



# *Immigration Reform: An Intergovernmental Imperative*



*Leaders at the Core of Better Communities*

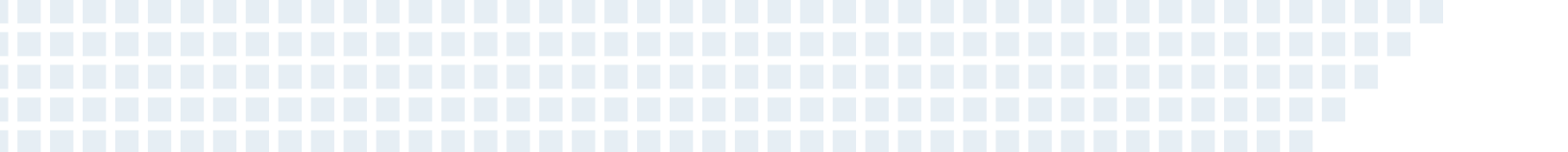
ICMA advances professional local government worldwide. Its mission is to create excellence in local governance by developing and advancing professional management of local government. ICMA, the International City/County Management Association, provides member support; publications, data, and information; peer and results-oriented assistance; and training and professional development to more than 9,000 city, town, and county experts and other individuals and organizations throughout the world. The management decisions made by ICMA's members affect 185 million individuals living in thousands of communities, from small villages and towns to large metropolitan areas.

Immigration Reform: An Intergovernmental Imperative  
A Policy Issue White Paper  
The Changing Face of America: Immigration  
Prepared on behalf of the  
Governmental Affairs and Policy Committee of ICMA  
October 2008

Nadia Rubaii-Barrett, PhD  
Associate Professor and Chair  
Department of Public Administration, College of Community and  
Public Affairs  
Binghamton University, Binghamton, NY 13902  
(607) 777-9172 • (607) 777-2414 fax  
nbarrett@binghamton.edu



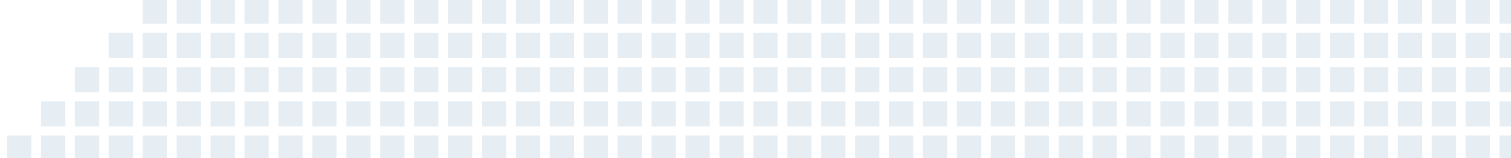
*Leaders at the Core of Better Communities*



**N**adia Rubaii-Barrett holds a PhD in political science from the State University of New York at Binghamton. For two decades she has worked with local government officials and professional associations to address issues of service delivery effectiveness, intergovernmental relations, and the challenges of increasing diversity. In 2001–2, she was part of a four-member team commissioned by the U.S.-Mexico Border Counties Commission to conduct a study of the effects of illegal immigration on county health and criminal justice systems. As a recognized expert in the field of immigration research and the challenges of increasing language diversity, she is a regular speaker at state, local, and regional events addressing the topic. She currently holds the position of Associate Professor and Chair of the Department of Public Administration at Binghamton University.

NOTE TO READERS: This White Paper is part of a series prepared under the supervision of the Governmental Affairs and Policy Committee of ICMA.

Copyright © 2008 by the International City/County Management Association. All rights reserved, including rights of reproduction and use in any form or by any means, including the making of copies by any photographic process, or by any electrical or mechanical device, printed, written, or oral or recording for sound or visual reproduction, or for use in any knowledge or retrieval system or device, unless permission in writing is obtained from the copyright proprietor.



*Leaders at the Core of Better Communities*

# Immigration Reform: An Intergovernmental Imperative

## Executive Summary

Increasing rates of both legal and undocumented immigration, greater diversity among new immigrant populations, and more dispersive settlement patterns create challenges for all levels of government. The most intense and direct pressures are felt at the local level in counties, cities, towns, and villages across the nation. In the absence of comprehensive immigration reform at the national level, local governments across the United States are struggling to balance the goals of public health and safety, economic development, and community cohesion in the face of increasing immigration. In recent years local governments have enacted a range of conflicting policies that push the boundaries of intergovernmental relations beyond both convention and logic. The current piecemeal approach to immigration—in which some local governments provide sanctuary to undocumented immigrants and others force landlords to check the immigration status of all tenants—jeopardizes the safety and security of citizens and immigrants alike, strains small and large businesses relying on immigrant labor, imposes significant burdens on the economic and social fabric of localities, and creates intergovernmental tensions that may impede effective working relations on other issues. ICMA considers immigration to be one of the most pressing contemporary issues facing the United States, one that requires each level of government to acknowledge and fulfill its unique role, beginning with comprehensive immigration reform at the federal level.

The policy recommendations presented at the end of this report reflect four guiding principles. Organized around those principles, sixteen specific recommendations are presented. The policy recommendations are drawn from the experiences of professional local government administrators in addressing the challenges and attempting to realize the opportunities associated with immigration in their communities.

***PRINCIPLE 1: Immigration policy should be overhauled to reflect twenty-first century economic and social realities, and enforcement must be recognized as a necessary but not sufficient component of immigration policy.***

1. Provide fair and lawful ways for businesses in the United States to hire much-needed immigrant workers.
2. Speed processing time to reduce the unreasonable and counterproductive backlogs in family-based and employment-based visas.

3. Provide a path to legalization for hardworking individuals who have not violated any criminal laws and whose only offense is a violation of civil immigration laws.
4. Use technology and intelligence to target enforcement efforts at the coyotes, human smugglers, employers, and others who take advantage of and profit from vulnerable immigrants.
5. Improve international relations with and aid to countries from which large numbers of immigrants arrive.

***PRINCIPLE 2: The natural division of responsibilities places immigration control at the national level and immigrant integration at the local level.***

6. Cease pressures on local law enforcement officials to enforce federal civil immigration laws and state unequivocally in federal law that the role of local and state officials is limited to criminal law, not civil immigration laws.
7. Work collaboratively with ICMA to develop a Model MOU for 287g programs.
8. Provide support for immigrant integration activities, including but not limited to English-language instruction (ESL and ESOL).

***PRINCIPLE 3: Federal enforcement activities should consider the impact on communities and local governments and should generally promote human rights.***

9. Rigorously enforce workplace laws for all categories of employees within the United States.
10. Require that decisions about workplace raids, detention, and deportation consider the impact on children and communities.
11. Utilize alternatives to mass detention.
12. Under no circumstances should immigration actions be taken based on information gathered from medical personnel.

***PRINCIPLE 4: Resources generated by immigrants should be equitably redistributed.***

13. Share federal tax revenue from immigrants with local governments in proportion with their experienced rates of immigration.
14. Provide funding for ESL instruction.
15. Fully fund the State Criminal Alien Assistance Program (SCAAP).
16. Expand the refugee model to provide support to secondary resettlement communities.

Repeated calls for comprehensive immigration reform have been issued by a multitude of reputable organizations representing businesses, labor unions, and state and local governments. ICMA not only adds its

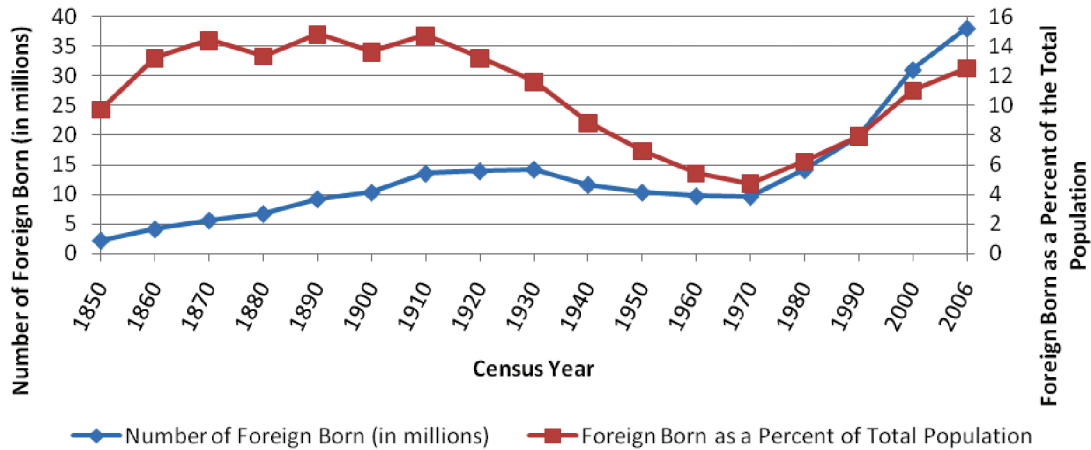
voice to this call but also offers recommendations based on the unique perspective of professional, nonpartisan, local government administrators who serve on the front lines in the counties, cities, towns, and villages of the nation where U.S. citizens and immigrants live, work, and struggle to form communities. Professional local government administrators are uniquely positioned to report on the pressures that immigration imposes on local governments of all sizes and in all states and regions of the country. Their jobs are made exponentially more difficult by the lack of a comprehensive and sensible national policy with effective enforcement. The experience of ICMA professionals provides the basis for this report and the recommendations it presents. Through this report, ICMA hopes to contribute to a constructive solution to this problem.

### **The Pressing Need for Change**

Immigration involves the movement of individuals across national borders. As such, the control of immigration is widely perceived to be a national prerogative closely linked to other national government responsibilities, such as border security, international relations, naturalization, and citizenship. Among the many policy issues assigned to local governments within the scope of the U.S. system of federalism, immigration is not generally included. Yet the impacts of immigration—positive and negative, real and perceived—are on the minds of many local government administrators. In the absence of an effective national immigration policy, many local governments have entered the arena and have developed immigration policies of their own or accepted responsibility for enforcing federal policies. This patchwork of policies and practices confuses and confounds businesses and individuals and, if left unchecked, may ultimately make it more difficult for both the national government and local governments to reassert and fulfill their respective roles.

The surge in local immigration policy is not only a function of lagging national reforms; it is also a response to recent trends in immigration. Widely referred to as “a nation of immigrants,” the United States has a long and contentious immigration history. Viewed by foreign nationals as a land of economic opportunity, religious freedom, and political rights, the United States continues to attract people seeking better lives for themselves and their families. Based on circumstances in both the immigrants’ countries of origin (so-called “push factors”) and policies and economic opportunities in the United States (corresponding “pull factors”), the country has experienced ebbs and flows in rates of immigration over time. Within the United States, people tend to look back fondly on prior waves of immigrants as less troubling and more easily assimilated than current immigrants. Yet each wave or phase of immigration has been “the new immigration” of its time and has been viewed with alarm, described as certain to cause irreparable harm to the culture and standard of living and made a scapegoat for whatever problems U.S. society is facing at that time. In the 1830s and

### Foreign Born Population of U.S. 1850-2006



Source: U.S. Census Bureau.

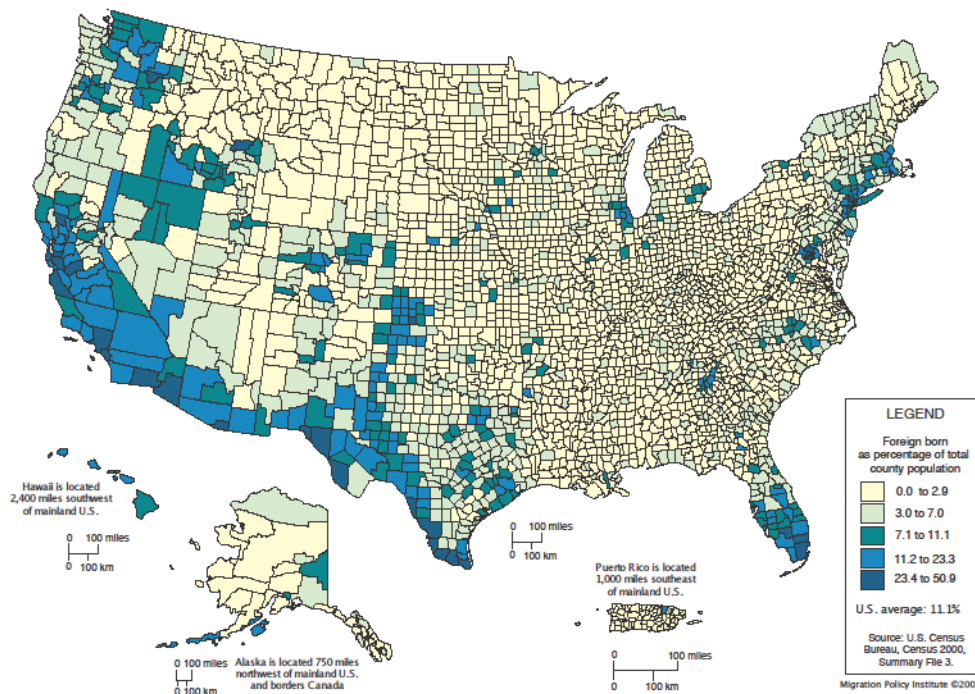
1840s immigrants were blamed for the problems of industrialization and urbanization; in the 1930s it was the Depression; in the 1970s it was stagflation, and more recently the popular sentiment is to blame immigrants for terrorism. These charges are leveled even if in each case the relationship is spurious at best. In that respect, little has changed.

What has changed in recent years, however, are the rates of immigration, key characteristics of the immigrants, and the settlement patterns of immigrants within the United States. At no other time in its history has the United States had a larger number of immigrants or more rapid growth in the foreign-born population. There are record numbers of foreign-born individuals in the United States, representing near record proportions of the total population. The 2.2 million foreign born who were documented in the 1850 census represented 9.7% of the United States population; after dropping to a low of 4.7% (9.6 million individuals) in 1970, the proportion of foreign born was estimated at 12.5% (37.5 million individuals) in 2006.

Immigration rates are not only approaching or exceeding record levels; the immigrants are also more likely to come from developing countries in Latin America, Asia, or Africa rather than developed countries in Western or Eastern Europe. Recent immigrants speak a variety of languages, and more than half lack proficiency with the English language. Whereas Spanish dominates overall, sizeable immigrant populations speak Chinese, Tagalog, Vietnamese, Korean, French, Russian, Italian, Arabic, German, French Creole, Polish, and a range of African languages and dialects. Few communities outside of major metropolitan areas have resident populations with abilities in these languages. Modern technolo-



### The Foreign Born in the U.S. as % of Total... 2000



Source: Originally published on the MPI Data Hub (<http://www.migrationpolicy.org/datahub>), a project of the nonpartisan Migration Policy Institute in Washington, D.C.

gies facilitate regular and continued communication between immigrants and people who speak their native languages and may even reside in their native countries. The pressure to learn English, while still strong, may be less urgent for immigrants who have a virtual community in their own language even if they are physically isolated from the language.

Perhaps the most significant change from prior waves of immigration is the geographic dispersion that characterizes recent immigrant settlement patterns. Traditionally, immigrants have settled in or near their point of entry into the country in so-called “gateway cities.” Many traditional gateway cities and border states continue to receive large numbers of immigrants, but increasingly suburbs outside those traditional gateways, as well as more distant towns, villages, and cities, are also experiencing the influx of immigrants. Rather than limiting their settlement to states with traditionally large foreign-born populations, new immigrants have migrated to a diverse array of new destinations where job opportunities are more abundant and where housing and other living costs are more reasonable. As a result, in every region of the country and almost every state there are some pockets of substantial immigrant influx.

When one isolates immigrants from specific countries of origin, different settlement patterns emerge. For example, the map illustrating aggregate data on foreign born as a percentage of county population is skewed by data on immigrants from Mexico because they make up such a large percentage of the total immigrant population. The map does not fully reflect the pockets of immigrants from India who have settled in communities in North Dakota, Ohio, Minnesota, New Hampshire, New York, and Pennsylvania; the populations of immigrants from China in South Dakota, Iowa, and Idaho; the Vietnamese immigrants settled in Nebraska, Kansas, Arkansas, and Louisiana; or the Philippine immigrants in Alaska, Hawaii, Oklahoma, and Iowa. Similarly, depending on what measure one uses to gauge immigration—number of immigrants, percentage of the population that is foreign born, largest absolute growth in foreign born, or largest percentage growth in foreign born—different states and localities top the list. Local governments around the country are thus experiencing immigration in different ways.

Major metropolitan centers that have been and continue to be gateway cities—such as Boston, New York City, Chicago, Newark, and San Francisco—have years of experience integrating immigrants. They are able to draw on resident populations with cultural and language competencies as well as their network of well established public and private nonprofit organizations to serve the needs of new arrivals. Other large cities characterized as emerging gateways—such as Atlanta, Las Vegas, Dallas, West Palm Beach, and Washington, D.C.—are experiencing very recent and rapid growth in their foreign-born populations. These cities have less experience with immigrant populations, but they do have extensive public and private infrastructures to rely on to provide services. Smaller communities—including Postville, Iowa; Wichita, Kansas; Escondido, California; and Cherokee County, Georgia—are less prepared or equipped to respond to increased immigration.

For many local communities the influx of immigrants was unexpected and immigrant diversity continues to be a real challenge. For small rural communities, even a slight increase in the size of the immigrant population is notable, particularly in light of the simultaneous declines that many are experiencing among their native-born populations. Many counties, cities, towns, and villages have had to adjust to new populations that place immediate demands on schools, health care systems, and law enforcement, particularly with regard to language services. As a result of these conditions, immigration is a highly salient issue for ICMA. Professional local government administrators have a unique perspective based on their experiences in responding the challenges of immigration; they offer valuable insight that can and should inform improvements to national policy.

### **Local and National Immigration Policies over Time**

Local government involvement in establishing and enforcing immigration policy is not an entirely new phenomenon. In the early years of the

nation, the national government was largely absent from the immigration policy arena. In 1790, Congress developed a formal process by which a foreign-born individual could become a U.S. citizen, but then nearly a century passed before the federal government acted again to assert a more prominent role in immigration policy.

In the intervening years, immigration policies were effectively made by local governments in port communities. Throughout time, some localities have resisted the influx of immigrants and established policies and practices to encourage them to settle elsewhere; others have passively accepted immigrant populations; and others have competed for and tried to attract immigrant populations.

Prior to national government policies, local governments used poor laws, head taxes, bonding, and fees to protect their communities from the potential burdens of foreigners who might become a drain on public resources. As some local government officials began to recognize that immigrant workers might provide an essential boost to their local economies, local policies shifted to entice and attract immigrants.

Beginning in the late 1800s, in response to increasing levels of immigration, the federal government assumed the task of reviewing and processing all immigrants seeking admission to the country. In response to state efforts to control immigration during this period, the Supreme Court ruled that the regulation of immigration was the exclusive responsibility of the federal government. In 1891, Congress established the first national immigration agency, the Immigration Service. At that time, the national government simply processed immigrants as they arrived. The 12 million immigrants who entered the United States through Ellis Island, for example, did not have to apply for visas to be considered legal. As long as individuals did not have a criminal record or a contagious disease, they were admitted.

Since that time, Congress has enacted a complex array of immigration policies that delineate and define legal and undocumented immigrants, regulate the number of people who enter the country, and attempt to balance several competing goals. Currently, the stated purposes of U.S. immigration policies are to promote family reunification, meet domestic labor shortages, provide refuge for people facing persecution in their home countries, and ensure diversity. To meet these goals, federal laws provide several avenues to and categories of lawful permanent and temporary admission to the country.

Policies enacted throughout the twentieth century reflect shifts in the relative priority of these goals in response to economic and social conditions and immigration trends. The resumption of mass immigration following World War I prompted Congress to enact a national origins quota system. The Quota Law of 1921 and revisions in 1924 reflect an emphasis on family reunification by exempting family members of U.S. Citizens from numerical restrictions or giving them priority within those limits.

The national-origins quota system was modified and largely replaced by a categorical preference system under the terms of the 1965 Immigration and Nationality Act Amendments. This act gave preference to family reunification and immigrants with job skills deemed useful to the U.S. economy. Numerical limits were not entirely abolished; total caps, per country caps, and caps for each of the preference categories were applied to immigrants from countries in the eastern hemisphere. In contrast, the per-country caps and preference category limits were not applied to immigrants from the western hemisphere, and immediate relatives of U.S. citizens were exempt from the limits. The structure of the 1965 law is still largely in place, although the numerical limits have been adjusted, the categorical preference limits were extended to applicants from the western hemisphere in 1976, and another category of admission based on diversity was added in 1990.

Following World War II, the United States began to participate in the resettlement of refugees. The nation's policies were codified in the Refugee Act of 1980, which adopted the international definition of refugees and those seeking asylum and authorized the president, in consultation with Congress, to determine how many refugees to admit each year. A system encompassing an intergovernmental network and coordination between public, nonprofit, and religious organizations has been established to assist refugees with housing, job placement, and English-language acquisition. The federal government also provides financial assistance to the local communities that receive refugees. The networked approach to refugee resettlement receives accolades from many stakeholders, but its effectiveness is limited because funds have not kept pace with the number of refugees, and the resources that are provided to initial settlement communities do not follow refugees to the secondary settlement communities to which they may move.

In addition to articulating the conditions of lawful admission of immigrants and temporary nonimmigrant visitors, U.S. policy seeks to prevent entry and remove individuals who lack authorization by virtue of entering the country illegally, overstaying their temporary visas, or committing a crime while in the country. The Immigration Reform and Control Act (IRCA) of 1986 sought to enhance enforcement and to provide additional pathways to lawful immigration. Sanctions on employers who knowingly hired undocumented workers were balanced with a new classification for seasonal agricultural workers and an amnesty program that helped 2.7 million people residing illegally in the United States to become lawful permanent residents.

Continued concerns about unauthorized immigration led Congress to enact the Illegal Immigration Reform and Immigration Responsibility Act (IIRIRA) of 1996. IIRIRA focused attention on border enforcement and attempted to limit the use of social services by immigrants. Since 9/11, the goal of border security has displaced all other immigration goals in terms of relative priority and resource allocation. The Homeland

Security Act of 2002 restructured the Immigration and Naturalization Service (INS), transferred nearly all of its functions to the newly created Department of Homeland Security, and clearly separated the immigration and naturalization functions from the border enforcement components.

The latest manifestations of national immigration policy have taken several forms, all related to enforcement and security. First, the United States–Mexico border has been fortified using a wall, improved technology, and temporary staff support from National Guard units. Second, local and state law enforcement officials have been pressured to help enforce federal immigration policy by checking immigration status and reporting undocumented persons to federal officials. Third, Immigration and Customs Enforcement (ICE) agents have conducted an increasing number of raids and special operations resulting in the arrest, detention, and deportation of large numbers of unauthorized persons.

The list of raids conducted by ICE is lengthy and includes worksite raids, fugitive operations, and special operations; some raids are conducted in cooperation with local officials and in other cases the local officials are taken by complete surprise. ICE raids and operations may result in the arrest of fewer than five individuals or more than one thousand. An overwhelming majority of the individuals arrested by ICE are charged only with administrative—not criminal—offenses. A consequence of the increased number of ICE raids is a growing number of people of all ages and backgrounds in detention and a corresponding increase in monetary and social costs of detention. According to the Department of Homeland Security’s Office of Inspector General, the annual cost of detaining the more than 230,000 immigrants in custody tops \$1.2 billion.

Whereas resources and attention have been directed at immigration enforcement, immigration benefits have not been as high a priority in recent years. Officials at the United States Customs and Immigration Services (USCIS) have fallen further behind in processing applications for legal permanent immigration (i.e., green cards) and naturalization. The processing time for naturalization applicants has risen to eighteen months, and nearly one million cases were pending adjudication at the end of 2007. Delays in granting visas and green cards are even more striking. With a total cap of employment-based visas set at 140,000 per year and per-country limits, some delays are simply a function of limited availability of visas. The categorical limits create particular problems; only 5,000 permanent visas per year are issued to low-skill immigrants, even though employers have close to 400,000 low-skill job openings in the United States.

Lack of adequate financial and human resources, along with increased scrutiny, has led to substantial delays in processing of applicants’ documents. In 2007, USCIS was processing some family-related visa applications filed more than a decade earlier and employment-related visa applications filed six years earlier. Although the immigration laws identify family reunification as a goal, a U.S. citizen who wants to sponsor

an unmarried adult child to come to the United States from Mexico will likely wait more than fifteen years before the application will be processed. Legal permanent residents applying to bring their immediate family members (spouses and children) should expect to wait at least five years, regardless of their country of origin. Contributing to the delays are insufficient staff to process the volume of applications, an outdated paper-based processing system, and a backlog in the Federal Bureau of Investigation's name-checking process.

The nation's immigration laws have not kept pace with changing circumstances as they remain grounded in a system developed in the 1920s and modified in the 1960s. The amnesty programs provided by the 1986 IRCA served as a quick fix but did not address the underlying causes of high levels of undocumented workers. The 1996 IIRIRA and 2002 Homeland Security Act disproportionately emphasized enforcement. Enforcement is a critical element of immigration policy, but effective enforcement is feasible only if there are lawful paths available for a sufficient number of immigrants to meet the labor demands, and if applications for lawful admission are processed in a timely manner.

A myriad of local policies have been developed in response to the gaps in the federal policies. Some local policies are designed to protect immigrants from what are perceived as unfair federal laws and assist them with assimilation and integration; other local policies are intended to send a strong message to undocumented immigrants that they are not welcome. The range of local responses reflects the different experiences these communities have had with immigrants.

At one end of the continuum are those communities that have declared themselves a sanctuary for immigrants. Small and large cities and counties across the nation have adopted these policies, including Anchorage, Alaska; Chandler, Arizona; Berkeley and San Francisco, California; New Haven, Connecticut; Fort Collins, Colorado; DeLeon Springs, Florida; Cook County and Evanston, Illinois; Tacoma Park, Maryland; Cambridge, Massachusetts; St. Paul, Minnesota; Hightstown and Newark, New Jersey; Albuquerque, New Mexico; New York City, New York; Durham, North Carolina; Brownsville, Texas; Salt Lake City, Utah; Fairfax County, Virginia; Seattle, Washington; Madison, Wisconsin; and Jackson Hole, Wyoming. Although the specific provisions of each sanctuary ordinance vary, the common denominators are that they focus on the human rights of individuals rather than on their legal status, and they generally prohibit local government employees from identifying, reporting, or detaining immigrants or otherwise doing the work of federal immigration officials in the absence of a warrant. These "don't ask, don't tell" policies often have the support of police department officials who recognize that local enforcement of national immigration policies alienates potential crime victims, witnesses, or informants who may also happen to be illegal immigrants.

In sharp contrast, there has also been a proliferation of local ordinances that can be characterized as strong anti-immigrant policies with aggressive enforcement provisions. Local officials in these communities express concern about illegal immigrants driving down wages, taking jobs from citizens, engaging in criminal activity, overburdening public health systems, and flaunting the rule of law by entering or remaining in the country illegally. These communities are frustrated by inadequate federal enforcement and, in response, they have enacted policies intended to identify and drive out illegal immigrants and to punish those who would provide them with housing or jobs. Among the local governments who have adopted this strategy are Escondido, California; Cherokee County, Georgia; Valley Park, Missouri; Riverside, New Jersey; Hazelton, Pennsylvania; Farmer's Branch, Texas; and Prince William County and Manassas, Virginia. These local governments may impose fines on landlords who rent to undocumented immigrants or deny business licenses to companies who employ them. They may also prohibit the display of foreign flags unless they are accompanied by U.S. flags, or encourage residents to report their neighbors if they have suspicions about immigration status. In these communities, local government officials may be required to check immigration status before providing local services, and local law enforcement officials may be required to submit the names of all persons arrested through a federal database to determine citizenship, even in the absence of suspicion about immigration status. These policies take resources away from other local priorities, they can be an administrative nightmare to implement, and many have resulted in costly litigation. They also have the potential to be a divisive force in the community. Efforts in Palm Bay, Florida, for example, to enact a comprehensive anti-immigrant ordinance did not pass. Eventually the city adopted a weaker immigration ordinance limited to city contracts, but not before a series of political fights polarized the community.

In between these two extremes are a range of other local government policies directly or indirectly attributable to increased immigration. Many local governments have stopped short of adopting local immigration ordinances and have instead signed Memoranda of Understanding (MOUs) with the Department of Homeland Security to receive immigration-related training and to enforce immigration laws. Designated local officers—as few as a handful to several hundred within a single department—receive specialized training from Immigration and Customs Enforcement (ICE) and are authorized to carry out select immigration law enforcement functions. Under federal 287(g) programs, local officials may be authorized to interview inmates in city and county jails to determine probable cause for violation of immigration laws and to begin the deportation process. Other cooperative arrangements might have local law enforcement referring all persons unable to produce a valid driver's license during a routine traffic stop to ICE for determination of immigration status. Local law enforce-

ment officials in these communities readily inquire about immigration status, report undocumented persons to the federal government, and participate in or assist with raids of places of employment where undocumented persons are believed to work. Communities such as Maricopa County, Arizona; Costa Mesa, Orange County, and Riverside County, California; Topeka, Kansas; Gaston County and Alamance County, North Carolina; Davidson County, Tennessee; and El Paso, Texas, have agreements with ICE to engage in local enforcement of federal policies.

Some local governments have adopted English-only policies, whereas others have provided incentives to new and existing employees to become bilingual or multilingual and have guaranteed the right to services in one's native language. Gadsden, Alabama; Davidson County and Mint Hill, North Carolina; Pahrump, Nevada; and Mahanoy City, Pennsylvania, are among the localities that have adopted English-only language policies. Elsewhere, local officials have taken steps to make their communities more open and accessible to speakers of multiple languages. The City of Woodburn, Oregon, has developed incentives to attract and reward employees who are bilingual and culturally competent to serve their increasingly diverse population. The Predominant Language Ordinance of El Cenizo, Texas, represents an effort to facilitate greater and more meaningful participation in local government by Spanish speakers. Similarly, Oakland, California, has articulated that "it is of paramount importance that all residents regardless of their proficiency in English have access to City programs and services." Stockton, California, with a population of 286,000 that is 23% Asian, utilizes residents of Cambodian and Hmong descent as liaisons to work in various city departments that serve the growing Southeast Asian refugee population. In Franklin, Tennessee, the fire department has received international recognition for its utilization of Spanish-language media for fire prevention outreach, use of bilingual volunteers for smoke alarm installation, and distribution of Spanish-language fire prevention materials.

Issuing identification cards to anyone who wants one—including undocumented immigrants—is a strategy that several localities have adopted, most notably San Francisco, California, and New Haven, Connecticut. These ID cards, which may require payment of a small fee, have a photo and list the individual's name, address, date of birth, and a unique identifying number. They do not indicate immigration status. The cards benefit the individuals and the community. Individuals can use the cards to access city services; in New Haven, the card serves as a library card, provides resident privileges at the city beach and golf course, and can work as a debit card for parking meters, public garages, and area businesses. ID cards also reduce the incidence of crime. Opening a bank account requires identification; without ID immigrants operate in a cash economy and are often targeted for robberies and other violent crimes by opportunistic criminals who are aware of immigrant vulnerabilities. ID cards can benefit the community as well. In addition to the income gener-



ated by the fees charged for the cards themselves, ID cards provide local governments with a means to document a more accurate population count, thereby making their communities eligible for larger entitlement grants.

In many communities with large migrant or immigrant populations, a network of community support organizations has been developed. Outside Portland, Oregon, the city of Cornelius and surrounding Washington County have collaborated with nongovernmental organizations to address the needs and interests of migrants through a cultural and educational facility (Centro Cultural), a health center (Virginia Garcia Memorial Health Center), and a comprehensive program to develop cultural competence (Uniting to Understand Racism). Santa Clara County, California, has developed the Immigrant Relations and Integration Services (IRIS) to support immigrant integration programs in the county. Other local governments have simply developed formal procedures for referring immigrants to nonprofit and religious organizations for assistance.

In the current environment, neighboring communities often have strikingly different policies regarding immigrants. Some communities have constructed, funded or operated day labor centers or hiring halls, whereas others have banned such facilities or the use of public funds to support the facilities. Some welcome immigrants regardless of their legal status, and others vigorously seek to identify and remove those who lack proper documentation. Such inconsistencies make cause difficulty for immigrants, both legal and undocumented, as well as businesses, both small and large, whose activities may cross jurisdictional boundaries. Increased reliance on local officials to enforce federal civil immigration policies is inherently problematic. Lack of uniformity, inadequate training of local officials, demands placed on finite local resources, the potential for civil rights violations and corresponding litigation, and the social impact on communities are all grounds for concern. Some consistency based on policies at the national level is essential.

Repeated calls for comprehensive immigration reform have been issued by a multitude of reputable organizations representing major industries, small businesses, labor unions, interest groups, religious organizations, and state and local governments. In adding its voice to this call, ICMA hopes to contribute to a constructive solution to this problem. The recommendations presented in this report are based on the unique perspective of professional, nonpartisan, local government administrators who serve on the front lines in the counties, cities, towns, and villages of the nation where resident populations and recent immigrants live, work, and struggle to form communities.

### **A Broad Definition of “Immigrant”**

Federal law clearly distinguishes among categories of noncitizens based on their authorization to be in the United States (lawful or illegal/

undocumented), the intended length of their stay (permanent/immigrant or temporary/nonimmigrant), and the category of admission (immediate relative, family-sponsored preference, employment-sponsored preference, refugee or asylum seeker, or diversity admission). In 2006, nearly 1.3 million foreign nationals obtained lawful permanent resident (LPR) status; 45.8% were an immediate relative of a U.S. citizen, 17.5% came through a family-sponsored preference, 12.6% were granted LPR on the basis of an employment-based preference, 17.1% had prior refugee or asylee status, and 3.5% were diversity-lottery winners. Another 25.8 million individuals entered the United States in 2006 on nonimmigrant visas, including tourists and business travelers, temporary workers, and students. Refugees and asylees represent a relatively small percentage of the immigrant population, with 41,500 and 26,113 persons admitted in 2006 under those statuses, respectively. The most difficult group of immigrants to count accurately is those who are not authorized to be in the United States. Of the 29.1 million foreign-born individuals living in the United States in 2006, roughly 11.6 million (40%) are estimated to be unauthorized. These individuals may have entered illegally, overstayed their visas, or committed a crime.

Under federal law, whether someone is a lawful permanent resident, nonimmigrant, refugee, migrant, or undocumented alien has consequences in terms of the government benefits for which individuals are eligible and the penalties they face for a violation of laws or regulations. For the purposes of this report, however, the precise legal status of newcomers is less important. New immigrants, regardless of status, often look different, speak different languages, eat different food, and have different religious beliefs and cultural values than do the native population of a community. Different ethnic groups within the broad immigrant population vary in terms of the pace at which they achieve economic, cultural, and civic assimilation and the local services and supports they require to assimilate. Although there are some problems unique to particular immigrant populations, to a great extent immigrant status is not the most relevant consideration at the local level. When local industries are dependent on low-wage workers, many communities cannot afford to be concerned about the immigration status of workers. Additionally, policies intended to target one group of noncitizens may have unintended consequences for other groups; for example, lawful immigrants may be fearful of reporting crimes to the police based on concerns about deportation efforts directed only at undocumented aliens. Communities seeking to crack down only on persons in the country illegally may ultimately drive out legal immigrants who are made to feel unwelcome by what they perceive to be a general anti-immigrant sentiment.

Local government administrators experiencing an influx of non-English speakers face similar challenges regardless of whether those individuals are immigrants, refugees, or undocumented aliens. Granted, some resources are earmarked for communities that are designated as

initial refugee resettlement sites, but those resources do not flow to the secondary settlement communities where those refugees may ultimately relocate. The services that are needed to promote assimilation are similar for all categories of noncitizens. Thus, unless otherwise specified, the term “immigrant” as it is used in this report encompasses the full range of noncitizens who have recently entered the United States and settled in local communities.

### **The Local Government Perspective**

The three conditions described earlier—increased levels of immigration, greater diversity among immigrant populations, and more dispersive settlement patterns—present both opportunities and challenges for local governments. The opportunities arise from the potential for immigrants to help meet labor shortages, for the influx of newcomers to counter the negative effects of a declining native population, and for the energy and diversity of immigrants to be integrated with resident populations to form stronger and more vibrant communities that are better prepared for the global economy. The challenges facing local governments stem from the demands placed on institutions with limited resources that are exacerbated by failures associated with the ineffective policies and enforcement practices of the federal government.

The information and perspectives presented in the following sections are based on a review of documents, public records, media reports, and prior research reports as well as a survey and follow-up interviews targeted specifically to professional local government administrators. More than five hundred local government administrators responded to the ICMA Survey on Immigration administered in the summer of 2008. The respondents are professional administrators of cities, towns, counties, villages, townships, boroughs, and parishes from across the United States. The officials who responded represent jurisdictions in forty-seven states that range in size from a population of fewer than 120 people to more than 1.3 million.

### **The Local Experience with Immigrants**

The survey results reflect a range of experiences, responses, and concerns among local government professionals. Nearly half (45%) have experienced growth in the immigrant population in their communities over the past decade, and more than one-fourth described the immigrant population as a large proportion of the community. Language diversity stands out as one of the most challenging issues: 57% of local officials reported that recent immigrants to their communities predominantly speak languages other than English, and an identical proportion indicated that language is a major barrier to immigrant integration. Nearly one-third (32%) of respondents indicated that their recent immigrant populations come from a variety of countries and regions of the world. Almost all

local government administrators (98%) indicated that they do not have any data on the number of legal versus illegal immigrants within their communities, although their estimates of the size of the illegal immigrant population in their communities ranged from less than 1% (40% of respondents) to more than 8% (37% of respondents) of their local population.

When asked to identify the reasons for increased growth in the immigrant population in their own communities, the most commonly identified reason was the demand for low-wage workers (60%), followed by family unification (36%), success of prior waves of immigrants (33%), and lack of effective federal government enforcement (25%). Although many local governments are receiving immigrants and addressing the corresponding challenges of service delivery, few are discussing immigration openly in local forums. Nearly two-thirds (62%) indicated that immigration is not an issue that is discussed in the community. Among the 26% who indicated that immigration was discussed often, two-thirds characterized it as a polarizing issue, and one-third indicated that there was widespread consensus about the issue.

The survey results reflect a considerable range of experiences and perspectives and a corresponding diversity of local policy responses. If arrayed on a continuum from most welcoming and open to immigrants to most restrictive and protective of native populations, the actions of local governments would represent a normal bell curve; the middle-ground approaches are much more common than the extremes. Listed in order of frequency, the local government administrators who responded to the survey indicated that their jurisdictions do the following:

- Provide local government materials (print or electronic) in languages other than English (55%)
- Refer immigrants to religious and nonprofit organizations for services (40%)
- Hold community events to promote immigrant contributions to the community and celebrate diversity (31%)
- Encourage or require local government employees to obtain cultural competencies (30%)
- Require local law enforcement officials to report undocumented persons to federal authorities (19%)
- Require local law enforcement officials to obtain federal training on Immigration and Customs Enforcement (12%).

Other local responses that might be considered more extreme were each reported by fewer than 5% of the respondents. These included establishing day laborer centers, designating the city as a sanctuary, establishing a local office for immigrant services, adopting English-only policies for government documents and proceedings, adopting ordinances to restrict the ability of illegal immigrants to live or work in the commu-

nity, or adopting ordinances with penalties for those who house, employ, or otherwise support illegal immigrants.

The perspectives of local government officials vary based on geographic, economic, and demographic characteristics and experiences. The quotations and stories that are shared throughout the remainder of this report are drawn directly from the survey and follow-up interviews; they demonstrate the contributions immigrants can make to a community as well as the strains immigrants can place on a community. Immigrant labor can support local industries, and immigrants' energy can contribute to a stronger and more diverse community identity, yet they and their families also place demands on local government services. Communities may experience increased immigration as increased demand for services comparable to other population increases, qualitative differences in service needs due to cultural and language differences, or challenges unique to immigrants. In all cases the challenges facing local governments as they respond to growing immigrant populations are exacerbated by outdated federal policies, inconsistent federal enforcement practices, and insufficient redistribution of resources to local governments. As one local government administrator put it, "The absence of effective federal policy is inexcusable and creates undue burden on local governments, particularly counties that disproportionately have to provide health services, criminal justice and detention, juvenile justice, welfare, etc."

For many local government services, the demands for services by immigrants are no different than the demands of citizens. Increased demands for water, sewer, parks and recreation services, and housing are due largely to the increase in population. For select services, cultural differences and the poverty status of many immigrants creates some unique challenges. For example, local fire service may face increased demands associated with overcrowded immigrant housing, and waste disposal may be challenged by the cultural differences in perceptions of sanitary disposal of trash. A local government administrator from Florida observed that "code enforcement has been challenged by people spreading laundry on shrubbery to dry, keeping chickens, [and] having too many people in a house," and some immigrants "are afraid to call the fire department because firefighters in their home country often/usually steal peoples' belongings." The seasonal residency pattern of migrant workers creates some unique challenges for local governments. One local government administrator noted that with respect to housing, "many of our problems are not with migrant workers. Our problem is the individuals who take advantage of the low-wage labor and force them into substandard housing, which is left unattended 8–9 months out of the year."

To provide quality service, local government officials must respond not only to increased demands for service due to increased populations but also to the challenge of serving a non-English-speaking clientele. Demands for English-language instruction, interpreters and multilingual

**Storm Lake, Iowa**, is a rural community of 10,000 to 12,000 in northwest Iowa situated on a 3,600 acre lake and unattached to any urban area. Twenty years ago Storm Lake was a solidly white community. In 2008, the public schools (pre-K-12) were 63% minority, and the youngest ages (pre-K-4) were 75% minority. Among the languages spoken by students were Spanish, Lao, Somali, and several Sudanese tribal dialects.

employees, and translation of documents, Web sites, and local government signage are costly undertakings. Language is a major barrier to immigrant integration. Language and cultural barriers tend to isolate immigrant communities from other community members and make it more difficult for local agencies to effectively provide services. Service provision may also be complicated by immigrant status itself and the fear that many immigrants have about government. The clearest examples of these dramatic influences are in the areas of education, health and social services, and law enforcement.

According to a report from the Congressional Budget Office, education is the single largest expenditure in state and local budgets, and state and local governments have primary fiscal and administrative responsibility. The same report estimated that 2 million school-aged children (5 to 17 years) are unauthorized immigrants, and an additional 3 million children are U.S. citizens born to unauthorized immigrants. In a 1982 ruling, the U.S. Supreme Court deemed that states may not exclude children from public education because of immigrant status. The children of immigrants are often the only thing keeping local schools from closing their doors, but this is not without great budgetary and instructional strain. As one city administrator from Florida noted, immigration “has imposed a huge burden on the school system, which is already struggling financially.” The demands on education are a function of sheer numbers as well as of language diversity.

Schools are under increased pressure to demonstrate results and be accountable for student learning; this challenge is made exponentially more difficult when serving large populations of non-English speaking students. As one local government administrator reported, “The significant increase in our immigrant population in our school systems is placing a heavy burden on meeting our educational missions.” Another respondent noted that “virtually 100%” of the children of undocumented aliens were on free and reduced lunches in their schools.

Like schools, social services face challenges associated with increased demand for services and language diversity. Human service agencies are often on the front lines of immigrant integration because part of their mission is serving disadvantaged and disenfranchised populations. In

its October 2008 report, the Human Services Advisory Council of Dakota County, Minnesota, identified five goals: (1) increase economic advancement and self-sufficiency of immigrants by assisting with language and workplace concerns, (2) help new arrivals link to formal and informal systems of support, (3) strengthen immigrant community assets and leadership, (4) expand resources and improve access to resources, and (5) improve county ability to serve immigrants and refugees. But serving immigrants is also a considerable financial burden on local social service agencies. Although some social welfare programs have limited eligibility and are not available to undocumented aliens, the language and cultural challenges remain. County governments in particular experience increase in demand for services to meet the needs of the farm workers and their dependents in social services, Medicaid, county health clinics, and related services. Many local governments have had to print brochures and forms in multiple languages and hire bilingual employees.

*“The significant increase in our immigrant population in our school systems is placing a heavy burden on meeting our educational missions.”*

The implications of language, cultural diversity, and immigrant status are magnified in the realm of health care. The ability to communicate quickly and accurately about medical symptoms and treatments may literally be a matter of life and death for immigrants and a matter of public health for the community. Immigrant health services provide a particular challenge for local governments. Undocumented immigrants do not routinely seek government health care or other social services because of language barriers, ineligibility, unfamiliarity, and fear. Even legal immigrants may not seek preventative care due to their poverty status, lack of familiarity with local doctors, minimal insurance coverage, or lack of personal transportation. A large proportion of immigrants delay treatment until the medical problem is advanced, and then they receive their primary care in an emergency room; the result is that demands placed on the emergency medical system have skyrocketed. The problem is exacerbated by limited funding for community and migrant health centers and fears on the part of immigrants that they will be identified and reported as illegal if they utilize such centers. Local government administrators recognize that it is in the public interest for immigrants to have access to preventative health care and to feel secure in seeking medical services; only under these circumstances can communities avoid excessive and unnecessary emergency medical services costs and minimize the risk of spreading infectious diseases.

In **Shelton, Washington**, the mayor and local police have worked to establish relationships with the Latino population. According to the city administrator, “The idea is to build trust so we can get people to report crimes and then bring violators to justice. This is hard work. Many immigrants have come from places where law enforcement is to be feared. But over time, we have made progress. . . . Occasionally, Immigration and Customs Enforcement [ICE] personnel come to town and conduct surprise arrests of illegal immigrants. Our City is caught between the goals of our national government (enforcing immigration laws) and those of our local government (protecting people). Immigrants tend to see law enforcement as one entity. When ICE does their work, it undermines ours.”

Local governments have primary responsibility for public safety and thus it is not surprising that law enforcement is one of the services most dramatically affected by increased rates of immigration. In some communities, the law enforcement challenges that are most salient are those related to the crimes committed by immigrants or the civil immigration violations of undocumented persons. Although there are examples of immigrants committing crimes, having possession of illegal weapons, and engaging in gang activity, these are rare occurrences relative to the size of the immigrant population. In most communities, fears of criminal activity on the part of immigrants are largely unfounded. Genesee County, New York, is typical of many communities; they have experienced a small increase in crimes against persons and property attributable to the influx of migrant workers, but nothing approaching a crime wave, and the workers are considered essential to the health of the economy.

The more common challenges facing local law enforcement officials are increased demands due to population growth and the increased complexity of police services due to language and cultural diversity. To successfully apply the law and protect all residents of the community, local law enforcement officials need to be able to communicate with and develop trust among the immigrant populations. In the majority of communities, the law enforcement concerns are focused on how to build and maintain trust with immigrant populations to ensure that they utilize and cooperate with local law enforcement officers. This is particularly challenging in the context of current national policies and practices.

The Immigration and Nationality Act contains both criminal and civil enforcement measures. Historically, the authority for state and local governments was limited to the criminal provisions, and civil enforcement (apprehension and removal of deportable aliens) was left to the federal government. In recent years Congress has broadened the authority of state and local officials to engage in civil enforcement of immigration policies, and some members of Congress have introduced legislative proposals that would go so far as to impose fines on local governments who



Summarizing the rationale for local governments serving an integrative role with respect to immigrants, an official **Arlington County, Virginia**, statement cautions that “creating a culture of fear and distrust of law enforcement makes a community less safe; denying educational opportunities to students who may continue to live in this county makes a community less safe; denying basic services such as well baby care, immunizations, and treatment of communicable diseases makes a community less safe.”

refuse to cooperate. The response from local government officials varies considerably.

Some local government officials have expressed anxiety about the destabilizing effects of such actions. Local police have expressed concern that potential witnesses and victims of crime will be reluctant to come forward to report in fear of immigration actions. According to one public administrator, when “immigrants are afraid to call police they become easy prey for criminals.” Some local governments have refused to engage in civil immigration enforcement on philosophical grounds, and others have simply found it impractical.

Officials in Chandler, Arizona, tried to enforce federal immigration laws ten years ago but found that it caused great local conflict and resulted in lasting mistrust. They also realized that they lacked adequate training, funds, and personnel to take on the responsibilities of the federal government. More recently when they encountered a day laborer problem with complaints about large gatherings of unemployed (often undocumented) immigrants disturbing residents and blocking the flow of traffic, rather than making arrests or requiring the immigrants to disperse, the city supported the creation of a privately run day laborer center. The city does not inquire about the immigration status of those who use the center. Similarly, when the city of Wichita, Kansas, noticed that crimes were underreported because citizens could not speak English and illegal immigrants were afraid of being turned over the immigration officials, city officials responded with a Hispanic Outreach/Community Policing program. The program hosts neighborhood meetings conducted in Spanish, covering citizens’ rights, police programs, tenant–landlord issues, code enforcement, and other topics. The city also conducts an all-Spanish-speaking citizen police academy and provides a comprehensive tutoring and mentoring program for youth. In response, new neighborhood associations have been formed, and the city has experienced increased reporting of crime and higher levels of trust in police. A program in Stockton, California—Latino Education About Law Enforcement Services (LEALES)—prevents and reduces crime targeted against Latinos who work on farms. Police in Stockton do not ask about immigration status when investigating a crime, and crime reporting has risen 16% since

In 2006, the mayor of **National City, California**, declared the community a sanctuary city. Although the sanctuary designation was never officially enacted by the city council, the principles are practiced nonetheless. Community leaders are quick to recognize situations that may have the potential for violence across lines of race, ethnicity, or nationality, and the entire community has been engaged to participate in constructive nonviolent responses. By embracing diversity the city has dramatically reduced crime and improved the quality of life for all residents.

implementation. In Hightstown, New Jersey, the city enacted a no-questions-asked policy on immigration status. Now the city experiences more open lines of communication with the immigrant community, more trust, and more willingness to report and work with police.

In communities that are receptive to assisting with federal immigration enforcement the form of that cooperation varies depending on the terms of their Memorandum of Understanding (MOU). ICE has a regular presence in the farm communities of Genesee County, New York, to identify undocumented workers, verify paperwork and begin deportation proceedings. Genesee County is also home to a joint ICE—U.S. Marshals detention facility that serves the entire Northeastern region of the country. The 250 to 400 bed facility also contracts with the county jail to house overflow detainees and reimburses the county for the use of its space. Other communities cooperate with ICE workplace raids or special fugitive operations, or have a policy of checking the immigration status of all persons arrested, stopped for traffic offenses, or seeking local government services.

Unique MOUs, disparities in levels of training for local law enforcement officials, and stark differences in the level of local staffing directed to immigration enforcement result in inconsistencies in enforcement across jurisdictions. Even the most sincere and well-funded local efforts are hampered by legal and practical limitations. Local officials do not have direct access to the database with immigration status, and the FBI has a backlog of more than 350,000 absconders (those who violated immigration law and have been ordered deported) for entry into the National Crime Information Center (NCIC) database. As a result, local officials risk making incorrect classifications and creating liabilities for the jurisdiction. Detention space is limited in some communities with overcrowding and poor facilities, and there is an increased tendency to house civil immigration offenders in jails alongside local criminal inmates. Last, there is the ubiquitous concern about money—local resources are finite and are needed for local responsibilities.

Even in the absence of local involvement, federal raids by ICE agents can instill fear and distrust of local law enforcement. Immigrants may not distinguish between law enforcement agencies and officials. Actions

In May 2008, while helicopters circled overhead, federal ICE agents raided an Agriprocessors plant in **Postville, Iowa**, and arrested 389 undocumented aliens from Mexico and Guatemala. Postville has been losing population; immigrants—both legal and undocumented—have been the only source of economic growth. The raid disrupted the nation's largest kosher beef supplier, and the sudden incarceration of more than 10% of the town's population had serious implications on the community. The raid had traumatizing effects on children; children were unable to attend school because one or both parents either had been arrested or were in hiding. The school superintendent reported that one-third of the school's elementary and middle school students were absent after the Agriprocessors raid, leaving the school district's future in doubt. Additionally, the employer is suspected of a multitude of labor law violations, and the raid compromised ongoing federal investigation of complaints of worker abuse and child labor law violations at the plant because most potential witnesses are now being deported.

by federal immigration authorities do not need to be large to reverberate through an entire community. ICE enforcement actions affect schools, social service agencies, and law enforcement agencies, as well as area businesses.

In places struggling to strengthen the sense of community, the distress caused by ICE raids is counterproductive and frustrating. Local officials recognize and value the job that federal officials must perform, but many wish they would focus on people with criminal records and fulfill their objectives without instilling such fear in the community. In communities within the nation's heartland as well as those along the United States–Mexico border, local officials recognize the need for immigration policy to reflect a delicate balance between stringent and effective security measures and continuity and health of commercial trade.

Immigrants come to the United States to work, and they are alternatively viewed as essential to the U.S. economy or as a threat to wages and job security for citizens. Throughout the history of this country, immigrants' representation in the civilian labor force has exceeded their representation in the general population. Consistent with historical patterns, the foreign born comprised 12.5% of the U.S. population in 2006 while representing 15.6% of the labor force. Immigrant labor is often what keeps a factory from moving out of town and local industries from collapsing. In an economy that still includes many jobs which require low skill and limited formal education, there is empirical evidence that immigrants fill jobs otherwise unfilled by domestic labor.

The importance of immigrant labor is reflected in survey comments such as, "During the planting, picking, and harvest seasons, immigrants are a mainstay in our community," and "This community and region could not function without the immigrants in our area." Some of these

In **Genesee County, New York**, a rural/suburban county in the western upstate region, the primary industry is agriculture and agribusiness operations. Growers rely heavily on migrant labor to harvest and maintain the crops and dairy cattle herds, jobs for which sufficient numbers of willing and able native-born citizens are not available.

positions are filled by undocumented aliens; nearly half (47%) of survey respondents indicated that local industries would have a hard time filling low-wage jobs without illegal immigrants. In the Pacific Northwest, Latino immigrants work in the shellfish industry and gather evergreen boughs for home decor; in rural northwest Iowa, Hispanic and Southeast Asian immigrants work in food processing and packing plants; in tourist destinations immigrants are behind the scenes cleaning hotel rooms and providing food service; in the South immigrants staff the booming construction industry; and in retirement communities immigrants meet the demand in a variety of service sectors. Across the nation, they work in agricultural jobs planting and harvesting both seasonal and year-round crops. In some cases, local government is the direct beneficiary of immigrant labor.

Migrant laborers or undocumented individuals represent a particularly vulnerable labor pool, subject to victimization and abuse by unscrupulous employers. They may be paid below-market wages, be forced to work long hours in hazardous conditions, live in substandard housing, and be charged excess and illegal fees for transportation, false documents, or simply to get a job. They are kept silent with the threat of the loss of their jobs or being reported to immigration officials. When ICE raids are conducted at worksites suspected of employing illegal immigrants, it is the individual workers who are detained, arrested, and ultimately deported if they are unable to produce documentation. Employers generally face limited financial penalties; they may make minor modifications to their practices, but they have little incentive to make their jobs more appealing to citizens.

Some people who begin their lives in the United States working as migrant farm laborers or on the assembly line of a plant may eventually start their own businesses as entrepreneurs. Nearly two-thirds of survey respondents characterized legal immigrants as entrepreneurs in their communities. Many communities are also discovering the benefits of immigrants as consumers. Retailers have learned to target growing immigrant populations with culturally specific products and services as a way to enhance their market share and viability. Immigrants can make a community more competitive in a global environment. East Providence, Rhode Island, responded to its growing Portuguese immigrant population by negotiating with the Bank of Portugal to locate a branch in the city. Their

The **Town of Mount Pleasant, South Carolina** (population 64,000), relies on nineteen Mexican laborers employed through a contractor to assist with public works functions. These workers, who rotate in small groups back to their native country for several weeks each year, represent 15% of the department's workforce. The town pays slightly more than it would to hire full-time employees, but it avoids the costs of health care and leave benefits, turnover, and other employee issues. Initially, there was some resistance to this idea among the city's regular employees, but within the first year, employees fully embraced the concept when they recognized the work ethic of these laborers. The workers are never absent or late, and over a five-year period the town has had to ask the contracting agent to replace only two workers for failure to perform. An added benefit of the association is that many of city employees have picked up a working knowledge of Spanish.

A city manager from **Texas** commented on one change that an employer in his community made in the wake of an ICE raid. For most of the city's history, the overwhelming majority of immigrants had come from Mexico and Central America to work in the meatpacking industry. When federal immigration officials cracked down on the meatpacking industry, the employer began to attract and hire refugee populations from Somalia, Iraq, and Burma. This has removed the unwanted attention from ICE but has presented a "whole new set of cultural and linguistic challenges for [the] community."

immigrant population was the competitive advantage that persuaded the bank to choose their location over other possibilities.

For many communities otherwise experiencing population declines, immigrants represent a fundamental component of their revitalization efforts. In Schenectady, New York, the mayor has actively recruited Guyanese immigrants to move from New York City as part of an economic revitalization strategy. More than 2,000 Guyanese people have responded and moved to this city of 61,000, buying run down properties, working in blue-collar jobs, and developing new restaurants and shops. Similarly, in Santa Ana, California, officials have acknowledged that immigrants feed the local economy. They spend money in local businesses, buy homes, use public transportation, make cultural and social contributions, and bring people, energy, and economic growth to depressed areas. The more than 1,300 Latin Americans who have settled in Hightstown, New Jersey, in recent years are credited by city officials as having fueled the city's economic revitalization through their shops, restaurants, and businesses. Immigrants make purchases as consumers, start small businesses, and attract investment capital from their countries of origin. Among the sur-

When it was clear that a traditional grocery store in **Cornelius, Oregon**, could not survive facing competition from Walmart and other large chains, the owner shifted his focus to target Latino customers. As the largest Hispanic foods grocer in Oregon, Grande Foods now has a niche that allows the business to not only survive but also to thrive and grow.

vey respondents, 69% agreed or strongly agreed that “immigrants are net contributors to the local economy.”

The benefits of increased immigration may not be limited to the local economy; sometimes the community identity and quality of life improves as well. Arlington County, Virginia, has experienced increased diversity and internationalization as a result of immigration, and this has been a largely positive experience. The experience in Arlington County is consistent with the views expressed by survey respondents; 64% of them agreed or strongly agreed with the statement “The vast majority of immigrants are contributing members of our community,” and nearly three-quarters (74%) expressed disagreement or strong disagreement with the statement “Immigrants are a threat to our community identity.” Similar sentiments about the contributions were expressed by a township administrator from New Jersey and a county administrator from Kansas who stated, respectively, “I believe that we are a stronger municipality and nation because of our diversity,” and “Immigrants are an asset to our community; they enrich our society with their diversity.”

Not all communities perceive immigrants to be a positive influence. Competition for scarce resources has the potential to create conflict among immigrant and native populations, particularly if residents perceive immigrants as a threat to their jobs, economic security, or community identity. In some cases the opposition to immigrants is strong, as reflected in the comment, “Undocumented (illegal) aliens do not serve our community well and represent job threats to lower income workers. Undocumented (illegal) aliens in fact represent a significant and growing disproportionate percentage of all types of crimes and criminal behavior.” In some communities, day laborer sites have become the focus of considerable controversy and protests by groups concerned that they are a haven for illegal immigrants.

Even in the absence of concerns about illegal behavior, resistance to change and diversification is a common response in communities. The marked increase in immigrants settling in Manassas, Virginia, has polarized the community about the relative benefits and costs of cultural and language diversity. In the city of Albany, Oregon—a manufacturing and transportation center located in the Willamette Valley between the Coast and Cascade Mountain ranges—the efforts by an immigrant to celebrate

Officials in **Arlington County, Virginia**, have emphasized the creation of an environment of inclusion that promotes community pride and a positive environment for all, regardless of legal status or nationality. In a 2008 resident satisfaction survey, Arlington scored 29% above the national average, with 87% of residents satisfied with county services.

In **Prince William County, Virginia**, efforts initiated by the Board of County Supervisors to crack down on congregations of day laborers and illegal immigrants more generally have cost the county considerable money, staff time, and community goodwill. The enacted policy is considerably less comprehensive than initially envisioned due to cost and feasibility constraints, and the expected reductions in crime, code violations, and emergency room visits have not been realized. The community has, however, experienced declining citizen satisfaction ratings for its police departments.

her heritage generated considerable controversy and resistance among long-term residents. When an elderly Hispanic immigrant woman offered to raise the funds to build a Hispanic Plaza as a way to give back to the community and recognize the small but growing Hispanic population, the response was largely negative and in some cases hostile. The ultimate outcome was not the construction of a plaza, but rather the formation of a Human Relations Commission to build better relationships and discourage intolerance.

Whether immigrants are generally perceived as making a positive contribution to a community or considered a threat, local officials agree on one thing: insufficient resources are provided by the federal government to help local governments respond to immigration. A prominent federal government agency concurs with that assessment. In a December 2007 report titled *The Impact of Unauthorized Immigrants on the Budgets of State and Local Governments*, the Congressional Budget Office (CBO) acknowledged that (1) state and local governments incur costs for providing services and have limited options for avoiding or minimizing these costs; (2) the amount that they spend is a small percentage of the total amount spent to provide services to residents; (3) the tax revenues generated by undocumented immigrants for state and local governments do not offset the total costs of providing services; and (4) federal aid programs offer resources but do not fully cover the costs incurred by state and local governments. Those communities that have engaged in effective immigrant integration have done so by investing considerable local resources. In Clearwater, Florida, the police department and local YMCA founded

In 2001-2, more than 1,000 Somali refugees settled in and around **Lewiston, Maine**. Since that time more than 2,400 have moved there as secondary migrants, or refugees who were initially settled elsewhere and then moved on their own accord based on scouting reports of others from their country. In some respects, this has been a godsend to Lewiston, bringing a growing population to what was a struggling mill town, thereby reversing the population trend of decline. The change has not been easy, however, with resentment from residents who blame Somalis for problems that existed even before they arrived and for drawing of unwanted attention from White supremacist groups. Responding to this influx has required creative collaborations between local government, nonprofits, and religious organizations. Lewiston also lacks resources to provide job training, housing, and English-language support to those who were not part of the initial resettlement program.

Operation Apoyo Hispano to serve the growing Hispanic community. The program addresses concerns from crime to social and economic opportunities, connects bilingual police officers and citizens, and provides a Hispanic Outreach Center with bilingual childcare, educational services, and language classes. Likewise, local governments that have actively sought to identify and remove illegal immigrants have incurred heavy financial burdens in enacting, implementing, and contesting legal challenges to their local anti-immigrant ordinances.

For many local governments, the biggest single concern they have with the increasing size of their immigrant populations is the unreimbursed expenses incurred in either enforcing federal immigration laws or living with the consequences of failed federal policies. Roughly two-thirds of taxes generated by immigrants go to the federal government, whereas two-thirds of the costs are borne at local and state level. Federal gridlock has left state and local governments on their own to grapple with the adverse effects of immigration while continuing to promote economic growth and strong community relations.

The local government budgetary implications of increased immigration should not be underestimated, even within the realm of refugee resettlement, for which there is some federal support to communities. Initial refugee settlement decisions are based on affordable housing and employment opportunities in an area, with some resources allocated to help the community provide job search, English-language training, and integration services. Resources are not provided to support the longer term costs to communities that are borne when family members of refugees and other compatriots follow and locate. The federal government also fails to provide support to secondary refugee settlement communities. In general, refugee resettlements are among the least controversial forms of immigrant population increase, but one need look no further than the highly publicized and well documented example of Somali refu-



gees settling in Lewiston, Maine, to illustrate the need for fundamental changes to reimbursement practices. This case demonstrates the need for federal support to secondary migrant locations and more resources for English-language training. This investment could yield benefits for public school students as well as job training for adults.

## Recommendations

The experiences of professional local government administrators around the nation clearly illustrate the need for change. Change must begin with a clearly articulated division of responsibilities; the national government must fulfill its responsibility to establish and enforce sensible immigration policies that meet the economic and social needs of the twenty-first century without sacrificing security. Local government managers are practical and understand the need for balance in immigration policy; they note that “an overly permissive immigration policy mocks the sacrifices made by countless legal immigrants to systematically integrate themselves and their families into this nation” while “the wholesale deportation of illegals is infeasible and draconian.”

*“An overly permissive immigration policy mocks the sacrifices made by countless legal immigrants to systematically integrate themselves and their families into this nation.”*

Local government officials also have a clear sense of appropriate intergovernmental roles, and they do not want to be responsible for immigration enforcement. Only 20% consider it appropriate for local governments to play a role in stopping the influx of illegal immigrants; fully 61% consider it an improper role for local governments even if the federal government cannot or will not do so. Local governments should be able to focus on basic public health and safety, economic development, and integration of all members of their communities. To the extent that their communities consist of immigrants, local governments should receive support from their federal government to assist with integration of immigrants to benefit the community and the broader U.S. society.

To be competitive in an increasingly interdependent and connected world, the United States needs to articulate and implement a comprehensive and coordinated intergovernmental strategy to maximize the benefits of immigrants and minimize the dangers and costs of uncontrolled immigration. There is near universal agreement on the need for comprehensive immigration reform, yet gridlock and inaction continues in Washington, D.C. Professional local government administrators—who see on a daily basis the potential for positive immigrant contributions to their communi-

ties and the negative economic and social consequences of the current failed policies—see clearly that a comprehensive immigration strategy should be based on four basic principles. In the following section, each principle is followed by a brief explanation and several specific policy recommendations that flow from that principle.

*“The wholesale deportation of illegals is infeasible and draconian.”*

***PRINCIPLE 1: Immigration policy should be overhauled to reflect twenty-first century economic and social realities, and enforcement must be recognized as a necessary but not sufficient component of immigration policy.***

Enforcement is an important part of any immigration program, but intelligent and workable laws to enforce are a prerequisite. It is simply not practical to consider deporting 12 to 20 million people, especially when those same individuals or others like them will return in response to demand. Immigration policy cannot continue to be enacted in a piecemeal approach, with near exclusive emphasis on enforcement. More stringent enforcement of existing laws will not address the underlying push and pull factors that contribute to the influx of immigrants.

Immigration policies must be based on demographic and workforce realities. With 12% of the U.S. population consisting of the foreign born and the onset of retirement among baby boomers, the demand for replacement workers and health service workers will continue to increase. A study commissioned by the U.S. Chamber of Commerce and released in April 2008 found that a crackdown on illegal workers could cost employers more than \$1 billion a year and legal workers billions in lost wages. That same month, the *New York Times* reported that “crackdowns on illegal immigration” in Pennsylvania have made it difficult for many farmers to find and retain field hands.

An enforcement focus is predicated on the fear of immigrants as terrorists. Homeland security and antiterrorism efforts deserve great attention and significant resources, but they must not be treated as synonymous with immigration policy. Some terror threats are posed by individuals who are noncitizens, but the vast majority of immigrants have no terrorist connections or intentions. Most of the “illegality” in immigration is a direct result of the failure of the immigration system to provide a legal means for workers to come to the United States to meet demands in the agriculture, construction, and service sectors.

The world has a long history of failed efforts at border enforcement. The 2,000-mile land border the United States shares with Mexico is impractical to seal, despite what proponents of the border fence or wall might promise. Even if the border were made impenetrable, it would not

help that nearly half of undocumented immigrants enter legally through ports of entry and then overstay visas. Improved enforcement will not stop the flow of illegal immigrants if the demand for workers remains. U.S. immigration policy must be based on twenty-first-century economic and social realities, rather than an antiquated and ineffective system with roots in the nineteenth and early twentieth centuries. Any comprehensive immigration policy should include temporary guest worker provisions as well as paths to citizenship that are not overly cumbersome.

*“The absence of effective federal policy is inexcusable, and creates undue burden on local governments, particularly counties that disproportionately have to provide health services, criminal justice and detention, juvenile justice, welfare, etc.”*

### Policy Recommendations

1. **Provide fair and lawful ways for businesses in the United States to hire much-needed immigrant workers.** U.S. immigration policy must include new visa categories and immigration preference categories that better reflect current economic needs within the United States and economic and political realities in other countries. The United States must develop a visa category that authorizes essential workers in low-skilled or semiskilled occupations (more than seasonal) when an insufficient number of domestic employees are available. In addition, a temporary or guest worker program should be developed to enable businesses to hire foreign workers and meet local economic demands on a short-term basis. Federal law should recognize that importing guest laborers from neighboring countries helps build their economies and the U.S. economy, and the less attractive alternative may be exporting jobs and entire industries to other countries.
2. **Speed processing time to reduce the unreasonable and counter-productive backlogs in family-based and employment-based visas.** Family reunification should not require excessive wait times. United States-based employers must be able to attract and retain workers from around the world to meet their real-time needs to maintain and enhance their competitiveness. The work of USCIS may not be as glamorous as that performed by ICE, but it is equally important and deserving of human, technological, and budgetary resources.
3. **Provide a path to legalization for hardworking individuals who have not violated any criminal laws and whose only offense is vio-**

**lation of civil immigration laws.** U.S. policies should encourage the undocumented population to come out of the shadows and earn legal status. Despite certain criticism of this as an amnesty program, immigration reform must acknowledge the failings of the existing policies and provide a path to legalization and ultimately citizenship. Many of those who take offense at the actions of immigrants who enter the U.S. illegally mistakenly characterize their own ancestors as having followed all the necessary steps to enter the country legally, when in fact the earliest immigrants to the United States did not have to meet any such requirements. More important, most undocumented workers are law-abiding, hardworking individuals who pay taxes, contribute to society, and are essential to many sectors of the U.S. economy. Any number of conditions can be set—they can be required to get to the back of the line, pay fines and back taxes, and learn English as conditions of legalization—but a clear, legal path to citizenship must be made available.

4. **Use technology and intelligence to target enforcement efforts at the coyotes, human smugglers, employers and others who take advantage of and profit from vulnerable immigrants.** U.S. enforcement efforts should focus on the identification, apprehension, and punishment of those who facilitate illegal immigration more so than the individuals simply seeking to better their lives and provide for their families. Recognition of the benefits of immigration does not diminish the importance of border security. The safety, quality of life, and economic well-being of the nation depends on security. Border security and enforcement of immigration laws will be easier and more effective if the policies reflect reality.
5. **Improve international relations with and aid to countries from which large numbers of immigrants arrive.** History has demonstrated that physical walls cannot stop the flow of determined people, and the determination is largely a function of the disparity of conditions between one's country of origin and the United States. Although less alluring than a border fence or wall, improved international relations with and aid to countries from which many immigrants come is likely to be more effective. When conditions are better in their home countries, people will be less compelled to come to the United States for opportunities. Decreasing poverty and increasing opportunities in other nations will do more than border enforcement to stem the future flow of immigration.

***PRINCIPLE 2: The natural division of responsibilities places immigration control at the national level and immigrant integration at the local level.***

The United States needs a comprehensive and intergovernmental approach to immigration and immigrants that draws on the unique needs and resources of each level of government. The constitutional frame-

work of government is predicated on a division of powers in which the separate and shared roles and responsibilities of national, state, and local governments are agreed on and fulfilled. The division of powers between the federal government and local governments should not be blurred. Immigration control should remain the purview of the federal government, allowing local governments to focus on immigrant integration. In this way, the national government will set the terms under which individuals can enter and remain in the country, and professional local government managers can fulfill their obligation to provide services to all residents in an efficient, effective, and equitable manner.

The history of the United States as a nation of immigrants assumes that assimilation is both possible and desirable; this is in stark contrast to countries such as Japan and Germany, which tend to believe that foreigners never cease to be foreigners even if they live in the country for generations and learn the language and culture. But even in these countries, there is a widespread recognition that the central government should focus on immigration control and local governments on immigrant integration. If the federal government enacts and enforces sound immigration control policies, local governments will be able to focus on their proper roles of promoting public safety, encouraging economic development, and strengthening community cohesion—all of which are advanced by immigrant integration. There are undeniable pragmatic economic and social justifications for local government officials to advance immigrant integration as a means of reducing crime, improving economic productivity, protecting public health, and promoting a sense of community identity.

### **Policy Recommendations**

- 6. Cease pressures on local law enforcement officials to enforce federal civil immigration laws and state unequivocally in federal law that the role of local and state officials is limited to criminal law, not civil immigration laws.** Local resources should not be used to fund a federal responsibility, and local officials should not engage in activities for which they lack adequate training, resources, and access to information. Local enforcement of federal civil immigration laws detracts from time spent on local law enforcement and makes it harder to get immigrants to report crimes or assist in investigations when they are witnesses or victims. Public safety is jeopardized if local police are perceived as deportation agents. Local enforcement of federal immigration law causes a plethora of problems, in breaking the relationship of trust between local government officials and the community, in draining local resources to carry out federal responsibilities, and in confusing the priorities of local law enforcement by emphasizing federal needs over local ones. Once a comprehensive, rational, and twenty-first century immigration policy is enacted, enforcement of civil immigration laws should be the exclusive responsibility of the federal government.

7. **Work collaboratively with ICMA to develop a Model MOU for 287g programs.** Under current laws and regulations, there is no national framework for implementation of 287g programs and no real guidance for local government administrators considering establishing such relations with national immigration authorities. ICE and ICMA should establish a joint committee to develop a Model MOU that would address the issues of training, staffing, resources, and types of activities to be undertaken at the local level, thereby increasing consistency and uniformity. Members of ICMA's Governmental Affairs and Policy Committee are ideally suited to serve on this joint committee along with officials within ICE who have experience with 287g programs and the authority to approve MOUs.
8. **Provide support for immigrant integration activities, including but not limited to English-language (ESL and ESOL) instruction.** English-language proficiency is essential for assimilation and thus is in the best interests of immigrants, local communities, and the nation. Additional resources are needed to provide sufficient numbers of classes taught by qualified instructors. Although some immigrants may be able to adjust on their own, most will not. No one benefits—not the immigrants, the long-standing citizens, local communities, or the nation—if large segments of society fall behind; the results are higher crime, lower economic productivity, and higher health care expenses. Services designed to speed assimilation should not be limited to those who are in the U.S. legally; this is neither practical nor wise. Immigrants proficient in English will be better able to understand and comply with U.S. laws, contribute to society, and avoid abuse.

***PRINCIPLE 3: Federal enforcement activities should consider the impact on communities and local governments and should generally promote human rights.***

Economic security, human rights, and national security are not advanced by pitting citizens and immigrants against each other. Immigration policies can and should be designed to protect and enhance the rights and interests of citizens and noncitizens alike. The United States has a responsibility to protect national security and the rule of law while preserving and restoring fundamental principles of due process and equal protection. It is a core value in the United States that, whenever possible, children should not be punished for the sins of their parents, and society and government should protect the interests of children. Children who are abused and neglected—whether by their guardians or the government—are more likely to commit crimes and less likely to be productive contributors to society. Enforcement of labor laws and immigration policies should consider the effects on all parties—citizens, immigrants, children, and communities.

## Policy Recommendations

9. **Rigorously enforce workplace laws for all categories of employees within the United States.** Unscrupulous employers take advantage of immigrants' inherent vulnerability and fears of deportation or loss of work; employers may force immigrants to work in unsafe conditions, pay them substandard wages or not at all, threaten retaliation, and subject them to abuse. The ability of employers to treat immigrants this way puts downward pressure on wages and working conditions, and this disadvantages citizen workers as well. The U.S. Department of Labor should vigorously enforce regulations that protect workers from unfair labor practices. It is in the interest of all workers, including U.S. citizens, for working conditions to be humane, for wages to be adequate, and for all workers to be protected against retaliation for reporting violations of their employment rights.
10. **Require that decisions about workplace raids, detention, and deportation consider the impact on children and communities.** When immigrants are apprehended during workplace raids, children—some of whom are U.S. citizens or legal residents—are separated from their parents and placed at risk. Local governments, schools and community-based organizations are then left with substantial numbers of children in their care without warning, straining the social structures that support children. Local governments, private institutions, and immigrant communities are ill-equipped to address the fallout of worksite raids. They do not have the resources, leadership, infrastructure, or cultural competence to meet the needs of those families who overcome their fears and seek assistance, let alone all of the affected families, many of whom are too fearful to seek assistance. Law enforcement officials at all levels must treat all immigrants with respect and dignity and provide full legal rights, especially rights of minors, through utilization of programs that protect them.
11. **Utilize alternatives to mass detention.** It is time to acknowledge that mass detention is impractical. The daily immigrant detention population in the United States has risen from 19,000 in 2006 to 27,251 in 2007. In search of available bed space, detainees are increasingly moved to facilities across the country, far from their families and legal counsel. Alternatives to detention are less costly and less disruptive to families and communities. Reporting and electronic monitoring cost as little as \$12 per day, compared with \$95 per day for detention. Federal policy should ensure that immigrants accused only of civil or administrative violations are not held in prolonged detention. Federal law should also stipulate that when immigrants are detained on civil charges, they must be kept separate from the general criminal jail population.

- 12. Under no circumstances should immigration actions be taken based on information gathered from medical personnel.** Health clinic and medical records should not be used to identify undocumented immigrants. To protect the public health and avoid potential spread of infectious disease, immigrants must feel safe seeking medical attention, including utilizing community health and migrant health facilities.

***PRINCIPLE 4: Resources generated by immigrants should be equitably redistributed.***

In general, resources should flow from the national government to local governments to assist communities with the challenges of a growing immigrant population. Immigrants are net contributors to the U.S. economy, with two-thirds of the taxes from immigrant labor going to the national government, whereas two-thirds of the costs of illegal immigration are borne at the state and local level. Many immigrants who pay payroll taxes are not eligible for social security; the U.S. Internal Revenue Service (IRS) estimates that immigrants contribute \$6 billion to \$7 billion in social security funds each year that most will never claim. These resources must be shared with local governments.

In denying many direct services to immigrants, the federal government may assume that immigrants do not deserve benefits, that the absence of benefits will induce immigrants to leave the country, that family members will support their immigrant relatives, or that state and local governments will accept the burden. Regardless of their rationale, it is clear that the absence of federal benefits or services does not mitigate the newcomers' actual need for services, or the responsibility of local governments to protect public health and safety. If local governments continue to provide benefits and services, resources must be allocated accordingly.

### **Policy Recommendations**

- 13. Share federal tax revenues from immigrants with local governments in proportion to their experienced rates of immigration.** The federal government should provide funding through a program such as the State Legalization Impact Assistance Grants (SLIAG). The federal government should ensure that local governments have the resources to adequately address public health, human service, and educational concerns associated with growing immigrant populations. To assist local governments in promoting preventative health as an alternative to reliance on emergency medical services, federal grants could be provided to local governments to encourage the development of community health facilities targeting immigrant and low-income populations, or local governments could be reimbursed for the provision of basic and emergency health care services. In an era of increased concern about epidemic and pandemic disease, it is in the national interest as well as the local interest to maintain public health.



14. **Provide funding for English as a second language instruction.** It is universally accepted that English-language skills benefit individual immigrants, the communities in which they live, employers, and the nation. The federal government should provide funding to ensure that sufficient numbers of classes are taught by qualified instructors to meet the demand.
15. **Fully fund the State Criminal Alien Assistance Program (SCAAP).** If undocumented persons violate criminal laws and must be arrested, tried, and incarcerated at the expense of state or local governments, the federal government should provide full reimbursement for those costs.
16. **Expand the refugee model to provide support to secondary resettlement communities.** Communities that can document substantial populations of refugees who resettle from their original settlement sites should be eligible for assistance in support of housing, job training, and language training for the refugees.

## **Time for Action**

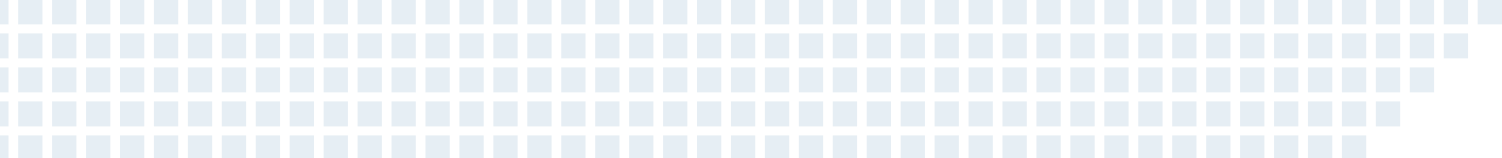
Immigrants have made and continue to make important contributions to the economy and culture of individual communities and the United States as a whole. They contribute to the economy through their labor, their payment of taxes, their role as consumers, and their entrepreneurial endeavors. They have repeatedly demonstrated their patriotism through military service, most recently through service in Iraq and Afghanistan. Immigrants also challenge the institutions of government and society through their numbers and their diversity. There is every reason to expect that this will continue in the future regardless of the nation's immigration policy. The question is whether national policies will facilitate the orderly flow of immigrants into the country to meet the demands for workers and individuals' desires to have a better life for themselves and their families, or if policies will force businesses and individuals to operate outside the law. The United States has experienced the counterproductive social and economic effects of a crackdown on illegal immigrants in the absence of effective and efficient administration of the legal immigration system.

A balanced, nonpartisan approach to immigration that is grounded in empirical analysis and economic realities, rather than highly charged political rhetoric, is in the best interests of the nation. The inauguration of a new president in January 2009 offers an opportunity to move beyond the gridlock that has paralyzed Congress and the administration for years. Both major party candidates have expressed support for comprehensive reform that not only includes but also extends beyond border security. The federal government needs to take advantage of the momentum that will accompany a new administration to completely overhaul the nation's outdated immigration policies, to improve the technological and human



**42** *Immigration Reform: An Intergovernmental Imperative*

resources dedicated to processing of requests for legal immigration, to assume full responsibility for the enforcement of federal laws, and to more equitably share resources with local governments.



**ICMA**

*Leaders at the Core of Better Communities*

777 North Capitol Street, NE  
Suite 500  
Washington, DC 20002-4201

The mission of ICMA is to create excellence in local governance by developing and fostering professional local government management worldwide.

