

# Tough, Fair, and Practical: Talking to the Middle About Immigration Reform

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The politics of immigration are certainly warming, but that does not mean that passing comprehensive reform will be easy. Polling shows that a solid majority of voters support a path to citizenship for most of those who are here illegally now—just as polls in 2006 showed big margins in favor of citizenship. But a closer look at the middle shows that behind their support is a cloudy layer of doubt and concerns. For example, in our 2006 immigration polling, 83% supported an earned path to citizenship, but 60% (including 51% of Latinos) said “deporting all 12 million illegal immigrants would be a good goal for America.”<sup>1</sup> For the approximately 43% who answered “yes” to both questions, this is not contradiction; it’s complexity.

That complexity exists today.

In recent polling, 77% of Americans support comprehensive immigration reform that includes an earned path to citizenship, and 65% think immigration is a good thing for the country.<sup>2</sup> Yet, 57% believe undocumented immigrants are a drain on society, and 60% of Americans think it should be a serious criminal offense to enter or stay here illegally. Understanding and addressing these crosscurrents is critical to winning the battle for the middle once legislation reaches the floor.

Based on our reading of public polling, we conclude that those in the middle are *willing* to support citizenship, but they are not *clamoring* for citizenship. This is far different than the base of support for comprehensive reform. For those in the base, a citizenship bill is an offer they are eager to accept; for the middle, it’s a request they are willing to consider.

With the bipartisan Gang of 8 close to an agreement on legislative language, this memo outlines the best way to

reach the conflicted middle—using the key words *tough, fair, and practical*.

## **Tough means tough on the border and on enforcement.**

The conflicted middle will be more willing to consider and accept a request for citizenship if their main concerns are addressed. Concern number one is the enforcement.

Policymakers speaking to those in the middle should frame the immigration bill as tough on the border and tough on enforcement. This means both stricter border control, which is supported by the vast majority of the country, 83% to 15%, as well as better, smarter enforcement, like the use of E-Verify or other workplace verification, which about 85% of the country supports.<sup>3</sup> Both increased border control and stricter enforcement will undoubtedly be important parts of the Senate bipartisan bill, and they should be highlighted especially when talking to the middle. In fact, the current Senate principles are even tougher than the 2006 bipartisan bill because they are premised on a trigger that prohibits any path to citizenship for those who are undocumented until heightened enforcement measures are in place (likely including enhanced technology and infrastructure on the border and at ports of entry, increased staffing for Border Patrol, and the creation of an entry-exit tracking system to catch visa overstays).

In addition to emphasizing the beefed-up enforcement included in the proposed legislation, policymakers should also be sure to underscore the vast improvements we have made in that area since the last comprehensive bill failed:

- Since 2005, the budgets of Customs and Border Protection and Immigration and Custom Enforcement have grown by 85% and 87%, respectively. This has translated to more than doubling the number of boots on the ground and increasing immigration prosecutions by 43%.<sup>4</sup>

- There are now 1,200 more National Guard troops stationed at the border to combat smuggling than there were last time we seriously considered reform. There are also 120 manned aircraft and 6 unmanned aircraft systems stationed at the border (2 more than the goal in the 2006 bill), and 651 completed miles of fencing—only 1 mile less than the *Secure Fence Act* passed in 2006 required.<sup>5</sup>

Measuring from the last time we had a national conversation on this issue, we have already made huge strides, and the middle will want to hear about them.

## **Fair means fair to U.S. taxpayers.**

Americans (and the middle) are compassionate people, and they are concerned about the plight of the undocumented immigrants in our country. But we cannot let compassion fall victim to taxpayers' wallets.

Voters consistently place “making immigrants paying their fair share of taxes” as the number one priority for reform (89% say it is a *very* important priority), and 94% approve of requiring undocumented immigrants to pay taxes as a component of reform proposals.<sup>6</sup> While the middle often views undocumented immigrants as hardworking and seekers of the American Dream, polling consistently shows they also feel that those immigrants are expensive and a drain on scarce federal, state, and local resources.

Supporters of reform need to align taxpayer interests with reform goals. Thus, reform will:

- Eliminate the shadow economy that allows some businesses to avoid paying taxes;
- Turn undocumented immigrants into taxpayers; and,
- Require fees and fines so that reform won't cost taxpayers one dime.

Finally, by spotlighting the way the bipartisan proposal would make America a global magnet for jobs-creating talent, policymakers can remind the middle that reform would help

the entire U.S. economy, not just agricultural producers or border states. When asked what group should get top priority if Congress decides to grant more immigration work visas, Americans' number one choice was high-skilled workers.<sup>7</sup> And 71% say they would vote for a law to increase the number of visas for legal immigrants who have advanced skills in technology and science, including 79% of Democrats, 67% of Republicans, and 65% of Independents.<sup>8</sup> Americans realize that ensuring our country is keeping the vast talent we already educate in our colleges and universities will help grow our economy for everyone.

## **Practical means restoring the rule of law and solving the problem for good.**

In our 2006 poll, when 60% of voters said deporting all 12 million undocumented immigrants was a good goal for America, nearly all of them said that such a policy was impractical.

Alongside a pathway to citizenship, the middle wants a bill that works—and “works” means that we won’t be back in this same position again in 10 years. Seventy-nine percent of Americans identify “pass[ing] a long term solution that fixes the immigration problem once and for all” as an important goal in any reform effort.<sup>9</sup> Policymakers need to assure moderates that the Senate proposal will not only deal with the undocumented immigrants already here, but also fix the system going forward to ensure that future immigration is lawful and the problem of illegal immigration is solved for good.

There is, of course, a great deal of skepticism about the efficacy of anything out of Washington these days, but there are numerous ways to check the “practical box” for the middle.

We suggest highlighting:

- The difficult terrain most undocumented immigrants will need to traverse to earn the precious gift of citizenship—focusing on the values in the bill that holds adults accountable for their actions but doesn't blame children for the mistakes of their parents.
- The stepped-up enforcement to control the border permanently and to make it much harder for business to hire workers illegally.
- The bipartisan nature of a proposal that brings four Republicans and four Democrats together from across the ideological spectrum and diverse parts of the country—from border states, farm states, industrial states, and high-tech states.

On the last point, the middle believes that both parties add something of value to an immigration law. In our previous polling, voters had worried that Democrats were overly compassionate toward undocumented immigrants and feared that Democratic politicians might put the interests of those here illegally over their own. They also worried that Republicans were too mean and would promote impractical and rigidly ideological solutions like mass deportation and incarceration.

A bipartisan bill based on the Senate Gang of 8's principles appeals to the middle because it combines what they consider to be the best natures of both Democrats and Republicans, while tamping down on each party's ideological impulses. With Republican involvement, the middle becomes assured that Democrats won't give away the store. But they trust Democrats to demand that Republicans also act humanely. When Americans are polled on which party would do a better job of dealing with immigration, 25% say they would both do about the same, 23% say neither party would do a good job, and 5% are not sure—meaning more than half of the country does not think one party has the right answers on immigration.<sup>10</sup>

## **Conclusion**

If each of us were offered a million dollars but in return had to give up our citizenship, how many of us would take the money?

At the moment, the middle is ready to support immigration reform that allows nearly all who came here illegally to earn one of the most precious credentials on earth—American citizenship. To keep the middle on board with reform, we have to make sure that we value this credential as much as they do. This bill, and the language we use to support it, must treat citizenship as the cherished prize that it is.

Judging by the principles put forth earlier this year, the Gang of 8 bill will pass this test. It will create an arduous, but achievable, path to citizenship for adults. It will rightfully give their children a quicker route to the ultimate prize. It will enhance already existing policies to toughen the border and create new ones to make coming here illegally much harder. It will treat taxpaying Americans with respect. It will make America a global magnet for jobs-creating talent. And it will restore the rule of law in a practical way. The final bill may not be perfect for some advocates of reform, and it will certainly be inadequate for opponents of reform. But it will hold true to the values, and address the concerns, of the conflicted middle—the voters whose support will determine whether 2013 is the year of immigration reform or another in a series of disappointments.

#### TOPICS

**IMMIGRATION** 49

#### END NOTES

1. Benenson Strategy Group conducted a poll for Third Way of 1,236 likely voters from swing states May 9-17, 2006 (with Hispanic oversample).

- 2.** “National Immigration Reform Survey,” Poll, Hart Research Association/Public Opinion Strategies, January 2013. Accessed March 7, 2013. Available at: <http://www.seiu.org/immigration/Immigration%20Top%20lines%20Public%20Release.pdf>.
- 3.** “Poll Finds a Boost for Obama on Handling Immigration,” Poll, ABC News/*Washington Post*, February 6, 2013. Accessed March 7, 2013. Available at: <http://www.langerresearch.com/uploads/1144a9ImmigrationReform.pdf>; See also Frank Newport, “Americans Widely Support Immigration Reform Proposals,” Poll, Gallup Politics, February 5, 2013. Accessed March 7, 2013. Available at: <http://www.gallup.com/poll/160307/americans-widely-support-immigration-reform-proposals.aspx>.
- 4.** Doris Meissner, Donald M. Kerwin, Muzaffar Chrishti, and Claire Bergeron, “Immigration Enforcement in the United States: The Rise of a Formidable Machinery,” Report, Migration Policy Institute, January 2013. Accessed March 7, 2013. Available at: <http://www.migrationpolicy.org/pubs/enforcementpillars.pdf>.
- 5.** Marshall Fitz and Philip E. Wolgin, “Infographic: Setting the Record Straight on Immigration and Border Enforcement,” Infographic, Center for American Progress, January 4, 2013. Accessed March 7, 2013. Available at: <http://www.americanprogress.org/issues/immigration/news/2013/01/04/48922/infographic-setting-the-record-straight-on-immigration-and-border-enforcement/>.
- 6.** “National Immigration Reform Survey,” Poll, Hart Research Association/Public Opinion Strategies, January 2013. Accessed March 7, 2013. Available at: <http://www.seiu.org/immigration/Immigration%20Top%20lines%20Public%20Release.pdf>.
- 7.** “Bloomberg National Poll by Selzer & Company,” Poll, Polling Report, February 21, 2013. Accessed March 7, 2013. Available at: <http://www.pollingreport.com/immigration.htm>.

- 8.** Frank Newport, "Americans Widely Support Immigration Reform Proposals," Poll, Gallup Politics, February 5, 2013. Accessed March 7, 2013. Available at: <http://www.gallup.com/poll/160307/americans-widely-support-immigration-reform-proposals.aspx>.
- 9.** "National Immigration Reform Survey," Poll, Hart Research Association/Public Opinion Strategies, January 2013. Accessed March 7, 2013. Available at: <http://www.seiu.org/immigration/Immigration%20Toplines%20Public%20Release.pdf>.
- 10.** "National Immigration Reform Survey," Poll, Hart Research Association/Public Opinion Strategies, January 2013. Accessed March 7, 2013. Available at: <http://www.seiu.org/immigration/Immigration%20Toplines%20Public%20Release.pdf>.