

The Immigration Debate and U.S.-Mexican Relations

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Immigration has become the most debated issue of domestic U.S. policy this year; while the theme is universal, Mexico will be more affected than any other country by the decisions the United States makes. It is evident from congressional discussions and the viewpoints expressed in the media that immigration policy is a fiercely contested subject. It is possible that no new legislation will emerge this year because the divisions in the Congress are deep and cut across party lines. However, some decisions already have been made, such as to build real and virtual fences along the U.S. border with Mexico.

There are four central themes under discussion in the immigration debate, plus many other important issues. The four key subjects are:

1. What policy should be adopted for dealing with the estimated 12 million undocumented immigrants now living in the United States? In addition, these immigrants have an estimated 3.1 million children who were born in the United States and, hence, are U.S. citizens. The policy toward the immigrants can be to do nothing, to leave bad enough alone in the belief that if job opportunities are closed to them they may ultimately leave; the undocumented immigrants can be put on a path taking some ten years toward legal residence and ultimately citizenship after five more years, a policy President Bush favors, as do a majority of Democrats, but which many Republicans oppose as amnesty; the immigrants can be deported when detected, as is happening now when the Department of Homeland Security raids farms and factories where the immigrants work.
2. Should there be a temporary work program and, if so, what should be its size and structure for farm, factory, and service workers? The current inflow of undocumented workers is about 500,000 a year and proponents argue that a legalized temporary worker program should be just as large. A mid-position is for a program about half that number, one that is relatively generous for farm workers and more stringent for workers in construction, restaurants, hotels, and the like. There is no consensus as to whether these workers should be given a path toward legal residence. Finally, many members of Congress are opposed to any temporary worker program because they believe most of them will not return home and will set up a new underclass in the United States.
3. Should the current system of giving preference to family unification for permanent resident visas, that is, for siblings as well as parents and children, be modified to give more weight to skills the immigrants bring? U.S. residents of Mexican origin prefer the family unification criterion, whereas there is much sentiment in the Congress to tip the balance in favor of a point system based on skills.
4. Finally, the issue that dominates the debate is ending most undocumented immigration, whether by border crossers or visa overstayers. Border surveillance would be strengthened and employers would be penalized for knowingly hiring undocumented workers; the latter would require interior enforcement and a foolproof system for employers to check the status of job seekers – all job seekers, not just immigrants.

The Simon Chair at CSIS is about to undertake a project that examines how bilateral policy is shaped by the economic asymmetry between Mexico and the United States in such fields as immigration or labor mobility, trade, investment, energy, security, and narcotics traffic. The Mexican government tended in the past to approach these issues as a dependent demandeur and the U.S. government often reacted as a dominant and, often arrogant, favor-giver. Over the years, this has shaped much of the thinking of negotiators on each side of the border. The economic differences

between the two countries are real, but negotiations between asymmetrical countries are not necessarily pure power plays – although they have tended to be conducted in this fashion between Mexico and the United States.

This polarized depiction has been changing slowly, especially since NAFTA came into effect in 1994. NAFTA itself was a significant departure in trade policy in that Mexico until then tried to limit trade and investment relations with the United States only to embrace the salience of the United States as a market and as a source of foreign investment. In the years before NAFTA, Mexico had a conscious policy of not having any policy toward U.S. immigration practices, but then lobbied hard for regularization of undocumented Mexican immigrants and a large temporary worker program – Mexico sought what former foreign minister Jorge Castañeda called “the whole enchilada.” Mexican President Felipe Calderón publicly criticized the U.S. intention to build fences along the border during a joint press conference with President Bush when the latter was on an official visit in Yucatán.

If the United States is effective in cutting off undocumented immigration from Mexico, *and* if there is not a substantial temporary worker program to offset Mexico’s safety valve, this may introduce a severe problem in Mexico to create enough good jobs at home to reduce the emigration push force. Destabilization in Mexico, which could ensue, is mainly a Mexican problem, but one that will have repercussions next door in the United States. The United States would then have to devise policies to deal with Mexican instability.

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