

2007-2008 IMMIGRATION UPDATE 2

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ON THE CAMPAIGN TRAIL . . . DRIVERS' LICENSES FOR UNAUTHORIZED MIGRANTS

Immigration suddenly, if temporarily, jumped to the forefront in the race for the Democratic nomination for the presidency after a debate in late October, when Senator Hillary Rodham Clinton appeared to waffle on a plan by New York Governor Eliot Spitzer to allow unauthorized migrants to obtain drivers' licenses legally. When asked about the plan, Clinton said that Spitzer was "filling the void" left by the federal government's failure to enact immigration reform. After Senator Chris Dodd expressed opposition to the plan, Clinton "clarified" by saying that "I did not say that it should be done, but I certainly recognize why Governor Spitzer is trying to do it." By the time of the next debate, Clinton had come out against drivers' licenses for unauthorized immigrants, as had Dodd, former Senator John Edwards, and Senator Joe Biden; Governor Bill Richardson of New Mexico supported Spitzer's proposal, as did Senator Barack Obama (after some waffling of his own). Congressman Dennis Kucinich did not answer the question. Spitzer subsequently announced that he was withdrawing the proposal.

Until this recent blip, the Democrats had been talking very little about immigration. In general, the candidates say that they support better border enforcement and a pathway to citizenship. However, they have not emphasized the issue or gone into great detail about their policy recommendations. Two reasons are suggested for this de-emphasis: (1) a desire to take a tolerant approach that will appeal to increasingly active Latino voters and (2) the difficulty of explaining complex comprehensive reform in the short-answer format that the debates take. With the exception of Senator John McCain, long an advocate of a measured and comprehensive reform, the Republicans are taking a more hard-line position, which they hope will tap into current public opinion on the issue.

A nice summary of the Democratic and Republican candidates' positions on immigration is provided by *The New York Times* at <http://politics.nytimes.com/election-guide/2008/issues/immigration/index.html>.

ON THE CAMPAIGN TRAIL . . . TANCREDO AD SPARKS CONTROVERSY

In November Congressman Tom Tancredo released a new 30-second ad aimed at Iowa voters concerned about immigration. The ad shows a person in a hooded sweatshirt dropping a backpack containing a bomb in a busy mall; it also depicts the aftermath of terrorist attacks in Europe. The voiceover says, "There are consequences to open borders beyond the 20 million aliens who have come to take our jobs. Islamic terrorists now freely roam U.S. soil, jihadists who froth with hate, here to do as they have in London, Spain, Russia. The price we pay for spineless politicians who refuse to defend our borders against those who come to kill." The ad ends with the sound of an explosion and a black screen. You Tube has tagged the ad as having content

inappropriate for some viewers, but it can be seen at on the site, as well as other sites on the web; see http://www.youtube.com/results?search_query=tancredo+terror+ad.

Tancredo's opponents have called the ad "fear-mongering," while Tancredo retorts that if his ad is fear-mongering, "the Mothers Against Drunk Driving should apologize for suggesting that drunken driving kills innocent people." The Denver Post published a scathing editorial (http://www.denverpost.com/opinionheadlines/ci_7452842) saying the ad smacked of Tancredo's "desperation." Tancredo promptly responded with a commentary of his own (http://www.denverpost.com/opinionheadlines/ci_7473040). The ad would make a good source for students to analyze, using their knowledge of immigration to test the claims of Congressman Tancredo and his opponents.

CLOSER TO HOME . . . IMMIGRATION PLAYS KEY ROLE IN GREELEY MAYORAL ELECTION

Former Greeley Mayor Tom Selders lost his bid for reelection to challenger Ed Clark, with many analysts suggesting that immigration was the key issue in what turned out to be a rather lopsided race (59.2 percent to 41.8 percent). Selders testified in Congress about the effects of a December 2006 raid at the Swift plant in Greeley. In his testimony, Selders reported that "many families and children were devastated" by the raids. He expressed concern that issues related to immigration, such as whether an Immigration and Customs Enforcement (ICE) office should be opened in Greeley, were dividing the community and causing turmoil. He concluded his remarks by saying "We desperately need immigration reform and some solid and some fair federal policies. Please do what you can to help us."

Two organizations—the Colorado Alliance for a Secure America and the Alliance for Better Greeley—jumped on these remarks as indicating that Selders was "soft" on immigration. They sent out mailings attacking the former mayor. Although Clark said that he was not connected in any ways to the two organizations, observers believe his campaign benefited from their attacks on Selders.

URBAN INSTITUTE STUDY REVEALS ADVERSE EFFECTS OF IMMIGRATION RAIDS

The Urban Institute has recently released a report documenting the effects on children of the workplace immigration raids in late 2006 and early 2007. The study, titled *Paying the Price*, looked at Greeley; Grand Island, Nebraska; and New Bedford, Massachusetts. The study found that in the three cities studied, 200 children were left without one or both parents as a result of the raids; two-thirds of those children are U.S. citizens. The study found that children suffered emotional distress, marked by symptoms ranging from crying, loss of appetite, and aggression to post-traumatic stress disorder and clinical depression. The authors of the study noted that family, friends, and local agencies (schools and social welfare agencies) were left to bear the burden of helping the children and recommended that, if such raids are to continue, the government should do more to assist children. The report is available at <http://www.urban.org/url.cfm?ID=411566&renderforprint=1>.

KCFR's Colorado Matters recently aired a segment featuring interviews with one of the study's co-authors, Rosa Maria Castaneda, and ICE Press Secretary Kelly Nantel (http://www.kcfr.org/index.php?option=com_content&task=view&id=94&Itemid=234&target_pg=com_day&date=11/16/2007). Nantel argued that ICE is a law enforcement agency and that parents are responsible for putting their children in the situation where they may be psychologically damaged. Nonetheless, she said, ICE goes to great lengths to address humanitarian concerns. In the three cases reported in the study, she said, 100 unauthorized migrants picked up in the raids were released for humanitarian reasons (e.g., they were sole caregivers); those people were still ordered to appear in court on the issue of their legal status, but they were not held in detention until their court appearance.

NPR's Jennifer Ludden reported on other effects of the increased number of immigration raids on *All Things Considered* on Friday, November 23. That report, available at <http://www.npr.org/templates/story/story.php?storyId=16579037>, focused on constitutional and legal issues. Topics included the possible unconstitutionality of warrantless raids targeting unauthorized migrants who have not committed other crimes and the applicability of constitutional rights to immigration cases, which are civil rather than criminal cases.

IN CONGRESS: DREAM ACT DIES

The proposed DREAM Act provided that students who entered the United States illegally as children would be eligible for in-state tuition at public colleges and would have a path to citizenship if they went to college or served in the military. The act failed to get the 60 votes needed to ensure passage in the Senate, falling eight votes short. Senator Ken Salazar voted for the bill, Senator Wayne Allard against it. The Dream Act was one proposal submitted separately to Congress after the comprehensive reform package failed in the summer. The DREAM Act's demise likely marks the end of any attempts to reform immigration law in Congress this year, and perhaps until after the 2008 elections.

IN THE STATEHOUSE: REPUBLICANS PLAN TO INTRODUCE IMMIGRATION BILLS IN 2008

On October 30, Colorado Republicans announced a legislative package that they believe will help address immigration problems. One of the proposed bills would deny bail to unauthorized migrants charged with serious felonies or repeated instances of drunk driving. Representative Bob Gardner said that the bail bill was sparked by a New Jersey case in which an unauthorized immigrant who had been released on bail for other felonies killed three students. Another bill would require proof of citizenship to register to vote. A third proposal would require jails to determine the immigration status of prisoners when they are booked.

Similar proposals have previously been defeated in the legislature, and the initial response of Democratic legislators suggests the same fate may await the 2008 bills.

Senate President-elect Peter Groff said, "Until the federal government acts to find a meaningful solution, we can pass immigration laws until we're blue in the face. It's still an unfunded federal mandate on our state." Speaker of the House Andrew Romanoff said that evidence of unqualified voters being allowed to cast a ballot would warrant action, but no such evidence has been made available.

HA JIN'S *A FREE LIFE*

Ha Jin, the noted Chinese-American author who has won a National Book Award and numerous other literary prizes, has written his first novel focused on the experience of Chinese immigrants in the United States. The central character of *A Free Life* is Nan Wu, a graduate student at Brandeis at the time of the Tiananmen Square massacre. Nan gives up his pursuit of a Ph.D. in political science but stays in the United States with his wife and son. Taking a variety of low-paying jobs before deciding to move to Atlanta and buy a restaurant, Nan yearns to write poetry. Jin, whose personal experiences parallel Nan's along a number of dimensions, writes in a somewhat flat tone and yet conveys well the complex feelings of attraction and aversion that Nan feels toward his homeland, his new country, and his fellow immigrants from China. The book ends with a collection of about 20 poems "written by Nan Wu," several including thought-provoking and lovely lines, such as the closing stanza of a poem entitled "Homeland":

Eventually you will learn:
your country is where you raise your children,
your homeland is where you build your home.

Reviews (see http://www.reviewsofbooks.com/free_life/) have been mixed and, from an instructional viewpoint, the book is alarmingly long (635 pages). It also includes a few sex scenes and limited use of adult language. On the other side of the ledger, the author's style is eminently readable and excerpts of the book could be useful in conveying one immigrant's experience to students.