

Coming to America

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Beyond the Border Immigrants Continue to Fulfill the Oath of Citizenship and Contribute to America

By Ann Morse

Given the persistent focus on illegal immigration in public dialogue, it may be surprising to learn that many immigrants come to the United States to marry, to rejoin family and to work, and to seek haven from persecution or

As the baby boomer generation retires at a rate of 10,000 per day, immigrants are already filling the gaps within the U.S. economy

and low-wage jobs.

They create small businesses for their families in the restaurant and hospitality industries and fill seasonal agriculture and meatpacking, returning year after year. Some help address the growing demands in areas such as elder care.

And throughout U.S. history, politicians and citizens debate whether immigrants take jobs away from Americans, depress wages and fail to adopt American values.

Who is coming to America currently? What role do they play in our economy and communities? How are states responding?

Who Are America's Immigrants?

Each year, about a million immigrants arrive here legally. In 2015, 679,000 of them were relatives of U.S. citizens, 144,000 gained permanent work visas, 70,000 were refugees, and 47,000 received "diversity" visas because they came from countries with low emigration rates to the U.S.

The 44.2 million foreign-born residents living in the U.S. in fiscal year 2017 comprise 13.7 percent of the total population. About half, or 20 million, have become naturalized citizens and make up 6 percent of the population. One million, are legal noncitizens (4 percent of total population).

About 11.1 million U.S. residents (down from a high of 12.2 million in 2007) have come here illegally or have expired their visas, with an estimated 300,000 to 400,000 illegal immigrants arriving and leaving each year.

They make up 3 percent of the U.S. population. Most come from Mexico (56 percent), Guatemala (7 percent), El Salvador (4 percent), Honduras (3 percent) and China (2 percent).

In 2015, most of the immigrants who became permanent residents and received green cards were from Mexico, India, the Philippines and Cuba, while a majority of the refugees accepted into the country were fleeing from Iraq, Somalia, Congo and Bhutan.

Finally, a substantial number of foreigners enter the United States with temporary visas to study or work. About 4 million were admitted in 2015 to work in areas such as agricultural or seasonal work, or specialty occupations in high tech or health care. Another 2 million visas were issued to students.

Who's in Charge?

The federal government determines how many immigrants are permitted to enter the United States and their stay. But, in general, immigration policy, has evolved into a shared responsibility among local, state and federal governments.

Since Congress passed the last major reform of legal and illegal immigration 30 years ago, it has been unable to bring the system up to date. In recent years, states and localities have taken on additional responsibilities in immigration enforcement and immigrant integration.

The Deferred Action for Childhood Arrivals, or DACA program, was established by the Obama administration. It has allowed around 800,000 young unauthorized immigrants (who had lived in the U.S. since 2007, and without a criminal record) to apply for temporary legal status. This protected them from being deported for two years, which is renewable. It neither granted permanent legal immigration status nor offered a pathway to citizenship.

Opponents criticize the program as an executive overreach into legislative authority since Obama implemented it without going through Congress. Earlier this year, 10 state attorneys general threatened to sue the Trump administration if the program was not terminated, which was countered by about 20 state attorneys general writing in support of the program.

In September, the U.S. Department of Homeland Security rescinded the DACA program with a six-month deadline to allow Congress to act to save it. U.S. Attorney General Jeff Sessions argued the program has encouraged illegal immigration, denied jobs to hundreds of thousands of Americans and put our nation at risk for more crime.

David Bier, an immigration policy analyst at the Cato Institute, agrees that the program was implemented without congressional approval. He argues in an article in *The Washington Post* that the administration's "correct response, however—for economic and security reasons, but above all for moral reasons—would have been to actively push for Congress to pass legislation to end the program." He debunks the arguments Sessions gave as not based on the facts. "If we're going to debate the merits of DACA, we should know what we're talking about," he writes.

Bipartisan legislation entitled the Dream Act of 2017, has been introduced in both houses of Congress to be passed into law.

States Respond With Action

After DACA's implementation, state legislatures debated what government services—in the areas of education, health care, human services and licensing—the program's young recipients, as well as unauthorized immigrants in general, are eligible to receive.

All states now issue driver's licenses to DACA recipients. California, Colorado, Connecticut, Delaware, Hawaii, Maryland, New Mexico, Nevada, Utah, Vermont, Washington and the District of Columbia also issue licenses to unauthorized immigrants if they provide certain documentation.

Twenty states offer in-state tuition to unauthorized immigrant students, 16 by state legislative action and five by university systems action. Seven states and the District of Columbia offer state-funded financial aid to unauthorized immigrant students.

Alabama and South Carolina allow DACA recipients to enroll in public colleges and universities but prohibit undocumented students from doing so, and some institutions in Alabama allow DACA recipients to receive in-state tuition rates.

Tennessee Representative Mark White (R) introduced a bill for the third year in a row this year to allow in-state tuition rates to students whose parents brought them to the country illegally. "It is a basic, Republican, conservative principle to support a person who is willing to get up every morning, go to work, go to school and better their lives. They have been about as a party all my life," he says.

Others, like White's colleague Representative Judd Matheny (R), feel the country and the state of Tennessee are "more than generous" in letting the students receive the same K-12 public education as native-born children. "This [bill] will lead to an influx of noncitizen students into our education system," Matheny said before the bill came down in committee.

Another area states have addressed is professional licensing. Florida and Illinois allow eligible DACA recipients to receive law licenses. The New York Board of Regents allows eligible DACA recipients to receive professional and some teacher certifications. Nebraska issues certain professional and commercial licenses to eligible DACA recipients. California allows unauthorized immigrants to receive professional licenses if all other requirements are met.

Immigrants' Economic Impact

In the public debates over who should be admitted to the U.S., some argue immigrants take jobs away from native-born Americans and depress wages because they are willing to work for less. They question whether immigrants receive more government services than they pay for in taxes.

Studies show, however, that immigrants pay their share of sales, property and income taxes and have positive impacts on economic growth and business development.

In 2016, the National Academies of Sciences, Engineering and Medicine set out to examine the fiscal and social consequences of immigrants at the national and state levels, using a snapshot of time from 2011 to 2013.

"In synthesizing hundreds of studies, in the long term, there is little negative impact of immigrants overall on employment," says The Urban Institute's Kim Rueben, a participant in the NAS study.

But in the short term, "There is some compelling evidence of impact on some groups, like recent immigrants without a high school degree who are at the bottom of the wage scale," she says.

Other findings from the study include:

- First-generation immigrants cost more than native-born residents, mainly at the state and local level due to the costs of educating their children. When these second-generation children grow up, however, they

the strongest economic and fiscal contributors in the U.S. population, contributing more in taxes than the native population.

- Immigrants have higher representation in certain occupations requiring high levels of education (science, technology, engineering and health).
- The children of immigrants working in low-status jobs find substantially better paying jobs than their parents.
- Undocumented workers, as a group, tend to get low-paying jobs that don't require certifications.

"Immigrants arrive in their prime working years and help fill the jobs that Americans leave as they age out of force," writes Rueben. "Skilled foreign-born workers boost innovation and productivity, hold more patents, and are more likely to start new businesses than native-born Americans."

Rueben goes on to say that government spending and revenues related to immigrants are roughly the same as for native-born. Children cost more for education, workers pay more in taxes, and older people receive retirement benefits.

Looking specifically at the refugee population, a new report from the National Bureau of Economic Research shows that the longer refugees live in this country, the better their economic situation becomes. Refugees who arrive in the United States (and are 45 years old) contributed, on average, \$21,000 more in taxes than they received in benefits after 20 years.

Do Immigrants Become Americans?

How well do immigrants successfully integrate into the nation's social, economic and civic life? Do they learn English, become self-sufficient and adopt American values?

Another National Academies of Sciences study, completed in 2015, found that the level of educational attainment, English ability and income improved the more immigrants were integrated into American life.

The study found that today's immigrants appear to be learning English as fast or faster than earlier waves.

In general, immigrants' incomes improved the longer they lived in the United States, although more slowly than for others.

Researchers also discovered that when immigrants arrive, they are less likely to die from cardiovascular disease and cancer, and they have fewer chronic health conditions, lower infant mortality and obesity rates, and a longer life expectancy than native-born Americans. Over time, however, as they integrate into American life, these advantages decline.

And finally, the study found first-generation immigrant communities to have lower rates of crime and violence than comparable nonimmigrant neighborhoods. But in the second and third generations, crime rates increase to those of the general population.

Steps to a Solution

While the federal government has been stalled on immigration reform, state legislatures across the country continued to work on local immigration challenges and solutions.

"States are coming up with innovative ways to address immigration issues—in education, health care, and economic development—that the federal government seems to ignore," says Florida Senator René García (R).

Each year, over the last decade or so, state legislatures have considered an average of 1,300 bills and resolutions related to immigration and have enacted an average of 200 of them.

This year, lawmakers in 47 states and the District of Columbia enacted 133 laws and 195 resolutions on immigration almost twice as many as in 2016.

Many of the laws are budget related, but the rest address all kinds of areas. Examples range from requiring use of the federal E-Verify internet-based system to validate new hires to authorizing a seal of bi-literacy on diplomas.

State lawmakers are also assessing their role in immigration enforcement, debating sanctuary policies and cooperation with federal immigration authorities and detainer policies that help identify potentially deportable individuals.

“You’re seeing this state legislation come up because the feds haven’t fixed the issue, so states are taking action.” Nevada Senator Mo Denis (D).

Ultimately, however, immigration is a national responsibility that requires a national solution. It’s time to align economic and security needs for the 21st century.

The good news is there are plenty of lessons and best practices that can be drawn from state legislatures’ efforts to build strong economies and safe communities.

Ann Morse directs NCSL’s Immigrant Policy Project.

Sidebar: Immigrants Become Lawmakers

Minnesota Representative Ilhan Omar

Fleeing civil war, Minnesota Representative Ilhan Omar (D) and her family escaped Somalia and spent four years in a refugee camp in Kenya before resettling in Minnesota. She became policy director at an organization to empower African women to become civic leaders, and in 2016 ran for office herself, becoming the nation’s first Somali state legislator. She currently serves on the civil law, higher education, and government finance committee in the Minnesota House.

She hopes to “make our democracy more vibrant, more inclusive, more accessible and transparent.”

California Senator Janet Nguyen

Born in Vietnam, California Senator Janet Nguyen (R) also passed through refugee camps before settling in California in 1981. She served on the Garden Grove City Council and the Orange County Board of Supervisors before becoming the first Vietnamese-American to be elected to the California Senate in 2014. She serves on the health, government finance, human services and veterans committees.

“Never in my entire life did I think I would become a state senator. It’s the coolest thing. That’s the American dream. That’s what America is about.”

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