

IMMIGRATION POLICY AND UNDOCUMENTED PERSONS IN IOWA

Position Statement

NASW affirms the nation's need for secure borders as well as a just immigration policy that provides an expeditious route to citizenship, affords the right to family reunification, addresses state workforce needs, ensures the rights of workers to pursue a livelihood and receive fair treatment, and promotes the positive value of diversity in communities across the state.

Discussion

Demographic profile

Census data shows that 37 million persons, one in every eight living in the U.S., is a foreign-born immigrant (Perryman Group, 2008). Although Iowa ranks 36th nationally in terms of immigration, the state's population of foreign-born residents has increased markedly in recent years. Between 1990 and 2006, Iowa's population of foreign-born residents increased from 43,316 to 112,299, with the majority of these being from Latin America (40%) and Asia (32%) (Migration Policy Institute, 2008a). Historically, immigrants had tended to move to one of six "major destination" states -- Florida, California, Texas, Illinois, New Jersey and New York. However, in the past decade, that pattern has changed as immigrants with children chose new destinations that provided safe, family-friendly communities with quality schools and low crime rates. Consequently, states such as Iowa, Nebraska, Minnesota, Kansas and Wisconsin have witnessed their foreign-born populations grow rapidly. Not surprisingly, these states have been faced a corresponding set of social and political challenges (Capps & Fortuny, 2006; Urban Institute, 2006).

The core of the immigration debate revolves around the issue of undocumented persons, those who reside in the U.S. but are not U.S. citizens and do not hold valid documents granting them residence and/or permitting them to work. Such persons may have entered the country illegally (without inspection) or they may have entered legally (with inspection) but remained after their visas expired. While undocumented persons come from around the world, the greatest percentage, 78%, arrive from Latin America, primarily Mexico (Passel, 2006). The Pew Hispanic Center (Passel, 2006) estimates that by 2006, 11-12 million undocumented immigrants, approximately 30% of all foreign-born residents, were living in the U.S., and that number has continued to rise. Nationally, this represents 9.3 million adults -- 5.4 million males and 3.9 million females, most between 18-39 years of age -- and 1.8 million children. Many of the estimated 6.6 million undocumented families have a 'mixed status', meaning that they also include members who are U.S. citizens. Nearly two-thirds of all children living in undocumented families -- 3.1 million -- were born in the U.S. and are citizens by birth.

Pearson and Sheehan (2007) provide a glimpse into the undocumented population in Iowa. They estimate that the population ranges from 55,000-85,000 persons, and comprising some 24,000-37,100 families. The average undocumented family is smaller than the national average, ranging between 2.05-2.29 members with more recent immigrants having the smallest families. Compared to mean income of \$67,300 for native-born Iowa families, undocumented families earn an estimated average income of \$27,400. Not surprisingly, poverty rates are nearly three times greater undocumented Iowans.

- *Policy issues*

U.S. immigration policy has reflected a national ambivalence between excluding unwanted persons based on fear or racism, and welcoming strangers based on humanitarian or workforce considerations. Current federal policy has its origins in an immigration quota system enacted in 1924, and in later provisions that emphasized family reunification and labor market needs (National Association of Social Workers, 2006). Since the mid-1990s, welfare reform and anti-terrorism concerns have added new elements -- non-citizens became ineligible for public assistance, families faced separation as various offenses were classified as deportable, and post-9/11 terrorism fears led to tighter border controls and strict curtailment of non-citizen rights.

The number of work and family-based visas issued annually is limited; this in turn creates a bottleneck in the process by which immigrants are able to secure legal status as non-citizens. The Iowa Immigration Education Coalition (2008a) notes that under the most common work or residence visa, H-1B, 65,000 persons will be allowed to legally enter the U.S. between July 2008 - June 2009. However, this visa is extended only to skilled professionals with at least a bachelor's degree, and some 20,000 visas are 'reserved' for persons with masters or doctoral degrees. Annually, permanent 'green card' work visas are available to 140,000 persons, including family members, but again most applicants are required to have college degrees or two years of training; unskilled workers may apply for only 5,000 of these visas. There also are several categories of temporary work visas -- H-2A and H-2B (capped at 66,000) -- directed toward agricultural, seasonal or peak-load work needs that exceed the local labor supply. Employers must certify that there is no U.S. citizen available or possessing the requisite skills to take such jobs. Additionally, the process of securing a visa is complicated by lengthy delays, annual country limits on the number of allowable visas (approximately 25,600 each), and security-related strains on the immigration system. Owing to visa limits and processing delays, the National Council of La Raza (2008) notes that it is not uncommon for Mexican applicants to wait 7-9 years to receive a visa.

A related issue is that of family reunification. Since 1965, family reunification has been governed by a quota-based "family preference" system in which the family members of U.S. citizens or legal residents are assigned to one of four preference groups (Hatch, n.d.). Spouses, minor children, and parents of U.S. citizens are eligible for visas without regard to quotas; depending on the speed of the processing, they may be permitted to immigrate in about a year. However, strict quotas and administrative backlogs force those in the preference system to wait far longer. Analysis by the League of Women Voters (Hatch, n.d.) suggests that with backlogs numbering in the millions, a person could expect to wait at least 5 years, but possibly as long as 20 years for a visa. Faced with long-term separation, many family members choose to join their "anchor relatives" in the U.S. as undocumented persons. When the opportunity for a visa finally arrives, they must travel to the American embassy in their country of origin to complete the paper work. If immigration officials there discover that the applicant has been "out of status" for over a year, s/he will be legally barred from re-entering the U.S. for another ten years. While it is possible to secure a waiver to the entry bar, there are additional fees, including lawyers' fees, and no guarantee that a waiver will be granted. Those who abide by the separation requirement often send financial support to family members in their home country. In turn, this may prevent them from accumulating sufficient income and savings to satisfy the legal proof of assets required by the U.S. government, and so the opportunity for a visa may be lost and the applicant must start the process over.

Despite pressure on both sides of the political aisle for national policy reforms, current federal initiatives are focused on rigid immigration control and enforcement. Such measures include erecting a fence along the U.S.-Mexico border, increasing border controls, conducting raids on work sites where undocumented immigrants are believed to be employed, strictly controlling the number of visas and work permits, penalizing employers who hire undocumented workers, and deporting those without valid documentation.

As a case in point, Immigration Control and Enforcement officials conducted raids in two Iowa communities – one on December 12, 2006 in Marshalltown and a second on May 12, 2008 in Postville – at an estimated \$5 million cost to taxpayers (Des Moines Register, 2008). The result was a seismic economic and social upheaval for the effected communities and families. Jobs were lost, businesses closed, workers were arrested and detained with many being deported, families were torn apart, and those without a means of livelihood were forced to depend on the charity of others. The raids also have served to highlight the vulnerability of undocumented workers to employer abuse. In the case of Postville, these included employment of child laborers, theft of worker wages, physical and sexual abuse of employees, and health and safety violations that contributed to broken bones, severed limbs, eye injuries and hearing loss (Newman, 2008).

Another seldom-discussed aspect of workplace raids is their impact on children. A joint study by the Urban Institute and the National Council of La Raza (Capps, Casteneda, Chaudry & Santos, 2007) examined the impact of raids conducted in Colorado, Nebraska, and Massachusetts. Researchers found that some families hid in basements or closets for weeks or months after the raid; detained parents had difficulty arranging for child care and some were afraid to acknowledge that they had children for fear that their children would be taken; many were left without immediate provisions for baby formula, diapers, food and other necessities; local school officials were forced to implement special day-care and foster

care provisions, which in some cases lasted for weeks or months, to ensure that children were not left in empty homes; children experienced feelings of abandonment, isolation, emotional trauma, and mental health problems such as depression, separation-anxiety disorder, post-traumatic stress and suicidal ideation, yet few were able to access mental health resources (pp.2-4).

In the absence of federal immigration reform, many states have pursued their own immigration initiatives. While few of these proposals passed, in 2007 states explored a mix of expansive and contractive initiatives (Laglagaron, Rodriguez, Silver & Thanasombat, 2008). These included waiving citizenship requirements for state jobs (police, teachers, firefighters), criminalizing human trafficking, expanding language services, penalizing employers for hiring undocumented workers, declaring English the official language, and expanding the state role in immigration enforcement. Iowa's initiatives have included previously adopting English as the official state language, criminalizing human trafficking, and exploring the provision of state driver's licenses to undocumented persons.

- *Issues for children and families*

Undocumented children and families face particular challenges. Because they face greater poverty, undocumented families often have difficulty providing basic necessities – food, shelter, clothing, medical and dental care (Capps & Fortuny, 2006). In ‘mixed status’ families, one child may qualify for assistance while his/her undocumented siblings do not. Parents may be unaware of the programs or hesitate to seek assistance on behalf of an eligible child because of the parent's undocumented status. Pearson and Sheehan (2007) note that in Iowa, undocumented families are not eligible for most of the publicly-funded programs for which native-born low-income families would qualify, including “unemployment benefits, in-state tuition at public universities, Medicaid, *hawk-I* children's health insurance program or child-care assistance” (p. 7). Additionally, the majority of adults (59%) and children (53%) do not have medical insurance. Undocumented families are only eligible for K-12 public education, emergency medical care, immunizations, disaster-related emergency relief and public services such as law enforcement or fire rescue (Iowa Immigration Coalition, 2008).

Education presents a special challenge. Several factors contribute to lack of school readiness -- families with limited incomes, parents with limited education, and parents and children with limited English proficiency. Consequently, immigrant children are at risk for poor educational attainment (Capps & Fortuny, 2006). Parents may not be able to read to or assist their children in completing homework, and may have little understanding of or engagement with the school system. Because many undocumented children do not speak English, ‘new growth’ states, overwhelmed with the influx of non-English speaking children, have struggled to deal with additional educational challenges. When children do succeed and complete high school, they are faced with limited avenues to higher education. Undocumented graduates do not qualify for in-state tuition at public universities, and most families lack bank accounts and the surplus income for savings, and thus are unable to pay the costs of higher education. Without access to higher education, undocumented graduates may be forced into the underground workforce or forced to return to a birth country that is alien to them. As a case in point, some of Postville's graduating class included undocumented immigrant youth, brought to the U.S. as children, who had successfully completed high school, but were faced with few options despite their academic aptitude. As a state that prizes education, Iowa risks losing a valuable resource – young people who want to pursue college educations and remain in the state.

- *Workforce issues*

Nationally, an estimated 7-8 million undocumented persons are employed in the workforce (Passel, 2006; Perryman Group, 2008). Such persons tend to be concentrated in occupations that require few job skills, limited education, and are not subject to official licensure. Extrapolating from the Pew Center statistics, Pearson and Sheehan (2007) estimate that in Iowa, undocumented workers represent 2-3% of the adult labor force, and number between 35,500 to 55,000 persons. Analysis of state workforce data conducted at Iowa State University (Swenson & Eathington, 2008) revealed that, compared to native-born workers, on average foreign-born workers are more likely to have limited or no English speaking proficiency (32%), are more likely to have less than a high school education (35.5%), and are more likely to receive lower earnings. Although some foreign-born workers have college degrees and are employed in high-salaried professional positions, the aggregate data suggest that is not true for the majority of such workers.

The workforce contribution of undocumented immigrants deserves serious consideration. A recent study by the Perryman Group (2008) estimated the economic and labor impact of the immediate removal of undocumented workers from the workforce. The study concluded that for the U.S. as a whole “*the immediate effect of eliminating the undocumented workforce would include an estimated \$1.757 trillion in lost annual spending, \$651.511 billion in lost annual output, and 8.1 million in job losses*” (p.40). For Iowa, the effect would be \$4.401 billion in lost expenditures and 25,199 in lost jobs (p. 44-45). Because undocumented workers are concentrated in certain industries, the effects there would be more pronounced. As the nation’s economy has become more technological and U.S. workers have become more educated, fewer workers have been available to join a low-skilled labor force requiring limited education. Whereas in 1960, 50% of males entered the workforce without a high school diploma, today that number is 10%. Increasingly, undocumented workers have filled those positions. If undocumented workers were forced out of the economy, industries would need to provide economic incentives to lure replacement workers into such jobs, and the resulting costs would inhibit the nation’s global competitiveness. The Perryman Group argues that undocumented workers are crucial to the U.S. economy and that pursuing policies based on immigration enforcement and control are contra logical.

As a state, Iowa faces a workforce shortage. A recent survey by Iowa Workforce Development (2008) concluded that current job vacancies, upcoming retirements and future job expansions, will leave the state with significant workforce needs in the next 7-10 years. The study concluded that future employment will require a combination of high school (43%), vocational technical schooling or associate education (36%) and undergraduate education (22%). As one of the new destination states, Iowa has the opportunity to engage this population to meet its workforce needs.

- *Tax issues*

Undocumented immigrants add substantially to the well being of the economy and the communities in which they reside. They add to local community vitality by renting or owning businesses and homes, purchasing goods and services, and contributing to local, state and federal taxes through employment. This is particularly important for many of Iowa’s rural communities that struggle with aging populations, declining main streets, and erosion of the tax base. Analysis by Pearson and Sheehan (2007) concludes that the average undocumented family pays an estimated \$1,671 in sales, property and income taxes each year; collectively, undocumented families annually contribute \$40 million - \$62 million in state and local taxes, and an additional \$50 million - \$70 million to federal Social Security and Medicare programs. Additional revenues go uncollected by the state when workers are paid ‘off the books’. The taxes paid by undocumented workers contribute to many publicly funded programs from which they do not benefit, including unemployment insurance, federally-funded assistance programs, Social Security, and Medicare.

Recommendations

In the context of these complicated and pressing issues, NASW recommends that state policy makers:

- Work with federal officials to expand the number of allowable work visas, especially for unskilled workers, thereby speeding the process to citizenship and ensuring fair and equal treatment for workers.
- Allow undocumented persons to obtain state-issued drivers’ licenses; these would not serve as legal immigration documents, but they would bestow legal driving privileges and would require undocumented person to learn the rules of the road, thereby enhancing public safety.
- Work with federal officials, employers and local communities to develop alternatives to raids as a means to deal with immigration violations.
- Work with federal officials to create real legal avenues for family unification.
- Expand state funding of English-language and adult literacy programs, delivered through public schools and community colleges, to assist the integration of new immigrants into Iowa communities.
- Support the federal Development, Relief and Education for Alien Minors Act (DREAM Act) to assist qualified high school graduates in gaining access to higher education.
- Support cross-cultural initiatives, including second language education for native-born Iowans, as a way to facilitate cultural exchange and understanding in local communities.

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