

## On Immigration, the President Speaks Softly

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**B**arack Obama's July 1, 2010, speech at American University revealed the president's current thinking on immigration and the prospects for comprehensive immigration reform. With the controversy over Arizona's new immigration law as a backdrop, much of the president's language could be described as forceful and realistic. However, the elements left out of the speech were perhaps as important as the words he spoke.

### PRO-IMMIGRATION PRESIDENTS

Even during backlashes against immigrants, U.S. presidents throughout history have tended to be moderating influences, even vetoing restrictive legislation in the early 1900s, such as President William Howard Taft's veto of legislation to impose a literacy test on new immigrants. Given the country's diversity today, we do not know whether a presidential candidate espousing anti-immigrant views could win a general election or how such an individual would govern once in office. In 1995, in the wake of Prop 187 in California, President Bill Clinton at first endorsed the recommendations of the Jordan Commission to reduce legal immigration, yet later he backed off that endorsement.

American presidents in contemporary times have used pro-immigration rhetoric in speeches and the July 1 speech by President Obama was no exception. In the speech, the president declared, "Of course, the tensions around immigration are not new . . . we've always defined ourselves as a nation of immigrants—a nation that welcomes those willing to embrace America's precepts. Indeed, it is this constant flow of immi-

grants that helped to make America what it is."<sup>1</sup>

The president placed current fears about immigration in historical context: "Now, we can't forget that this process of immigration and eventual inclusion has often been painful. Each new wave of immigrants has generated fear and resentments towards newcomers, particularly in times of economic upheaval. Our founding was rooted in the notion that America

was unique as a place of refuge and freedom for, in Thomas Jefferson's words, 'oppressed humanity.' But the ink on our Constitution was barely dry when, amidst conflict, Congress passed the Alien and Sedition Acts, which placed harsh restrictions on those suspected of having foreign allegiances. A century ago, immigrants from Ireland, Italy, Poland, other European countries were routinely subjected to rank discrimination and ugly stereotypes . . . So the politics of who is and who is not allowed to enter this country, and on what terms, has always been contentious."

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### THE ECONOMIC CASE FOR IMMIGRATION

President Obama tied America's prosperity to immigration. He stated, "The scientific breakthroughs of Albert Einstein, the inventions of Nikola Tesla, the great ventures of Andrew Carnegie's U.S. Steel and Sergey Brin's Google, Inc.—all this was possible because of immigrants." And he cited the broader benefits of immigration to the U.S. economy. "So this steady stream of hardworking and talented people has made America the engine of the global economy and a beacon of hope around the world. And it's allowed us to adapt and thrive in the face of technological and societal change."

He cited the case of an immigrant entrepreneur to connect, at least indirectly, immigration to job creation, rather than job displacement. “Just a few weeks ago, we had an event of small business owners at the White House. And one business owner was a woman named Prachee Devadas who came to this country, became a citizen, and opened up a successful technology services company. When she started, she had just one employee. Today, she employs more than a hundred people.”

### ELEMENTS OF IMMIGRATION REFORM

Despite its pro-immigration stance, the Obama administration has not been specific on what elements should (or should not) be part of a broad immigration bill. Nor has it suggested what should be in a scaled-down package, should Congress seek to move a smaller bill. The president responded to this criticism, in part, by stating what he viewed as the “essential elements of comprehensive immigration reform.” The elements include:

- granting legal status to those in the country illegally after such individuals “register, pay their taxes, pay a fine, and learn English”;
- providing “farms a legal way to hire the workers they rely on, and a path for those workers to earn legal status”; and
- passing the DREAM Act, which would provide legal status for illegal immigrants who came here as minors and completed high school.

### WHERE ARE THE VISAS?

While President Obama made a case for comprehensive immigration reform, he stopped short of endorsing the wider use of temporary visas for lower skilled foreign workers. This is unfortunate because research has shown that opening legal avenues to work would be the most effective way to reduce illegal immigration, eliminate migrant border deaths, and prevent criminal gangs from engaging in human smuggling.

Support for visas in agriculture is considered to be on safe political grounds, since growers and the farm worker’s union both support legislation called AgJobs. That bill

would streamline the temporary visa process for agricultural workers while also granting legal status to those who have been working in U.S. agriculture unlawfully. The DREAM Act has gained a degree of bipartisan support as well.

The president appeared to allude to the need for more legal avenues to work without making any specific recommendation. At one point in the speech he said, “But our borders are just too vast for us to be able to solve the problem only with fences and border patrols. It won’t work. Our borders will not be secure as long as our limited resources are devoted to not only stopping gangs and potential terrorists, but also the hundreds of thousands who attempt to cross each year simply to find work.” However, rather than using this correct observation to argue for temporary visas, he then asserted the need for more sanctions against employers: “That’s why businesses must be held accountable if they break the law by deliberately hiring and exploiting undocumented workers. We’ve already begun to step up enforcement against the worst workplace offenders.”

The opposition to wider use of temporary visas comes primarily from the AFL-CIO and a number of Democrats on Capitol Hill. (Republican opposition to immigration reform has focused on providing legal status to those illegally in the United States.) In this regard, the president missed an opportunity to make the case that comprehensive immigration reform must include a wide use of temporary visas. That not only would be good policy but is the type of signal that Republicans like Rep. Jeff Flake (R-AZ) have sought from the president.

### REACTION TO THE SPEECH

Rep. Flake attended President Obama’s speech on the same day the Congressman spoke at a Cato event on Capitol Hill to argue for the use of temporary visas to “control” the border through market-based mechanisms. In a press release, Rep. Flake said, “The President needs to understand that states like Arizona are moving ahead with immigration reform measures of their own because the

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**IMMIGRATION REFORM BULLETIN** provides timely information, insight, and analysis about efforts to expand opportunities for legal immigration to the United States. The bulletin seeks to highlight immigration policies that promote economic growth, national security, and individual liberty.

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federal government has failed to act. The best thing he can do to head off state laws he disapproves of is to push Congress to act on comprehensive reform. Yet, the President's speech today seemed more like a nod to his base rather than a genuine effort to move comprehensive immigration reform."<sup>2</sup>

In the *Miami Herald*, columnist Andres Oppenheimer wrote, "My opinion: Obama's speech was an effort to maintain the support of U.S. Hispanics, who are increasingly frustrated by the president's failure to take action on immigration reform despite his campaign promises to do so. The Hispanic vote will be crucial for Obama's Democratic Party to avoid a defeat in November's congressional elections. But Obama did not offer any carrots to Republicans, nor any new ideas to sway public opinion toward much-needed immigration reform."<sup>3</sup>

To date, no effort has been made to endorse or advocate for smaller elements of

an immigration reform agenda that might gain political support, even though the president's speech identified measures that had already gained some degree of bipartisan support, such as AgJobs. *The Economist* opined, "Good speech. Good plan. So why the cynicism? Because making a speech, and having a plan, are not the same as doing something. And Mr. Obama does not intend to do anything right now. He is not proposing a particular piece of legislation."<sup>4</sup>

The president ended his July 1 speech on a high note, reading from the Emma Lazarus poem that appears at the base of the Statue of Liberty. "Give me your tired, and your poor, Your huddled masses yearning to be free . . . Send these, the homeless, tempest-tossed to me, I lift my lamp beside the golden door!" These are fine words. Both supporters and critics will continue to look for concrete actions and serious proposals to accompany the words.

<sup>1</sup>Quotations and excerpts of the speech are taken from "Remarks by the President on Comprehensive Immigration Reform," American University School of International Service, Washington, D.C., July 1, 2010, as appeared on the website of the *Wall Street Journal*.

<sup>2</sup>Statement of Rep. Jeff Flake, July 1, 2010.

<sup>3</sup>Andres Oppenheimer, "Immigration speech all words, no action," *The Miami Herald*, July 4, 2010.

<sup>4</sup>Lexington, "Not good enough," *The Economist*, July 10, 2010, p. 33.