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## **Immigration Policies Should Be More Flexible and Encourage the Integration of Immigrants**

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Overall, California continues to benefit from immigration. But the growing divergence between the state's economy and the qualifications of immigrant workers is creating costs to the state, its residents, and the immigrants themselves. The nation's immigration policies, which are based on fixed regulations, quotas, and preferences that are applied in all circumstances, is no longer responsive to today's workplace. We believe the goal of federal immigration policy should be to regulate the volume and characteristics of the immigrant population so as to maximize the benefits to everyone and minimize adverse effects.

We also believe that California should develop more-effective policies for integrating the immigrants who are already here, a group that constitutes about a quarter of the state's population. The state government should take steps to reduce immigration's long-term costs and increase its long-term benefits.

This chapter presents more detailed recommendations for both federal and state policy.

### **Federal Policy**

#### **Allow easier, more frequent changes to immigration regulations.**

The nature of immigration flows and the receiving environment can change dramatically in a short span of time. Currently, legal immigration is regulated with inflexible laws that Congress typically amends every 10 to 15 years. Laws should be authorized for shorter periods, or the executive branch should be allowed more flexibility to responsively manage immigration policy within broad policy parameters as to how many and which immigrants should be admitted annually.

**Maintain overall immigration levels within a moderate range.**

Current immigration policy establishes a fixed annual level of legal admissions. This fixed limit typically operates as a floor rather than a ceiling, because certain entrants are exempt from the overall limit and because refugee admissions are adjusted annually to accommodate international conditions. As a result, the number of annual admissions has been increasing. The costs of providing public services to immigrants and the economic effects of immigrants on current residents (both natives and earlier immigrants) vary depending on U.S. economic conditions. One result of this dependence is that a backlash against all immigration can occur when the American public perceives that immigration levels are too high.

A more balanced approach would be to adjust the total number of entrants so that it falls within a moderate annual range, depending on current economic conditions, and incorporate within that range annual refugee admissions. Defining what constitutes a “moderate” range is, of course, open to debate, but something between the 800,000 per year that occurred during the early 1990s and the 400,000 per year of the 1970s would provide a reasonable starting place. Moreover, incorporating refugee admissions within the annual ceiling would permit policymakers to adjust the balance between legal and refugee admissions to accommodate changing domestic and international conditions without exceeding the overall total.

**Increase the educational levels of new immigrants.**

In a society whose demand for more-educated workers is growing, the effect of admitting immigrants who are significantly less educated than natives is to put those immigrants at a disadvantage that can take generations to overcome. The federal government should expand the criteria used to determine admission eligibility to include (in addition to family reunification) educational level and work skills.

**Support programs designed to expedite English proficiency.**

Although the vast majority of immigrants who remain in the United States eventually learn English, some groups seriously lag others in terms of how long the process takes. The importance of a rapid acquisition of English for economic success and integration is widely recognized, and immigrants themselves believe it is important to attain English proficiency. Maintaining the English-language requirements for naturalization and providing funding for English-language education are two ways the federal government can ease the integration of immigrants into California’s society and economy. In turn, Cali-

California should be ready to complement and, if necessary, supplement federal efforts.

**Recognize that illegal immigration is an issue of values, not effects.**

Currently, the public seems to be in favor of much more rigorous laws to limit illegal immigration. The traditional problem with regard to illegal immigration, however, has been one of insufficient enforcement rather than inadequate regulation. This problem stems primarily from a lack of consensus among policymakers, not from the performance of the Immigration and Naturalization Service. Underlying this situation has been a tendency to focus on the issue of illegal immigration in terms of its effects: So long as its effects are viewed as positive, illegal immigration is not regarded as a major problem. Indeed, some people have advocated that illegal immigration should be governed by market forces rather than regulations.

But a full accounting of the costs and benefits of illegal immigration is probably impossible. Moreover, the central concern with regard to illegal immigration is not simply one of effects. Failure to rigorously enforce the nation's laws for illegal immigration has three negative effects on American values. First of all, it encourages a disregard for immigration law and perhaps for the rule of law more generally. Second, it violates basic equity principles with regard to potential immigrants who play by the rules and wait for their turn. And third, it encourages a backlash against all immigration and immigrants.

**Expand bilateral cooperation with Mexico on immigration issues.**

Immigration from Mexico is clearly a special case. Mexico provides almost 50 percent of all California's immigrants and is the primary source of illegal immigration into the United States. In addition, Mexican immigrants are typically among the least educated and have the lowest incomes of all immigrant groups. However, large numbers of California's Mexican Americans have close family ties with Mexican nationals. Additionally, both California and the United States share with Mexico a wide range of economic, environmental, social, and political interests, and Mexico has a high economic and social stake in seeing its emigration flows continue.

In sum, the issue of Mexican immigration cannot be divorced from the broader context of U.S.–Mexico relations, regardless of how much the U.S. and Mexican governments might like it to be. Both countries must realize the special role Mexican immigration to the United States plays in their national lives. Moreover, both need to recognize their direct interest in ensuring that the immigrant flows continue, but that they do so at a controlled rate. What is needed is for

the United States to treat Mexico differently than it treats other countries. In particular, efforts should be made to develop greater bilateral cooperation on immigration matters. This might entail expanding the number of legal residence permits available for Mexican immigrants in exchange for Mexican government collaboration on U.S.-Mexico border enforcement.

**Review the allocation of costs between federal and state governments.**

Although immigration is preeminently a federal responsibility, there is little question that the states often feel the impact of immigration policies most directly. The federal government must be willing to consider ways to alleviate the costs its immigration policies impose on state and local governments.

Specifically, the federal government should consider making broad compensation to California for its immigration costs. The state has no control over immigration policy, and yet immigration's net costs over the short term are more negative at the state level than at the federal level. We recognize that justly allocating costs between the federal and state levels touches on beliefs about federal and state roles that are beyond the bounds of objective analysis. However, our recommendation is based on the idea that by accepting more of the cost of its own actions, the federal government can help ensure that both it and California will make choices serving the national interest.

**State Policy**

**Encourage naturalization.**

Just as is true for other states, California can more easily balance the interests of all of its residents if those who are not yet citizens become citizens. But naturalization is a very slow process, slower for some immigrant groups than for others. The federal government recently began moving from a laissez-faire policy on naturalization toward more-active facilitation. We endorse this shift in approach and recommend that it be continued.

**Ensure equality of educational opportunity through college.**

Our results show that many immigrants and their offspring, especially Hispanics, are losing ground in educational attainment to other immigrant groups and to natives. If Californians want to sustain a single, integrated society, they will have to alter the state's trend toward disinvesting in education, particularly higher education. Special efforts should be undertaken to encourage high school graduation and college attendance within the Hispanic community and to discover ways to enhance the educational achievement of Hispanics.

**Establish a state office of immigrant affairs.**

As Proposition 187 and its aftermath have demonstrated, immigration has the potential to exacerbate existing divisions within California, the nation's most populous and most socially diverse state. Responsible leaders within the state should take action to see that this does not happen, since it could well have serious negative consequences for the state's economic, social, and political fabric.

Though elected officials and state bureaucrats respond to the interests of particular racial and ethnic groups, no one state agency or representative appears to consider the effects of government policies on immigrants per se. Nor is any one person or group responsible for California natives' concerns about how immigrants are affecting them. Moreover, despite the diverse effects that immigrants have on the state's public and private sectors, there is no agency within the state that monitors and coordinates immigration issues. The state should consider establishing an independent office of immigrant affairs that would have three principal functions: monitor the needs and position of immigrants, track the impact of immigrants on society, and coordinate state policies having to do with immigrants.

**Increase public understanding of immigration issues.**

A continued widening of the educational and economic gaps now existing between California's immigrants and natives will have implications for other divisions within the state. An increasing generation gap pits programs for the education and welfare of children against programs for the elderly, such as Medicare and Social Security. This division between young and old is exacerbated by a young population of immigrants and their children and an aging native population. California's current debate about affirmative action is partly fueled by perceived competition between newcomers and earlier generations. And Southern and Northern California's historical competition over resources and political power may be compounded by the fact that Southern California has a disproportionate number of immigrants. Finally, the growing economic disparity between those who have a higher education and those who do not has added a new economic dimension to this mix.

To summarize, it is particularly important that Californians have a clear understanding of immigration issues and their implications. We hope this report contributes to that understanding.