

The Immigration Debacle

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Post 9-11 Border Security

The Bush administration has been implementing increasingly restrictive policies towards undocumented or irregular immigration since the 9/11 terrorist attacks. It responds to the negative perception of a still porous and dangerous US-Mexico border, a public opinion constantly pressing to get more control over the country's fragile national security. In response, the federal government and Congress approved unprecedented amounts of funds assigned to intensify the process of "rebordering the borders", which has brought more institutionalized and sophisticated technology to border surveillance.

To get an idea of scale, in 1992, before the border operations were established by the Clinton administration, there were nearly 5,000 Border Patrol (BP) employees. By 2007, according to Department of Homeland Security (DHS), around 15,000 BP agents were listed and for 2008, there are expected to be 18,000 employees. Recently, U.S. President George W. Bush proposed raising the DHS budget even more, up 19% from last year, for border security. It will be assigned to build more fencing along the southern border and install high-tech surveillance equipment and other infrastructure.

The border security measures have changed the direction of migrant flows to unpopulated, inhospitable and dangerous places in an effort to ensure easy detection. Every year, immigration officials apprehend a large number of

migrants –some of them several times. In 1994, almost a million people were apprehended at the border; and 1,700,000 migrants were apprehended at the peak of the 2000 economic boom, the highest number in the last 15 years. Nevertheless, since 9/11, detentions of undocumented migrants have dropped substantially every year. For example, 1,206,457 migrants were detained or removed during 2006, and 85% of them were Mexican.

Security and the Changing Face of Migration

Crossing the border into the U.S. has become increasingly difficult, expensive and dangerous. It has transformed the Mexican migration pattern from a circular movement of workers, into a more permanent one. Many are reluctant to return to their places of origin, even temporarily, because going back and forth is too dangerous and costly. It has also raised the cost of migration. Several people are willing to pay expensive traffickers whatever sum is necessary to cross to “the other side.” Thus, human smuggling has become a very complex and lucrative business, from an estimate of US\$500 during the 80s to nearly US\$3,000 today. And it has driven up human rights violations, injuries, and the rate of deaths during border crossing. The death rate has risen from 30 to 60 deaths at the beginning of the 80s to more than 500 deaths annually during 2007. The attempt to make the border impermeable and resistant to the movement of persons, has not deterred Mexican immigrants from entering without documents to the US, but it has kept them from going back home. It has dramatically accelerated the rate of Mexican population growth in the US, while exacerbating the social and economic marginalization of the population.

Besides the impressive federal policy of enhancing border enforcement, the

Bush administration has recently proposed that employer sanctions must be applied in a stricter way, as a response to the frozen Immigration Reform by Congress. The DHS has been implementing a program to enforce immigration-rules at work sites by exposing undocumented workers with fake or stolen social security numbers to their employers. Their intention is not necessarily sanctioning employers, but deporting undocumented workers through violent and inhumane raids. Dramatic situations are taking place in different states that receive migrants. Virtually, every state legislature in the US, is discussing and in some cases approving, tough new immigration control measures against the presence of undocumented migrants, creating a subsequent increase in the anti-immigrant sentiment.

Consequently, the “enforcement only policy” applied by the Bush administration with the support of some states, has made life much more difficult for the 12 million undocumented immigrants. They are in a worse situation than before, and their contribution to the U.S. Economy has been poorly recognized. The fact that they are working and earning wages, paying taxes, and spending a good part of their salaries on goods and services is seldom mentioned.

The Benefits of Migration

Even though Mexicans are aware that the US economy is slowing, and that sectors that rely on undocumented labor will be affected, the incentives to migrate and the demand for cheap labour still exist. In other words, there are some U.S. states in real need of labor and considering temporary worker bills. In agriculture, for example, the Bush administration is now taking action to streamline the existing guest agricultural worker program, through H2A visas.

With respect to non-agricultural low-skilled labor, some lawmakers are under growing pressure to increase the supply of 66,000 seasonal-worker H-2B visas annually. Different local Legislatures are working with employers to provide a legal mechanism to deal with labor shortages. Simultaneously and contradictorily, authorities are conducting violent raids in suspected working places in order to detect illegal immigrants. This situation reflects the inefficient program that exists for hiring agricultural guest workers, and the need for more visas for non-agricultural low-skilled labor in construction, hotel and hospital services, agriculture, and mining industries, to name a few. Migrant labor with or without documents has been important for keeping these industries healthy and competitive.

The 2008 Presidential Campaign

Immigration has become a divisive issue in this year's presidential campaign. Nevertheless, the three main candidates support immigration reform with a path to legalization. All three of them seem to understand the urgency of reforming the immigration system. They also support the establishment of a verification system for employment. Individually, their positions are:

- **Clinton** would make it easier for legal immigrants to bring in extended family, and favors a guest worker program only for agriculture. She opposes driver's licenses for illegal immigrants and worksite raids. She wants a new employer verification system, since the existing one is full of errors.
- **Obama** promises to push for immigration reform during his first year in office. He is in favor of a guest worker program and is in favor of tougher worksite enforcement. He would like more visas

for highly skilled workers, but thinks family ties should remain the basis of legal immigration. He supports driver's licenses for illegal immigrants.

- **McCain**, the likely Republican presidential nominee and architect of the failed Senate's "McCain-Kennedy" Comprehensive Immigration reform bill, has supported a guest-worker program and a legalization process. Lately in his campaign, he has shifted the emphasis, promising to control the borders before implementing measures that were part of his reform bill.

The Empowered Hispanic Voter

In the middle of this rancorous immigration debate and almost a year after the immigration reform failure, most lawmakers at Congress are discussing different measures to improve border security and the enforcement of immigration laws. Some are also concerned about the business demands for more foreign workers. Few are working on the challenge of what to do with undocumented migrants already living in the country.

More than ever before, U.S. Citizens of Mexican origin have an opportunity to make their vote count, and support a candidate who would try to really push "Comprehensive Immigration Reform," including more visas and a path to legalization. I hope that the increasingly institutionalized and organized Mexican American Community try to lobby – with the support of the Mexican government- local governments and legislatures, in order to diminish the anti-immigrant initiatives and change the growing harassment and negative sentiments towards Mexican migrants.