

**Latin America, America Latin**  
*Summary of a Symposium on*  
***“Dynamics of Immigration and Integration in the Western Hemisphere”***  
**May 22, 2007**

An estimated twelve million illegal immigrants live in the United States, up from five million just ten years ago. According to the Pew Hispanic Center, in 2005 some 78 percent of this population was from Latin America. Despite these startling statistics, U.S. immigration law has not changed in twenty years. There is agreement across the political spectrum that the status quo does not work and that immigration reform is necessary, said **Deborah W. Meyers**, senior policy analyst at the Migration Policy Institute. Yet as migration policy experts, immigration lawyers, and journalists discussed in a recent symposium hosted by the Council on Foreign Relations, “The Dynamics of Immigration and Integration in the Western Hemisphere,” the specifics of how to reform U.S. immigration law have provoked heated debate. Panelists discussed the contentious dynamics of U.S. immigration reform from the perspectives of U.S. policymakers, the general public, and immigrants themselves. The symposium was the final event in this year’s “Latin America, America Latin” series at the Council, organized by Council Fellow for Latin America Studies **Shannon O’Neil**.

“How do we remain a country that is both diverse but also has a firm integration [policy]?” asked **Igor V. Timofeyez**, director of immigration policy and senior adviser for refugee and asylum affairs at the U.S. Department of Homeland Security. This question of U.S. identity has recurred since the early twentieth century. At that time, immigration was based on a quota system. Immigration from northern and western Europe was encouraged, while Jews and Latin Americans were discouraged from coming to the United States. As **Stephen Pitti**, professor of history and American studies at Yale University noted, there was a “fear of cultural assimilation.” In the 1960s, with the passage of the Hart-Celler Immigration Bill of 1965, family unification—allowing family members to join a relative in the United States—became the overriding principle of immigration. This focus continued in the Immigration Reform and Control Act (IRCA) of 1986, the basis of current U.S. policy on illegal immigration.

Panelists argued that IRCA put policies into place that led to the current large population of illegal immigrants in the United States. While the law offered amnesty to illegal aliens who had resided in the United States since before 1982, it cut off any future flow of legal immigrants. Yet people were still drawn to the United States because jobs were readily available. “The magnet was work,” said Meyers. In addition, political turmoil and revolutions in Central America, massive structural adjustments in the Mexican economy, and the increased number of maquiladoras, foreign-owned factories located along the U.S.-Mexico border that employ Mexican workers, all acted as “push factors” driving people into the United States.

Because existing U.S. immigration policy made it so difficult to gain citizenship, it “artificially built up an undocumented population,” said **Cyrus D. Mehta**, founder and managing attorney of the U.S. nationality and immigration law firm, Cyrus D. Mehta &

Associates P.L.L.C. The combination of this ballooning population with post-9/11 realities fostered the current divisive policy climate on immigration. Yet underlying much of the rhetoric opposing illegal immigration is hard economic reality. **Ray Suarez**, senior correspondent for the *NewsHour with Jim Lehrer* and presider over the symposium's first panel, mentioned a builder he interviewed who claimed to be against illegal immigration, yet hired illegal labor to put roofs on the houses he built. Such an anecdote reveals not only the inherent contradictions of U.S. public opinion on immigration, but that immigration reform may not change migration patterns as long as there are jobs pulling immigrants to the United States.

Other symposium findings included:

- **The failure of federal immigration policy has had serious consequences at the local level.** Local and state governments bear the responsibility for issues of education, community policing, and banking related to immigrants. "There is a lot of self-help because the federal government hasn't gotten this under control," said **John Trasvina**, president and general counsel for the Mexican American Legal Defense and Education Fund. Some local communities have even tried to pass immigration-control measures.
- **Public sentiment on immigration is complicated by emotion and misunderstanding.** Immigration is an "open forum for expression of a lot of political frustration that really goes beyond the specifics of the issues," said **Julia Preston**, national correspondent for the *New York Times* and presider over the symposium's second panel. She and Suarez emphasized the tremendous amount of feedback they receive from the public about illegal immigration, much of it negative. In an era of global communications, this sentiment can travel quickly. Trasvina expressed concern that the presidential campaign seems highly responsive to this alarmist attitude on immigration, pointing to candidates framing immigrants as "suspects" rather than as an economic necessity for the United States.
- **Much of the American public supports a pathway to citizenship for illegal immigrants.** Polling shows that some 75 percent of the population supports the legalization of illegal immigrants residing in the United States, said **Eliseo Medina**, international executive vice president of Service Employees International Union (SEIU). The overwhelming sentiment is fairness, he said, but people such as radio personality Lou Dobbs "skew this by making a lot of noise."
- **Illegal immigrants want to become U.S. citizens.** Panelists stressed the desire for illegal immigrants to assimilate. "People are desperate to legalize their status," said Mehta. "Right now they are in the twilight zone, scared to open bank accounts." Undocumented immigrants are paying taxes in the hopes that when there is a system for legalization they will be rewarded. Illegal immigrants have paid some \$463 billion in Social Security taxes that they will never benefit from, said Suarez.
- **There is growing interest in civic participation among immigrants.** Medina, who is a Mexican immigrant, said "We carry Mexico in our hearts but our bodies and minds are in this country." A civic participation campaign launched by the

National Association of Latino Elected and Appointed Officials (NALEO) has documented a substantial increase in interest in naturalization. **Arturo Vargas**, executive director of NALEO, said unlike in the past, this interest in participation is “based on hope, not fear or anger.” People want to be part of the United States, he said, and they are anxiously watching what is happening in Congress on immigration reform.

- **Immigrants understand the importance of learning English, but often lack educational opportunities.** In many communities, there is a twelve-week to two-year waiting period for English-language classes. The draft legislation currently before Congress, however, awards points for English proficiency under a merit-based visa system. Timofeyez said that English helps immigrants advance economically and is also a unifying part of being an American. Meyers disagreed, highlighting that many people around the world speak English—from Africa to Asia—without a connection to the United States. She speculated that the English-language provision could unintentionally incentivize new chains of immigration to the United States.
- **Proposed draft immigration legislation, while flawed, has many merits.** Panelists agreed the draft Senate legislation changes existing policy in several positive ways. The possibility of ten million to eleven million illegal immigrants being legalized, the clearing of backlogs in legal immigrant applications, and the inclusion of rules to benefit young immigrants who want to attend college were all cited as positive components of the draft law. Yet there was consensus that numerous problems with the bill must be addressed. “If we don’t fix this now, in twenty years it will be broken again,” said Medina.
- **Specifically, providing a path for citizenship to current illegal immigrants is a good idea.** Such a path is provided for in the current draft Senate legislation under the Z visa, a new kind of visa for immigrants who were in the United States before January 1, 2007, without legal papers. Some panelists criticized the cost of this process, which entails fines and fees that could reach roughly five thousand dollars, not including legal fees.
- **There is strong concern about a shift from a family system to a merit-based system.** The proposed system would award points for job skills, education, English proficiency, and employment history. “We’re not talking about importing the cars with the best mileage,” said Vargas. “We’re talking about importing people.” Trasvina and Pitti agreed that such a system seriously cripples the family unification focus of present U.S. immigration policy.
- **The temporary worker program is also controversial.** Under the draft Senate legislation, workers would be permitted to stay for two years in the United States, at which point they must go back to their home countries for a year before being able to return for another two years. This policy is “sowing the seeds for future undocumented status and creating an underclass of workers,” said Medina.

While there was disagreement over core details of the draft legislation, there was consensus that any new immigration law must be flexible. Panelists agreed there must be provisions for modifying immigration policy within any new legislation. Timofeyez said the law “will need fine-tuning over the years,” and he recommended a standing

commission to analyze how the immigration system works and how it should be changed to improve its workings over time. Meyers agreed, noting that today's problems stem from the current "rigid, static immigration system that has no mechanism to be able to adjust to social, economic, and demographic changes."