

UNDOCUMENTED IMMIGRATION TO THE UNITED STATES, EXPLAINED

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To explain why or how international migration occurs and why immigrants decide, or perhaps are forced, to migrate without legal documentation is a very complex issue. It takes me an entire semester to explain to my students the complexities associated with how and why undocumented immigration to the U.S. exists. Here, I explain just that, why people migrate without legal documents to the United States. Basically, it is because they have no other choice. While the U.S. maintains a huge demand for cheap labor and unskilled occupations, U.S. immigration laws don't provide an avenue for these undocumented immigrants, the majority from Mexico and Central America, to do it the right way, so they end up with no other choice but to do it clandestinely. Today we have a broken immigration system. Almost 11 million undocumented immigrants are scattered all over the U.S. and are deeply discriminated against, working under extreme, exploitative conditions and living in fear of deportation.

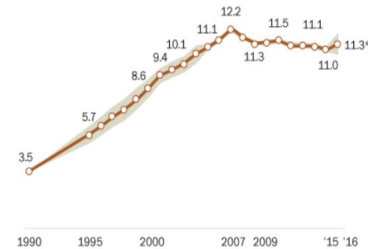
First, it is important to understand that since the beginning of life on earth, all living things have survived through migration. For example, birds and whales migrate every year thousands of miles for survival. In the same way, human beings migrate looking for places to settle and find water, food, jobs and other means to survive. Migration is a natural phenomenon. Therefore, if people can survive in their places of origin, they would prefer to stay in their birthplace with all their family members and friends with whom they grew up. People decide to migrate for survival after things at home become very difficult with little employment, scarce food, or danger from natural disasters, wars or famines. Therefore, we need to think about international migration as a natural social process that exists for living things to survive on earth.

According to the Pew Research Center, as of 2016 the estimated number of undocumented immigrants in the U.S. reached almost 11 million. Out of these eleven million, about half are from Mexico and almost another two million are from Central America. Therefore, about three quarters (or 78%) of the 11 million are from Mexico and Central America. Very interestingly the number of unauthorized immigrants in the U.S. has been declining in the last decade (see

figure 1). Still, about one in four immigrants lack legal documentation (Pew Research Center, 2018).

Estimated unauthorized immigrant population in the U.S. lower in 2015 than in 2009

In millions



*There is no statistically significant difference between the 2015 estimate and 2016 preliminary estimate.

Note: Shading surrounding line indicates low and high points of the estimated 90% confidence interval. The 2009-2016 change is not statistically significant at 90% confidence interval. Data labels are for 1990, 1995, 2000, 2001, 2003, 2005, 2007, 2009, 2011, 2014, 2015 and 2016.

Source: Pew Research Center estimates for 2005-2015 based on augmented American Community Survey data (IPUMS); for 2016 and 1995-2004 based on

Figure 1

Well, then the question becomes, why is this the case? Why do we have such a large population of undocumented immigrants in the U.S.? Do immigrants not want to apply for legalization or can they not afford the paperwork? Perhaps these supposed lawbreakers and criminals just don't care or want to apply for legal status. Oftentimes, we hear people say, "why don't they come the legal way like my ancestors did and stand in the back of the line?" I would say that most of these perceptions about why people are undocumented are wrong. Due to lack of information, some believe that immigrants would rather risk their lives crossing harsh desert than apply and get legal documents. Why would they rather be exploited and live in the U.S. in the shadows with the risk of being deported and separated from their family members, if they could really apply to become "legal"?

This is a country of immigration and most of the people who live in the U.S. are either immigrants or descendants of immigrants (Foner, 2000). So why do we have so many undocumented immigrants living in the U.S.? According to a recent NPR (2017) interview by Robert Siegel with political scientist Norman Ornstein, the host cited our last three U.S. Presidents claiming that there is a serious problem with the immigration system in the U.S. For example, former President George

W. Bush once said, “the laws governing the immigration system aren’t working.” Former President Barack Obama once said, “Our immigration system is broken.” Even our current President Donald Trump has claimed that “We have a dysfunctional immigration system.” Therefore, Siegel concludes that there is a real problem with the immigration system in the U.S. What do these presidents really mean when they say our immigration system is broken and dysfunctional? In order to understand better how our immigration system is broken, it is important to first understand a little about the history of immigration laws and European migration at the turn of the twentieth century.

European Immigration

How did these ancestors enter the United States the “right way” through standing at the back of the line? The truth is that immigration laws were more lenient at the turn of the 20th century. At the time, most European immigrants came by ships and once they arrived at Ellis Island, all they had to do was go through and pass the inspection to be welcomed into the U.S. (Foner, 2000). Most of them had a rough trip traveling in third-class cabins in vessels like the Titanic, but the good thing about that was that once they arrived at Ellis Island, as many as 99 percent were welcomed by the U.S. At the time, Europeans had to demonstrate that they didn’t have a broken limb, that they were not prostitutes, polygamists, or that they were not sick with a contagious disease, as well as that they were not illiterate or insane. Only one percent of the 25 million who arrived at Ellis Island between 1880 and World War II were excluded and sent back to Europe by the U.S. immigration service (American Immigration Council, 2016). Upon admittance to the U.S., they qualified for legalization and received a green card in a manner quicker than most immigrants would today. Once they entered the country and had all their documentation correct, they then were able to also work legally and didn’t have to worry at all about their immigration status (Flores-Yeffal, 2013). In fact, Flores-Yeffal (2013) argues that as a result of being legal in the U.S., Europeans were more easily assimilated into the U.S. mainstream society. Perhaps present-day undocumented immigrants have a more difficult time assimilating not because of their own faults, but because they are not considered full members of society by Americans, causing them to live as members of “Migration-Trust Networks”.

Of course, European migrants such as Jewish, Italian, and Polish immigrants, experienced racial discrimination and exploitative conditions at work, but later they experienced a racial metamorphosis and became white. Nowadays most people don't differentiate European immigrants and we are less likely to discriminate against Jewish, Italian and Polish immigrants. They also relied on social networks or what Flores-Yeffal (2013) calls, Migration-Trust Networks, and settled in communities with other migrants from the same places of origin in Europe, and created small communities in the U.S., such as little Italies (Harney & Scarpaci, 1981). In 1921 and 1924 was when the U.S. decided to implement immigration policy limiting Eastern and Southern European immigration, while extending more visas to those who migrated from western and northern European countries. The U.S. at the time wanted more educated migrants, not peasants to migrate to the U.S. (Alperin & Batalova, 2018). As a result of this, European migration ceased. Then, World War II caused a shortage of labor in the U.S. due to the number of Americans who had gone to war. Therefore, the U.S. implemented the Bracero Program.

The Bracero Program

The Bracero program began in 1942 to allow Mexican workers the ability to legally work in the U.S. mostly in agriculture (*Bracero History Archive*, n.d.). The program lasted 22 years until 1964. During those twenty-two years, five million braceros came to the U.S. to work in agriculture (Mize & Swords, 2010). The braceros were inspected upon arrival, but their inspection was different from that of those Europeans who entered Ellis Island. They were naked and sprayed with DDT. I interviewed a few braceros in Mexico and they told me they had to wait in the North of Mexico, in Sonora, to be recruited in harsh conditions in the cold and sleeping outside for days. Once they entered the U.S., they continued to live and work under very harsh conditions. They had to pay for their housing, food, and transportation to the fields to work long hours under the sun. By the time they received their checks, most of their money was gone. One bracero told me, "we had no money left by the time we got paid, we didn't even have enough money to return to Mexico."

The Immigration Act of 1965

The year after the Bracero Program ended, the U.S. Immigration Act of 1965 was implemented. As a result of the civil rights movement during the time, this law repealed all the national origin quotas. For example, Asians could migrate to the U.S. once again (the Chinese

Exclusion Act of 1882 had banned the Chinese and the law was renewed several times throughout the years). In addition, the Immigration Act of 1965 implemented the Family Reunification Program so immigrants could re-unite with their immediate family members (Massey et al., 2002).

For the first time with the 1965 Act, there were restrictions on the number of visas for the Western Hemisphere. With this new law allowing only 200,000 visas per year from the entire hemisphere, those who wanted to migrate legally from Latin America and Mexico to the U.S. were severely affected and limited. In the wake of the Bracero Program ending and limitations on the number of visas for legal migration, the era of undocumented immigration began (Durand, Massey & Capoferro, 2005).

Neoclassical Economics and the Push and Pull

Even though the demand for cheap labor in the U.S. continued, the demise of the Bracero Program and the implementation of the Immigration Act of 1965 made legal immigration for people with lower skills from Mexico nearly impossible. Neoclassical economics theory at the macro level states that every time there is a demand for something, that demand acts as a magnet (a pull) and so a supply is needed to maintain an equilibrium. Therefore, if there is a demand for labor, there will be a supply of workers who will be attracted to fill those jobs (Massey et al., 1993). The most important reason I would say that our presidents have said that our immigration system is dysfunctional and that it is broken, it is because our laws are not allowing for a supply of labor to be available to fulfill the demand for cheap labor that exists in the U.S.

The problem was due to the fact that the only options for low skilled migrants to migrate legally to the U.S. through employment options became almost non-existent as only 10,000 visas per year are given to unskilled workers, while most of the visas (130,000) per year are given to workers with a lot of skills such as those with extraordinary abilities. According to the Pew Research Center, about half of the workers in the agricultural sector in the U.S. are undocumented workers, making undocumented immigrants very important to the U.S. economy (Goodman, 2014). As a result, we must consider that our current demand for cheap and unskilled labor in the U.S. is not being satisfied as a result of immigration laws, therefore, immigrants must migrate undocumented to satisfy these needs.

The last time we had an amnesty program which allowed for the legalization of immigrants who were undocumented after 1964 was in 1986 through the Immigration Reform and Control Act of 1986 (IRCA).

The Immigration Reform and Control Act of 1986

According to Flores-Yeffal (2013), approximately 3.5 million undocumented immigrants who were residing in the U.S. in 1986 obtained legalization through IRCA. The majority who received legalization were from Mexico (2.4 million). At the time legislators were thinking that undocumented immigration to the U.S. was going to stop if they did three things, 1) legalized undocumented immigrants who were already in the U.S., 2) increased border enforcement (militarizing the border) so migrants could no longer cross clandestinely to the U.S. and, 3) implemented employer sanctions in order to stop the demand for cheap labor in the U.S. It is important to mention here that the employer sanctions law was implemented, but it was never fully enforced (only a few companies have been fined throughout the years). This situation kept the demand for cheap labor alive, attracting workers to migrate to the U.S. without legal documentation in order to satisfy such demand. Interestingly, in our minds, we always believe that those who are breaking the law are the undocumented immigrants, but we never think that the American employers are indeed the lawbreakers, violating the employer sanctions law implemented by IRCA. The fact is that our laws don't allow for the huge demand for cheap labor to be satisfied while the U.S. government doesn't do anything to stop that demand.

However, the United States did increase the militarization of the border after the IRCA. Beginning in 1993, the U.S. militarized the border by implementing blockades. This action added more border patrol agents and more technology to the parts of the U.S.-Mexico border through which undocumented immigrants crossed more easily before IRCA (Massey et al., 2002). As a result, undocumented immigrants attracted by labor demands started attempting to cross through harsher terrain and die in the process. On average, about 400 undocumented immigrant deaths have been recorded every year since 1993 (Massey et al., 2002) turning into more than 6,000 deaths by 2008 (Flores-Yeffal, 2013). This in turn created a more permanent undocumented immigrant population who got trapped in the U.S. What used to be a revolving door in the past (as undocumented immigrants used to enter the U.S. and return home and then come

again with ease), became a more permanent settlement. Figure 2 is a graph of the Mexican Migration Project data showing how as undocumented immigrants risked their lives more and more through time, they then decided to stay more permanently in the U.S. as the probability of return decreased considerably through time (Massey, Durand & Malone 2002).



Figure 2

The North American Free Trade Agreement

In order to understand how undocumented immigration also increased, it is important to discuss the North American Free Trade Agreement signed by President Clinton in 1994. Through this trade agreement, Mexico became a developing country, opening its doors to the free market economy and free trade (the free movement of goods and investors across borders) beside two more powerful countries, the U.S. and Canada. The three countries eliminated or reduced their tariffs considerably with each other. Also, American companies began to freely operate in Mexico. For the first few years of the implementation of NAFTA, many were displaced from their jobs in Mexico as American goods began to be sold in Mexico and American companies moved in. Mexican workers in Mexico in the cities with stable well-paying jobs lost their livelihoods as these factories and companies were not able to compete with American made goods

coming into Mexico being sold for cheaper prices (Hernández-León, 2004). Those in the agricultural sector in rural areas in Mexico also struggled. For example, farmers were not able to compete with the American corn which was being sold for cheaper prices and of better quality. Farmers in the U.S. receive subsidies from the government, but that's not the case for Mexican farmers. Unable to compete and suffering from large debt, a lot of farmers who had been farming for generations had to leave for the U.S. Since there are no unemployment or welfare benefits available to those in Mexico and Central American countries when they lose their jobs, people without food are left on their own. This lack of a safety net forces them to emigrate for survival (Hernández-León, 2004; Massey et al., 2002). Therefore, undocumented rural and urban emigration from Mexico increased after the NAFTA agreement, and also it was then more difficult to cross the border clandestinely given the militarization of the border due to IRCA. Smuggler fees also increased as shown in Figure 3, while the magnet of cheap labor demand continued with the employer sanctions in the US never being enforced. Additionally, the number of undocumented immigrants in the U.S. increased as the revolving door stopped, and they had to stay permanently in the U.S. (Massey et al., 2002).

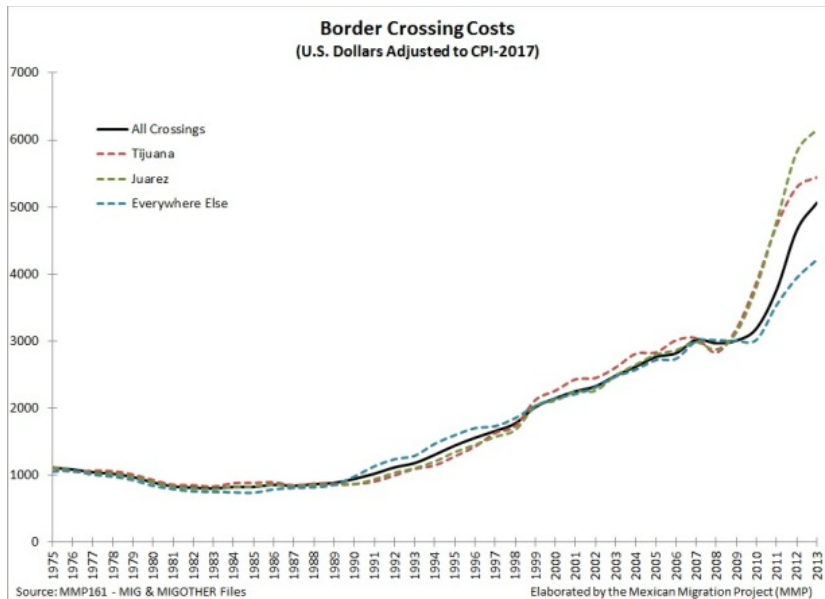


Figure 3

Getting a Green Card

Immigrants first must become permanent residents (*U.S. Citizenship and Immigration Services*, n.d.) for a period between three to five years in order to qualify for applying for U.S. citizenship. In order to become a permanent resident and be allowed to live and work legally in the U.S., international migrants first must qualify for a green card. After getting a green card or permanent residency, in order to apply for full U.S. citizenship, immigrants must demonstrate that they have lived in the U.S. as Permanent Residents for a period of time (between 3 to 5 years). They also must show they have been good citizens, paid taxes, have good credit, have not lived off of government aid, have a clear criminal record, etc. They must demonstrate knowledge of English and knowledge about U.S. history and the composition of the three branches of the government, etc. Clearly, immigrants go through a long process to become U.S. citizens, but it all begins by getting a green card or Permanent Resident card. Without getting a Permanent Residency card, the immigrant will be undocumented unless they can obtain temporary status or a special work permit, such as DACA (Deferred Action for Childhood Arrivals) or T.P.S. (Temporary Permanent Status). DACA does not grant permanent status; rather, it only provides a two-year work permit and protects holders from deportation, but the immigrants continue to live in legal limbo while they renew temporary status every two years, risking the possibility of losing status and becoming undocumented at any moment. The only way they can be more secure about their legal status is if they become a legal permanent resident (or obtain a green card) (Menjivar 2006: Gonzales, 2016).

If one visits the U.S. Citizenship and Immigration Services' (USCIS) webpage (<https://www.uscis.gov/greencard>) and looks at the options for immigrants to get a green card, one will notice that there are several categories to which immigrants can apply to migrate legally to the U.S. as Permanent Residents. Those categories are through family, employment, special immigrant, refugee or asylee, human trafficking of crime victims, victims of abuse, or other categories. Another category would be the lottery system, but the lottery system doesn't include any of the countries in Central America or Mexico. In the following paragraphs, I will explain how each of these categories pertain to the availability of visas for Mexican and Central American undocumented immigrants in the U.S.

Family reunification

Mexican migrants, for example, have difficulty getting a green card through the family reunification category due to huge backlogs of applications because of per country ceilings, causing the wait to be fifteen years or longer. In Figure 4, one can see how those who applied for a green card in 1993 (depending on the family reunification category such as if they are the spouses or children of lawful permanent residents, the parents of a permanent resident, or brothers or sisters of a permanent resident, etc.) had to wait almost 20 years to get their green cards (Batara, 2013). All the other preference categories have similar dates as shown in Figure 4. Therefore, if you are from Mexico and you apply via family reunification it will take from 15 to 20 years to become a legal permanent resident in the U.S..

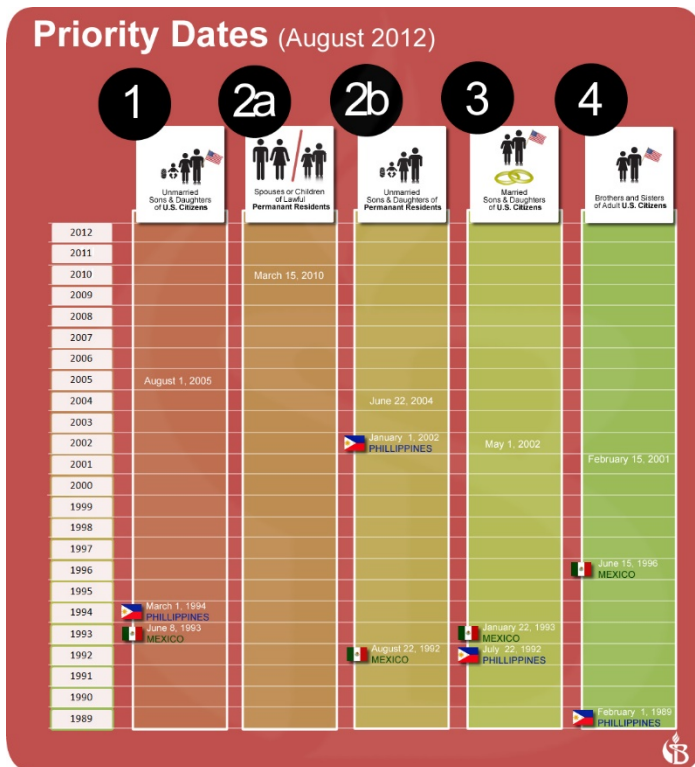


Figure 4: Waiting times for those who apply for a green card via the family reunification categories by country of origin as in 2012. Source: (Holpuch, 2017).

The fastest route to legalization for immigrants before 1996 was to marry a U.S. citizen. Unfortunately, after the implementation of

IIRIRA (The Illegal Immigration Reform and Immigrant Responsibility Act of 1996), that is no longer the case. Being undocumented in the U.S. is a civil offense (not criminal), but IIRIRA established that if an immigrant is deported from the U.S. and enters a second time without inspection, they are now criminal offenders. IIRIRA also now made it a felony for immigrants to use made-up social security numbers or fake documents for employment. Therefore, after 1996, those who re-enter the country and those who had used false documents to work are being incarcerated with long term penalties (Golash-Boza, 2015). In addition, and more importantly, IIRIRA implemented two types of immigration bars. The first bar makes immigrants who enter the U.S. without inspection or presenting documentation at a port of entry, who had been in the U.S. for less than six months, leave the U.S. for three or more years before being able to apply for a green card. If the immigrant entered the country again, without inspection, and had been in the U.S. for more than six months, then that immigrant had to leave the U.S. and perhaps go back to their own country for at least ten years before being able to apply for a green card (IIRIRA, 1996). Even if undocumented immigrants are married to U.S. citizens, they are not able to apply for legalization unless they leave the country for 10 years. It is important to note that most of these undocumented immigrants have already been living in the U.S. for many years, so it would be very difficult for them to leave their families, lives, and accomplishments behind.

Through Employment

Again, U.S. immigration law only offers green cards mostly to those immigrants with extraordinary abilities and to professionals. Table 1 describes all the employment-based categories preferred. Out of the 140,000 visas per year, the first preference is given to those immigrants with extraordinary abilities or 28.6%. Then the second preference is given to those with advanced degrees (another 28.6%). The third preference is given to those who, again, have very high skills, (another 28.6%), but as we can see, the visas for unskilled workers are only limited to 10,000 per year (Argueta, 2016). The rest of the visas are given to special immigrants and to investors. During the last few decades, we have had at least 400,000 undocumented immigrants arriving into the U.S. each year to satisfy the demand for unskilled labor (Massey et al. 2002), while our laws have only been awarding 10,000 visas per year to satisfy that demand. There are also temporary visas, such as the H2A and H2B visas, but the number of

visas is very low, something like 66,000 per year (Holpuch, 2017). Those visas are usually gone during the first day they are available as there are so many employers who need the workers. A report from the Pew Research Center (Passel & Cohn, 2016) shows that most of the undocumented migrants are of very young working ages, they state,

Fully 91% of unauthorized immigrant men ages 18 to 64 were working or looking for work in 2014, compared with 79% of U.S.-born men of similar age and 84% of lawful immigrants of similar age.

Therefore, this is an active, young, available working-age population which is greater than the native or lawful population in the U.S. In addition, the same report states that,

By occupation, unauthorized immigrants held a higher share of U.S. farming jobs (26%) in 2014 than would be expected given their share of the workforce. They also held a disproportionate share of construction jobs (15%). By contrast, unauthorized immigrants held a lower share of maintenance, management, professional, sales and office support jobs than their share of the workforce overall.

The report claims that undocumented immigrants currently in the labor force constitute five percent of the population in the U.S. From the interviews I have made on my own and from the report from the Human Rights Commission (*Inter-American Commission on Human Rights*, 2016), I have found that a lot of these immigrants work under exploitative conditions, with no health insurance, no vacations, no retirement plans, no overtime pay, some of them are not paid even the minimum wage. Many are expected to work very long hours under harsh conditions like being inside refrigerators without the right equipment, cooking in very hot kitchens at restaurants, being in the sun for too many hours, etc. Even worse, an injury can cause them to be fired without compensation or money for health care. Basically, these undocumented immigrants are working the jobs that "Americans don't want to do." So why would undocumented immigrants risk their lives to come to the U.S. and work under exploitative conditions if they could just do it "the right way"? The answer is that under the current immigration laws, there is no line to get to the back of; there is no way that most of the eleven million undocumented immigrants would qualify to become legal residents in the U.S. If these undocumented immigrants had the chance to come "the legal way," they would have done so! It is not because they

don't have the money to do so, as they pay very high fees to coyotes and smugglers (see Figure 3). Salvadoran migrants pay from \$10,000 to \$15,000 dollars in smuggling fees. Why would they risk their lives traveling thousands of miles, or enter the country inside of a trailer and risk suffocation and death, if they could apply for a legal visa to begin with? Why would they walk for more than five days without food and water in the desert, risking their lives if they could do it the right way? In the past few days of writing this essay a little girl, Jakelin Caal Maquin, from Guatemala, a member of the caravan and only seven years of age, died attempting to cross to the U.S. to ask for asylum with her father (Heidbrink & Stalz, 2018).

Table 1. Employment-Based Immigration Preference System

Category		Numerical limit
Employment-Based Preference Immigrants		Worldwide Level 140,000
1 st preference— "extraordinary"	Priority workers: persons of extraordinary ability in the arts, science, education, business, or athletics; outstanding professors and researchers; and certain multinational executives and managers	28.6% of worldwide limit (40,040) plus unused 4 th and 5 th preference
2 nd preference— "advanced degree"	Members of the professions holding advanced degrees or persons of exceptional abilities in the sciences, art, or business	28.6% of worldwide limit (40,040) plus unused 1 st preference
3 rd preference— "professional, skilled, and unskilled"	Skilled shortage workers with at least two years training or experience; professionals with baccalaureate degrees and unskilled shortage workers.	28.6% of worldwide limit (40,040) plus unused 1 st or 2 nd preference; unskilled workers limited to 10,000
4 th preference— "special immigrants"	"Special immigrants," including ministers of religion, religious workers other than ministers, certain employees of the U.S. government abroad, and others	7.1% of worldwide limit (9,940); religious workers limited to 5,000
5 th preference— "immigrant investors"	Immigrant investors who invest at least \$1 million (amount may vary in rural areas or areas of high unemployment) in a new commercial enterprise that will create at least 10 new jobs	7.1% of worldwide limit (9,940); 3,000 minimum reserved for investors in rural or high unemployment areas

Source: CRS summary of §§203(a), 203(b), and 204 of INA; 8 U.S.C. §1153.

<https://www.congress.gov/summaries/2018/crs-summaries/20180410/40149.pdf>

Table 1 Source: (Argueta, 2016)

Refugees and Asylum Seekers

Historically, Central American migration to the U.S. began in the early 1900s, but it was very small for most of the twentieth century. Migration from Central America considerably increased during the 1980's as the U.S. allied with the opposition in Central America during the civil wars in Nicaragua and in El Salvador (Flores-Yeffal & Pren, 2018). These Central American migrants escaping violence during the civil wars could have qualified for asylum, but with the

U.S. providing weapons and funding to the opposition, asylum status was never provided to these immigrants fleeing the war. Instead, the U.S. has awarded them T.P.S. (Temporary Permanent Status), which allows them to work without legal residency and the status must be renewed every two years (Menjívar, 2006). Currently, there are more than 200,000 Salvadoran immigrants whose temporary status has been recently cancelled by the Trump Administration (Flores-Yeffal & Pren 2018). Therefore, historically the U.S. has discriminated against Central Americans and has refused to award them legal residency through seeking asylum status as a result of escaping the civil wars in that region.

There are thousands of migrants currently running away from violence in Mexico and Central American countries, such as Honduras, El Salvador, Guatemala. This can be seen with the migrant caravan (*All Things Considered*, November 22, 2018) arriving at the border during the past few days. I have personally interviewed these immigrants and they argue that they are running to save their lives from gang-related violence and poverty. Some immigrants explained to me that they never wanted to emigrate at all, but their stable jobs in their home countries were no match for the extortion from gangs. They would be told that if they didn't pay a monthly fee, that they will be killed. Some tried to pay the monthly fee and later realized that if they missed one payment, then the gang members would kill at least one family member. Most of them didn't report these incidents to the police as they also don't trust their governments due to high levels of corruption. When these Central American migrants come to the U.S. and ask for asylum, they don't have the correct paperwork to prove that their lives had been in danger. Also, Mexicans are running for their lives due to the war on drugs in Mexico, but the chances that their cases will be approved in the U.S. are very slim. Only 3 percent of the asylum applications were approved for Salvadoran immigrants in 2017 (Flores-Yeffal & Pren, 2018).

According to the Statistical Yearbook of DHS, (*U.S. Department of Homeland Security*, 2017) the majority of refugee visas were given to Cubans in 2017. However, recently on national TV we can see how Central American immigrants asking for asylum status are being portrayed as criminals that won't be allowed entry into the U.S. The Trump administration has gone so far as to send 5,000 troops to the border to stop their entry. When some asylum seekers with children tried to enter the border through Tijuana, they were received and attacked with tear gas (Domonoske & Gonzales, 2018). Around half

of undocumented immigrants arrive in the U.S. usually with a six-month tourist visa presented at a port of entry and then overstay their visa after. The problem also is that if they try to apply for a tourist visa from their home country, the majority can't as they must provide proof that they have a stable job, a stable place of residency, and a lot of money in the bank (Flores-Yeffal, 2013). Most people who live in poverty in their home country do not qualify for a tourist visa. Also, these tourist visas only allow immigrants to visit the U.S., and they are not allowed to work in the U.S.

Conclusion

In conclusion, while European immigrants who were also mostly unskilled became legal in the U.S. relatively easier by just entering through Ellis Island, today's immigrants from Central America and Mexico have a lot tougher time being able to become legal immigrants or to apply for a green card. After the Bracero Program and after the implementation of the Immigration Act of 1965, the Undocumented Era began for migrants from Mexico and Central America. To make it worse, NAFTA and the civil wars in Central America displaced more people who had to migrate internationally searching for survival during the 80s and 90s. The militarization of the border as a result of IRCA resulted in more deaths and a more permanent settlement of undocumented immigrants in the U.S.

As we can see, the U.S. immigration system is surrounded by a lot of complexities. I have concentrated my efforts on explaining why undocumented workers are here without documentation and why our immigration system is broken. Basically, our laws do not allow immigrants from Central America and Mexico (in particular) to migrate legally to the U.S. People cannot follow laws when there are no clear and reasonable options to follow them in the first place. Even though the demand for cheap labor continues and employer sanctions from IRCA have not been enforced, our immigration laws don't allow a path for unskilled workers to come to the U.S. legally. If our ancestors were trying to come to the U.S. today in the right way, would they have been able to do it? Most of us wouldn't be here today if that was the case.

Ethically, it is important to stop our fear and take a moment to investigate why the situation of undocumented migration is so critical today without making uninformed judgments. We also need to understand that migration is a natural process of people's existence. It is true that people are supposed to follow the laws, but we also

must take responsibility for people who escape their countries from civil wars as a result of U.S. intervention, and of people being displaced from their lifetime jobs due to our free trade agreements with those nations. We need to consider how our immigration laws cause the deaths of immigrants at the border and how our immigration laws do not match our labor needs.

We also need to see immigrants as human beings instead of as lawbreakers. In fact, several research studies have demonstrated that the presence of recent immigrants reduces crime in the U.S. instead of increasing it (Sampson, 2008; Romero, 2014; Flagg, 2018). Immigrants risking their lives and walking more than three thousand miles (in the migrant caravan) so they can feed and save the lives of their families is a heroic and natural act of survival. Imagine if you were in that situation, what would you have done in order to save the lives of you and your family members?

More ethically, we need to think of the fact that when people migrate, they begin a new life, and they have families, lifetime jobs with co-workers, friends and they also become consumers of other American businesses, pay property and sales taxes, and become an essential part of the American economy and of American's businesses and governments who also become dependent on them (Holpuch, 2017). For example, undocumented youth, or Dreamers, arrived in the U.S. as children with undocumented parents and grew up as American, became American students, are usually fluent in English and have assimilated to American society to the point where they know little to nothing about their home countries. President Trump's order to abolish DACA puts these talented undocumented youths' lives in limbo and they are now forced to live every day without knowing what their futures hold. This is damaging their mental health, when they could be fully successful and productive citizens and help the U.S. economy grow by paying taxes and bringing their talent into the table (Gonzales, 2016). Rather than attempting to repair a broken immigration system, at the time of this essay, legislators were wasting time shutting down the government to fund a border wall between Mexico and the U.S. I hope that in this essay it has been already demonstrated that a wall won't fix anything, on the contrary, it will exacerbate the undocumented immigration problem in the U.S. We need to appreciate the dignity of these undocumented immigrants and respect their efforts, as the only thing they are doing is being attracted by the magnet of the demand for cheap labor in the U.S. while at the same time, they are being denied the chance to enter the

country legally as a result of the broken immigration system in the United States.

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