



immigration and IMMIGRATION POLICY in the west

BY JIM PEACH

National policies affect individual states in an uneven fashion. A change in Social Security affects states with older populations (Florida) differently than states with a young population (Utah). A change in environmental policy, such as requiring reduced emissions from coal fired electric generation plants, will impact coal producing states (Wyoming) differently than states that do not produce coal. An increase or decrease in military spending impacts states with a large number of military installations (Virginia) more than states with relatively few military installations (Montana). There are few if any, geographically neutral national policies. Immigration policy is no exception. How changes in immigration law might affect the American West is the central focus of this article.

The West can be defined in a variety of ways. The Census Bureau defines the West region to include the Mountain Division (AZ, CO, ID, MT, NV, NM, UT, and WY) and the Pacific Division (AK, CA, HI, OR, and WA). Here, only the eight states in the Mountain Division will be considered.

US immigration policy is in need of a major overhaul. The current convoluted and complex laws governing immigration are not aligned with economic reality or national policy. This assessment of US immigration policy is widely shared by those who favor more immigration and those who are opposed to more immigration. Pressure on Congress to pass some form of 'comprehensive' immigration reform is intense. No one can predict with certainty whether or not Congress will pass significant immigration legislation in 2013 or 2014 but we can be reasonably confident that any such legislation will not end the immigration debate. Immigration policy in the US has always been controversial.

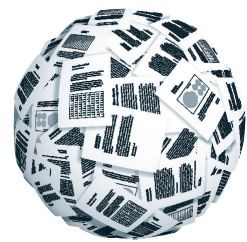
Whether new legislation is enacted or the nation continues to be guided by current immigration law, the effects of immigration, legal and illegal, vary widely by state and region. Regions and states vary widely in terms of population growth, population density, income

levels, and economic structure. As a result, some regions are more likely destinations for both domestic and international migrants than others. Indeed, there is also considerable variation in demographic and economic conditions within states and these differences also are important determinants of the effects of immigration.

The Senate passed Immigration legislation (Senate Bill 744) on June 27, 2013. Although the House has not passed similar legislation, SB744 provides a useful guide to the type of immigration policies under consideration. First, SB744 would increase the amount of money spent on immigration enforcement by \$46.3 billion over ten years. Most of this money, as well as the economic impacts, would be spent in the four states bordering Mexico (CA, AZ, NM, and TX). Second, SB744 creates a new type of visa (Registered Provisional Immigrant) for those immigrants who entered the US before 2012, were not convicted of a felony, and paid all taxes. The RPI visas are intended to address a portion of the estimated 11-12 million so-called undocumented immigrants currently resident in the US. Obviously, the impact of RPI visas on individual states will depend on where potential RPI eligible people reside. Third, SB 744 places restrictions on access to federal benefit programs for many immigrants. These programs include Social Security, Medicaid, Temporary Assistance to Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), and some benefits under the Affordable Care Act. These and other federal programs with restricted benefits affect some states more than others. SB744 also requires all employers (large and small) to use the federal electronic verification system (E-Verify). While this provision of SB744 would be phased in over a period of years, strict enforcement of employment eligibility would be a major change in whether or not immigrants could obtain employment.

Nativity and citizenship are powerful influences on income and poverty levels. In 2011, median household income in the US was \$50,054. Among households in which the householder was foreign-born but not a naturalized citizen, median income was \$37,894 – nearly

“No one can predict with certainty whether or not Congress will pass significant immigration legislation in 2013 or 2014 but we can be reasonably confident that any such legislation will not end the immigration debate. Immigration policy in the US has always been controversial.”



25 percent lower than all households. In sharp contrast, the median income of foreign-born households in which the householder was a naturalized citizen was \$51,926 – more than \$1,000 higher than the median income of native-born householders. Poverty data show a similar pattern. For the US population, the poverty rate was 15.0 percent. The foreign-born population's poverty rate was 19.0 percent. Among the foreign-born who had become naturalized citizens the poverty rate was 12.5 percent—a figure lower than that of the native born (14.4 percent) and much lower than for the non-citizen foreign-born population (24.5 percent) [DeNavas-Walt et al., September 2012].

The number of undocumented immigrants in the US is an unknown quantity. The Department of Homeland Security estimates that there were 11.5 million unauthorized immigrants on January 1, 2011. The Pew Foundation estimate for 2010 is 11.2 million with a range of 10.7 and 11.7 million. Given the restrictions in SB744, perhaps half of the estimated undocumented immigrants will qualify for RPI visas.

The Pew Foundation also estimated the number of undocumented persons by state (Figure 1). The uncertainty of the estimates by state is larger than for the nation. According to these estimates, there are about one million undocumented persons in the eight

western states. Three-quarters of those (770,000) reside in Arizona, Colorado, and Nevada. Three states (Idaho, Montana, and Wyoming) account for only five percent of the western states total.

If the state estimates are correct, the percent of undocumented persons in the western states (4.7 percent) is higher than the national average (3.6 percent). As a result, the proposed changes to immigration law such as SB744 would have a greater impact in the West than in the rest of the nation. Among the western states, the impacts would be highly concentrated in Arizona, Colorado, and Nevada.

Estimates of the undocumented population by county are not available, but the Census Bureau provides estimates of the number of foreign-born by county. In Arizona the foreign-born population is 1.75 percent of the total population in Apache County and 24.5 percent in Yuma County. Similar ranges occur in the other western states. The impacts of immigration reform are likely to vary as much from county to county as from state to state.

Some insight into the impact of SB744 or similar legislation can be gained by examining poverty rates, which are often used to determine eligibility for federal benefit programs such as SNAP. The overall poverty

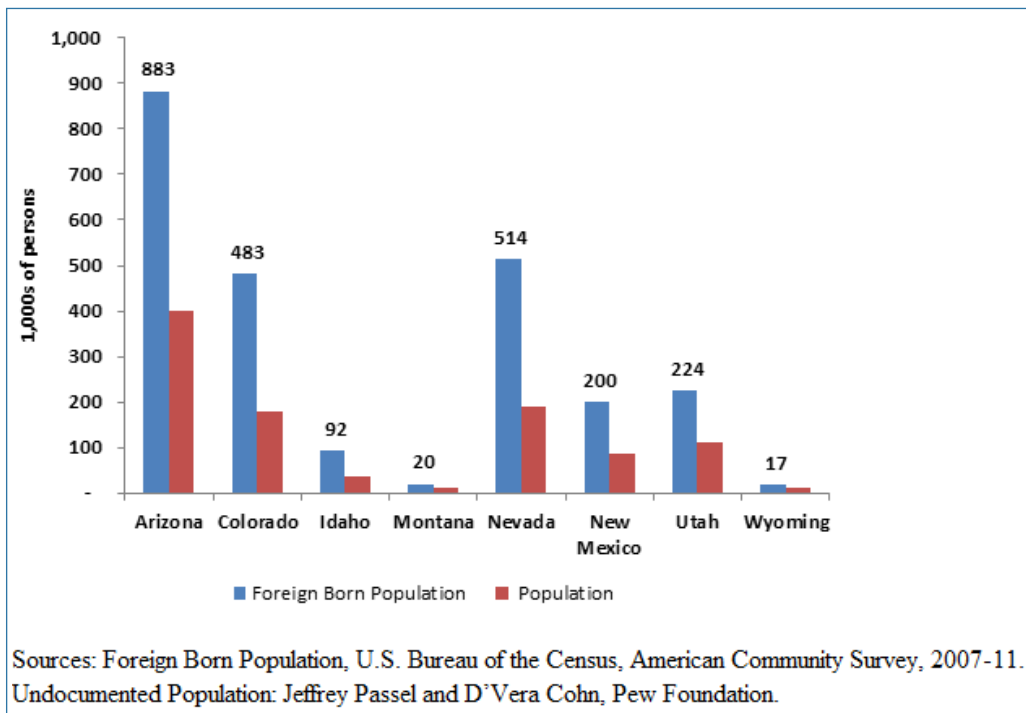


Figure 1. Foreign Born and Undocumented Persons in Eight Western States.

rate in the eight western states is the same as the national rate (14.3 percent). But this statistic hides some important details. The poverty rate among the foreign-born is higher than the poverty rate for the native-born in all western states and the nation. All but one of the western states (Nevada) have a poverty rate for the foreign-born higher than that of the nation. The more important story in terms of immigration is the poverty rate for the foreign-born who have not been naturalized citizens. For the western states as a group, the poverty rate for the foreign-born but not naturalized (27.7 percent) is more than double the rate for the native-born (13.3 percent), while naturalized citizens have the lowest poverty rate (10.8 percent).

If legislation similar to SB744 were enacted, many immigrants in the West would face a dual threat to their well-being. The likely result of the employment restrictions in SB744 would be an increase in poverty rates among the foreign-born who do not qualify for the new RPI visas. Simultaneously, the new restrictions on access to federally-funded benefit programs would create additional challenges for foreign-born immigrants as well as state and local governments.

The most important issue regarding effects of potential immigration legislation is a high degree of uncertainty. Data, such as that discussed in this brief article, can tell us that the impacts of comprehensive immigration reform will not be uniform across states or regions. The data can also tell us that the West will be impacted differently than the rest of the nation.

What the data can't tell us is equally important. The data do not tell us how many people will be eligible for RPI visas or how many of those who are eligible will apply if SB744 were enacted into law. The estimates of

the number of undocumented immigrants, especially at the state level, have large margins of error. There are indications that the flow of migrants to the US from other nations slowed during the great recession but that during the last year or two the migration flow may have ended. It is also possible that the prospect of immigration reform may itself alter migration flows over the next year or two.

In addition, SB744 is designed to reduce the flow of undocumented migrants by increased enforcement efforts and new employment restrictions while simultaneously increasing the flow of legal migrants, particularly high-skilled workers and those who might invest in the US. The net effect of the proposed legislation on the flow of migrants simply can't be known in advance. Uncertain outcomes should not be a reason for delaying badly needed immigration reform. ●

“The likely result of the employment restrictions in SB744 would be an increase in poverty rates among the foreign-born who do not qualify for the new RPI visas. Simultaneously, the new restrictions on access to federally-funded benefit programs would create additional challenges for foreign-born immigrants as well as state and local governments.”

