

IMMIGRATION POLICY PAPER

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TIME FOR A NATIONAL DEBATE ON IMMIGRATION REFORM

President Obama came into office promising the passage of comprehensive immigration reform. Such reform seemed likely, considering that Democrats controlled both houses of Congress. But when Republicans took control of the House of Representatives in 2010, the prospect for meaningful change dimmed. Remarkably, the U.S. Senate was able to reach a bipartisan compromise, resulting in the June, 2013 passage of the Border Security, Economic Opportunity and Immigration Modernization Act. Fourteen Senate Republicans supported the bill, providing a comfortable margin of passage – 68-32. Yet the Republican-controlled House has been unwilling even to allow a vote on immigration reform.

Some prospect for an immigration compromise arose when House Majority Leader, Eric Cantor, provided at least lukewarm support for portions of the Senate bill. But those prospects were quickly snuffed out when Cantor was defeated by a Tea Party challenger in a Republican primary election. Mark Sappenfield, writing in the *Christian Science Monitor*, explained the role that Cantor's support for immigration reform played in his surprising defeat:

Immigration reform keeps finding new ways to die. First, the Senate in 2013 passed a comprehensive immigration reform bill with such broad bipartisan support that backers said it would "be impossible for the House to ignore." The House has ignored it. Then earlier this month, a tea party-backed candidate toppled House majority leader Eric Cantor (R) of Virginia in a campaign in which he repeatedly attacked Mr. Cantor over his support for a small portion of immigration reform. "Eric Cantor loss kills immigration reform," the headlines blared. Now, an evolving crisis on the border, with tens of thousands of unaccompanied children from Central America arriving in Texas, is straining border security "to the breaking point," according to a Border Patrol union official. To critics, the surge is evidence of the perils of immigration reform. (Sappenfield, Would Immigration Reform Make Border Crisis Better, 2014)

The existing framework for the regulation of immigration is created primarily by two pieces of legislation: the Immigration Reform and Control Act of 1986 (IRCA) and the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA). IRCA created significant penalties for employers choosing to hire illegal immigrants, though certain provisions were made for season agricultural workers. This legislation also created an opportunity for legal status certain immigrants if they could prove they had been in the country before 1982, were not criminals and could speak English. The IIRIRA was designed to create yet another path to citizenship, but this path was exceptionally difficult: an illegal immigrant would have to return to their country of origin for a minimum of ten years, after which they could apply for a waiver to return to the United States and make application for citizenship.

Both IRCA and IIRIRA are now widely regarded as failures. David Nakamura, writing in the February 16, 2014 issue of the *Washington Post*, describes the problems with IRCA:

The Immigration Reform and Control Act put 2.7 million people on the path toward citizenship, marking the largest legalization program in U.S. history. But in many ways, the law has been deemed a failure – and stands as one of the chief impediments to a new round of reform. The bill denied legal status to more than 2 million others who had recently arrived in the country, and failed to create a guest worker program large enough to handle the surge of workers streaming across the border over the next two

decades. The number of people living in the country illegally rose again quickly, reaching more than 11.7 million last year. (Nakamura, 2014, p. A2)

The shortcomings of IIRIRA were described by El Paso attorney, Ouisa Davis, in a June 13, 2014 commentary:

The transfer of Central American undocumented immigrants from the Rio Grande Valley to El Paso over the past week indicates that the 1996 Illegal Immigration Reform and Immigrant Responsibility Act was flawed. Four primary reasons provide the impetus for people leave their homelands to rejoin family already in the United States, to seek economic opportunity, to contribute to our diverse society or to escape violence and persecution. These are the four pillars of our immigration system, laws and policies. However, since the 1980s, immigration law and policy are no longer a doorway of migration which historically built our nation. The mechanisms through which people could legally migrate to the United States have been decimated and our foundational principles clouded in a haze of polemics. (Davis, 2014)

Politicians on both sides of the aisle are fully aware of the failures of current immigration policy, yet immigration reform makes for dangerous politics. There are powerful political motives for Congress and the President to continue to bicker over immigration while doing nothing to solve the problem. Key players seem to believe that their political interests are best served by blaming the other side. The Democrats court Hispanic voters by blaming Republicans for harsh immigration measures. The Republicans fire up their base by blaming illegal immigrants for economic stagnation and rising crime along the border. Unfortunately, these political talking points provide both sides with strong incentives to maintain the status quo. Yet time seems to be on the side of the Democrats as the percentage of Hispanics among active voters continues to increase.

Until very recently, President Obama seemed content merely to blame Congressional Republicans for blocking reform. The *New York Times* blasted this position in an April 6, 2014 editorial:

If President Obama means what he says about wanting an immigration system that reflects American values, helps the economy and taps the yearnings of millions of Americans-in-waiting, he is going to have to do something about it – soon and on his own. It has been frustrating to watch his yes-we-can promises on immigration reform fade to protestations of impotence and the blaming of others. All Mr. Obama has been saying lately is: No, in fact, we can't, because Republicans and the law won't let me. (*New York Times*, 2014, p. SR-10)

There certainly is justification for President Obama's despair over congressional inaction. The June 25, 2014 issue of *Politico* evaluates the prospects for comprehensive immigration reform:

The hope for immigration reform this year has been sucked out of perhaps the most optimistic advocate on Capitol Hill: Rep. Luis Gutierrez. In a fiery floor speech Wednesday, the Illinois Democrat – the leading congressional advocate on the issue – declared the prospects for reform dead this year and said the only option left is for President Barack Obama to take unilateral action to stem deportations. (Kim, 2014)

The latest development in immigration policy involves a controversial expansion of President Obama's use of executive orders to accomplish an "end run" around congressional inaction. Julie Hirschfeld describes this effort in a July 1, 2014 article in the *New York Times*:

President Obama said Monday he would use his executive power to make potentially sweeping changes to the nation's immigration system without Congress, acknowledging the death of his more than yearlong effort to enact compromise legislation granting legal status to 11 million immigrants here illegally. Mr. Obama said he had ordered a shift of immigration enforcement resources from the interior of the country toward the southern border, and was asking his team to report back to him by the end of the summer on additional actions he could take. The actions could be as far-reaching as giving work permits and protection from deportation to millions of immigrants now in the country. (Hirschfeld, 2014, p. A9)

COMPREHENSIVE IMMIGRATION REFORM: WHAT DOES IT MEAN?

Comprehensive immigration reform usually implies action on two fronts: stronger enforcement at the border and some orderly citizenship process for the millions of illegal immigrants now present in the United States. All parties seem to agree that some combination of these two elements will be necessary; the key debate is over which comes first, enforcement at the border or citizenship for long-time U.S. residents. Democrats argue that we no longer need to choose between border enforcement and a citizenship process – border enforcement, they say, is already sufficient.

While opposing comprehensive immigration reform fires up the Republican base, it also portends long-term problems for the party. Chris Cillizza, writing in the February 10, 2014 *Washington Post*, describes the problem for Republicans:

It's hard to see Republicans winning a presidential election in the coming years without making inroads into the Hispanic community. Consider this: Romney won the white vote by 20 percentage points, carried independent voters by five points and won voters who said the economy was the most important issue by four points. And he still lost to Obama by 126 electoral votes. Combine the shrinking white vote – it declined as a share of the overall electorate again in 2012 – with the boom in the Hispanic population, and it becomes quite clear that Democratic lean is a demographic problem that is only going to get worse for Republicans. That is, unless the party can find a way to be competitive – or at least a whole heck of a lot more competitive than Romney – among Latinos. (Cillizza, 2014, p. A2)

The Republican strategy in the House continues along the path of promoting border enforcement and guestworker programs, while opposing an easier path to citizenship. Bob Ray Sanders describes this approach in a January 13, 2014 article in the *Pittsburgh Post-Gazette*:

It wouldn't surprise me if we saw a series of proposals coming from Mr. Boehner and his colleagues in the House that would address these issues, probably in this order: (1) more money for border enforcement; (2) increasing the number of visas for high-skilled workers; and (3) creating a guest-worker program that would provide foreign seasonal employees to harvest crops. That means that the legalization issue is likely to be put on the back burner in the middle of the election season. But that could be a tactical mistake that Mr. Boehner and the Republicans will come to regret. There can be no meaningful immigration reform without addressing a path to citizenship for undocumented immigrants already here, many of whom are part of the American fabric whether people like it or not. (Sanders, 2014, p. A8)

Conservative columnist, George Will, believes that Republicans are making an historic mistake by continuing to emphasize border enforcement over a workable path to citizenship for millions of illegal immigrants:

Many Republicans rightly say control of borders is an essential ingredient of national sovereignty. But net immigration from Mexico has recently been approximately zero. Border Patrol spending, which quadrupled in the 1990s, tripled in the 2000s. With illegal entries near a 40-year low, and a 2012 Government Accountability Office assessment that border security was then 84 percent effective, will a "border surge" of \$30 billion more for the further militarization (actually, the East Germanization) of the 1,969 miles assuage remaining worries? (Will, 2014, p. B7)

Yet Democrats also have a political problem with their Hispanic supporters; they continue to promise more than they have been able to deliver on immigration reform. While President Obama's executive orders may address some problems, they will inevitably fall short of comprehensive reform. Jordan Grossman discusses this problem in the Winter 2014 volume of the *Harvard Law & Policy Review*:

President Obama has stressed CIR [comprehensive immigration reform] as a top legislative priority since his first campaign for President, and the main elements of reform he has advocated have remained relatively consistent. Now, as then, he supports four broad categories of reforms: (1) bringing undocumented immigrants out of the shadows and, ideally, on a path to citizenship; (2) bolstering enforcement against criminals, employers who exploit undocumented labor, and the use of trafficking of fraudulent documents; (3) strengthening border security; and (4) fixing the broken architecture of the legal immigration system. Unsurprisingly, efforts in the Senate during 2013 focused on similar categories, as the Senate "Gang of Eight" leading the push for CIR organized their legislative package around roughly the same principles. As this high-level attention demonstrates, clearly much remains to be done in the field of immigration reform that simply cannot be achieved administratively. (Grossman, 2014, p. 202)

STATE AND LOCAL GOVERNMENTS AND IMMIGRATION REFORM

So long as the federal government fails to adopt comprehensive immigration reform, the state governments will continue to grapple with the issue. Arizona was the first state to adopt its own immigration policy, but it has been followed by several others, including, most recently, Georgia, Alabama and South Carolina. Much of this reform has addressed only the border enforcement component of the immigration puzzle. The movement to adopt state-based immigration regulation has generated a great deal of controversy and more than a few boycotts. Some convention attendees have lobbied their national organizations to avoid holding meetings in the states that have adopted draconian anti-immigrant measures.

State legislators place the blame squarely on Congress inaction as justification for state activity in the area of immigration reform. Brett Merritt, writing in the Winter 2014 volume of the *Oklahoma Law Review*, describes the tension that this inaction creates for the federalist ideal:

Dysfunctional. This is an unfortunate but appropriate description of the United States' current system of immigration regulation. Some commentators place the blame for this regulatory breakdown on Congress. Despite decades of effort, our government still fails to agree on the design of effective immigration reform. Consequently, individual states attempt to regulate unilaterally. However, in doing so, states must navigate hazy precedent regarding the limits on their proper authority over immigration. The recent *Arizona v. United States* decision sheds light on the continuing struggle between states and the federal government and illustrates the complexities of evaluating state authority over immigration. (Merritt, 2014, p. 401)

According to the *Washington Post*, “last year, Republicans and Democrats in 45 state legislatures took decisive action to revise their own laws” (Wilson, 2014, p. A13). According to the *New York Times*, these state measures involved a mixture of anti-immigrant and pro-immigrant measures: “State legislatures also passed more laws last year extending rights to immigrants without legal status (for driver’s licenses, for example) than those adding restrictions” (Preson & Archibald, 2014, p. A12). Ironically, the immigration controversies at the local level have almost exclusively consisted of pro-immigrant measures, as represented by the “sanctuary cities” movement.

IS IMMIGRATION A THREAT TO PUBLIC SAFETY?

At the heart of the immigration debate are questions about whether facilitating immigration is a good or bad thing: Some of these questions involve matters of public safety: Does immigration expose border communities to higher levels of crime? Does illegal immigration provide a cover for terrorist activity?

Anti-immigration activists believe that immigrants are a significant source of crime in America. Incidents involving a rape or homicide where an illegal immigrant is the perpetrator are given widespread publicity. To some extent, the connection between immigration and crime has been fed by the deportation policies of the Obama administration. Michael Light, an analyst with the Pew Research Center’s Hispanic Trends Project, explains this connection in a recent report entitled, *The Rise of Federal Immigration Crimes*: “The federal government has deported nearly 400,000 unauthorized immigrants a year since the start of the Obama administration. A growing share of those deported were convicted of a criminal offense, including some related to immigration crimes” (Light, 2014).

Yet Obama administration critics claim that many criminals are released when they should be deported. Jessica Vaughan, director of policy studies at the Center for Immigration Studies, charges that Immigration and Customs Enforcement officials choose to ignore the criminal activity of illegal aliens:

A review of internal ICE metrics for 2013 reveals that hundreds of thousands of deportable aliens who were identified in the interior of the country were released instead of removed under the administration's sweeping "prosecutorial discretion" guidelines. In 2013, ICE reported 722,000 encounters with potentially deportable aliens, most of whom came to their attention after incarceration for a local arrest. Yet ICE officials followed through with immigration charges for only 195,000 of these aliens, only about one-fourth. According to ICE personnel, the vast majority of these releases occurred because of current policies that shield most illegal aliens from enforcement,

not because the aliens turned out to have legal status or were qualified to stay in the United States. Many of the aliens ignored by ICE were convicted criminals. (Vaughan, 2014)

According to *Washington Times* staff writer, Stephen Dinan, some of the illegal aliens released by ICE officials are guilty of murder and other serious offenses:

Immigration officials knowingly released dozens of murderers and thousands of drunken drivers back into the U.S. in 2013, according to Obama administration statistics that could undercut the president's argument that he is trying to focus on the most serious criminals in his immigration enforcement. Among the 36,000 immigrants whom U.S. Immigration and Customs Enforcement released from custody last year there were 116 with convictions for homicide, 43 for negligent manslaughter, 14 for voluntary manslaughter and one with a conviction classified by ICE as "homicide-willful kill-public official-gun." (Dinan, 2014)

In a May 2014 report, Judicial Watch also claims that illegal aliens are responsible for many serious criminal offenses:

Besides implementing a flagrant amnesty plan that defies Congress and the rule of law, the Obama administration freed tens of thousands of illegal immigrants convicted of violent and serious crimes last year, according to the government's own records. The crimes committed by illegal aliens released from federal custody include homicide, sexual assault, theft, kidnapping and alcohol-related driving convictions. In all, Immigration and Customs Enforcement (ICE) freed 36,007 aliens convicted of 88,000 crimes from detention centers throughout the United States, according the breathtaking agency records, which were obtained this month by a nonpartisan research center dedicated to studying immigration issues. (Judicial Watch, 2014)

Yet representatives of pro-immigrant groups argue that the real question is whether illegal immigrants are disproportionately responsible for criminal activity. Donusia Lipinski, an immigration lawyer with the Blue Ridge Immigration Law Center, says that illegal immigrants commit crime at rate significantly lower than U.S. citizens: "Foreign nationals in the U.S., whether they are naturalized citizens, permanent residents or undocumented immigrants, are incarcerated at a much lower rate than native born Americans. High rates of immigration are not associated with high rates of crime. Being in the United States in violation of immigration laws is a civil violation. It is not a crime" (Lipinski, 2014).

DOES IMMIGRATION UNDERMINE THE U.S. ECONOMY?

Economists typically conclude that undocumented workers have a net-positive impact on the federal budget, but a net-negative impact on state and local government budgets. Undocumented workers have Social Security taxes withheld from their paychecks even though they are ineligible to receive retirement or other benefits from the federal government. Walter Ewing, a senior researcher at the Immigration Policy Center, explains this argument: "All undocumented immigrants pay sales and property taxes, and—contrary to popular belief—most pay federal and state income taxes as well, even though they're not eligible for Social Security, Medicare, or the many other programs their tax dollars help fund. Undocumented immigrants also spend billions of dollars each year, which supports our

economy and helps create new jobs” (Ewing, 2014). The going wisdom is that illegal immigrants benefit the federal treasury, but represent a drain on state and local budgets because of the cost of education and other services funded primarily at the local level. Yet Ewing disagrees even with this claim: “A 2006 study by the Texas State Comptroller estimated that the 1.4 million undocumented immigrants in Texas alone added almost \$18 billion to the state's economic output, and more than paid for the \$1.2 billion in state services they used by generating \$1.6 billion in new state revenues” (Ewing, 2014).

The Immigration Policy Center also argues that immigrants bring a needed source of energy and creativity to the U.S. economy: “Across the United States of America, there is no doubt that immigrant entrepreneurs and innovators play an important role. Immigrant entrepreneurs bring in additional revenue, create jobs and contribute significantly to the economy. Immigrant small business owners contribute in many ways to their local communities. Furthermore, highly skilled immigrants are vital to the country’s innovation industries, and to the many metropolitan areas across the nation, helping to boost local economies” (Immigration Policy Center, 2014). Hillary Kramer, an economist with *Forbes Magazine*, argues that comprehensive immigration reform will become a growth engine for the future of the U.S. economy: “With Washington often appearing hopelessly gridlocked, there’s one issue critical to the nation’s economic health that both parties seem to agree on: the need to fix the nation’s broken immigration system. In particular, the U.S. needs to take advantage of the global high-skilled labor supply to meet demand as our global competitors step up their game to attract the best and brightest talent” (Kramer, 2014). Kramer adds that “immigrants were more than twice as likely to start businesses each month than were the native-born in 2010” (Kramer, 2014).

If steps were taken to exclude illegal immigrants, certain sectors of the U.S. economy would significantly suffer, according to H.A. Goodman, writing in *The Hill*:

The truth of the matter is that illegal immigrants are important to the U.S. economy, as well as vital to certain industries like agriculture. According to the Pew Research Hispanic Trends Project, there were 8.4 million unauthorized immigrants employed in the U.S.; representing 5.2 percent of the U.S. labor force (an increase from 3.8 percent in 2000). Their importance was highlighted in a report by Texas Comptroller Susan Combs that stated, “Without the undocumented population, Texas’ work force would decrease by 6.3 percent” and Texas’ gross state product would decrease by 2.1 percent. Furthermore, certain segments of the U.S. economy, like agriculture, are entirely dependent upon illegal immigrants. The U.S. Department of Agriculture states that, “about half of the hired workers employed in U.S. crop agriculture were unauthorized, with the overwhelming majority of these workers coming from Mexico.” The USDA has also warned that, “any potential immigration reform could have significant impacts on the U.S. fruit and vegetable industry.” From the perspective of National Milk Producers Federation in 2009, retail milk prices would increase by 61 percent if its immigrant labor force were to be eliminated. (Goodman, 2014)

Despite the foregoing claims, other observers are just as convinced that immigration – especially illegal immigration – harms the U.S. economy. Mark Krikorian, an analyst with the Center for Immigration Studies, offers the following view:

In purely economic terms, illegal immigration is harmful because it floods our 21st-century economy with 19th-century-style low-skilled workers. Almost 60 percent of

adult illegal immigrants lack a high school education. That's more than nine times the rate among native-born Americans. This has three consequences. First, it means big costs for taxpayers. Workers with little education don't earn much money, so they pay little in taxes and use a lot of government services. For example, half of Mexican immigrant families use at least one welfare program. It's not a question of laziness; it's just that the average high school dropout cannot support a family in a modern society like ours without government assistance, no matter how many jobs he or she has. The second problem is that it reduces the wages of low-skilled Americans. As we flood the market for entry-level jobseekers, they lose the ability to demand higher salaries. Research shows that illegal immigration has cut the earnings of poor Americans by 7 percent, and even forced some out of the job market. (Krikorian, 2014).

One enduring concern is that the influx of illegal immigrants increases the unemployment rate among disadvantaged members of the U.S. workforce. Tony Lee, writing in *Breitbart News*, explains the basis for this argument:

A member of the U.S. Commission on Civil Rights advised the Congressional Black Caucus on Tuesday to oppose amnesty legislation backed by President Barack Obama and Democrats because it threatens to further devastate the employment opportunities for black Americans. Commissioner Peter Kirsanow, in his individual capacity as a member of the eight-member commission, wrote to Rep. Marcia Fudge (R-OH), the chair of the Congressional Black Caucus (CBC), and said that amnesty would "disproportionately harm lower-skilled African-Americans" whose economic conditions have already gotten worse under America's first black president. He asked members of the CBC to "oppose any legislation that would grant any form of work authorization to illegal aliens" and "oppose legislation that would increase the overall number of guest workers admitted to the U.S. each year." (Lee, 2014)

GUESTWORKER PROGRAMS

While immigration reform was not the heart of the 2013-14 national policy topic, the final round of the National Speech and Debate Tournament focused on the ills of the current guestworker program. South Dakota's Roosevelt High School offered a spirited argument that the nation's current guestworker program should be regarded as modern day slavery. Workers are sponsored by a single employer and can be sent back to their country of origin at any time the employer is dissatisfied with their work. This situation can coerce migrant laborers into tolerating abuse and nearly impossible working conditions; workers are made to feel that they cannot complain or they will risk being sent back home. The Roosevelt High debaters also argued that the current ceiling on the number of guestworkers is too low to meet the needs of the U.S. agricultural industry. Their plan was to "uncap" the number of guestworkers and to make guestworker visas portable, allowing guestworkers to freely move from one employer to another.

The negative team from Glenbrook South High School in Illinois won the debate with arguments that the proposed revisions in the guestworker program would not solve the abuse problems and that the needs of the U.S. agricultural industry could best be met with increased investment in robotic harvesting devices. The quality of the final round did a couple of things for this observer: (1) It

provided an outstanding example of all that is good about policy debate and (2) it illustrated the richness of the debate about the need to reform U.S. guestworker programs.

Denise Brennan, professor of anthropology at Georgetown University, compares the current guestworker program to human trafficking: “A threatening or coercive work environment, in which employers also monitor their employees' activities after work, may not be trafficking, but it is arguably close to it. Trafficking policy that provides immigration relief and social-service assistance for severely abused workers cannot be separated from the larger context of rampant exploitation of low-wage migrant workers” (Brennan, 2014). Paul Holdsworth, writing in the May 2014 volume of the *University of Richmond Law Review*, describes the conditions now facing undocumented workers:

Many of today's seven million undocumented workers – roughly five percent of America's workforce – find themselves between a rock and a hard place. Many have braved the risks of heat exhaustion, dehydration, hypothermia, life-threatening wild animal attacks, kidnapping, rape and death in order to come to the United States. In fact, studies show roughly 300 to 800 migrants die in U.S. territory every year trying to cross the border. In most cases, these individuals leave behind their homes and family members in hope of a better life and an opportunity to pursue the "American Dream." Even if these individuals successfully make it across the border, they still face the increasingly difficult road to socioeconomic prosperity. That road frequently begins with the harsh reality that the vast majority of available work is in some of the most dangerous professions in the country, with the frighteningly high possibility of death, or at minimum, the high probability of a debilitating workplace injury during employment. (Holdsworth, 2014, pp. 1370-1371)

Guadalupe Luna, professor of law at the Northern Illinois University College of Law, agrees with the comparison of the U.S. guestworker program to slavery:

Agricultural workers consist of documented and undocumented men, women and children. Farm laborers who are in agricultural fields or who are performing miscellaneous farm tasks are also enslaved, held hostage and vulnerable to human trafficking – all of which trigger Thirteenth Amendment violations. Additionally, an estimated three hundred to eight hundred thousand children are in agricultural employment, either as direct hires providing seasonal work or – in the worst of situations – as workers laboring alongside their families to supplement their parents' income. Children as young as age five pick blueberries, and youth detassel corn, harvest tomatoes and work in fields harvesting tobacco. (Luna, 2014, p. 270)

U.S. business owners are also calling for reform of U.S. guestworker programs. The following example comes from Tom Hensley, president of the Fieldale Corporation:

Some Republicans in Congress say they want to delay immigration reform. After years of avoiding the issue or resisting change, they say they support an overhaul, just not this year. Yet business owners need certainty. Most need an ample supply of workers. They need clarity from the government. They need to have confidence they aren't inadvertently breaking the law just by doing what they need to do to stay in business. The government isn't giving them the tools or information they need. (Hensley, 2014)

REFORMING IMMIGRATION DETENTION

Given the current political divide, one might assume that immigrant groups view President Obama as their champion. Yet the number of immigrant detentions has grown steadily during the Obama administration. Farrin Anello, professor of law at Seton Hall School of Law, reviews the detention numbers: “Mandatory detention of people in removal proceedings has led to a massive increase in civil immigration detention in the United States. The number of people detained on a given day has risen from about 6600 in fiscal year 1996 to at least 34,000 in 2012. In 2011, the United States detained an unprecedented 429,000 people, and in fiscal year 2013 the federal government spent over \$ 2 billion on immigration detention – about \$ 164 per day per person detained” (Anello, 2014, p. 365).

According to a report in the *New York Times*, immigrant detentions can last for years: “You can find examples of federal detainees held inexplicably for years without criminal charges or bond hearings much closer to home than Guantanamo Bay, Cuba. In Southern Florida, five Sri Lankan men were held without bond for more than three years as they sought asylum, saying they had been promised leniency in return for aiding a federal investigation of the smuggling ring that brought them into the country illegally” (Editorial Board, 2014, p. A18). The detention of immigrants raises a number of questions about the right to an attorney, access to health care, the physical condition of detention facilities and access to habeas corpus appeals.

REFORMING DEPORTATION POLICY

The Obama administration has been accused both of abandoning its duty to deport illegal immigrants and of draconian increases in such deportations. Jeremy Redmon, writing in the April 18, 2014 edition of the *Atlanta Journal-Constitution*, described this controversy:

The number of deportations ordered by the nation's immigration courts has dropped by more than 40 percent since 2009, as the Obama administration has shifted the focus of its enforcement efforts, a new government report shows. The Justice Department's report comes as the White House is taking fire from two sides for its approach. Republicans are accusing it of watering down enforcement, while immigrant rights activists are complaining too many people -- including parents and children -- are being deported. Hundreds of these activists marched through downtown Atlanta this month. (Redmon, 2014, p. 1A)

Republicans complain about the decline in deportation numbers from the levels of the Bush administration. Lourdes Medrano, a *Christian Science Monitor* staff writer, reviews the changes in deportation numbers:

An ICE directive issued on June 2011 orders agents not to arrest minor criminals, long-time residents, students, parents, caregivers, she writes. For none of these categories is there any "statutory basis for special treatment." Moreover, the record of deportations by the Obama administration from 2009-12 averages about 800,000 a year. That compares with 1.3 million a year for President George W. Bush and 1.5 million for President Clinton (the record). The closest comparison for Obama's record is the

Ford administration (1974-76), at 804,000, "when there were a lot fewer people living in the country illegally," she says. (Medrano, 2014)

But another article in the *Christian Science Monitor* asks why immigrant groups are increasingly referring to President Obama as "deporter-in-chief:" "Spending on enforcement surpassed about \$18 billion in fiscal year 2012 – up substantially from 1986, when Congress passed the last big immigration reform. The U.S. spends more money combating illegal immigration than it does on other major federal law enforcement combined, according to a study last year by the Migration Policy Institute, a nonpartisan think tank. The combined total includes spending for and by the Federal Bureau of Investigation, the Drug Enforcement Administration and the Secret Service" (Kiefer, 2014).

The *New York Times* has editorially blasted the Obama administration for its enthusiastic enforcement of deportation laws:

Mr. Obama is correct when he complains that long-term immigration repairs have been throttled in Congress. Neo-nativist Republicans fixated on mass deportation have blocked a worthy bipartisan bill. But Mr. Obama has compounded this failure by clinging to a coldblooded strategy of ramped-up enforcement on the same people he has promised to help through legislation that he has failed to achieve. With nearly two million removals in the last five years, the Obama administration is deporting people at a faster pace than has taken place under any other president. This enormously costly effort was meant to win Republican support for broader reform. But all it has done is add to the burden of fear, family disruption and lack of opportunity faced by 11 million people who cannot get right with the law. Because of Mr. Obama's enforcement blitz, more than 5,000 children have ended up in foster care. (*New York Times*, 2014)

Especially controversial is the Obama administration's use of the threat of deportation in order to pry information out of informants – typically in Islamic immigrant communities. This practice was criticized in the February 2014 volume of the *California Law Review*:

When individuals are pressured into becoming informants by the threat of deportation, which may remove them from their family and all sources of support, the decision essentially becomes a Hobson's choice. Informants recruited in this manner who also lack legitimate ties to foreign terrorist organizations have an enormous incentive to fabricate information to fulfill their end of the agreement and avoid deportation. Attorney Stephen Downs of Project SALAM explained, "Community life is shattered as the government often forces Muslim immigrants to spy on their own communities or give false testimony with the threat that the Muslim's immigration status will be "revised" if the Muslims do not cooperate. Such practices generate fear and alienation in the Muslim community and diminish our security rather than enhance it." (Stabile, 2014)

THE IMPACT OF DEPORTATION ON IMMIGRANT FAMILIES

The U.S. Constitution provides that any persons born on U.S. soil are automatically U.S. citizens. In millions of cases, therefore, immigrant families involve children who are citizens, living with parents who remain undocumented immigrants. Such families are called "mixed families." Deportation often results in family separation. Elise Foley, a writer for *Huff Post Politics*, reports that

“Immigration and Customs Enforcement last year [2013] carried out more than 72,000 deportations of parents who said they had U.S.-born children” (Foley, 2014). Marielena Hincapié, executive director of the National Immigration Law Center, describes the impact of these deportations: “In truth, this administration — more than any other — has devastated immigrant communities across the country, tearing families away from loved ones, simply because they drove without a license, or re-entered the country desperately trying to be reunited with their family members” (Thompson, 2014).

Lacey Williams, advocacy director for the Latin American Coalition, has also criticized Obama administration deportation policies:

Current immigration policy separates hundreds of children, many of them U.S. citizens, from their parents through senseless deportation every day. This results in widespread, needless tragedies: fatherless children, broken homes, forced poverty – in short, a bleaker future for children. It’s an urgent, pervasive moral crisis. President Obama is the enforcer of these terrible family separation policies and practices. As a recent, landmark *New York Times* article shows, contrary to the Obama administration’s claims, two-thirds of people deported under Obama’s watch had no criminal record or had minor infractions such as traffic violations. This can and should change immediately. (Williams, 2014)

The constant threat of family separation from deportation has significant mental health impacts, according to the following report in the *New York Times*:

Anabel Barron, who has lived in the United States for nearly two decades, was facing deportation after being stopped for speeding and driving without a license. Her record showed that she had been removed previously and she said she returned to be with her four American-born children. At a regular Tuesday night meeting of immigrants at a converted church, she was fretting about her coming hearing. “I am afraid of being deported,” she said. “But for my children it’s worse. They don’t sleep the same. They don’t eat. They don’t want to go to school because they are afraid I am not going to be there when they get home.” (Thompson, 2014)

THE DREAM ACT AND TREATMENT OF IMMIGRANT CHILDREN

When we debated the poverty topic in 2001, it seemed a foregone conclusion that the DREAM Act, an acronym for Development, Relief and Education for Alien Minors, would pass before the end of the debate season. Even though it did not pass at that time, political observers predicted it would surely pass when Democrats took control of both houses of Congress in 2009 and 2010. Yet the DREAM Act was the victim of a successful filibuster in the U.S. Senate; even now, passage now seems only a remote possibility. The purpose of the DREAM Act was to allow undocumented minors to remain in the United States in order to have an opportunity to complete their college education.

The dim prospects for passage of the DREAM Act were reviewed by Stephen Nelson, professor of political science at the University of Utah:

The DREAM Act continues to garner both passionate support and vigorous opposition. The most recent versions of the DREAM Act, S. 952 and H.R. 1842, are currently before both chambers of Congress. These versions both include a repeal of

Section 505 of the IIRIRA, and both versions explicitly intend to restore the option for states to determine residency for the purpose of tuition at institutions of higher education. As of October 2012, thirty-five cosponsors of the Act have joined Senator Durbin (D-IL) in the Senate, and 115 cosponsors have joined Representative Berman (D-CA) in the House. Despite over ten years of effort, however, supporters of the DREAM Act are no closer to seeing its passage in Congress. (Nelson, 2014, p. 258)

Since Congress had so obviously failed to protect the interests of immigrant young people, President Obama promised to correct the problem through an executive order. In 2012, President Obama administratively created the Deferred Action for Childhood Arrivals (DACA) program, promising to defer deportation for immigrant children. One of the unintended effects of DACA is that word has spread throughout Central America that the U.S. will no longer deport undocumented immigrant children. The resulting influx of immigrant children has become the latest U.S. immigration crisis, as explained by Richard Fausset in a June 6, 2014 article in the *New York Times*:

This is what it looks like when an immigration system is overwhelmed by tens of thousands of women and children from Central America. In an emergency shelter for unaccompanied children at Lackland Air Force Base here, on a concrete pad where troops would typically muster, roughly 100 teenage boys listened attentively on Thursday to a man who was preaching to them in their native Spanish. "We know that you are sad, that you are alone," he said. "Don't look at the size of the problem. Look toward the solution." He went on: "Let's defeat this giant!" In Phoenix, up to four buses a day arrive at the Greyhound station, each filled to capacity with women and children from El Salvador, Guatemala and Honduras. They crossed the border in Texas, but immigration officials sent them to Phoenix because the Texas facilities were overcrowded. (Fausset, 2014, p. A12)

VISA REFORM

U.S. employers have consistently argued for an increase in the quotas for certain types of visas in order to facilitate their need for a high-tech workforce. *Forbes Magazine* economist, Hillary Kramer, described this argument:

There's agreement among government officials and industry leaders that America should be the world's number one destination for highly-skilled workers. The H-1B visa program was created to connect those individuals with U.S. employers who can't find domestic workers with the right skill sets. Without the H-1B program, many companies would be unable to find workers with the science, technology, engineering and mathematics skills (STEM) they need to innovate and grow. (Kramer, 2014)

REFUGEE POLICY

Controversies over U.S. asylum and refugee policy abound. A first controversy involves the role of marriage in U.S. immigration policy – a policy that may give undue power to husbands over immigrant wives. Sabrina Balmgawalla, professor of law at the Baltimore School of Law, warns that the policy results in spousal abuse:

Each year, several thousand women immigrate to the United States in their capacity as spouses, only to find their rights compromised by the constraints of their visa status. When a wife enters the United States on a dependent spouse visa, she enters at the wish of her husband. Until the day she is eligible for a green card, her dependent immigration status allows her husband to control her ability to live in the United States and all rights that stem from that status. (Balgamwalla, 2014)

Another controversy relates to the ineffectiveness of U.S. refugee policy in dealing with human trafficking. Angela DeVolld offers the following view in the 2014 volume in the *Nebraska Law Review*:

Currently, the absence of gender as a protected ground for refugee status fails to adequately align the law with the purposes of the 1951 Convention and its subsequent 1967 Protocol. When a trafficked woman cannot rely on her gender to provide her protection, she is left with few, if any, options for an asylum claim. Her only recourse lies within a claim for membership in a particular social group, but even that will be denied due to the circular nature of the identifying group and its form of persecution. (DeVolld, 2014, p. 650)

Anjum Gupta, professor of law and the director of the Immigrants Rights Clinic at Rutgers University School of Law, makes a similar argument in the *University of Colorado Law Review*:

According to the United Nations High Commissioner for Refugees, human trafficking includes forced labor, slavery, or practices similar to slavery. The United States government similarly recognizes that human trafficking is a "tragically widespread form of modern-day slavery." Sex trafficking "primarily affects women and children who are forced into prostitution and other forms of sexual exploitation." For many victims of trafficking or individuals who fear trafficking, asylum may provide the best (or only) source of protection. However, the nexus requirement has proven to be a barrier for individuals seeking protection from trafficking. (Gupta, 2014)

Various law review articles argue for the expansion of asylum to deal with climate change displacement, genital mutilation, denial of educational opportunity for women, spousal abuse, hunger and numerous other problems of the human condition. The difficulty, of course, is that widening the door to all refugees could double the population of the United States. Elina Treyger, professor of law at the George Mason University School of Law, offers the following warning:

The Gallup Poll estimates that: about 13% of the world's adults – or more than 640 million people – say they would like to leave their country permanently. Roughly 150 million adults say they would like to move to the U.S. – giving it the undisputed title as the world's most desired destination for potential migrants since Gallup started tracking these patterns in 2007. The United States will continue to be a magnet for people all over the world. (Treyger, 2014, p. 169)

THE NFHS CRITERIA FOR DEBATE TOPIC SELECTION

Resolutions

The final two pages of this topic report contain numerous suggestions for debate resolutions. While each of the resolutions have potential, I recommend special consideration be given to the fifth resolutions. The fifth resolution almost became the national topic in 2012-2013; it was actually tied with infrastructure after the first national vote, though infrastructure was selected in the final vote when the 5 original topics were narrowed to the final two. The fifth resolution offers direction and numerous case possibilities.

The first resolution uses a wording more in touch with current immigration controversies, and I would expect that this wording might give the resolution the greatest chance to be selected as the national topic. Nevertheless, the controversy over the meaning of the phrase, “comprehensive immigration reform,” might result in a greater percentage of debates focusing on topicality arguments than the community may desire. This resolution also has greater potential to be bi-directional: both pro-immigration and anti-immigration groups often try to utilize the “comprehensive immigration reform” label to characterize their proposals.

Timeliness

According to GovTrack.com, 146 bills have been introduced into the current session of Congress on immigration reform (<https://www.govtrack.us/congress/bills/subjects/immigration/6206>). This makes immigration reform one of the leading topics for national debate.

Scope

The immigration topic would offer a meaningful area for debate in all parts of the country. Immigration is no longer a matter only for the border states. Reid Wilson, a staff writer for the Washington Post, reports that “45 state legislatures around the country have taken decisive action in the last year to revise their own laws relating to immigration, and how their states treat illegal immigrants.” But the article also emphasizes that state legislation has not replaced the need for federal action: “‘We are still waiting for the federal government to fix the immigration system,’ said Washington State Rep. Sharon Tomiko Santos (D), the co-chair of the National Conference of State Legislatures’ immigration task force. ‘States are doing the best we can with the tools we have available to us. State legislators face fiscal challenges in education, health and law enforcement. To do nothing is not an option’” (Wilson, 2014).

Range

Immigration issues are accessible to beginning debaters but will offer interesting challenges to experienced debaters as well. Novice debaters will enjoy debating the DREAM Act and issues related to family separation caused by immigration enforcement. Advanced debaters will be challenged by the economic and human rights issues involved in the topic.

Quality

Given careful attention to the wording of the resolution, we can select a topic that will allow debate on a range of affirmative cases, including the following: Comprehensive immigration reform involving amnesty for immigrants already living in the United States, reversing restrictive state laws such as those in Arizona and Georgia, treating economic refugees from Haiti the same as those from Cuba, passing the DREAM Act, providing health care for immigrant families, more generous provision of work permits for immigrants with special skills in medicine or engineering, providing legal representation for detainees, providing food stamps for impoverished immigrant families, among others. Negative positions could focus on the economic and employment harms of increased immigration, increased risk of a terrorist attack, federalism positions and the political implications of immigration reform. The immigration topic has some potential to inflame passion, but also can promote understanding of other points of view. The issues involved are certainly no more inflammatory than those heard regularly in national news outlets.

Material

There will be no shortage of material on the immigration topic. While law reviews will be a valuable resource for those who have access to them, there will also be a wealth of information available in publicly accessible locations such as Google News.

Interest

The immigration topic will offer a wonderful opportunity for debate programs to conduct public debates before community groups; as the early pages of this report demonstrate, this topic will be at the top of the Congressional agenda over the next couple of years. State legislatures are actively debating immigration issues as are city councils.

Balance

The political divide over the immigration issue demonstrates how well balanced the debate will be. Groups on both sides of the immigration debate provide a ready supply of quotable material.

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DICTIONARY AND CONTEXTUAL DEFINITIONS OF TERMS

Comprehensive Immigration Reform

Migration Policy Institute, (2014). Comprehensive Immigration Reform. Retrieved July 1, 2014 from <http://www.migrationpolicy.org/topics/comprehensive-immigration-reform>. “Comprehensive immigration reform, a policy concept that first gained currency in 2001 in the U.S. political world, would marry increased border enforcement with legalization for unauthorized immigrants and the ability to bring in future workers needed by the U.S. labor market. Debated in the U.S. Senate in 2006, 2007 and 2013, comprehensive immigration reform (CIR) would touch virtually every facet of the U.S. immigration system.”

Federation for American Immigration Reform. (2014). *Seven Principles of True Comprehensive Immigration Reform*. Retrieved July 1, 2014 from <http://www.fairus.org/about/7-principles-of-true-comprehensive-immigration-reform>, True comprehensive immigration reform, as FAIR — the nation’s largest immigration reform organization — and the overwhelming majority of Americans believe it to be, must adhere to this set of immutable principles:

First Principle: Cut the Numbers. Any level of illegal immigration is unacceptable, and current legal immigrant admissions of about one million persons each year are entirely too many. Any measure that increases either illegal or legal immigration violates this principle. Immigration is a discretionary public policy. Its primary purpose, since our founding, is to advance the interests and security of the nation.

Second Principle: No Amnesty or Mass Guest-Worker Program. The 1986 amnesty was a failure; rather than reducing illegal immigration, it led to an increase. Any new amnesty measure will further weaken respect for our immigration law. Therefore, all amnesty measures must be defeated. Laws against illegal immigration must be enforced, if they are going to act as a deterrent. Redefining illegal aliens as “guest-workers” or anything else is just that: a redefinition that attempts to hide the fact it is an amnesty, not reform.

Third Principle: Protect Wages and Standards of Living. Immigration policy should not be permitted to undermine opportunities for America's poor and vulnerable citizens to improve their working conditions and wages. The need for guest workers must be determined by objective indicators that a shortage of workers exists, i.e., extreme wage inflation in a particular sector of the labor market. The current system accepts self-serving attestations of employers who seek lower labor costs as protections of American workers. True reform requires an objective test of labor shortage demonstrated by rising wages to attract more American workers.

Fourth Principle: Major Upgrade in Interior Enforcement, Led by Strong Employers Penalties. Employers who knowingly employ unauthorized workers are the magnet that attracts illegal entry into the U.S. These employers are complicit in the illegal alien cartel activity of smuggling, trafficking, harboring, and employing and must be punished. We must reform the current system by enforcing employer sanctions and fully punishing employers who break the laws of this country. These punishments will be fines, jailing for repeat offenders and loss of corporate charters. Employers who knowingly or unknowingly employ illegal workers must be weaned off of their growing use of such workers by assuring a level playing field for all employers and demonstrating effective enforcement actions against employers who continue to exploit illegal workers. No U.S.

industry has jobs in which there are no American workers. If illegal workers are decreased over time, wages offered will rise to attract back more American workers. Real shortages, as noted above, can be met with short-term temporary foreign workers. The Basic Pilot Employment Verification program must be made mandatory and at no extra cost to employers. Effective immigration enforcement on the border and the interior of the country requires that staffing, equipment, detention facilities and removal capabilities be adequate to fully meet current needs. The measures needed to identify and remove illegal aliens will also remove the ability of potential terrorists to operate freely in our country as they plot the next catastrophic attack on our people.

Fifth Principle: Stop Special Interest Asylum Abuse. Reforming the refugee and asylum system means returning to the original purpose and definition of the program: “any person who... is unable or unwilling to return to, and is unable or unwilling to avail himself or herself of the protection of that country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion...” America must honor its responsibilities to protect people who are fleeing true political persecution as defined by U.S. and international law. Efforts to expand those definitions to include all forms of “social persecution” invite massive fraud and endanger the security of this nation. Similarly, treating aliens illegally residing in the country the same as foreigners on legal visitor visas for purposes of the Temporary Protected Status designation is illogical and a form of amnesty that must be ended.

Sixth Principle: Immigration Time Out. We must restore moderation to legal immigration. Beginning with the recommendations of the Jordan Commission in 1995, we need to restrict immigration to the minimum consistent with stabilizing the U.S. population. Overall immigration must be reduced to balance out-migration, i.e., about 300,000 per year while still permitting nuclear family reunification and a narrowly focused refugee resettlement program. A moratorium on all other immigration should be immediately adopted pending true comprehensive immigration reform. We should abolish the extended relation preferences.

Seventh Principle: Equal Under the Law. There should be no favoritism toward or discrimination against any person on the basis of race, color, creed, or nationality. All admission of immigrants should come within a single, stable ceiling which is periodically reviewed on the basis of a reasoned, explicit goal of achieving population stability. We should abolish special preferences such as the Cuban Adjustment Act.

Victor Johnson, (Associate Dir., National Association of International Educators). (2012, Feb. 14). *Comprehensive Immigration Reform: What is it? Why are we for it?* Retrieved July 1, 2014 from <http://blog.nafsa.org/2012/02/14/comprehensive-immigration-reform-what-is-it-why-are-we-for-it/>. Although there is no authoritative definition of CIR (Comprehensive Immigration Reform), I think of it as consisting of three “pillars”: enforcement (sometimes divided into border security and interior enforcement), visa reform (including employment-based visas—high-skilled immigration and agricultural employment—plus family-based immigration), and resolution of the status of some 11 million undocumented people living in the United States. Of these, the only one on which it is has been politically possible to make progress on is enforcement.

Alisa Barba, (2012, Dec. 13). *Defining terms: Immigration Reform*. Retrieved July 1, 2014 from <http://www.fronterasdesk.org/content/defining-terms-immigration-reform>. Comprehensive immigration reform – A plan long-advocated by many Democrats, President Obama and immigration activists. Many opponents see Comprehensive Immigration Reform (CIR) as a code for amnesty for illegal immigrants. Any CIR plan would be a compromise that promotes increased border security and increased workplace enforcement, while promoting some form of legalization of immigrants already in this country. Such a plan would likely include: A path to citizenship for people here already; Reform of the current visa system to make it easier to bring in foreign workers for high-skilled and less-skilled jobs; Passage of the DREAM Act, which would allow permanent residency and other benefits to children brought here as minors; Improved border security and workplace enforcement.

American Immigration Lawyers Association. (2006, July 20). *Comprehensive Immigration Reform*. Retrieved July 1, 2014 from <http://www.aila.org/content/default.aspx?bc=6755|37861|25667|38281|8373>. Since many of the problems with our current immigration system are interrelated, AILA believes that any workable immigration reform proposal must be comprehensive. Specifically, it must simultaneously create legal avenues for people to enter the U.S.; allow people already here to earn the opportunity to adjust their status; address the multi-year backlogs in family and employment-based immigration; and create and implement a smart border security and enforcement regime.

Walter Ewing, (Staff, American Immigration Council). (2012, Dec. 10). *Immigrant Friends and Foes Debate the Definition of “Comprehensive Immigration Reform.”* Retrieved July 1, 2014 from <http://immigrationimpact.com/2012/12/10/immigrant-friends-and-foes-debate-the-definition-of-comprehensive-immigration-reform/>. Nearly everyone agrees that an immigration reform bill of some sort will be introduced in Congress in the near future given the pivotal role that Latinos and immigrants played in getting President Obama reelected. But no one knows yet just how “comprehensive” that bill will be, meaning which groups of immigrants will be included and which will be excluded. For immigrant-rights advocates, a truly comprehensive bill would create a pathway to legal status for the 11 million unauthorized immigrants now living in the country. For anti-immigrant activists, the definition of “comprehensive” is, not surprisingly, a bit less comprehensive. In fact, their redefinition of the concept is often so tortured as to be meaningless. This is apparent in the “[Room for Debate](#)” section of the December 10 *New York Times*. In brief op-eds, six public figures of varying magnitude and political persuasion opined about the meaning of “comprehensive immigration reform.” The comparisons are enlightening:

- [Gary Segura](#), professor of political science at Stanford University and co-founder of the polling firm Latino Decisions, cast the widest possible net of inclusion and equality in defining comprehensive reform. He said that immigration reform must include a pathway not only to legal status for unauthorized immigrants, but to full U.S. citizenship as well. Anything less “will create a permanent underclass of residents, vulnerable to exploitation, alienated from our institutions and with little permanent stake in our society.” He also noted that excessive penalties or “touch back” provisions would sabotage the reform effort, and that DREAMers should not be subject to any penalty since they have committed no offense. And he called for the inclusion of gay and lesbian families in immigration reform.
- Similarly, [Bruce Morrison](#), former U.S. Representative from Connecticut, chairman of the House immigration subcommittee, and author of the Immigration Act of 1990, warned

against piecemeal reforms or yet another enforcement-only effort to drive unauthorized immigrants out of the country. He called for a legalization program coupled with an electronic employment-verification system, plus more generous legal limits on future immigration, in order to stem future unauthorized flows.

- Likewise, [Leith Anderson](#), president of the National Association of Evangelicals, mocked the irrationality of the piecemeal approach to immigration reform. He compared that effort to having a car that won't run because it's suffering from no gas, a dead battery, a flat tire and a lost key—and you try to make it run again by fixing only two of the problems. As he notes: “Because the parts of immigration policy are so connected, we need to try our best to fix them comprehensively. Treat everyone with respect. Secure our borders. Authorize guest workers. Keep families together. Provide a path to legal status or citizenship for those in the U.S. illegally.”
- [Ai-jen Poo](#), the director of the National Domestic Workers Alliance and co-director of the Caring Across Generations Campaign, emphasized the plight of immigrant families that are ripped apart by deportation, with U.S.-citizen children in the United States separated from unauthorized parents removed to other countries. She also pointed to the large number of domestic workers who are unauthorized, and the ironic fact that the households of many anti-immigrant zealots are dependent upon the labor of unauthorized nannies and housekeepers. As she writes, “the proponents of anti-immigrant state legislation in Texas created an exception for domestic workers for fear of losing their caregivers and housekeepers to deportation.” She viewed a pathway to citizenship for the unauthorized as the only compassionate and sustainable option.
- In marked contrast, [James Carafano](#), vice president of foreign and defense policy studies at the Heritage Foundation, opted for a rather unique brand of piecemeal (and heartless) immigration reform. This was apparent from the title of his essay: “Deal Later With Those Here Illegally.” In other words, keep kicking the can further down the road. Carafano’s rationale for this approach was that, since the big, complicated, special-interest-laden 1986 legalization did not put a stop to unauthorized immigration, we shouldn’t try for a better comprehensive approach this time around. His rather nonsensical alternative is to first tackle things like “the poor state of public safety, lack of economic freedom and stagnant civil society in Mexico; border security; lack of adequate temporary worker programs; and inadequate workplace enforcement in the United States”—*then* deal with different subgroups of the unauthorized population in different ways, ranging “from deferred removal, to sponsorship, to depart and return, to a path to citizenship.” This sounds like far more of a mess than the 1986 legalization ever was.
- Finally, [Steven Camarota](#), director of research at the Center for Immigration Studies, offered a meandering defense of immigration enforcement in general and a system of electronic employment verification in particular. He mentioned high unemployment and job competition and immigrant families on “welfare,” but never actually said what he thought the solution was to having 11 million unauthorized immigrants living in the United States. Presumably, all of the enforcement measures he favors would persuade unauthorized immigrants to engage in a Romney-style “self-deportation.”

Groups that favor truly comprehensive immigration reform are in the ascendancy right now, and the anti-immigrant activists know it. So they are left trying to walk a very fine line, offering tiny

scraps of charity to the DREAMers or high-tech workers, while preserving enforcement-only policies that target the larger unauthorized population. In other words, they are talking out of both sides of their mouths, and the result is often gibberish.

Hot Air. (2014, May 19). Poll: 71% support comprehensive immigration reform. Retrieved July 1, 2014 from <http://hotair.com/archives/2014/05/19/poll-71-support-comprehensive-immigration-reform/>. Except to the small minority of the population that follows immigration news closely, the phrase “comprehensive immigration reform” is almost totally meaningless. News junkies recognize it as a term of art to describe a compromise on border security and legalization; to everyone else, which is pretty much everyone, I suspect all it means is “reform of America’s immigration laws,” which can mean virtually anything. It’s not unlike the phrase “fiscal responsibility.” If you asked Ted Cruz and Elizabeth Warren whether they support fiscal responsibility, they’d both tell you yes, emphatically. For Cruz, that means cutting spending to balance the budget; for Warren, it means higher taxes on the wealthy and greater redistribution to grow the middle class. The term is empty unless you specify a definition — which, in the case of “comprehensive immigration reform,” pollsters rarely do. I think the most that can be gleaned from wording this vague is that the public is broadly open to *some* form of legalization; it may be that voters have now heard enough about this subject on the news plus the fact that Republicans are holding out on it that they’ve deduced that “comprehensive” reform involves legalizing illegals in some way, and they’re okay with that.

Immigration

Princeton University Language Laboratory, *Wordnet*, 2014. Retrieved July 1, 2014 from <http://wordnetweb.princeton.edu/perl/webwn?s=immigration>. Migration into a place (especially migration to a country of which you are not a native in order to settle there).

Karla Mari McKanders, (Prof., Law, U. of Tennessee College of Law), *University of Arkansas at Little Rock Law Review*, Summer 2009, p. 597. Traditionally, immigration has been defined as the determination of admission, exclusion and the conditions under which immigrants can remain in the country. "In reality, however, Congress has much broader power over immigrant and alienage law and policy, including the ability to regulate, 'the conditions of residence such as access to education, welfare and employment.'" When Congress passed the IRCA in 1987, it extended its authority from regulating the entrance and exit of immigrants to also regulating immigrants' employment conditions. Also, pursuant to federal regulations the United States Citizenship and Immigration Services determines which immigrants are permitted to work. Congress has plenary power over immigration law, which means that courts have traditionally deferred to congressional authority in making decisions regarding immigration law. The dispute over state and local regulation begins when there is an overlap between states' traditional police powers to regulate the health, safety and welfare of its citizens and the federal government's regulation of education, welfare and employment of immigrants while in the United States.

Lolita K. Buckner Inniss, (Prof., Law, Cleveland State U. College of Law), *DePaul Law Review*, Fall 1999, p. 89. Immigration has been defined as the moving across national frontiers, as opposed to moving within borders.

Eric L'Heureux Issadore, (J.D. Candidate), *Villanova Law Review*, 2007, p. 331. An immigrant is defined as "A person who arrives in a country to settle there permanently." Black's Law

Dictionary 765 (8th ed. 2004). Immigration is defined as "the act of entering a country with the intention of settling there permanently."

Economic Migrants

Dessi Mathew, (J.D. Candidate), *Pace International Law Review*, 2009, p. 318. The 1951 Convention makes a clear distinction between economic migrants and refugees. As per the Handbook on Procedures and Criteria for Determining Refugee Status under the 1951 Convention, a migrant is a person who, for reasons other than those contained in the definition, voluntarily leaves his country in order to take up residence elsewhere. He may be moved by the desire for change or adventure, or by family or other reasons of a personal nature. If he is moved exclusively by economic considerations, he is an economic migrant and not a refugee.

Nimrod Pitsker, (J.D. Candidate), *California Law Review*, Feb. 2007, pp. 169-170. Americans have long viewed their country as a haven of freedom for the poor, oppressed and dispossessed. Over the years, millions of economic migrants and political refugees have found shelter on America's shores. With the onset of the Industrial Revolution and the technological achievements it produced, the United States took in approximately fifty-four million immigrants between 1820 and 1987. The trend continues to this day: in fiscal year 2004, nearly one million individuals immigrated to the United States, including over seventy thousand refugees and asylees (Pitsker, 2007, pp. 169-170).

Handbook on Procedures and Criteria for Determining Refugee Status Under the 1951 Convention and the 1967 Protocol Relating to the Status of Refugees, HCR/IP/4/Eng/REV.1 Reedited, Geneva, January 1992. Retrieved July 9, 2011 from <http://www.unhcr.org/publ/PUBL/3d58e13b4.pdf>. (f) Economic migrants distinguished from refugees. 62. A migrant is a person who, for reasons other than those contained in the definition, voluntarily leaves his country in order to take up residence elsewhere. He may be moved by the desire for change or adventure, or by family or other reasons of a personal nature. If he is moved exclusively by economic considerations, he is an economic migrant and not a refugee.

Detention

Erica Tanny, (J.D. Candidate, McGill U.), *Barry Law Review*, Fall 2007, p. 149. Detention is defined in *R. v. Therens* as "the element of psychological compulsion, in the form of a reasonable perception [by the detainee] of suspension of freedom of choice.?"

Charles J. Ogletree, Jr., (Prof., Law, Harvard U.), *Boston University Law Review*, Jan. 1995, p. 53. Detention is defined as interrogation by the police or an officer of the court, where the accused reasonably believes that he is not free to leave or to refuse to answer questions.

Sonia R. Farber, (J.D. Candidate), *California Law Review*, June 2010, p. 1011-1012. International law similarly relies on broad definitions of "detention." One such definition is provided by the United Nations High Commissioner for Refugees ("UNHCR"): "[Detention is defined as] confinement within a narrowly bounded or restricted location, including prisons, closed camps, detention facilities or airport transit zones, where freedom of movement is substantially curtailed, and where the only opportunity to leave this limited area is to leave the territory."

David C. Pulice, (Staff), *Lawyers Journal*, Oct. 3, 2003, p. 3. Under this code, official detention is defined as arrest, detention in any facility for custody of persons under charge or conviction of crime or alleged or found to be delinquent, detention for extradition or deportation, or any

other detention for law enforcement purposes; but the phrase does not include supervision of probation or parole, or constraint incidental to release on bail.

Deportation

Mahnoush H. Arsanjani, (Sr. Legal Officer, Office of Legal Affairs, UN), *American Journal of International Law*, Jan. 1999, p. 31. Deportation is defined in paragraph 2(d) as "forced displacement of the persons concerned by expulsion or other coercive acts from the area in which they are lawfully present, without grounds permitted under international law."

Robert Pauw, (Partner in the Seattle firm of Gibbs, Houston, & Pauw), *Emory Law Journal*, Summer 2002, p. 1098. Upon review of the record as a whole, the immigration judge is required to balance the positive and adverse matters to determine whether discretion should be favorably exercised. The section 212(c) waiver has been important for many individuals living in the United States because the grounds of deportation are defined very broadly; these grounds include not only serious offenses such as murder, rape and armed robbery, but also such relatively minor offenses as shoplifting, simple possession of drugs and minor assaults. The waiver allows an immigration judge to look at the facts and circumstances of the individual case and decide whether it is "in the best interests of this country" to allow the person to continue living in the United States. Without the availability of such a waiver, a person who falls under one of the grounds of deportation will be deported without the possibility of considering the individual facts and circumstances of her case.

Legal Status

Valerie L. Collins, (J.D. Candidate), *Howard Law Review*, Winter 2009, p. 442. Legal status can be the basis for many legal rights, duties, capacities and incapacities. . . . Identifying a person's legal status is important, then, because it helps to identify, among other things, which bundle of rights she may – and may not – possess.

The Free Dictionary by Farlex, 2014. Retrieved July 1, 2014 from <http://www.thefreedictionary.com/legal+status>. Legal Status: Citizenship: the status of a citizen with rights and duties.

Definitions.Net, 2014. Retrieved July 1, 2014 from [www.definitions.net/definition/legal status](http://www.definitions.net/definition/legal%20status). Legal status: A status defined by law.

Social Services

Alexander MacInnes, (Staff), *Herald News*, Nov. 29, 2008, p. A1. The Salvation Army has grown to become a multiservice nonprofit agency throughout the world. Although the group is best known for street volunteers soliciting red-kettle donations during the holiday season, the organization offers a broad range of social services, including drug rehabilitation, disaster relief, food pantries and after-school programs.

American Heritage Dictionary of the English Language, 2008. Retrieved July 1, 2014 from www.thefreedictionary.com. Social service: Organized efforts to advance human welfare; social work.

American Heritage Dictionary of the English Language, 2008. Retrieved July 1, 2014 from www.thefreedictionary.com. Social service: Services, such as free school lunches, provided by a government for its disadvantaged citizens.

Andrew Becker, (Staff), *Contra Costa Times*, June 30, 2007. Retrieved July 1, 2014 from Nexis. While county officials negotiate a lease agreement with preschool administrators, students will be relocated to sites in Antioch and Bay Point. The preschool offers nearly three dozen social services, including daycare, health education and meal programs.

Associated Press State and Local Wire, Dec. 12, 2008. Retrieved July 1, 2014 from Nexis. State economist Tom Potiowsky said he expected overall job losses both this year and next, and a slight net gain come 2010. Beyond that, both he and economist Joe Cortright of Impresa, a consulting firm, said it was too soon to say when the state might recover. "We're literally, in economic terms, in uncharted territory," Cortright said. Potiowsky was able to lay out some of Oregon's strengths. So far the financial sector, an area in which Oregon is not heavily invested, has been the hardest hit by the downturn. Though Oregon's housing bubble has burst, the effects have not been as jarring as those in Florida, Arizona, California and Nevada. Potiowsky also pointed out that sales-tax states were worse off than income-tax states such as Oregon. Still, he cautioned that if the recession becomes "full blown," that is it permeates several different economic sectors, Oregon would be hard hit. Both economists said the state should appeal to the federal government for money to help fully support social services, including unemployment benefits. The federal government would need to play a key role, Cortright said, because "the state is hamstrung. It's limited by the requirement it balance its budget."

Baltimore Sun, Sept. 30, 2008, p. 12A. In 1963, [Dionicio] Morales created the Mexican American Opportunity Foundation to provide social services such as job training and child care. Today, the foundation serves more than 100,000 people, most of them of low or moderate income, with a range of social services, including immigration assistance and English classes.

Betsy Williams, (Staff), *Sarasota Herald-Tribune*, Aug. 17, 2007, p. C4. The Children's Home Society is the oldest Florida-based nonprofit provider of family services. Founded in 1902, CHS now has 14 divisions providing a wide array of social services that include foster care, adoption, prevention of child abuse, emergency shelter, group homes, case management, treatment for developmentally disabled children and more.

Boone County Community Services Advisory Commission (Boone County, NC), *Social Services Funding Policy*, Dec. 2007. Retrieved July 1, 2014 from www.gocolumbiamo.com. Social services are those services provided to individuals or families experiencing difficulty in meeting their basic human needs: physical survival (i.e. food, shelter and clothing); adequate preparation for and help in sustaining gainful employment (i.e. employment and training programs, child care and transportation); assistance in addressing conditions related to mental health and substance abuse, especially in times of personal or family crises (rehabilitation and counseling); prevention services for at-risk children and youth (education, enrichment and opportunity); services specifically for seniors and/or disabled residents (i.e. in-home services, adult day care and care coordination); and help in gaining access to available appropriate services (i.e. transportation and information & referral services).

Business Dictionary.Com, 2007. Retrieved July 1, 2014 from www.businessdictionary.com. Social Services: Benefits and facilities such as education, food subsidies, health care and subsidized

housing provided by a government to improve the life and living conditions of the children, disabled, the elderly and the poor in the national community.

Business Wire, Aug. 25, 2008. Retrieved July 1, 2014 from Nexis. Through the program, the HCHA secures down-payment assistance and a significant portion of closing costs, in addition to a broad spectrum of social services, including caseworker assistance to help guide prospective homebuyers through the process of finding a realtor and a mortgage company willing to work with a non-traditional buyer. The program ensures success by requiring families to go through post-purchase counseling, credit counseling and other services.

Business Wire, Dec. 16, 2008. Retrieved July 1, 2014 from Nexis. In addition, the center is poised to act as a national model for the next generation of senior services. "This facility will transform the traditional senior center into a 21st century hub for innovative services that help seniors living at or near poverty prolong their independence, enhance their quality of life and promote their overall health," said Paul Downey, president and CEO of Senior Community Centers. "In addition to providing nutritious meals – the cornerstone of its services – the new center will offer an array of health and social services, including health and wellness check-ups, mental health care, education and job training, computers access, inter-generational activities and socialization benefits. Most notably, the center will utilize wireless health technology to help improve the overall health and wellness of our seniors," said Gary West.

Carol-June Cassidy, (Editor), *Cambridge Dictionary Of American English, 2nd Ed.*, 2008, p. 825. Social Services: any of the services provided by governments or other organizations to people with particular needs

Christine Lindberg, (Editor), *Oxford College Dictionary, 2nd Ed.*, 2007, p. 1301. Social service: Government services provided for the benefit of the community, such as education, medical care and housing.

Christopher Leonesio, (Managing Editor), *American Heritage High School Dictionary, 4th Ed.*, 2007, p. 1314. Social Services: Organized efforts to advance human welfare; social work.

Christopher Leonesio, (Managing Editor), *American Heritage High School Dictionary, 4th Ed.*, 2007, p. 1314. Social Services: A service, such as free school lunches, provided by a government for its disadvantaged citizens.

Collins English Dictionary, 2006, 1530. Social Services: welfare activities organized by the state or a local authority and carried out by trained personnel

David Jary, (Prof., Social Policy, U. Birmingham), *The Harper Collins Dictionary Of Sociology*, 1991, p. 461. Social services: Any state-provided services that have a bearing on the quality of life of all citizens. 2. more narrowly, the organization and delivery of local authority SOCIAL WORK services in relation to children, the elderly, the disabled and the mentally ill. In Britain, in addition to state provision, Councils of Social Services are to be found within most localities. They are umbrella organizations to assist and coordinate voluntary social welfare provision. Both voluntary and statutory services are to be distinguished from the recent new and growing private sector.

David Jary, (Prof., Social Policy, U. Birmingham), *The Harper Collins Dictionary Of Sociology*, 1991, p. 461. Sociologists have interested themselves in the relationship between IDEOLOGY and the notions of social responsibility expressed in varying formulations of social policy. Thus, the political right stresses ideas of individual and familial responsibility, the political left

the obligations of the state to individuals in guaranteeing some form of social minimums. Marxists and others have recognized and studied the struggles within the state apparatus, both local and national, for the social wage. The recent emergence of the private sector has added another dimension to the voluntarism-statism debates.

Debbie Cafazzo, (Staff), *The News Tribune (Tacoma, WA)*, Nov. 23, 2008, p. A12. At the front desk of Tacoma's Salvation Army office, Aaron Morrow hears a common refrain from people asking for help. "I've never done this before," they tell him. "This is my first time." The nonprofit organization provides a wide range of social services, including a food bank, emergency shelter, rental assistance, clothing and more.

Donald Warne, (Staff), *The Monitor (McAllen, TX)*, May 27, 2008. Retrieved July 1, 2014 from Nexis. The treaties between the tribal nations and the federal government involved exchanges of vast amounts of Indian land and natural resources for federal guarantees of social services, including housing, education and health care. The Bureau of Indian Affairs and the Indian Health Service were established to administer the federal government's trust responsibility to provide health care and other vital services to American Indians. But today, the Indian Health Service is underfunded to the tune of \$2 billion.

Harvy Lipman, (Staff), *The Bergen County (NJ) Record*, Dec. 2, 2008, p. B2. The Salvation Army provides a range of social services, including food pantries, drug rehabilitation and disaster relief.

Joseph Pickett, (Editor), *American Heritage Dictionary Of The English Language, 4th Ed.*, 2006, p. 1650. Social service: Organized efforts to advance human welfare; social work.

Joseph Pickett, (Editor), *American Heritage Dictionary Of The English Language, 4th Ed.*, 2006, p. 1650. Social Services: Services, such as free school lunches, provided by a government for its disadvantaged citizens. Often used in the plural.

Lancaster (PA) New Era, Mar. 8, 2007, p. A6. We pay far less in taxes to educate a poor child than to try to remediate or incarcerate him/her later as an adult. Social services, including prisons, are paid for in taxes at the county and state level; thus, reducing such costs should be the concern of taxpayers everywhere.

Longman Dictionary Of Contemporary English, 2005, p. 1571. Social services: the government department that helps people with problems, for example family or money problems, or the services it provides

Longman Dictionary Of Contemporary English, 2005, p. 1571. Social service: a service that helps society work properly:

Maurice Waite, (Editor), *Oxford Dictionary & Thesaurus*, 2007, p. 984. Social services: services provided by the state for the community, such as education and medical care.

Merriam Webster Online, 2014. Retrieved July 1, 2014 from www.merriam-webster.com. Social Service: An activity designed to promote social well-being; specifically: organized philanthropic assistance (as of the disabled or disadvantaged).

Michelle Klampe, (Staff), *The Press Enterprise (Riverside, CA)*, July 24, 2008, p. C1. Bradberry and the foundation were honored recently by the Corona-Norco school board for their work in the community. "The community that utilizes our services comes here because they know it's safe," Bradberry said. "We give them hope." Kids often walk out with a backpack full of

clothes, shoes, toiletries or school supplies, a book or a stuffed animal. Parents can get referrals for a host of social services, including food and shelter, domestic violence services and health insurance programs.

Norman Daniels, (Prof., Ethics, Harvard School of Public Health), *Just Health: Meeting Health Needs Fairly*, 2008, 43. The promotion of healthy lifestyles requires appropriate and effective education, as well as the right incentives and disincentives. Measures to protect against domestic and other kinds of violence fall in to this category as well as into the broader category of the social determinants of health. The nonmedical personal and social support services can also comprise broad features of the legal structure that aim to include people with disabilities in the mainstream of productive, cooperative activity.

PR Newswire, Nov. 24, 2008. Retrieved July 1, 2014 from Nexis. Miriam's Kitchen offers a hot, nutritious breakfast every weekday morning to individuals who are homeless in Washington, DC. In addition to breakfast, guests are invited to receive a wide range of social services, including mental health, medical and substance abuse services, assistance finding adequate shelter and permanent housing, connection to employment and help meeting other immediate needs such as clothing, toiletries, transportation and haircuts. By creating an atmosphere of hospitality where guests can choose how they receive support,

PR Newswire, Oct. 24, 2008. Retrieved July 1, 2014 from Nexis. Clients of La Maestra can receive a full range of primary medical services for all ages. Additionally clients can receive dental, behavioral health, vision and geriatric care. Social services including job placement, eligibility, outreach, transportation, translation, housing assistance and a food pantry are also available.

Random House Dictionary Of The English Language, 2nd Edition, Unabridged, 1987, p. 1811. Social services: organized welfare efforts carried on under professional auspices by trained personnel.

Salt Lake Tribune, Aug. 11, 2006. Retrieved July 1, 2014 from Nexis. Dropout rates for Hispanic and other minority students already are around 50 percent. Faced with tougher requirements for getting a diploma, even more of these disadvantaged students could leave school without graduating. Putting more undereducated young people on the streets will only foster a need for more expensive social services, including prisons and multiply the cost in human hopelessness. ?Hoops without hope: Tougher standards could raise dropout rate?

States News Service, Feb. 15, 2008. Retrieved July 1, 2014 from Nexis. The government's emphasis on reorienting the budget toward improving social services including health and education programs can also help both to reduce disparities and rebalance growth.

States News Service, July 31, 2008. Retrieved July 1, 2014 from Nexis. Congresswoman Rosa L. DeLauro (CT-3) issued the following statement after the U.S. Department of Agriculture announcement urging Indiana to suspend its effort to privatize its social services, including food stamps and Medicaid.

States News Service, May 24, 2007. Retrieved July 1, 2014 from Nexis. SSBG [Social Services Block Grant] funding provides critically needed social services including programs for mental health, child welfare and the treatment of addictive disorders.

Talia Buford, (Staff), *Providence Journal-Bulletin*, July 16, 2008, p. 1. The Senior Center acts as the town s Department of Human Services and provides a number of social services, including heating and utility payment assistance and a soup kitchen.

UNESCO, Glossary Of Terms, 2008. Retrieved July 1, 2014 from www.unesco.org. Social Services: Services generally provided by the government that help improve people's standard of living; examples are public hospitals and clinics, good roads, clean water supply, garbage collection, electricity and telecommunications.

United Nations Department of Economic and Social Affairs, World Summit For Social Development, 1996. Retrieved July 1, 2014 from www.un.org. Social Services: Promoting social and other essential services, including, where necessary, assistance for people to move to areas that offer better employment opportunities, housing, education, health and other social services;

Washington Post, Apr. 6, 2008, p. C4. Mayor Adrian M. Fenty said the residents, many of them having lived on the streets during the day and in shelters at night for more than a decade, will receive permanent housing with extensive social services, including medical care, mental health counseling and drug and alcohol rehabilitation.

Washington Post, May 14, 2007, p. T24. Maximus Inc. sells software and consulting services to help state and local governments manage social services, including child-support enforcement, Medicaid billing, job placement and prison administration.

Word Web.Com, 2014. Retrieved July 1, 2014 from www.wordwebonline.com. Social services: An organized activity to improve the condition of disadvantaged people in society.

York Dispatch, June 21, 2007. Retrieved July 1, 2014 from Nexis. The Senate cut about \$250 million in Rendell's education and economic priorities before it sent the \$27 billion budget bill to the House on Wednesday. That spending figure represents a 2.7 percent bump from the \$26.3 billion in expected spending in this fiscal year, an increase largely driven by money for public schools and social services, including child care and nursing home care for the poor.

IMMIGRATION RESOLUTIONS

- 1a. Resolved: The United States federal government should comprehensively reform its system of immigration. Or 1b. Resolved: The United States federal government should enact comprehensive immigration reform.

“Comprehensive immigration reform” (CIR) is the term commonly used in the immigration debate. In fact, much of the debate centers on the appropriate definition of the phrase. Such definitional confusion creates both difficulties and opportunities for interscholastic debaters. The topicality debate could be more challenging because of the many conflicting definitions of CIR. Yet the “real world” debate focuses very heavily on the question of what elements should be included in immigration reform. The challenge for the affirmative would be to defend its chosen combination of elements; just as in Congressional debates, the negative could argue that the blend of elements in the plan is inappropriate.

2. Resolved: The United States federal government should substantially reduce its restrictions on immigration to the United States.

This resolution is directional in that “immigration good” is on the affirmative and “immigration bad” is on the negative. The greatest cause for concern with this resolution is its breadth. Hundreds of debate cases could be constructed to deal with particular groups seeking protection from oppression based on causes dealing with politics, religion, culture or sexual preference.

3. Resolved: The United States federal government should substantially reduce its legal restrictions for economic migrants in the United States in one or more of the following areas: visas, legal permanent residence, obtaining citizenship.

This resolution is worded so as to eliminate the cases focusing on persecution based on reasons of politics, religion, culture, or sexual preference. The resolution attempts to focus debate on (a) amnesty/comprehensive immigration reform or (b) migrant workers.

4. Resolved: The United States federal government should substantially increase its legal protection of economic migrants in the United States regarding one or more of the following: detention, deportation, legal status, social services.

Whereas some of the earlier resolutions focus on removing federal restrictions, this one changes the direction to providing protection for immigrants.

5. Resolved: The United States federal government should substantially increase its legal protection of economic migrants in the United States.

This is the resolution that we placed on the 5-topic ballot after our topic selection meeting in 2011. This immigration resolution actually tied with the infrastructure topic as the top choice in the 5-topic balloting, but lost to the infrastructure topic in the final voting.

6. Resolved: That the United States government should substantially strengthen regulation of immigration to the United States.

This was the resolution actually debated in 1994-1995. The topic worked reasonably well, but the wording is still potentially bi-directional. Debate on this resolution also included many affirmative cases dealing with asylum.

7. Resolved: The United States federal government should substantially decrease its restriction of immigration to the United States.

This is the resolution that we placed on the 5-topic ballot in 2009. The wording was somewhat cumbersome in that it seems to include a double negative – decreasing restrictions.

8. Resolved: the United States Federal Government should substantially increase the number of and/or substantially expand beneficiary eligibility for its visas for one or more of the following: employment-based immigrant visas, nonimmigrant temporary worker visas, family-based visas, human trafficking-based visas.

This is the intercollegiate debate topic actually debated in 2010-2011. Most college debaters that I have spoken with did not like the topic because it focused too much on visas for particular groups or nationalities and too little on the bigger immigration issues. The fact that this topic has been debated so recently at the intercollegiate level means that many of these cases will be used on the high school level if a similarly worded immigration resolution is adopted.

PROSPECTIVE TOPIC PARAGRAPH:

Immigration reform offers a rare example of federal policy where the key questions do not involve spending money. Instead, the debate will focus on matters of social justice and fairness. Defenders of immigration reform argue that America is a nation of immigrants and that a progressive immigration policy will strengthen the economy. Opponents believe that immigrants take jobs from Americans and threaten public safety. Examples of possible affirmative cases include the following: Comprehensive immigration reform involving amnesty for immigrants already living in the United States, reversing restrictive state laws such as those in Arizona and Georgia, treating economic refugees from Haiti the same as those from Cuba, passing the DREAM Act, providing health care for immigrant families, more generous provision of work permits for immigrants with special skills in medicine or engineering, providing legal representation for detainees, providing food stamps for impoverished immigrant families, among others. Negative positions could focus on the economic and employment harms of increased immigration, increased risk of a terrorist attack, federalism positions and the political implications of immigration reform.