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Unauthorized immigration needs to be fixed

By Curtis Seltzer

BLUE GRASS, Va.—As I read my county’s weekly paper, I noticed in the real-estate ads that only one house was listed for less than \$100,000—and that by \$100. A couple of lots were priced below \$50,000, between \$7,500 and \$10,000 an acre. I found almost no rental housing. Two part-time jobs were advertised, and one full-time position—head of the local Chamber of Commerce.

We have no manufacturing. Mainly, we produce commodities -- cattle, sheep, poultry, logs -- that are shipped out of county for value-added processing. Our blue-collar jobs involve very small family farms and tiny businesses.

We are a county with comparatively expensive real estate that is priced above local wage-earning incomes. Our economy offers few employment opportunities and little cheap housing. Almost no one comes here looking for a job because almost none are available.

One consequence of having few job openings and expensive housing is that we, to my knowledge, have no unauthorized immigrants.

While an estimated 94 percent of unauthorized immigrants live in metropolitan areas, the Pew Hispanic Center reported last year that they “...are more geographically dispersed than in the past...” (Jeffrey S. Passel and D’Vera Cohn, “A Portrait of Unauthorized Immigrants in the United States,” April, 2009.) Unauthorized residents in non-metro areas now total about 660,000.

For the last 15 years or so, unauthorized immigrants have been coming to small towns in rural areas -- like eastern North Carolina and the upper Midwest -- where employment is available in service businesses, food processing, manufacturing, tourism and certain types of agriculture. The smaller the community, the more impacts -- both positive and negative -- unauthorized immigration has.

Unauthorized immigrants make up about four percent -- roughly around 11 million individuals -- of the total 2010 U.S. population of about 310 million, according to the U.S. Department of Homeland Security. About three-quarters of the unauthorized are Hispanic, mostly from Mexico.

Of the approximately 50 million Hispanics in the United States in 2010, about 16 percent -- eight million -- are estimated to be unauthorized.

Had these immigrants come here before the 1920s, most would have entered legally and become citizens—as did my grandparents. Our doors had been open to most of those who wanted to walk through, and millions did.

Today, our policy limits immigration to about 900,000 annually, chosen through a two-tier quota system. One layer caps the number of immigrants from each country, with no country allowed to send more than seven percent of the total admitted. The second apportions entry by category, with 43 percent coming as immediate relations of U.S. citizens, 23 percent as family-sponsored migrants and the rest divided among other categories.

Most Americans agree that legal immigration benefits the country. Opinion divides over unauthorized immigration. Advocates argue that host communities and the country, as a whole, benefit, among other ways, from wages spent, taxes paid and services -- like Social Security -- not claimed. Some libertarians argue for open borders, and humanitarians don't want to harm people trying to improve their lives.

Opponents argue that the public costs of unauthorized immigration outweigh the public gains, and, further, that the basic issue is the illegality of residence regardless of societal benefits.

While unauthorized immigration tracks the ups and downs of the U.S. economy, the Border Patrol still apprehended 790,000 individuals during the 2008 Recession. About 359,000 were deported that year, and the resident unauthorized population was down by only 10 percent. Unauthorized immigration is neither solving itself nor being solved, and it's likely to get worse.

At the current four-percent rate, America would have about 17.5 million unauthorized residents in a 2050 population projected at 439 million. Hispanic population is projected to increase to about 133 million in 2050, or about 30 percent of the total. About 13.1 million of the 17.5 million unauthorized in 2050 would be Hispanic if their share today remains the same.

Unauthorized immigration is largely a matter of desperate people desperately seeking work and a better life for themselves and their families.

But we are no longer the land that welcomes the world's tired and poor, its huddled masses. We do not want to provide residence or citizenship to anyone who gets here.

So we've ended up with a two-door immigration policy. At the front door, we carefully screen and process those who play by our rules. At the back door, we try to keep out those who ignore the rules, but once through, we grant de

facto residency that provides us with a growing pool of cheap, exploitable labor.

Our front-door quota system does not appear to be unreasonable or biased. We have rejected an open-to-all policy as well as substantially higher quotas. It follows that reducing unauthorized immigration and downsizing the number of unauthorized residents are reasonable public objectives.

One effective approach is right in front of my nose. My county's lack of employment opportunities has meant no unauthorized residents.

If U.S. employment were limited to citizens and individuals who are authorized to be here, unauthorized border crossing would decline and some unauthorized residents would choose to leave. Part of this complicated problem can be solved by removing the incentives and rewards for being here illegally.

Emphasis on border fortifications makes little sense to me. Our borders with Canada and Mexico are too long and wild to secure in any meaningful way. And fortifying the border does nothing to remove the incentives and rewards for coming here illegally to find a job.

A better focus is to stop U.S. businesses and individuals from employing unauthorized immigrants. Employers would need access to a reliable national data base and screening technology. Substantial penalties would have to be imposed on those who failed to comply with the prohibition.

If U.S. business needs immigrant labor, work visas can be issued.

An employer-based system would require some form of national-identification program that would allow employers to determine an individual's legal status quickly and with reasonable accuracy. This would move beyond a Social Security number and a driver's license. It would require an employment card that cannot be forged and whose underlying information is truthful.

Enforcement of this aspect of immigration policy would shift from borders to boardrooms, from the undocumented to U.S. citizens. No more life-threatening chases. No criminals preying on immigrants. Fewer raids and roundups. No ranchers having to defend their homes and families; no immigrants risking their lives.

Unauthorized residents would find it increasingly difficult to get work. The decision to stay under these conditions or go is placed on the individual who is here improperly.

Employer-based enforcement will not end all future unauthorized immigration or force out all such residents, but it would reduce both.

It would certainly make life much harder for families who, for example, have one legal spouse and one illegal who can no longer find employment. None of the available approaches, including doing nothing, are perfectly fair to everyone or free of pain to someone of some type.

Most Americans feel, rightly or wrongly, that federal immigration law should be enforced. Many are uncomfortable with the idea that those who violate a reasonable law for personal betterment should prevail. I find it hard to agree with the argument that being here illegally creates a right to be here legally.

Amnesty, whether official or *de facto*, would reward unauthorized immigration and encourage more of the same.

Amnesty offered to draft-age males who violated federal law by fleeing the country during the Vietnam War was extended to U.S. citizens who opposed their own conscription. Amnesty for non-U.S. citizens who violate federal law because they wanted to is not the same.

I don't think that amnesty is the civil-rights issue of our day. African-American citizens disobeyed laws that denied or limited rights due them. Our immigration law does not limit residency rights of American citizens; it applies to non-citizens.

It may also be time for the country to rethink granting citizenship to every person born here. The Pew Center reported last year that "a growing share of the children of unauthorized immigrant parents -- 73% -- were born in this country and are U.S. citizens." Citizenship for such children is another incentive that encourages unauthorized entry and residence.

I recognize that removing immigration incentives and rewards would cause much dislocation, distress and loss. Millions of people -- including kids who are totally innocent -- would suffer. No one likes to advocate policies that would cause such hurt. But a larger hurt is in the offing if we don't deal with unauthorized immigration soon.

I'm skeptical about plans for a "path to citizenship," though that approach may be the only politically acceptable way to close the door to future unlawful entrants. A "path" is conditional amnesty—go through a new immigration process of the kind you avoided when you came and you can stay even though you shouldn't have been here.

If my county had a four-percent rate of unauthorized residents, it would amount to 100 individuals in our population of 2,500. That would be a very

big deal in a very small place. We might choose amnesty or a “path to citizenship,” but I doubt it.

I do not like where this column ended up, but I think that place is more defensible than the alternatives.

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