

National Foundation for American Policy

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New Research Recommends Combining Work Permits and Bilateral Agreements to Reduce Illegal Immigration, Enhance Security and Save Lives at the Border

NFAP also Finds a “Commission” of Unelected, Unaccountable Officials to Regulate Immigration is a dangerous “roll of the dice” for employers, immigrants, and their families

Arlington, Va. – Neither legalizing those in the United States illegally nor increasing immigration enforcement will reduce illegal immigration or limit immigrant deaths at the border. A different approach is needed or else Congress will remain deadlocked or, even worse, pass a bill that fails to address the core problem that drives illegal immigration – the lack of legal avenues for lesser-skilled individuals from Mexico and Central America to work in the United States. The only way that issue can be addressed is through increased use of temporary visas, concludes a new study released today by the National Foundation for American Policy (NFAP), an Arlington, Va.-based policy research group.

The study, “Common Sense, Common Interests,” recommends combining fully portable work permits – not tied to a specific employer – with bilateral administrative agreements between the United States and countries that send illegal immigrants to America. This approach would provide labor market freedom and, therefore, protection for new workers, at the same time it would elicit cooperation on immigration enforcement from Mexico and (eventually) other key countries.

Another study released today, “A Commission to Regulate Immigration? A Bad Idea Whose Time Should Not Come,” concludes a commission to establish the annual level of temporary visas and green cards for high and low-skilled workers would result in unaccountable officials with the enormous power to change the law based on little more than their personal preference. The study finds, at best, everything would rest upon who is appointed, a dangerous “roll of the dice” for employers, immigrants and their families.

Both studies can be found on the NFAP website at www.nfap.com.

Stuart Anderson, Executive Director of NFAP and author of "Common Sense, Common Interests," served as head of policy and Counselor to the Commissioner of the Immigration and Naturalization (2001-2003) and witnessed how close the U.S. and Mexico came to an agreement on immigration prior to the September 11, 2001 terrorist attacks. "The work permits would help reduce illegal immigration and prevent migrants deaths, and also serve as valuable 'carrots' to gain cooperation on immigration enforcement that otherwise would be politically impossible for leaders in other countries," said Anderson.

Each year Mexico and Central American countries receive billions of dollars in remittances from their nationals working in the United States. Since these remittances represent an important source of dollars flowing into these economies, there would be a great incentive for these nations to cooperate on immigration enforcement in exchange for work permits for their citizens. The agreements themselves could serve as important foreign policy tools for the President and would show the United States working in a cooperative manner on issues of importance to people in both countries.

Congress would authorize the Secretary of Homeland Security to provide work authorization (work permits) within the limits agreed upon in bilateral negotiations. However, Congress would not vote on each bilateral agreement.

Few Americans realize that Mexican immigration law requires its citizens to exit the country only through proper exits and with proper official documents. The relative lack of legal avenues to work in America has made it politically impossible for Mexican elected officials to enforce these provisions. However, a bilateral agreement with the United States as described in the report would fundamentally change the situation. "It would put the two countries in a partnership on immigration and border security and provide tangible reasons for Mexico to enforce its own laws," said Anderson.

The research found that temporary visas in the past have reduced illegal entry into the United States. After enforcement actions in 1954 were combined with an increase in the use of the Bracero program (for farm workers), illegal entry, as measured by INS apprehensions at the border, fell by an astonishing 95 percent between 1953 and 1959.

Poverty in Mexico combined with the pull of better economic opportunities in the United States leads people to risk their lives on the journey to America. The absence of a way to enter legally to work has contributed to more than 4,000 men, women, and children dying while attempting to

cross to America since 1998. This loss of life will almost certainly continue unless more legal paths are open to work in the United States.

The study found making entering the U.S. more hazardous means individuals who enter successfully stay in America rather than travel back and forth to Mexico or Central America. A great deal of circular migration that used to take place has simply stopped. By one estimate tougher enforcement has lengthened to 9 years the average U.S. stay of a Mexican migrant; in the early 1980s a typical Mexican migrant stayed three years. The number of authorized U.S. Border Patrol Agents has increased from 3,733 in 1990 to 14,923 by 2007. Meanwhile the illegal immigrant population in the United States rose from 3.5 million to 11.8 million between 1990 and 2007, according to the Department of Homeland Security.

In addition to the fully portable work permits and bilateral agreements, Congress should also keep the door open to other avenues of legal entry to work, the study finds, such as by raising the annual limit on H-2B visas for non-agricultural, seasonal workers, passing the AgJobs Act, and increasing the allotment of green cards (for permanent residence) for low-skilled workers above the current level of 5,000 a year.

The study concludes Congress to choose a path on immigration that takes the profits from Mexican criminal gangs, saves the lives of potential immigrants seeking to work in America, and enhances immigration enforcement by forging bilateral agreements based on respect towards other nations and their citizens.

About the National Foundation for American Policy

Established in the Fall 2003, the National Foundation for American Policy (NFAP) is a 501(c)(3) non-profit, non-partisan public policy research organization based in Arlington, Virginia focusing on trade, immigration and related issues. The Advisory Board members include Columbia University economist Jagdish Bhagwati, Ohio University economist Richard Vedder and other prominent individuals. Over the past 24 months, NFAP's research has been written about in the *Wall Street Journal*, the *New York Times*, the *Washington Post*, and other major media outlets. The organization's reports can be found at www.nfap.com.

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