

The roots of immigration legislation argumentative essays examples

[Sociology](#), [Immigration](#)



Introduction

The immigration legislation in the U. S. today is the product of decades worth of political wrangling and public anger on both sides of the debate. The immigration debate has gone back and forth between the two political parties in this country to such a degree that there is de facto compromise on the elements of reform, and now all we have to do is implement the reforms that are already in place. The argument has gone back and forth for decades with both Democratic and Republican regimes signing legislation that encourages immigration then opposes immigration. The full circle is here now, each side of the aisle has been on each side of the fence, and the only position left to be had by anyone is compromise. The pathway to citizenship has been proposed by both sides, enforcement and interdiction proposed by both sides, border security proposed by both sides, and somehow today we do not seem to have any of these policies successfully in place. It seems like the only place left to go for U. S. politicians is, surprisingly, where both sides agree we have to go in the exact way that both sides agree we have to proceed.

Immigration Reform and Control Act

Reagan signed Immigration Reform and Control Act (IRCA) that creates the pathway to citizenship for illegal immigrants. IRCA was the beginning of the immigration fiasco that we have today. This was the legislation that allowed immigration to become a major political tool for both political parties. IRCA was advantageous for the political parties at the time because it was divisive to the American public and a way to paint the Democratic party as soft on

immigration. While IRCA could arguably be called a pro-immigrant piece of legislation if passed today, for all intents and purposes, it was mostly a pro-politician piece of legislation. This would create more support from the Republican party and the business community, who benefited the most from the migrant workers' labor.

There would be no illegal immigration problem if all the illegal immigrants were legal citizens. This amnesty legislation caused a surge of illegal immigration, which, as far as California was concerned at the time was a great problem to have. The economy was great and the demand for cheap labor was stronger than ever. IRCA thereby legalized the illegal immigrants in the country and offered the original pathway to citizenship after five years of good behavior. Another benefit to the political establishment (this time for the Republican party) was that the suddenly new pool of citizens the U. S. would experience in five years could vote in the Presidential election a year later. It was the Republican party's turn to use the immigrant as a means to win an election- this time.

Prop 187

California was experiencing a recession in the 90s, and with recessions come backlashes against immigrants. The " Save our State" campaign was launched with the goal of convincing people that the state's recession was because of illegal immigration. The proposition was passed by a bipartisan constituency exhibiting an anti-immigrant sentiment. This was part of a campaign to paint the Democratic President as being soft on immigration; a position that would cause the Democratic President to react by signing more

legislation to prove to the constituency that Democrats were just as opposed to immigrants as the rest of the country.

North American Free Trade Agreement

The North American Free Trade Agreement (NAFTA) would be signed into law as a direct consequence of IRCA and Prop 187. In 1994, Congress had become majority Republican. The Clinton Administration had to address the brewing anti-immigration sentiment and decided to emphasize interdiction of illegal border crossers and enforcement of immigration law by increasing the number of Border Patrol agents, increasing technology in use on the border, and increasing resources on the border to help stop the flow of people illegally crossing into the U. S. Today's Republican party position first belonged to the Democratic party.

Operation Gatekeeper

The Democratic strategy of interdiction and enforcement in the 90s is what has led to the triggers in immigration legislation of today. The only way for the Democrats to get legalized status for immigrants currently illegally living within the U. S. is to ensure that interdiction and enforcement measures are undertaken in earnest and the border is secured. The drug trade in North, Central, and South America was flourishing in the latter part of the 20th Century and would eventually become a large part of the immigration crisis. Colombian drugs traveling through Mexico via traffickers were flooding into the U. S. partly because of NAFTA, which was trucking in billions of dollars worth of agricultural products. This opportunity was not ignored by the drug traffickers, who could send truckloads of cocaine and other contraband into

the U. S. blended in with agricultural goods. This led to Operation Gatekeeper, the largest organized effort to interdict people who were attempting to cross into the U. S. without proper documentation.

Immigration Act of 1996

President Clinton signed the Immigration Act of 1996 barring lawful permanent residents (LPRs) from receiving federal aid of any kind, including education, for five years after becoming an LPR. President Clinton would also sign the Illegal Immigration Reform and Immigrant Responsibility Act that would be the basis for conducting many more immigration raids; additionally, the act would make it a federal crime for any non-citizen to vote in a federal election.

Enforcement and Interdiction

The United States needs to address illegal immigration through interdiction of immigrants who illegally cross the border and through enforcement of the immigration laws we already have. The first political party to demand these provisions was not the Republican Party; it was Bill Clinton and the Democratic party. It was 1994 when the Democrats recognized that the solution to the immigration problem in the country was enforcement and interdiction by way of increased Border Patrol presence, increased technological presence, and overall increased resources brought to the border to effectively shut down illegal immigration.

The enforcement and interdiction strategies of today are made by the Republican party and are part of the established immigration bills, Senate Bill S. 2611 (as amended), 2007 Senate Bill (S. 1639), and 2013 Border

Security, Economic Opportunity, and Immigration Modernization Act (S. 744), and incorporated within these bills are triggers that would enact the Democratic party's calls for legalized status of the immigrants ('Side-By-Side Comparison of 2013 Senate Immigration Bill with 2006 and 2007 Senate Legislation'). Triggers are events that must take place before a specific piece of legislation is enacted. The triggers in these bills include the southern border of the U. S. being under 100% operational control, 370 miles of border fencing and 300 miles of anti-vehicle barriers being installed, creation of an employment verification system that is resistant to fraud, and employing 20, 000 more Border Patrol agents. S. 744 establishes new goals for security at the border and emphasizes surveillance and effective Border Patrol strategies. The bill requires Department of Homeland Security (DHS) to have two plans of action ready for implementation within six months to address border security and fencing, goals that would bring with them \$4. 5 billion in funding. Triggers in this legislation that must be met before legalization procedures for immigrants can begin include both of the DHS border strategies that were to be submitted to Congress within six months of Act's adoption initiation.

Both parties have now demanded the same rules for immigration reform, and both parties have been the legislation they have each lobbied for at one time or another. The Democratic party was in favor of these reforms and passed legislation supporting them in the past, the Republican party has called for and supported legalization and border security in the past, and now they are in the immigration bills today; we have de facto agreement on these aspects of immigration reform.

Legalization (Amnesty)

It was Reagan who made the pathway to citizenship a reality. The Republican party was responsible for this eventual legalization of people here illegally.

Whereas the Republican party today opposes amnesty and is working against the Democratic party, it was once the other way around. The legislation in place today has legalization framework in them already. Each political party has achieved their goal here. The Democratic party in control of the Executive Branch today can enforce the immigration laws we have established today and begin the process of legalization upon the triggers being met; the triggers put in by Republicans that were once Democratic party platforms. Build the fence, put thousands of Border Patrol agents on the border, secure the border, and the process of amnesty can begin.

I-9

The I-9 form was part of the electronic verification program instituted under the Clinton Administration that would verify the legal status of the employee. The employer would fill out the I-9 form to show that they had verified the legal status of each of the employees. The Border Patrol had the authority to audit employers' businesses to verify that the employees were, indeed, legally eligible to work in the U. S. President George W. Bush would not use audits but would use raids for political purposes when it became necessary to show a tough stance on immigration. President Barack Obama's Administration conducted thousands of audits to verify that employers were utilizing the E-Verify system. Additionally, to make matters worse, the E-Verify system has been shown to be ineffective and prone to high error rates (Wolgin and Kelley).

Conclusion

The immigration reform movement in the U. S. is coming to a point where both sides have met in the middle and there is no more room to negotiate further. Whereas the Democrats have fought for amnesty and the Republicans for border security and abiding by the laws set up to control immigration, the state of the debate today is one of de facto agreement. The way the bills are set up now is that you get what you want as soon as you do what you said you would do. Amnesty is a real thing today. The people who have been fighting for amnesty have what they want; now all they need is for the politicians who have said time and time again that they support the amnesty movement and immigration reform to follow through with what they have said with solid action. As soon as the border is secure, the process for legalization of illegal immigrants in this country can move forward. Whereas both sides have proclaimed a desire to see a secure U. S.-Mexico border, as soon as that is a reality, the mutually-agreed-upon process for amnesty will begin. There is no more room for rhetoric, only for action.

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