

AlterNet

VOTER GUIDES



Progressive Voter Guide to Immigration

Election Guide to Immigration

A new report suggests that “2008 will be the year of the immigrant and Latino voter,” as “unprecedented numbers of immigrants are becoming citizens and registering to vote.” The stakes, according to the report by America’s Voice, an immigrants’ rights group, “could not be higher.”

Pro-immigrant groups are registering hundreds of thousands of new citizens to vote. They, along with earlier generations of immigrants, are being mobilized in large part by the passions surrounding the often heated debate over immigration.

The report calls members of these communities a “sleeping giant,” awoken by the rhetoric of the anti-immigration hardliners who have often dominated debate over the issue. The We Are America Alliance -- with a \$10 million field operation -- is trying to reach the ambitious goal of registering a half-million new voters and getting a million members of immigrant communities to the polls. Many are located in the crucial battleground states that will ultimately decide the election. The alliance has registered over 83,000 new voters in Florida and 35,000 in Pennsylvania. In Colorado, nearly 35,000 new voters could have a decisive impact on the Presidential contest. In Nevada, the 52,000 new voters the alliance registered are almost 2.5 times the margin of victory in that state in the 2004 presidential election (George W. Bush won Nevada by 21,500 votes). And the nearly 40,000 new registrations in New Mexico could be a major factor in a state that supported George W. Bush by less than 6,000 votes in 2004 and has an open U.S. Senate seat in 2008.

If organizers can deliver on their promises, it may signal a sea-change in American politics. As the report’s authors predict, “Energized by their first leap into the political process, these new citizens will not rest after they cast their votes, and will continue to press their elected officials to enact laws that they support.”

In the wake of two failed attempts to pass a Comprehensive Immigration Reform (CIR) measure in recent years, immigrant rights advocates’ worst fears have materialized. As a recent New York Times editorial put it, “the Bush administration keeps raiding factories and farms, terrorizing immigrant families while exposing horrific accounts of workplace abuses. Children toil in slaughterhouses; detainees languish in federal lockups, dying without decent medical care. Day laborers are harassed and robbed of wages. An ineffective border fence is behind schedule and millions over budget. Local enforcers drag citizens and legal residents into their nets, to the cheers of the Minutemen.”

It’s a crucially important issue -- a majority of Americans say they want the government to fix our broken immigration system -- but it’s getting little attention in this year’s presidential race. In large part, that’s because although John McCain’s positions on immigration have shifted since he launched his run for the White House, his philosophical approach is very similar to that of Barack Obama. In fact, they both co-sponsored the 2007 Comprehensive Immigration Reform bill that was defeated in the Senate.

But the candidates do have some differences, and we dug deep into their voting records and public statements to find out where they stand on seven contentious issues within the larger immigration debate.

1. A LARGE UNDOCUMENTED POPULATION

There are 12 million to 20 million undocumented immigrants in the United States. They are not subject to background checks for criminal pasts, and their entry violates U.S. law. They represent an easily exploited pool of workers, face abuses with little legal recourse and, while they contribute more in tax revenues than they cost overall, they represent a fiscal burden to the local communities in which they're concentrated.

Solution: Institute comprehensive workplace reform and immigration control that would: enforce wage, overtime and other labor laws; guarantee workers the right to organize in order to eliminate the unregulated jobs that many undocumented immigrants perform; reform the legal immigration system; reform trade and other economic policies that encourage migration; establish a process of legalization for those already in the country; and step up auditing and enforcement measures.

Obama's position: Obama was a co-sponsor of the senate compromise called 'comprehensive immigration reform,' which included a process of legalization for those immigrants already in the United States who met certain conditions, the establishment of an employer verification system and increases in workplace immigration enforcement. He supports "additional personnel, infrastructure and technology on the border" and has called for working more closely with the Mexican government to improve economic development in that country, the source of more than half of all undocumented immigrants in the United States. He has co-sponsored legislation that would establish an employer verification system, speed FBI background checks and assure that the fees required to go through the legal citizenship process are not out of reach. Obama would emphasize keeping families together in determining who would be eligible to migrate to the United States.

McCain's position: McCain was a champion of comprehensive immigration reform, but now he says he is "committed to a two-step process" that would first focus on "securing the borders" and would be followed by the other measures of comprehensive reform. He has proposed the construction of a "virtual border fence" and the deployment of unmanned aerial vehicles (UAVs), along with other technologies. Once border state governors "certify that the border is secure," McCain would call for the addition of a process of legalization for those immigrants already in the country and the prosecution of "bad actor" employers who hire unauthorized workers. He would also eliminate the backlog of applicants for legal status. McCain would emphasize "America's labor needs" in determining who would be eligible to migrate to the United States. He favors a variety of temporary worker programs.

Learn more: Immigration Policy Center¹, Coalition for Comprehensive Immigration Reform²

2. HOMELAND SECURITY'S BRUTAL IMMIGRATION DETENTION NETWORK

1 <http://www.immigrationpolicy.org/>

2 <http://www.cirnow.org/>

Absent broader reform, immigration authorities have built a costly immigration prison network in which children as young as 5 years of age have been held and human rights abuses have been reported. Through the end of the 1990s, unauthorized immigrants who had committed no other offense were released while awaiting a hearing on their case. According to the Detention Watch Network, 93 percent of those released under controlled supervision show up for their hearings, at a cost to taxpayers of as little as \$12 per day. That cost shot up to \$95 a day after the Sept. 11 attacks, when a new policy was instituted that forced most unauthorized immigrants to be held until their hearings. A series of investigative reports by the *New York Times*, the *Washington Post* and CBS' "60 Minutes" earlier this year found that abuses are common and that dozens of immigrant detainees have died in custody from treatable illnesses because they were denied proper health care.

Solution: Call a moratorium on workplace raids to decrease the number of migrant workers being detained within the system, and the return to a policy of releasing people who have committed no serious crime from detention while they await a hearing.

Obama's position: Obama has not articulated a specific detention policy.

McCain's position: McCain has not articulated a specific detention policy.

Learn more: Detention Watch Network³, American Civil Liberties Union⁴

3. OUR BROKEN SYSTEM OF LEGAL IMMIGRATION

The immigration system is a dysfunctional bureaucracy that encourages people to enter the country illegally. Applicants for green cards sometimes wait 20 years before they receive one; the number of people allowed to migrate legally to the United States doesn't match the demand for migrant labor; and the opportunities for those with less education and lower levels of job skills are insufficient.

Solution: Expand the number of migrants permitted to enter legally each year, and assure that family reunification is an integral part of eligibility instead of focusing on job skills as the primary criterion.

Obama's position: According to the Obama campaign site, "We must fix the dysfunctional immigration bureaucracy and increase the number of legal immigrants to keep families together and meet the demand for jobs that employers cannot fill." He has offered little in the way of specifics.

McCain's position: McCain has called for streamlining the legal immigration system and reducing the backlog for applications. He favors the creation of a series of guest worker programs for agricultural labor, lower-skilled non-farm labor and highly skilled workers.

3 <http://www.detentionwatchnetwork.org/>

4 <http://www.aclu.org/immigrants/index.html>

Learn more: American Immigration Lawyers Association⁵, Catholic Legal Immigration Network⁶

4. IMMIGRATION RAIDS AS A UNION-BUSTING TOOL

Immigration enforcement has been used to break unions, harming American workers as well as undocumented migrants, but has left employers virtually untouched. Critics note that it is becoming increasingly common for immigration raids to occur when a company is facing a vote to unionize or, in some cases, being investigated for violating labor laws. These raids effectively end organizing campaigns and result in the detention of valuable witnesses who might testify against the company. Meanwhile, in 2007, the Department of Homeland Security fined only 17 employers during hundreds of workplace raids that resulted in the detentions of thousands of unauthorized workers.

Solution: A moratorium on workplace raids should be declared until more comprehensive systemic reforms are in place.

Obama's position: Obama says workplace raids are ineffective, noting that they've "placed all the burdens of a broken system onto immigrant families." He has not called for a moratorium on workplace raids.

McCain's position: While addressing the National Council of La Raza earlier this year, McCain said workplace raids are "a symptom of the problem rather than the problem itself." He has claimed that workplace raids won't be necessary after comprehensive reforms are enacted, but both proposals for comprehensive immigration reform considered by the Senate in recent years contained additional resources for workplace-based immigration enforcement.

Learn more: United Food and Commercial Workers' Commission on ICE Misconduct⁷, Labor Notes⁸

5. BORDER FENCE BOONDOGGLE

A "virtual fence" has been proposed, which would divide border communities, waste tax dollars and damage fragile ecosystems. This is part of a larger push to "militarize" the border with Mexico, an effort supported by defense contractors and immigration hardliners but rejected by majorities in those communities that would be the most affected. Environmental regulations have been suspended in order to build parts of the barrier.

Solution: Focus on systemic reforms that address the incentives that drive immigration rather than fences and high-technology monitoring equipment.

5 <http://www.aila.org/>

6 <http://www.cliniclegal.org/Publications/Reports.html>

7 <http://www.icemisconduct.org/icemisconduct/index.cfm>

8 <http://labornotes.org/node/1902>

Obama's position: In 2006 and 2007, Obama voted for two measures calling for the construction of hundreds of miles of fence on the Southern border, but he voted against a measure to expand the project in late 2007 and 2008. He has said, "The key is to consult with local communities (in) creating any kind of barrier."

McCain's position: Since entering the Republican primaries, McCain has stressed "securing the borders" before implementing any systemic immigration reforms. He favors doing so "with UAVs, with vehicle barriers, with walls and with high tech and cameras." He told *Vanity Fair*, "I think the fence is (the) least effective (option). But I'll build the goddamned fence if they want it."

Learn more: Texas Border Coalition⁹, *San Diego Union-Tribune*¹⁰

6. TRADE AND IMMIGRATION

U.S. trade policy displaces workers in other countries, destroying jobs abroad and, by doing so, creates incentives for increased immigration. For example, according to a Pew Study, immigration to the United States from Mexico "grew very rapidly starting in the mid-1990s, hit a peak at the end of the decade, and then declined substantially after 2001." That surge in new immigrants from our southern neighbor corresponded with the signing of NAFTA, which allowed subsidized U.S. corn to flood previously protected Mexican markets. That flood of corn caused the loss of millions of agricultural jobs in Mexico and drove unknown numbers of agricultural workers to migrate to the United States in search of work. It's just one example in which Washington's economic policies abroad have a relationship with increased immigration at home..

Solution: Renegotiate existing trade agreements, and require that an immigration impact assessment be carried out on all future agreements, as well as for proposals being considered at international economic forums like the World Bank and IMF.

Obama's position: Obama has acknowledged the relationship between NAFTA and the increased levels of immigration from Mexico since its passage. He has called for the deal to be renegotiated to "protect American jobs" and said he would withdraw from the pact if Mexico and Canada didn't agree to reopen it for further discussion.

McCain's position: John McCain has defended NAFTA, saying, "We need to stand up for free trade with no ifs, ands or buts about it. We let trade and globalization be politicized at our own peril."

Learn more: Citizens Trade Campaign¹¹, Global Exchange¹²

9 http://www.texasbordercoalition.org/index.php?option=com_content&task=view&id=25&Itemid=41

10 <http://www.signonsandiego.com/news/mexico/tijuana/20080924-9999-1n24monument.html>

11 <http://www.citizenstrade.org/>

12 <http://www.globalexchange.org/countries/americas/mexico/inthenews/5828.html>

7. BIG BUSINESS ABUSES THE LEGAL IMMIGRATION SYSTEM

Firms have abused the H1B and H2B visa programs, bringing in foreign workers in order to lower their labor costs. The H1B program (for highly skilled workers) and H2B program (for temporary, non-agricultural workers) were established to allow companies facing genuine labor shortages to sponsor migrant workers in the United States. While companies were required to pay the “prevailing wage” and go through a process to certify that there were not enough qualified native workers to fill those positions, abuses of the system have been rampant. A study by the Economic Policy Institute found that “in almost every case (examined), H2B-certified wages were lower than the prevailing wage reported by the Bureau of Labor Statistics.”

Solution: Reform the system of certification and give the Department of Labor the authority to investigate companies’ efforts to hire American workers. Sen. Bernie Sanders, I-Vt., has proposed legislation that would bar firms that had laid off U.S. workers from eligibility for the H2B visa program.

Obama’s position: Obama favors expanding the H1B and H2B visa programs and streamlining the application process, but he has also come out against companies that “game the system” by using the program to bring cheaper high-tech workers to the United States. He has said he would do more to protect native wages and job opportunities but has offered few specifics to date.

McCain’s position: McCain has proposed expanding these programs based on “market demand” but has also promised to “ensure available and qualified American workers are given adequate and fair opportunities to apply for available positions.”

Learn more: Information Week¹³, Economic Policy Institute¹⁴

13 <http://www.informationweek.com/news/showArticle.jhtml?articleID=201000479>

14 http://www.epi.org/content.cfm/webfeatures_snapshots_20080813