

THE BROOKINGS INSTITUTION

National Issues Forum

Immigration: New Policy Challenges



Program Book

Monday, December 8, 1997

The Falk Auditorium ♦ 8:30 a.m. - 1:00 p.m.

**The Brookings Institution
National Issues Forum**

IMMIGRATION: NEW POLICY CHALLENGES

**Monday, December 8, 1997
8:30 AM - 1:00 PM**

AGENDA

8:15 AM Registration/Continental Breakfast

8:30 AM Welcome and Introductory Remarks

- ❖ The Honorable Lawrence Korb, Director, Center for Public Policy Education, Brookings Institution
- ❖ The Honorable Michael Armacost, President, Brookings Institution

**8:45 - 9:30AM Keynote Address:
Immigration and Naturalization: The Key Upcoming Policy Issues**

- ❖ The Honorable Doris Meissner, Commissioner, U.S. Immigration and Naturalization Service

**9:30 - 10:30 AM Panel Session I:
Immigration and Naturalization Issues: The Views From Congress:**

Moderator: Thomas Mann, Director of Governmental Studies, Brookings Institution

- ❖ The Honorable Lamar Smith (R-TX); Chairman, House Judiciary Subcommittee on Immigration and Claims
- ❖ The Honorable Melvin Watt (D-NC); Ranking Minority Member, House Judiciary Subcommittee on Immigration and Claims
"Reflections on the First Year as the Ranking Member"

10:30 - 10:45 AM Break

10:45 - 1:00 PM

Panel Session II:

Moderator: Lawrence Korb, Director, Center for Public Policy
Education, Brookings Institution

**◆ Highlights of the Commission on Immigration Reform and National
Research Council Reports:**

❖ Susan Martin, Executive Director of Staff, U.S. Commission on
Immigration Reform

◆ The Assimilation and “Americanization” of Immigrants:

❖ Peter Skerry, Non-Resident Senior Fellow, Brookings Institution and
Associate Professor, Claremont McKenna College;
“Do We Really Want Immigrants to Assimilate?”

❖ Noah Pickus, Assistant Professor, Duke University;
“Making Naturalization Matter”

❖ Frank Sharry, Executive Director, National Immigration Forum;
“Forging Unity out of Diversity”

❖ Dan Stein, Executive Director, Federation for American Immigration
Reform;
“Oaths, Allegiance and the Loss of Our Common Understanding”

1:00 PM

Adjournment

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BIOGRAPHIES

MICHAEL H. ARMACOST

Michael H. Armacost has held the position of *president of the Brookings Institution* since October 1995. From 1993-1995 he was distinguished senior fellow and visiting professor at Stanford University's Asia/Pacific Research Center, and was the U.S. ambassador to Japan from 1989-1993. During his twenty-four years in government, he also served as U.S. ambassador to the Philippines, under secretary of state for political affairs, and has held senior policy responsibilities in the National Security Council and the Department of Defense. He has taught and lectured at Pomona College, Georgetown University, Johns Hopkins University, and International Christian University. He is the author of three books. His third, an analysis of Japan and the United States in the post cold-war world, was published in January 1996. He is the recipient of the President's Distinguished Service Award, the Defense Department's Distinguished Civilian Service Award, and the Secretary of State's Distinguished Service Award. Mr. Armacost is a trustee of Carlton College; a director of AFLAC, Applied Materials, Cargill, and TRW; and a member of the Council on Foreign Relations, Trilateral Commission, and the American Academy of Diplomacy. He is a graduate of Carleton College. He also attended Friedrich Wilhelms University and received his Ph.D. from Columbia University.

LAWRENCE J. KORB

Lawrence J. Korb is *director of the Center for Public Policy Education and senior fellow in the Foreign Policy Studies Program at the Brookings Institution*. During his career Mr. Korb has been dean of the Graduate School of Public and International Affairs at the University of Pittsburgh, vice president for corporate operations of the Raytheon Company, and resident director of Defense Policy Studies at the American Enterprise Institute. From early 1981 through late 1985, Mr. Korb served as assistant secretary of defense for manpower, reserve affairs, installations and logistics. His most recent book is *American National Security: Policy and Process*, with Joseph Jordan and William Taylor (Johns Hopkins University Press, 1993). His op-ed pieces have appeared in all the nation's major newspapers, and he is a frequent guest on network news shows. Mr. Korb received his M.A. from St. John's University and his Ph.D. from the State University of New York at Albany.

THOMAS E. MANN

Thomas E. Mann is *director of the Governmental Studies Program and the W. Averell Harriman Senior Fellow in American Governance at the Brookings Institution*. He has served as executive director of the American Political Science Association and as visiting fellow and co-director of the Congress Project at the American Enterprise Institute for Public Policy Research (AEI). He has taught at several local universities and colleges, including Johns Hopkins, Georgetown, and the University of Virginia. At the request of several members of Congress in 1991, Mr. Mann and Norman Ornstein of AEI provided an independent assessment of Congress and offered recommendations for improving its effectiveness. The three-part report, *Renewing Congress*, was published over the period extending from the fall of 1992 to spring of 1994. He has written numerous scholarly articles and books, including *How Congress Shapes Health Policy*; *Unsafe at Any Margin*; and *Congress, the Press, and the Public*. Mr. Mann has a B.A. in political science from the University of Florida and an M.A. and a Ph.D. from the University of Michigan. He is a member of Phi Beta Kappa and a fellow of the American Academy of Arts and Sciences.

SUSAN MARTIN

Susan Martin is *executive director of the U.S. Commission on Immigration Reform (CIR)*, a congressionally-mandated, bipartisan commission established to assess and make recommendations about U.S. immigration policy. Ms. Martin also serves as the U.S. National Coordinator for the Binational Study on Migration between Mexico and the United States. Prior to her current position Ms. Martin was the director of Policy Research and Programs at the Refugee Policy Group, and staff Director of the North American-European Dialogue on Migration and Refugee Issues. She also served as research director of the U.S. Select Commission on Immigration and Refugee Policy, and taught at Brandeis University and the University of Pennsylvania. Ms. Martin's writings include *Refugee Women* and numerous articles and monographs on immigration and refugee policy. Ms. Martin received her M.A. and Ph.D. in American Studies from the University of Pennsylvania.

DORIS MEISSNER

Doris Meissner has been the *commissioner of the Immigration and Naturalization Service (INS)* since October 18, 1993. She had served as acting commissioner of the INS in 1981, then as executive associate commissioner until 1986, when she moved to the private sector to become a senior associate and director of the Immigration Policy Project at the Carnegie Endowment for International Peace. Ms. Meissner's career interest began with her selection as a White House Fellow serving as a special assistant to the attorney general in 1973 and 1974. Following that appointment, she remained at the U.S. Department of Justice to become, in succession, assistant director of the Office of Policy and Planning; executive director of the Cabinet Committee on Illegal Aliens; and deputy associate attorney general. Ms. Meissner has written or contributed to numerous reports and articles, testified on policy matters before Congressional committee hearings, and addressed professional meetings and academic forums on a wide variety of immigration issues. Ms. Meissner received her B.A. and M.A. from the University of Wisconsin.

NOAH M.J. PICKUS

Noah Pickus is an *assistant professor in the Terry Sanford Institute of Public Policy and the Department of Political Science at Duke University*. Previously Mr. Pickus worked at the a. Philip Randolph Education Fund and the Urban Institute. His most recent publications include “Does Immigration Threaten Democracy? Rights, Restriction and the Meaning of Membership”, in *Democracy: The Challenges Ahead*, Yossi Shain, ed., and “‘Hearken Not to the Unnatural Voice’: Publius and the Artifice of Attachment”, in *Diversity and Citizenship: Rediscovering American Nationhood*, Gary Jacobsohn and Susan Dunn, eds. Mr. Pickus is currently completing a book on immigration and citizenship from the Progressive era to the present and editing a collection of essays on the same subject. He recently organized the Duke Workshop on Citizenship which assembled scholars, public officials and practitioners. Mr. Pickus received his Ph.D. in Politics from Princeton University.

FRANK SHARRY

Frank Sharry is the *executive director of the National Immigration Forum*. The Forum is an immigration advocacy group based in Washington, D.C. Its mission is to extend and defend America’s tradition as a nation of immigrants by encouraging generous immigration policies and fair treatment of immigrants in the U.S. He has held this position since 1990.

PETER SKERRY

Peter Skerry is an *associate professor of political science and public policy at Claremont McKenna College* and a *non-resident senior fellow of the Brookings Institution*. At Brookings he is doing research on the politics of the U.S. census and U.S. immigration policy. He has also been a fellow at the Woodrow Wilson International Center for Scholars and served as director of Washington programs for UCLA’s Center for American Politics and Public Policy. He has also been a research fellow at the American Enterprise Institute and was the Hartley Research Fellow at Brookings. He has published articles in *The New Republic*, *Commentary*, *The Wilson Quarterly*, *National Review*, *The New York Times*, *The Los Angeles Times*, *The Wall Street Journal* and *The Washington Post*. His book, *Maxican Americans: The Ambivalent Minority* (Harvard University Press), was awarded the *Los Angeles Times* book prize in 1993. Mr. Skerry holds a B.A. from Tufts University, master’s degree in educational policy from the Harvard Graduate School of Education, and a Ph.D. from Harvard in political science.

DAN STEIN

Dan Stein is the *executive director of the Federation for American Immigration Reform (FAIR)*. He is an attorney who has worked for nearly 15 years in the field of immigration law and law reform. He has been in his present position since January 1988. Prior to leading FAIR, Mr. Stein was the executive director of the Immigration Reform Law Institute, a public interest litigation group which represented a variety of organizations in immigration and administrative law matters. Mr. Stein has also been in private law practice in real estate, federal agency litigation, criminal law and tax-exempt corporate law. Mr. Stein's interest in immigration began as a professional staff member of the U.S. House of Representatives' Select Committee on Narcotics Abuse and Control, where he studied U.S.-Mexico border issues and international crop substitution efforts. Mr. Stein is the author of many articles on immigration. He has also appeared on national television programs such as *60 Minutes*, *The Brokaw Report*, *This Week* and the *MacNeil/Lehrer Hour*. He hosts a weekly live talk show on NET Political NewsTalk Network called, "Borderline". Mr. Stein is a graduate of Indiana University and of Catholic University School of Law

LAMAR SMITH

Lamar Smith is the *republican U.S. representative from the 21st congressional district of Texas*. He was first elected in 1986. In the 105th Congress, he chairs the Immigration and Law Subcommittee of the House Judiciary Committee. Mr. Smith was the author of the 1996 landmark illegal immigration reform law. He also serves on the Budget Committee. Prior to his election to Congress, Mr. Smith was commissioner of Bexar County and served in the Texas House of Representatives. He also worked as an attorney in private practice, was a business writer for the *Christian Science Monitor* and for the U.S. Small Business Administration. Mr. Smith is a graduate of Yale University and the Southern Methodist University Law School. In August 1997, *National Journal* named him as one of the top 100 most influential people in Washington, D.C.

MELVIN WATT

Melvin "Mel" Watt is the *democratic U.S. representative from North Carolina's twelfth district*, first elected in 1992. He is ranking minority member of the Immigration Claims Subcommittee of the Judiciary Committee. Mr. Watt also serves on the Banking and Financial Services Committee. Prior to his election to Congress, he was an attorney in private practice. He managed Harvey Gantt's campaigns for city council and mayor of Charlotte, North Carolina, as well as the U.S. Senate. Mr. Watt also served in the North Carolina State Senate. Mr. Watt is a graduate of the University of North Carolina at Chapel Hill, and he received his J.D. from Yale University where he was a member of the *Yale Law Journal*. He has received honorary degrees from North Carolina AT&T State University and Johnson C. Smith University.

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Immigration: New Policy Challenges

Monday, December 8, 1997

Please help us improve our National Issues Forums; we'd appreciate your feedback.

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BROOKINGS STAFF MEMBER OR DROP OFF AT THE REGISTRATION TABLE.**

Dec. 8, 1997

FY93 340K applications for citizenship
FY96 1.3 million "
FY97 1.6 million "

4x increase in applications in 5 yrs

Last year, 700K people became citizens.

Naturalization

- ① Standardization
- ② Quality

Acclimating New Americans

Enforcement

- ① Borders (control of legal & illegal entry)
- ② Interior enforcement (not a policy consensus on what we do)

↑
* Admin. committed to workplace enforcement (employer enf.)

* Congress is ambivalent on this

INS focuses on serious abuses (smuggling)

③ Removals

several yrs ago: 45K removals

last yr: 110K removals (formal procedures)

This yr: 140K removals

Focus on criminals or those w/ outstanding orders of deportation

Hit up against nexus b/w domestic & foreign policy

Legislation

Welfare Law ④ IRAIRA

Politics of these are still very fluid
Substantial changes to both.

Examples of areas where wants change:

- ① Provisions for mandatory detention
for broad class of cases.

Elim. admin. discretion for Exec. branch
Unworkable (b/c of blanket nature)

- ② Departure management

§ 110 (U.S. w/ better sense of who leaves
the country)

Broad-based: deal w/ land borders of
Canada & Mexico that can't work.

- ③ Employer verification.

Just beginning pilot projects to test
whether employers are verifying.

Smith request for 1,000 Border Patrol agents
(1996 law requires 1,000 new [↑] per year)
No answer to whether Admin. will ask for

Problem w/ discontinuation of designated entities
program (people coming to site to do fingerprinting)
(in Feb)

INS is putting into place mobile vans (to be
able to reach areas beyond
commuting distance @ nursing homes
etc)

Smith

Country should know who is coming in, why and for
how long.

Illegal immigration : • crime assoc. w/ illegal imm.
• 20% of federal prisoners are [↑]
• Lots involved in drug crimes
• 70% of illegal drugs come across
Southern border.

1/2 illegals use
fraudulent
docs to get
benefits/jobs

• Public benefits used by illegals
• jobs taken & wages depressed
by immigrants

Wants Admin. to make sure its budget contains
20% more border patrol agents

Improvements in deportations (doing better, but
need more)
Go after fraudulent docs
(SS cards, birth cert)

Employer sanctions — easier for
employers to check.

→ Most newcomers are coming for right reasons

Legal imm. reform (?)

- Not where from, but where going
 - Certain kinds of legal imm. cost jobs
and depress wages
- 40% of all legal imm. have few skills / little
education

(economy w/ stagnant # of unskilled
jobs; high # of high tech jobs)

- Public benefits (?)
want to discourage
- Need to do better w/ family reunification
- Protect high tech companies
- Education threshold?

→ The numbers (focus). 1 million/year
is too high.

Mel Watt

4 problem areas (inconsistent; ambivalent; dishonest)

① The more we devolve to the states, the more immigration becomes a state issue.

(disparate burdens on state & local govts)

② Due process (crime control & social justice)

Welfare Reform @ Anti-Terrorism etc Act

Society w/ less & less inclinatⁿ to provide due process for citizens or legal & illegal immigrants.

③ Class & Race and impact on immigration policies.

Immigration policy favors wealthy.

(Investor visa category — 10,000)
only use a few hundred a year.

"Means testing" for sponsors.

(for family reunification)

H-1B (highly ~~skilled~~ skilled emp 65K)

245(a) — no extension for family reunification

businesses get extension done.

Farm workers.

Mexicans v. Canadians

(4th on source countries for illegals)

Visa overstays are 50% of illegals & are mostly Europeans and non-Hispanics.

Targeting

Visa-waiver applies to Euro or Australians.

→ Refugee admissions

(Smaller allocation set aside for Africans)
7,000

Haitians

Call for a lottery w/in programs (categories w/out regard to ethnicity)

Qs

→ Possible to control illegal imm. w/out controlling demand? (guest workers)

Smith's concern is that ↑ will stay,
(not that employers are setting up an incentive)

→ Negative impact of immigrants on Black Americans?
(can't hit Blacks against immigrants)

Session II

Susan Martin (CIR)

Legal immigration is in the national interest.
Businesses benefit the most from immigration.
Cities benefit.

Losers? lower economic group (particularly the next to most recent immigrant group)

States & cities w/
large concentrations of unskilled immigrants
(immigrants use less services, but
contribute < taxes b/c of low wages)
(Public schools, for example).

Renewed emphasis on "Americanization"

①

* help immigrants and ourselves
voluntary (to take on obligations)
mutual & reciprocal

Legal [Immigrants should have access to public benefits]

Info packet for immigrants

- how to achieve citizenship

- local info clearinghouse

Fund & encourage
localities to fund
English language
programs that
work.

② Education

a. English acquisition

b. Shift away from educ. models (various models)

focus on
framework of a
system rather than
historical
facts.

② Emphasize English & Civics for adults.

③ Citizenship

Legal framework is O.K.

May want to do a better job implementing
laws.

Stein (FAIR)

Dual-nationality permitted since 1973.

Mexico allows dual-nationals to vote in local elections in Mexico.

→ Leave behind cultural heritage (?)

Frank Sharry

Act of immigration is very American.

(process of assimilation starts before they show up)

Immigrants participate in labor market @ higher rate than native born.

Home ownership — ✓

English lang. acquisition — ✓

Optimism — ✓

Immigrants are disprop. represented in
recently Recd. Medal of Honor.

Assimilation is a 2-way street:

100% civ & social K — respect my culture

Genius of America: diversity and unity are
synthesized.

~~Nick~~
Pickus

Shift to value of citizenship (common to both sides of the debate).

Need to create a more meaningful test.

Naturalization as playing a role in Americanization.

Test needs to be standardized (same test; same passing score).

* 8 Courses that prepare immigrants to go through this process.

(when courses were set up during amnesty in the 1980s, 1.6m immigrants flooded to them.)

Partnerships b/w groups that serve immigrants and those that support American values.
(American Legion)

Peter Skerry

We don't agree on what Americanization means.
(Vagueness). - (we can't agree on what obligations to impose on each other - much less immigrants).

Racialization of immigration

* Blacks w/ a diff. set of issues than immigrants