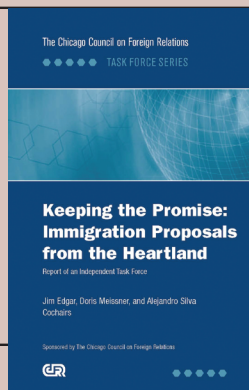


# Keeping the Promise: Immigration Proposals from the Heartland

## A Report from the Chicago Council on Foreign Relations

By Christopher Whitney



### Task Force Overview

The United States has reached an important juncture in thinking about immigration policy. The past decade's strong growth in immigrant totals, together with the reemerged link between homeland security and immigration and operational shortcomings in the immigration system have made immigration reform a key policy issue. The demographic and cultural transformation of the United States and the policies that govern who can enter and stay will affect all aspects of American life in the 21st century. It is essential for this nation's future prosperity to develop a comprehensive and effective set of national immigration policies that address the security, economic, and social concerns linked to the presence of large numbers of immigrants while maximizing the benefits they provide to the country.

The urgency of this need is particularly felt in the Midwest, which during the last decade has seen a resurgence of its long-established tradition of immigration. Nine of twelve Midwest states had foreign-born populations that grew faster than the national average during the 1990s. While these immigrants are preventing population decline, reinvigorating economic growth, and contributing to cultural diversity in the region, their presence is also creating significant integration challenges that need to be overcome.

To address these issues, The Chicago Council on Foreign Relations convened in September 2003 an Independent Task Force to contribute to the national discourse on immigration policy. Cochaired by former Illinois Governor Jim Edgar, former U.S. immigration commissioner Doris Meissner, and Chicago business leader Alejandro Silva, the Task Force brought together 40 leading figures from the Midwest and beyond to examine the opportunities and challenges of U.S. immigration and develop a report of findings and recommendations on key areas of national policy reform that was released in June 2004, *Keeping the Promise: Immigration Proposals from the Heartland*.

### The Immigration Landscape

Historically, much of the U.S. economic and social success can be attributed to the contributions of immigrants. Immigration, along with an effective system for managing it, will be even more crucial to the growth, success, and safety of the U.S. society in the future for several key reasons. The country is undergoing a dramatic change in its demographic profile, notably the aging of the native-born population. By 2010, a projected 75 million baby boomers will retire. This trend is coupled with the growth in the foreign-born population, which grew by 57.4 percent in the 1990s to 31.1 million. Immigrants accounted for approximately 11.1 percent of the total U.S. population in 2000, compared to 7.9 percent in 1990.

Today's economy is highly dependent on immigrants, documented and undocumented, temporary and permanent. Between 1990 and 2000, the foreign-born in the labor market grew by 76 percent, compared to only 11 percent for native-born. Fourteen percent of the 140 million U.S. labor force, including an estimated six million undocumented workers, is now foreign-born. This percentage is expected to grow as fertility levels for the native-born decline and international integration places greater demands for regional and global labor mobility. Immigrants are concentrated in the job market at the low and high ends of the spectrum. They account for 20 percent of low-wage workers, 50 percent of research and development workers, and 25 percent of nurses and doctors.

### The Case for Immigration Reform

The United States must have a well-managed, credible immigration system that promotes economic competitiveness and growth, contributes to national security and the rule of law, and strengthens American communities and families. The present system is poorly equipped to satisfy these critical goals. Policy objectives are not well articulated, laws are overly complicated, immigrant integration is largely unaddressed on a federal

level, processes are inefficient, and resources are insufficient to respond to economic needs. There is also a struggle to balance the sometimes conflicting goals of enhancing homeland security and ensuring the timely and efficient movement of people in and out of the country. In addition, the growing undocumented population is creating a disconnect between policy and reality that breeds disrespect for American laws and values.

The United States must make immigration a high national priority to further U.S. prosperity and security in the 21st century. To date, the country has been satisfied with reactive rather than proactive policies. The present realities including the largest influx of immigrants in U.S. history, global economic integration, and the rise of terrorist activity, instead require proactive, comprehensive efforts to reform the U.S. immigration system. It will be critical to take into account how immigration policy intersects with other national priorities: economic interests, education system, and international perceptions of the United States.

### **Immigration Reform and the Economy**

The Task Force recommends that immigration be treated as a critical element of economic policymaking and national productivity. The mechanisms of the U.S. immigration system are out of touch with current realities and ill-suited to adjust to economic and demographic trends. New policy initiatives must resolve the problem of the undocumented, add flexibility to the temporary and permanent employment-based categories, and better align immigration policy with economic needs.

The unresolved issue of the undocumented undermines the rule of law, exposes workers to exploitation, limits economic growth, may harm wages of legal workers, and separates families. The large pool of unknown individuals also complicates national security. The Task Force recommends an earned legalization program for the undocumented population that includes an incremental process for earning legal work and residency status.

To be effective, earned legalization must be combined with a properly structured temporary worker program that addresses future labor market needs. Such a program should be focused on industries that have present and forecasted labor shortages, be consistent with labor laws, avoid artificial numerical limits, include visa portability to safeguard against abuses, restore circularity of travel, and include incentives for return.

The Task Force also recommends greater attention to facilitating travel and trade to strengthen the U.S. economy. The U.S. travel industry estimates that foreign visitors spend more than \$80 billion per year in the United States. However, the number of temporary visitors to the United States has dropped since 9/11. The United States admitted almost 28 million temporary visitors in 2002,

a 15 percent decline from the 2001 total. The State Department adjudicated 7.1 million nonimmigrant visas in 2003, issuing 4.9 million. That is a 15 percent decline from the 5.8 million nonimmigrant visas issued in 2002 and a 36 percent decline compared to the 2001 total.

The present system also fails to meet the needs of U.S. businesses, research institutions, and other employers in facilitating the timely entry of skilled students and workers. Economic growth is limited by the difficulty in adjusting immigration status for workers, delays in visa issuance for students and workers, and caps on business visas. Immigration law has placed barriers between the permanent and temporary resident categories. For students graduating with advanced degrees and temporary workers seeking permanent status, the conversion process is difficult. The United States should instead be encouraging such conversions.

American schools depend on foreign students to teach classes, fill labs, and provide financial support. Almost 30 percent of all individuals earning doctorates in science and engineering are foreign-born. A recent study by the Council for Graduate Students finds that fall 2004 foreign graduate school applications have declined by 32 percent compared to 2003. A separate General Accounting Office study found that the current waiting period for student visas ranges from nine weeks to six months, making it difficult for many students who have been accepted to enroll in American schools. If potential students and visitors feel unwelcome or are delayed in receiving approval for visas, the United States will cease to be the destination of choice for the world's best and brightest.

The Task Force also recommends that eligibility for business visas be based solely on applicants' credentials, and not limited by artificial caps. The current labor certification process is widely viewed as time-intensive and ineffective at meeting worker and employer needs. Removal of the caps for business visas should not take away from the totals dedicated to family reunification, diversity and humanitarian purposes.

Other Task Force recommendations include:

- Vigorous enforcement by federal and state governments of workplace protection and labor laws for native-born and immigrant employees alike
- Development of innovative job training programs to ensure that existing U.S. employees and recent immigrants are trained for high-growth job sectors
- Design and adoption of mechanisms that enable employers to comply with the law in their hiring practices

### **Securing the Country**

The September 11 attacks irrevocably changed American thinking regarding the link between U.S. immigration

policy and homeland security. For the foreseeable future, security issues will permeate all components of the U.S. immigration system. It is possible, however, to secure both the homeland and the rights of immigrants, visitors, and citizens while maintaining the nation's economic and social vitality. In particular, the Task Force recommends antiterrorism efforts through effective border controls, information-sharing and database integration, and aggressive investigation and intelligence-gathering, including international law enforcement cooperation. This process must include the secure but timely processing of visa applications, treating visa processing as a specialty occupation, and developing partnerships with temporary sponsors.

Congress and the administration must also demonstrate political leadership in the following three areas in particular:

- Educating the American public about the realities of the terrorist threat and the balance that must be struck between security and openness
- Building adequate safeguards into visa and immigration adjudications to restore public confidence, and so that line officials can do their jobs with assurance and with the support of their superiors
- Exercising aggressive oversight of how immigration legislation and policies are used to combat terrorism

### **Strengthening Communities**

The growth of the U.S. immigrant population, coupled with more countries of origin and settlement destinations in the U.S. make immigrant integration a necessary component of U.S. immigration policy. This is a two-way process involving daily interactions between immigrants and receiving communities as they adapt to each other over time and as newcomers gain the opportunity to participate fully in all aspects of American life. The Task Force strongly urges the development of a national immigrant integration policy.

The goals of an integration agenda should be to encourage civic participation and naturalization, improve English skills, access to health care, and strengthen communities through outreach efforts to educate the native-born about immigrants and immigrants about the native-born. A critical component will be partnerships between the federal, state, and local governments, private sector employers, educational and religious institutions, unions, and community-based organizations.

### **Infrastructural Change**

At present, existing laws are enforced unequally. Implementation of immigration policies lack uniformity, promised services are not provided, new mandates receive

insufficient funding, information is not easily shared, and multiple actors, including the Department of Homeland Security (DHS) and state governments, are playing key roles.

The Task Force recommends that proposals for immigration reform address organizational and implementation capacity as well as policy reforms. DHS needs sufficient funding and personnel to accomplish its service and enforcement missions in ways that advance broader policy goals, a structure for coordination with other government agencies dealing with immigration, and a transparent and coherent approach for developing and reviewing immigration policies more broadly and resolving interagency disputes.

The Task Force calls upon the administration and Congress to work together in finalizing and enacting backlog reduction plans, including adequate appropriations and infrastructure, in order to meet a six-month processing standard. The number of pending immigration-related applications has reached 6.2 million. Backlogs undermine credibility in, and support for, the immigration system. They separate families for years or even decades, create additional workload and delays in other areas of the system as people wait, and lead to lost business and research opportunities.

### **Conclusion**

An immigration system that is in accord with U.S. values, enhances competitiveness, and provides for security is vital for this country's future. It is crucial that there be a bipartisan commitment by the president and the Congress to make immigration reform a priority for action in 2005. Without action, the contradictions and pressures will only increase as the undocumented population grows, processing backlogs increase, certain industries decry labor shortages, refugees languish in camps overseas, and visa applications decline. Only through such legislation can the system regain its integrity and become a tool for responding to changing social, economic, and security realities.

*The full text of the report can be found at [www.ccf.org/publications/immigration/main.html](http://www.ccf.org/publications/immigration/main.html).*

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