States without authorization), are generally misdemeanors. These charges have increased in recent years in border communities where the government has made a strategic decision to use the criminal courts rather than the civil immigration courts to reduce illegal immigration. Irrespective of the charge, the act of unlawful immigration itself does not pose a threat to public safety, unlike crimes such as murder, assault, and robbery, all of which immigrants are much less likely to commit than natives.

Plenty of people immigrate legally—so why don't unauthorized immigrants just get in line?

The current [legal immigration](#) system simply cannot handle the demands placed upon it. Roughly 1 million immigrants enter the country each year as lawful permanent residents, most of them based on family or employment relationships, but [4.6 million](#) more have applications pending. Because the number of new immigrants admitted each year is based on numbers set by Congress in 1990, those admissions fail to reflect the legitimate demands for family unification and changes in workforce needs that have occurred over the last 20 years. For some countries, the wait is almost 20 years. For many other people, there simply were not enough visas—either permanent or temporary—which lead them to come to the U.S. without authorization when the economy was booming

and jobs were waiting. Without a well-regulated and fair system for determining levels of immigration, people who have no chance at standing in line may feel that coming without permission is their only option—and many are willing to take it, no matter the dangers.

The drop in apprehensions along the border and in unauthorized immigration overall are closely correlated with the economic crisis of the last few years. As the economy improves, demand will increase again and the likelihood of unauthorized immigration may increase as well. Now is the time to create a more flexible and forgiving system that takes America's 21st century needs into account.



By granting deferred action to DREAM Act students, hasn't the Obama Administration just started the country down a path of amnesty for everyone?

[Deferred Action for Childhood Arrivals](#) (DACA) is not amnesty. Young people whose request for deferred action is granted are temporarily protected from removal for two years and receive work authorization during that time. The decision to grant deferred action is made on a case-by-case basis and is purely a matter of prosecutorial discretion. The executive branch authority to defer deportations is well established, but neither the President nor the Department of Homeland Security (DHS) can give someone permanent resident status or put them on a path to citizenship without authorization from Congress. DACA represents the balancing of priorities that all law-enforcement officials must make in determining when, where, and how to enforce a law, but that's not the equivalent of citizenship.

You can't stop all unauthorized immigration, no matter how good your laws, so how do you make sure our borders are secure?

Border security is about more than catching unauthorized immigrants; it's about targeting real security threats. Currently, border-enforcement resources are directed at what gets smuggled across the border—people, drugs, guns, money—rather than who is doing the smuggling; namely, the [transnational criminal organizations](#) based in Mexico which are commonly referred to as the “cartels.” If the U.S. government wants to get serious about enhancing border security, it will begin to systematically dismantle the cartels rather than just seizing the unauthorized immigrants and the contraband they smuggle and arresting a few low-level cartel operatives in the process.

With economic conditions having driven unauthorized immigration to [historic lows](#), now is the time to focus on the real threats to the security of the United States.

Why can't we just rely on self-deportation?

Some people have supported a strategy of “[attrition through enforcement](#)” that involves reducing the number of unauthorized immigrants living in the U.S., and deterring future unauthorized immigrants from coming, by stepping up enforcement of existing laws and increasing the incentives for immigrants to “deport themselves.” At the national, state, and local levels, policies

have been designed to make life so difficult for unauthorized immigrants that they will choose to return to their home countries. However, the evidence has shown that unauthorized immigrants are not choosing to “self-deport.” Many unauthorized immigrants have invested a great deal of time and money to remain in the U.S., have U.S.-citizen children, own homes, have jobs, and are integrated into American communities. Three-fifths of unauthorized immigrants have been in the U.S. for 10 or more years. Hoping this population will choose to return to their home countries is not a constructive policy.

In 2008, a federal pilot program offered the option of “self-deportation” to unauthorized immigrants. “Operation Scheduled Departure” offered unauthorized immigrants with outstanding deportation orders and clean criminal records the option of being deported without detention rather than risk arrest, detention, and deportation. ICE spent more than \$40,000 on advertising for the program, but in the three weeks that the pilot ran, only eight people out of the estimated 457,000 eligible unauthorized immigrants actually took the offer.

While doing nothing to solve our national immigration concerns, the laws and policies designed to make people self-deport devastate local economies, place unnecessary burdens on U.S. citizens and lawful immigrants, undermine basic human rights, and place legal, fiscal, and economic burdens on states and local communities.

The Impact of Immigration on the United States

THREE

Q Immigrants don't contribute to the economy—they just take, right?

Wrong. Immigrants make enormous [economic contributions](#) as workers, consumers, entrepreneurs, and [innovators](#). Immigrants pay taxes, create new jobs by opening businesses, and make scientific discoveries that transform entire industries. For instance, as of 2010, nearly one-fifth (18%) of all Fortune 500 companies had at least one founder who was an immigrant. Collectively, these companies generated \$1.7 trillion in annual revenue and employed 3.6 million workers worldwide. These companies include AT&T, Verizon, Kraft, Comcast, Intel, Google, Sun Microsystems, United States Steel, Qualcomm, eBay, Nordstrom, and Yahoo! Moreover, in 2007 (the last year for which data is available), roughly 18% of all [small-business owners](#) in the United States were immigrants. All told, immigrant-owned small businesses employed 4.7 million people and had \$776 billion in receipts. And immigrants [fuel innovation](#) as well as [entrepreneurship](#). Among people with advanced degrees, immigrants are [three times](#) more likely to file patents than native-born U.S. citizens.

It is also important to keep in mind that immigrants are not responsible for high unemployment or low wages in the United States. Empirical [research](#) has demonstrated repeatedly that there

is no correlation between immigration and unemployment. In fact, immigrants—including the unauthorized—create jobs through their purchasing power and their [entrepreneurship](#), buying goods and services from U.S. businesses and creating their own businesses, both of which sustain U.S. jobs. The presence of new immigrant workers and consumers in an area also spurs the expansion of businesses, which creates new jobs.

If we make it harder for immigrants to come to the United States, we undermine our own economic competitiveness as a nation.



Don't immigrants take jobs from Americans?

Immigrants do not compete with the majority of natives for the same jobs because they tend to have different levels of education and work in different occupations. As a result, immigrants usually [“complement”](#) the native-born workforce. That increases the productivity, and therefore the wages, of natives. Immigrants are also more likely to start businesses than the native-born. According to a 2011 [report](#) from the Kauffman Foundation, “immigrants were more than twice as likely to start businesses each month than were the native-born in 2010.” Immigrant-owned businesses employ millions of people across the U.S.

Q But people in the country unlawfully don't pay taxes—aren't they just a drain on our economy?

Like the rest of us, unauthorized immigrants pay taxes on their property and are subject to sales taxes on what they buy. More than half of them have taxes taken out of their paychecks. Households headed by unauthorized immigrants paid \$10.6 billion in state and local taxes in 2010, according to [estimates](#) prepared by the Institute on Taxation and Economic Policy (ITEP). Moreover, ITEP estimates that, if provided the opportunity to earn legal status, formerly undocumented immigrants would pay a total of \$12.7 billion in state and local taxes each year.

Three state-level studies have found that unauthorized immigrants pay more in taxes than they use in benefits. In [Iowa](#), unauthorized immigrants pay an estimated \$40 to \$62 million in state taxes, while they and their employers contribute an additional \$50 million to \$77.8 million in federal, Social Security, and Medicare taxes from which they will never benefit. In [Oregon](#), unauthorized immigrants—who are not eligible for any state benefits—pay between \$134 million and \$187 million in taxes each year. Finally, in [Texas](#), the State Comptroller found that, without unauthorized residents, the gross state product in 2005 would have been \$17.7 billion less.

Q Don't immigrants use a lot of public benefits?

Unauthorized immigrants are not eligible for most [public benefits](#), and even legal immigrants are limited in what they can receive. Most legal immigrants cannot receive federal Medicaid,

Temporary Assistance to Needy Families (TANF), Supplemental Security Income (SSI), or food stamps during their first five years or longer in the United States—regardless of how long they have worked or how much they have paid in taxes. Even when they are eligible for certain programs, experts say that low-income immigrants are less likely to receive public benefits than are U.S. citizens for a variety of reasons, including a lack of knowledge about eligibility and fear that benefit usage could negatively affect future immigration applications.



I've heard immigrants are destroying the environment. Is that true?

It's the American lifestyle, not immigrants. [Restrictionists](#) like to point the finger at immigrants, saying they contribute to population growth and damage the environment. What they don't tell you is that our impact on the environment is determined not just by our numbers, but also by how we use resources—our systems of production and consumption and the policies that shape them. Immigrants are not the problem; the U.S. lifestyle is the problem.

For instance, we can't single out immigrants as a cause of increased CO₂ emissions in the United States, as restrictionists frequently do. Using that rationale, we could choose any group of Americans—the wealthy, residents of a particular state, dog owners, accountants, redheads—and argue that eliminating that group would lower emissions. Curbing immigration is not a solution to our very real environmental problems. We need rational solutions to global climate change issues. Simplistically blaming them on immigrants is not productive.



Aren't a lot of immigrants criminals?

Immigrants are less likely to be criminals than the native-born. Americans are justifiably concerned about crime in their neighborhoods, and immigration restrictionists are quick to spotlight cases in which immigrants have committed horrible crimes. Anyone who commits a crime should be punished, but there is ample [evidence](#) that immigrants are less likely than the native-born to be in prison, and high rates of immigration are not associated with higher rates of crime. In fact, the incarceration rate for native-born men age 18-39 was five times higher than for immigrant men in 2000.

Economists Kristin Butcher and Anne Morrison Piehl used data from the 1980, 1990, and 2000 Censuses to demonstrate that the lower incarceration rate for immigrants could not be explained away with the argument that there are so few immigrants in prison because so many of them are deported. Nor could it be explained by the argument that harsher immigration laws deter immigrants from committing crimes because they are afraid of getting deported. Instead, Butcher and Piehl conclude that during the 1990s, “those immigrants who chose to come to the United States were less likely to be involved in criminal activity than earlier immigrants and the native born.”

Studies in two immigrant-rich states, New Jersey and California, reached similar conclusions. In [New Jersey](#), U.S. citizens were twice as likely to land in prison as either legal or unauthorized immigrants in 2007. And in [California](#), foreign-born adults had lower incarceration rates than their native-born counterparts as of 2005.

Immigrant Ties to America

Q Why aren't new immigrants assimilating like our ancestors did?

Immigrant integration is stronger than ever, as evidenced by numerous studies of language acquisition, naturalization rates, and home ownership. Immigrants know the ticket to success in this country is speaking English. That's why so many immigrants learn English, and why English becomes the dominant language among their children and grandchildren. More and more immigrants are also becoming U.S. citizens. The number of **naturalizations** has grown from an average of 120,000 per year in the 1950s and 1960s to 680,000 per year between 2000 and 2009. In Fiscal Year (FY) 2011, 694,193 immigrants were naturalized, while roughly 760,000 applied for naturalization. Finally, rates of **homeownership**—a key indicator of entry into the American middle class—rise among immigrants the longer they are in the country.

Q These days, immigrants are mostly Mexicans, right?

No. Fewer than **one-third** (29%) of immigrants in the United States are from Mexico. Roughly 28% are from Asia, 24% from countries in Latin America and the Caribbean other than Mexico, 12% from Europe, and 4% from Africa.

Moreover, contrary to some popular misconceptions, most Latinos in the United States (**63%**) are native-born—not immigrants. And 29% of foreign-born Latinos are naturalized U.S. citizens.



Wouldn't eliminating birthright citizenship resolve our immigration problems?

Eliminating **birthright citizenship** would mean tampering with the Fourteenth Amendment, which was passed after the Civil War to ensure that anyone born in the United States was a U.S. citizen, without regard to race or ethnicity. Attempting to pass a law that changed the rules of the game for children of unauthorized immigrants would be unconstitutional, impractical, expensive, and complicated. And it would do nothing to stop unauthorized immigration. It would impose a significant burden on all Americans who would no longer have an easy and inexpensive way to prove their citizenship. All American parents—not just immigrants—would have to prove the citizenship of their children through a cumbersome process. Since children born to unauthorized immigrants would presumably be unauthorized, the size of the unauthorized population would actually increase as a result of the new policy.



Aren't non-U.S. citizens voting illegally in U.S. elections?

Repeated investigations over the years have found no evidence of systematic vote fraud by noncitizens. Election experts tend to agree that modern-day voter fraud by anyone is a very rare occurrence in the United States, primarily because it is so irrational. The potential payoff (a vote) is not worth the risk of jail time, thousands of dollars in fines, and—in the case of noncitizens—possibly deportation.

Many accusations of voter fraud by noncitizens stem from database errors. The [Brennan Center for Justice](#) notes that “government citizenship records—as the government itself acknowledges—are...replete with errors or incomplete information. Naturalization documentation may find its way into the government files slowly, or not at all, leaving outdated or inaccurate information for investigators looking for fraud. And this, in turn, leads to flawed accusations that noncitizens have been voting, when the voters in question have in fact become fully naturalized American citizens.”

The Associated Press [reports](#) that efforts by state election officials in Colorado and Florida to turn up cases of noncitizens illegally registered to vote have yielded very few results. In Colorado, an initial list of 11,805 suspected noncitizens on the voter rolls has shrunk to 141, which amounts to .004% of the state's 3.5 million voters. Likewise, in Florida, a list of 180,000 suspected noncitizens on the rolls has shrunk to 207, which accounts for .001% of the state's 11.4 million registered voters. It turns out that some of the individuals in question did not even know they were registered to vote, or were actually U.S. citizens legally entitled to vote.

The Public Wants Solutions



Where is public opinion on the major immigration legislation and initiatives?

A majority of Americans favor realistic reform over mean-spirited rhetoric. Polls consistently find that Americans support a just and practical solution for those here without authorization over an enforcement-only immigration policy.

- A record **72 percent** of Americans believe that immigration is a plus for the U.S. according to a July 2013 [Gallup Poll](#).
- 60% of respondents say they would like to see the House pass the Senate's legislation, S. 744, or pass a version that includes tougher border control measures, according to a July 2013 [United Technologies/National Journal Congressional Connection poll](#).
- 55% of Americans say they support an eventual pathway to citizenship for undocumented immigrants, according to an [ABC News/Washington Post poll](#) released in July 2013.
- Four out of five voters support a system that requires immigrants to pay taxes, holds employers accountable for hiring legal workers, prevents employers from exploiting immigrant labor, improves border security, and ensures that undocumented immigrants have a chance to work towards

citizenship, according to a [national survey](#) by the Service Employees International Union, America's Voice Education Fund, and National Immigration Forum in January 2013.

- 65% of voters surveyed by CNN on Election Day 2012 [said](#) unauthorized workers should be "offered a chance to apply for legal status."
- An [October 2012 poll](#) by CNN/Opinion Research Corporation found 56% of registered voters want the main focus of U.S. policy on unauthorized immigrants to be developing a plan that would allow them to become legal residents.
- A [June 2012 Bloomberg Poll](#) found that 64% of likely voters surveyed supported the President's announcement of the DACA initiative. Independents who were polled backed the decision by more than two-to-one.

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