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Illegal Immigration and Post 9/11 National Security

**By
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Introduction

The events of September 11, 2001 changed the course of American reality in the 21st Century. Among the many effects the terrorist attacks had on the American psyche was the sudden awareness of the broad vulnerabilities that come with citizenship in perhaps the world's most open society. While few people at the time were thinking of the impact of the attacks on the future of U.S.-Mexico relations, they were to have a profound impact in the coming months and years as border security, particularly on the U.S.'s Southern border with Mexico, would become a major topic of discussion in the effort to secure the American homeland.

This paper seeks to explore whether there exists a significant enough problem in U.S.-Mexico border security and what should be done about such a problem. This paper will, by necessity explore the economic aspects of illegal immigration into the U.S. from Mexico. However, this paper uses the assumption that illegal immigration across the U.S.-Mexico border should be viewed primarily as a national security issue. It is the hypothesis of this paper that policies should be implemented in an attempt to curb or even stop the flow of undocumented persons into the United States due to the overwhelming cost of terrorism on the American public relative to the gain of a cheap source of illegal labor.

Allowing that something must be done, it is furthermore the hypothesis of this paper that this issue will require multiple solutions as no one simple solution exists. A main point here is that measures to physically stop all flow of illegal immigrants, such as using large amounts of U.S. military personnel to police the border or building a wall across the entire border, will not work alone. In the case of using the U.S. military to police the border in large numbers, this strategy would be a waste of military resources in an era of expeditionary focus for the U.S. armed forces. The use of military forces to police the border is also made difficult by several

legal issues and many public opinion issues that make using large amounts of troops on the border permanently politically unfeasible. In the case of the wall, this paper will consider the potential effects physical barriers would have on the U.S. relationship with Mexico, as well as whether such a barrier would be effective enough to merit its construction across the entire border. More likely solutions may come in cooperation between the U.S. and Mexican governments as increased intelligence sharing, cooperation between governments in the patrolling of the border and exploring solutions to the root causes of illegal immigration from Mexico may be prove more promising and possible than simply sealing the border.

Background: A History of the Mexican-American Border

Before this paper can make an assessment of the security of America's border with Mexico, several topics must be discussed. First, to understand the magnitude of the issue of illegal immigration into the United States from Mexico, it is necessary to know how many people are involved in the issue on both sides. For this reason, the background will look at detailed demographics and geography in an attempt to understand how many illegal aliens reside in the U.S., how many are currently crossing America's Southern border in light of how many have crossed in the past, where illegal aliens come from before crossing the border and where they reside upon entering the U.S. Next, a look at the history of Mexican immigration into the U.S., with an emphasis on the 20th Century, is necessary to understand traditional migration patterns and socio-economic, cultural or other motivating factors that drive Mexicans and other Central Americans to enter America, both legally and illegally. Finally, this history must be completed by a look at historical American attitudes toward Mexican immigration and a history of U.S. immigration legislation to include contemporary laws and pending legislation.

The Undocumented Mexican Immigrant

Because of the very nature of studying undocumented people, those who often go unnoticed by both the Mexican and U.S. governments, generating exact statistics for them is elusive at best. The Immigration and Naturalization Service, the arm of the U.S. Department of Justice tasked with tracking immigration into the U.S. and enforcing immigration laws, estimated that between 4.6 and 5.4 million undocumented residents lived in the United States in 1996. They further estimated that this population was growing by 275,000 people per year. (Illegal Alien Resident Population) Of these approximately 5 million illegal residents in 1996, just over half, 54%, were of Mexican origin, making 2.7 million estimated undocumented Mexicans

residing in the U.S. The undocumented Mexican population in America was growing at an estimated 150,000 annually, and had been since 1988, according to the INS. (Illegal Alien Resident Population)

Using these statistics and estimated growth rates, it can be estimated that the overall population of illegal residents in the U.S. grew by 2.2 million between 1996 and 2004, leaving the overall population at between 6.8 million and 7.6 million. These estimates see the undocumented Mexican population growing by 1.2 million to a total of 3.9 million undocumented residents in 2004. But later INS estimates place growth increasing just between 1996 and 2000. In the chapter of the 2002 Yearbook of Immigration Statistics covering population estimates, the estimated illegal alien population in the U.S. in January 2000 is placed at 7 million, 4.8 million being Mexican. (Estimates of Unauthorized Immigrants) This would place growth in the overall population at nearly twice the level of the previous report with overall illegal aliens growing at approximately 500,000 annually and illegal Mexican residents growing at an estimated three-and-a-half times the previous report. According to an INS press release in January of 2003, the total illegal resident estimate for 1996 was updated to 5.8 million, making overall growth only 300,000 annually, still up from 275,000 annually in the previous report. (INS Releases Updated Estimates of U.S. Undocumented Resident Population)

Analysis of a breakdown of the illegal immigrant population by states of residence within the U.S. shows that border states along the Southwest border with Mexico harbor the most illegal immigrants, with many presumably originating in Mexico. According to the 2003 report by the INS, California harbored the most illegal aliens with 2.2 million, followed by Texas with 1.04 million, with Arizona also in the top ten states with highest undocumented alien populations. (INS Office of Policy and Planning) Remarkably, though, while roughly 65% of the U.S. illegal

resident population, 4.5 million of 7 million resided in just five states in 2000, several states with relatively low undocumented populations in 1990 experienced exponential growth during the last decade of the millennium. While states like California, Texas, New York and Florida, all with large urban areas and diverse Hispanic communities, would be expected to attract large numbers of illegal immigrants, Southern and Midwestern states with more rural populations and less traditionally Hispanic communities experienced significantly higher levels of growth. North Carolina's illegal immigrant population increased nearly eight-fold, from 26,000 to 206,000. Georgia's population increased from 34,000 to 228,000. New Jersey's population skyrocketed from 95,000 to 225,000 while Colorado's more than quadrupled from 31,000 to 144,000. Arizona, a border state with only 88,000 estimated illegal residents in 1990, was estimated to house 283,000 in 2000. (INS Office of Policy and Planning) These numbers, at first glance, seem to display a trend in which illegal immigrants are not only migrating to the U.S., but within the U.S. as they discover favorable conditions away from their traditional destinations.

The theoretical framework of Mexican immigration also supports different types of migration used by both legal and illegal immigrants to meet a variety of different social and economic goals. In a study of the international migration habits of four Western Mexican communities by Massey, et al., three major strategies of migration are identified. The first type, temporary migration, consists of individuals making between one and three trips less, than a year each in duration, to America at various points in the individual's lifetime. Immigrants displaying this type of migratory behavior are most often undocumented and enter the United States "to make money quickly, often for a specific purpose, before returning home." (Massey, et al. 175-176) Although most often undertaken for economic reasons, this type of migration is also undertaken at times by the immigrant seeking to visit family members in the U.S. or gain access

to education and study English. Temporary migrants also cross the border seeking a diversion or an adventure in America. (Massey, et al. 176)

The second type of migratory behavior is recurrent migration, which can be subcategorized as either seasonal or cyclical migration. Recurrent migration is, according to Massey, et al., characterized by regular travel from Mexico to the U.S. and back, with no intention of a permanent stay in the U.S. The immigrant frequently found in the situation of recurrent migration is a married Mexican man seeking semi-regular work in the U.S. to support a better quality of life than he could with Mexican wages. The main motivation of the recurrent migrant is supporting a family, which he does by sending some or all of his wages back to Mexico. The recurrent strategy of migration is more available to those with legal documentation allowing them to work in the U.S., though a large amount of undocumented immigrants also employ this form of migration. (Massey, et al., 177)

Seasonal migration corresponds to agricultural work in primarily rural areas. In the case of the immigrant communities studied by Massey, et al., the primary destinations for seasonal migrants were Southern California and the Rio Grande River Valley across the Mexican border in Texas. These jobs are available during times of harvest, when farm owners require surplus labor and usually end at the end of the farm's growing season, at which time the seasonal immigrant returns to Mexico to live the rest of the year supported by wages earned in the U.S. (Massey, et al. 177)

The other subcategory of recurrent migration, cyclical migration, corresponds to more urban industries characterized with regular periods of downsizing in the labor force. Cyclical migrants are hired to short term contracts or regularly hired and laid off at the whim of industries such as food processing, fisheries, construction, railroad repair, highway maintenance and other

industries that experience trend-related or seasonal reductions in demand. Cyclical migration is marked by relationships between Mexican migrant workers and the bosses or contractors that hire them, often seeing the same migrant workers return to the same employer several times over the course of many years. (Massey, et al. 178)

The final type of migration utilized by Mexicans is settled migration, which occurs when the migrant seeks long-term work and residence in the U.S. This type of migration, unlike the first two, sees more family units crossing into the U.S. There is also an increased level of legitimacy as many more immigrants fitting the settled migration pattern are documented than is typical with temporary and recurrent migrants. (Massey, et al. 178-179) It should be noted, however, that with an estimated 4.8 million Mexicans living illegally in the U.S., not all settled migrants are legal residents. Settled migration is perhaps the most difficult type to define because, while the term “settled” implies permanence, many settled migrants plan to return to Mexico after living in the U.S. for several years. Also, while settled migrants are long-term residents in the U.S., this does not mean that they necessarily have permanent employment. Though settled migrants display a high degree of integration into American society, many still labor in typically seasonal or cyclical occupations, particularly those who lack the legal documentation to find more stable jobs. (Massey 178-179)

There is not a single, stereotypical undocumented Mexican immigrant in terms of how they enter the United States, where they work and live or how long they will stay. But, according to Massey, et al., there is a pervading attitude among Mexican migrants that migration, legal or illegal, temporary or permanent, is a “basic resource at their disposal,” to be used “in clear and deliberate ways within larger strategies of survival.” (175) The undocumented Mexican migrant is accustomed to his lifestyle and sees it not as a violation of American law, but as a

means to continue familial relationships across the border and provide economically for a family.

Newer research sheds more light on Mexican migration patterns and economic survival strategies. In a 2002 study of Mexican people from the community of Tzintzuntzan, Sarmiento made interesting conclusions about the employment and migration habits of Mexican immigrants, both legal and illegal. This research further describes the experiences of immigrants in what Sarmiento refers to as "flexible industries", and studies Massey's concept of international migration as a "basic resource" to Mexican workers.

The "flexible industry", as defined in Sarmiento's work, mirrors Massey's concept of cyclical or seasonal work available to migrants. Sarmiento takes the concept further, however, describing an "unfavorable flexible labor market" consisting of a strategy leaving the worker with low wages, long hours during periods of demand, and long periods of unemployment during seasonal shifts in production or unpredictable shifts in demand. The concept that undocumented laborers make perfect candidates for entry into this labor market is obvious. One of Sarmiento's arguments, however, is that documented, legal Mexican immigrants fall into this "flexible" labor system, being treated to the same unlawfully low standards as their undocumented coworkers. (Sarmiento, 19) Employers in farming, construction and garment production as well as nursery subcontractors favored the Mexican migrant workers of Sarmiento's study for their powerlessness, lack of ability to communicate in English and low levels of education, resulting in "the lack of or non-enforcement of state regulations and supervision of labor conditions." (201)

The social network of the Mexican migrant is very important, as mentioned in Massey's work. A favorite tactic of the industries utilizing Mexican migrant labor, both legal and illegal, is to use Mexican migrants as contractors to hire and fire other migrants from the same Mexican

community of origin. This tactic was mentioned in several interviews during Sarmiento's work with the example of Tzintzuntzeño contractors hiring and firing from a ready pool of Tzintzuntzeño relatives and neighbors. (201)

The stereotype of the undocumented Mexican immigrant as a lone male, leaving his family behind in Mexico to support them from his American wages does not account for the number of mixed-status families found in research. Just as Massey points out that many undocumented Mexicans crossing the border do so to visit or stay with family on a more permanent basis, (Massey, et al., 176) Sarmiento discovered many families living in America with a mixture of documented and undocumented family members. The family unit typically utilizes a combination of both formal and informal labor to provide for its needs depending on how many documented and undocumented family members are available to work. (Sarmiento, 202) The combination of immigration status found in many Mexican families residing in the U.S. does not imply that the documented family members labor in better conditions than their undocumented counterparts. On the contrary, the divide between employment in the formal economy, under legal regulations and supervision, and employment in the informal sector, where low wages and non-existent supervision of labor practices reign, is very blurred in Mexican immigrant families, where the documented workers often labor in the formal economy under conditions similar to their undocumented counterparts in the informal economy. (Sarmiento, 167)

According to Sarmiento, the family unit also plays a role in recruiting for permanent employers. A family with one or more legal residents will secure semi-permanent or permanent formal employment. Often the employer will provide informal employment for the undocumented members of the migrant family. The family often takes this a step further by

connecting newly arrived undocumented Mexicans from the same family or from the same Mexican community of origin with informal labor from the same employer. (Sarmiento, 175)

There are many cases of documented Mexican migrants being hired to positions of responsibility, such as a farm manager, and then using that position to hire family members and others from the same Mexican community to work under them for low wages. (Sarmiento, 174)

Serial migration is a major survival strategy utilized by Mexican immigrants. As mentioned in Massey's work, many Mexican migrants cross the border into the U.S. several times during their lifespan, while others cross seasonally or annually. Sarmiento's work, however demonstrates that this migration continues inside the U.S., where the lone migrant or migrant family will take advantage of local Mexican sub communities to relocate in search of labor. In the case of the Tzintzuntzeño migrants, migration took place all along the west coast, first from Tzintzuntan, in Central Mexico, to Tijuana, on the border with California. The migratory pattern next takes these people to Los Angeles and Orange County, where an extensive network of Mexicans from Tzintzuntan exists. Sometimes the families will settle in Southern California, occasionally moving back and forth to Tijuana and Tzintzuntan. Other migrants move back across the border permanently. (Sarmiento, 188-189) Many migrants utilize the network of Tzintzuntzeño communities in Southern California to arrange relocation further North to Washington State. From there, new migrant families have appeared in Dutch Harbor, Alaska, a desolate community in the Aleutian Islands. With each new location, a social network grows where Tzintzuntzeño migrants help other Tzintzuntzeño migrants secure employment or, in the absence of employment, relocate to another community with a similar social network. (Sarmiento, 204) Continued migration as a survival strategy requires that the migrant family restructure itself with each move depending on immigration status of family members. Mexican

migrants continue to move inside the U.S. in search of new opportunity, often on a temporary basis, resulting in households that "not only combine members at each side of the border, but also at different localities within the United States." (Sarmiento 204-205)

Mexican migration has traditionally originated in the West-Central Mexican states of Jalisco, Michoacán and Guanajuato. Just as Mexican migrants are appearing outside their traditional locations within the United States in places like North Carolina, Georgia and Colorado, the migrants appear to be coming from a more diverse representation of Mexican locations of origin. This trend extends to other demographic factors, such as age, gender and level of education as analysts predict a continued diversification in Mexican migration to the United States. (Commission for Immigration Reform, 5)

A binational study conducted under both the Mexican and U.S. governments under the supervision of the U.S. Commission for Immigration Reform predicts that Mexican immigration to the U.S. will decrease in years to come. According to the report, the welfare reform of the mid-1990's is producing low-skilled U.S. laborers who otherwise would be in the welfare system, while American firms will adapt to increased international competition and higher minimum wages by providing fewer unskilled jobs. On the Mexican side, the labor force aged 15 to 44 is projected to decrease by as much as 20% by 2010 and sustained growth in the Mexican economy through privatization could decrease the demand for jobs that often drives immigration. (Commission for Immigration Reform, 6)

A report by Mexico's National Population Council (CONAPO), however, projects that, even under a scenario of high growth in the Mexican economy and low demand for low-skilled labor in the U.S., the number of Mexican immigrants arriving annually both legally and illegally in the U.S. will increase by 8.4% over the next two and a half decades, only starting to level off

in 2030. Under the worst case scenario projected by the report, the number of immigrants annually arriving in the U.S. from Mexico could increase by almost 36%, with a projected 514,000 immigrants arriving in the year 2030. (Simcox) While the report does not project how many of these new immigrants will be undocumented, it can be assumed that the level of illegal immigration from Mexico would be projected to grow proportionately to that of overall immigration.

A History of Mexican Migration to the United States

A well-rounded discussion of the history of Mexican migration to the United States begins shortly after the end of hostilities in the Mexican-American War with the signing of the Treaty of Guadalupe Hidalgo in February 1848. Ratified by the U.S. congress a month later, the treaty gave the United States possession of a majority of land in what are now the states of Texas, Arizona, New Mexico, California, Nevada, Utah, Colorado and Wyoming for the price of \$10 million. (Samora and Simon, 99) With all of this former Mexican territory now under U.S. control, a provision was written into the Treaty of Guadalupe Hidalgo allowing the Mexican citizens of the newly conquered territories one year to return to Mexico or become legal U.S. residents with full citizenship. (Samora and Simon, 100)

Despite the formalized treaty declaring American ownership of the formerly Mexican territories, confusion still existed about a formal boundary between the two nations. The Treaty of Guadalupe Hidalgo never set forth a formal boundary, instead forming a commission made of Mexican and U.S. officials to decide where a formal boundary should exist. The commission decided to use the Rio Grande as a natural boundary from the Gulf of Mexico running west until the Rio Grand turns north near El Paso. From there an imaginary line was drawn further west further across the Gila River, continuing across its intersection with the Colorado River and

finally to the Pacific Ocean. This boundary, at the time satisfactory to both nations, would provide the confusion necessary to fuel continuous border disputes over the coming years as the Rio Grande changed course over time and the people living on both sides of the border viewed the boundary as artificial. (Samora and Simon, 104)

The California Gold Rush and the desire to expand railroads and infrastructure westward, coupled with uncertainty over the Treaty of Guadalupe Hidalgo boundaries, led to the American demand for a stretch of land south of the Gila River between Texas and California that today makes up Southern parts of New Mexico and Arizona. The acquirement of this territory by the United States came in 1853, when Mexico agreed to the Gadsden Treaty with the United States, essentially renegotiating several terms of the Treaty of Guadalupe Hidalgo in favor of the U.S., to include the transfer of the aforementioned territory. (Samora and Simon, 105-106)

With a firm boundary in place, at least in the eyes of Washington D.C. and Mexico City, cultural and class struggles erupted throughout the new American territory. The struggle centered on land ownership as the new Anglo-American settlers attempted to pacify the Mexican majority. This process resulted in the widespread loss of land by the Mexicans who chose to become U.S. citizens in the aftermath of the Mexican American War. Several very violent conflicts also resulted out of the widespread low-level violence that frequently occurred in the lawless atmosphere of the new U.S. Southwest. (Dunn, 7) One example of such violent outbursts was the Cart War of 1857, in which U.S. troops were called upon to secure the lucrative Mexican ox cart business, which transported millions of dollars of goods yearly between San Antonio, Texas and Chihuahua, Mexico. Anglo-Americans had been attacking the carts over several months in an effort to run Mexican-Americans out of business and take the huge profits of the transportation routes for themselves. Though a brief affair, several Mexican-Americans were

killed when they refused to back down from Anglo-American threats. (Samora and Simon, 115)

Another incident was the Cortina War of 1859-1860 in Brownsville, Texas. Centering around the Mexican-American forces of rancher Juan Cortina, who shot a deputy and emptied the local jail after witnessing the deputy arresting and beating a worker on his ranch. (Samora and Simon, 115-116) The conflict continued for seven months, with Cortina gathering widespread Mexican-American support and controlling much of the Lower Rio Grande Valley before the U.S. Army was deployed to end the crisis, defeating Cortina with the help of Texas Rangers in 1860. (Dunn, 7)

Throughout much of this period, continuing until the 1920's and the establishment of the U.S. Border Patrol, the flow of immigration continued both ways across the border unchecked. While not a concern of the local populations on both sides of the border, the unrestricted movement of people caused conflict between the U.S. and Mexican governments. (Samora and Simon, 104)

The real beginning of massive Mexican migration to the U.S., however, is found in the demise of the *ejido* system in favor of large, modern *haciendas* in the 1890's. In the late 1800's, 80 per cent of the Mexican people belonged to the lower, rural classes. With a strictly agrarian lifestyle, the rural classes lived and worked either on *ejidos*, or communally owned farmland, or private *haciendas*. The lifestyle of these rural Mexicans was based on centuries of Native American culture and required a sustained effort by all family members to satisfy the basic needs of the family unit. (Cardoso, 1-2) The demise of these *ejidos* began with the modernization of Mexico. The rise of modern railroads in Mexico, increasing *ejido* land values by opening the doors of exportation to them, combined with the decline of real wages started to break the already poor *ejidatarios*. The support of the government of Porfirio Díaz during the late 19th

Century for agricultural modernization made the larger *haciendas* more profitable, forcing many *ejido*-dwellers into abject poverty by the weight of their competition in the agricultural market. The aforementioned decline in real wages, combined with the modernizing *hacienda* made life for those working on the *hacienda* equally as tough. The result of these changes were millions of suffering poor families and a “steady migration of males in search of seasonal or casual employment” to make ends meet. (Cardoso, 2)

At the same time that the demise of the *ejido* lifestyle and subsequent modernization of Mexican agriculture was forcing many to look for new income, forces in the American Southwest were drawing many Mexicans across the border. Increases in mining technology expanded the business of copper and coal extraction dramatically. By 1909, 180 copper mines operated in the U.S. Southwest. (Cardoso, 18-19)

Agriculture exploded in a similar manner. Irrigation of the desert climate of the Southwest at the turn of the century doubled the amount of irrigated land for farming cotton, grapes, melons and lettuce. New railroads also increased the incentive to enter agriculture. But the farmlands of the vast Southwest had been parceled into huge lots of thousands of acres. These large farmlands required massive amounts of labor and could not simply be worked by the owning family and a few field hands. Also, a climate that allowed year-round crop production gave farmers the ability to produce specialized crops on a seasonal basis, requiring temporary labor. All of these developments, combined with public distrust of Asian labor, lent themselves to an agricultural system dependant on cheap Mexican immigrant labor willing to move frequently and work on a seasonal basis. Mexican migrants quickly flooded the Southwest as the growing mining and agricultural industries of the region saw them as the best labor source in a sparsely populated region with little indigenous labor to recruit.

U.S. Attitudes toward Mexican immigration and 20th Century U.S. Immigration Law

Statistics place the number of Mexicans who legally entered the United States between 1900 and 1930 at 685,000, with 487,000 of these entering in the 1920's. (Dunn, 11) Estimates of the number of Mexicans entering the United States illegally do not exist, however, because of the lack of presence on the border by either the U.S. government or the Mexican government.

However, one can assume with the aforementioned labor shortage and the unfavorable economic conditions in Mexico that the number of Mexicans entering the U.S. illegally on a temporary or permanent basis was massive. The U.S. policy, or lack of policy in the case of the late 19th and early 20th Centuries, formed into what is commonly referred to by Cockroft as the “revolving door”—whereby the U.S. shifted back and forth between massive immigration and reactionary deportation. (quoted in Dunn, 11)

Throughout the late 1800's and early 1900's, before a static border had been established and before any government agency was seriously assigned to enforce the border, a series of immigration acts was passed reflecting America's nativist distrust of foreigners. However, because the Mexican laborer was seen as a safe alternative to other foreigners, the ease with which Mexicans crossed the border back and forth in search of work was unchanged. Instead the laws focused on quotas and other measure restricting the immigration of Eastern Europeans and Asians, while Mexican immigrants were often exempted from these rules because of the need for their cheap labor on behalf of powerful Southwestern agricultural and Midwestern industrial interests.

The first major immigration law of the period was the Immigration Act of 1885. The major provision of this law sought to end employer recruiting of foreigners with the promise of jobs waiting in the U.S. Specific to the U.S.-Mexico border, this law was largely unenforceable

as, at most, only 75 U.S. officials patrolled the 2,000-mile border during this era. An extensive network of contractors carried on recruiting Mexicans from across the border and deep into Mexico despite the law. Companies in such Southwestern industries such as mining and railroads used contract offices in border towns and used Mexican labor recruiters, known as *enganhcadors* to draw on the steady pool of displaced hacienda laborers looking for passage into the U.S. This system played a large role in the entry of 70,000 Mexicans by rail during the late 1800's and early 20th Century. (Cardoso, 27-28)

The lack of enforcement along the border came in spite of a national anti-immigrant sentiment that found foreigners inferior. While the Mexican was viewed at the time as inferior due to a lack of cognitive development and emotional stability that stereotypes projected as a result of the Mexican's Native American ancestry. Despite this attitude, Mexicans were seen as less threatening than other immigrants, especially Asians. Mexican immigrants posed no threat to the status quo, it was thought, because of their close proximity to their native land. Seen as merely seasonal labor and temporary residents, the transient nature of their lifestyle spent on both sides of the border meant the Mexican laborers would only be in the U.S. to work, returning to spend their earnings in Mexico. Willing to work for low wages and lacking ambition to become landowners in America, even the most hard-line racial theorists of the time accepted their use as a cheap labor source. (Cardoso, 21-22)

The Immigration Acts of 1903 and 1907 were aimed at all immigrants entering the U.S., but, like the 1885 law, was practically unenforceable in the case of the Mexican immigrant. Aside from reaffirming the ban on recruiting immigrants with contract labor in the Immigration Act of 1885, the Immigration Act of 1903 levied a \$2 tax on every incoming immigrant to be paid at the place of entry. Another aspect of this law worth mentioning is that it marked the first

time an American law excluded “anarchists, or persons who believe in, or advocate, the overthrow by force or violence the government of the United States, or of all government, or of all forms of law, or the assassination of public officials” from entering the United States. (<http://uscis.gov/graphics/shared/aboutus/statistics/legishist/460.htm>) The Immigration Act of 1907 later raised the tax to \$4 in an effort to further restrict immigration from all foreign lands. But these laws were of little consequence when applied to the border with Mexico as U.S. policymakers accepted the argument from Southwestern agriculture interests and other regional employers that the Mexican immigrant was a harmless, necessary source of labor to the region. These arguments were backed by the Dillingham commission, which persuaded the U.S. government to allow exemption to the aforementioned taxes in the case of immigrants entering the Southwest from Mexico. (Cardoso, 33-34)

The Mexican Revolution began in November of 1910, beginning 10 years of violence, political instability and economic woe in Mexico. The result of the Mexican chaos was a diaspora of Mexicans flowing into the United States during the decade as mining and agriculture in the American Southwest continued to provide a ready alternative to displaced Mexicans. (Cardoso, 38) After the decade between 1900 and 1910 saw an estimated 500,000 border crossings, though neither the U.S. nor Mexico kept accurate statistics except in the case of Mexicans declaring permanent residence in the U.S., the decade of the Mexican Revolution saw an estimated 10% of Mexico’s population, maybe more than 1 million Mexicans, enter the U.S. seeking refuge. (Cardoso, 34, 38) As Mexican agriculture collapsed during the violent decade, lower class agricultural laborers were the primary class affected and made up the majority of those seeking the relative safety of life across the border, though they could look forward to little more than low-paying unskilled labor in the U.S. (Cardoso, 40-41)

The violence in Mexico eventually spilled across the border, threatening American citizens in border communities from Texas to California. The most famous incident, Pancho Villa's raid on Columbus, New Mexico in March 1916 that killed 18 Americans and over 100 of Villa's men, triggered a massive U.S. response, not only in the form of General John J. Pershing's campaign into Mexico attempting to bring Villa to American justice, but also in the form of the deployment of 100,000 National Guard soldiers to secure the border from New Mexico to Brownsville, Texas in autumn of 1916. (Dunn, 10) These deployments were in addition to 28,000 soldiers already deployed to the Rio Grande Valley region in response to continuous raids conducted by a clandestine group of between 1,000 and 3,000 anti-Anglo Mexican-Americans on South Texas farms owned by powerful whites in the area. The Texas Mexicans, apparently disgruntled with their white agricultural employers, had signed a pact called "Plan de San Diego" that, among other things, advocated the killing of all Anglo males over the age of 16. After continuous violence between November 1915 and June 1916, the federal government sent U.S. Army soldiers to aid in the pacification of the rebellion, which they did, killing in the process as many as 5,000 Mexicans. (Dunn, 9) While the Army deployments beginning in 1915 are not the only instance of the use of federal troops to secure the border, they are the most recognizable examples of the U.S. government's early policy toward security at the U.S.-Mexico border. While never having a large, permanent police-style force on the border, the United States government left the border's enforcement up to local authorities, such as the famed Texas Rangers, and sending federal troops to aid local law enforcement in monitoring the border and protecting American citizens in times of emergency.

The long period of revolutionary violence in Mexico coincided perfectly with the American entry into World War I to create an exemption to yet another major piece of

immigration legislation. By the time the effects of the Immigration Act of 1917, with its \$8 head tax on and literacy tests as prerequisites for the entry of new immigrants, were seen, the U.S. was steeped in a massive labor shortage as millions of young men entered the service to serve in WWI. The key part of this law was the literacy test, which prevented many unskilled laborers from entering the U.S. who would have had no difficulty earlier in the decade. In combination with the war's effects on the labor supply, the Immigration Act of 1917 severely limited the number of Southern and Eastern Europeans immigrating to the U.S. Southwestern agricultural interests were successful in arguing that native workers were fleeing north to take vacated industrial jobs and, without Mexican immigrants laboring in their fields, the U.S. would not have the agricultural production required to feed and clothe a nation and its armies. As a result, the Secretary of Labor, empowered by a provision in the Immigration Act of 1917, acted in May of 1917 to exempt Mexican agricultural workers from the required literacy tests until 1921. Shortly after, in 1918, the Secretary of Labor extended the exemption to include nonagricultural workers. (Cardoso, 46-47)

The Department of Labor was forced to set up a formal system to account for the massive amount of Mexican labor arriving in the aftermath of the exemptions. A labor council representing mining, farming and industrial factories was created in El Paso, Texas to assign incoming laborers to the above industries, ensuring that each critical industry received its allotment of labor. Procedures were developed for American employers to apply for workers requiring that they list the number and type of jobs available and at what wages. At the same time, American industry was given the responsibility of accounting for their Mexican employees. Not only were employers required to meet certain standards in the living arrangements of Mexican laborers, but they also had to ensure they stayed at their jobs for a specific time period,

returning to Mexico upon completion of their work tour. The penalty for an employer whose Mexican laborer left to find higher-paying work was the price of transporting the Mexican back across the border, however no government agency was created or given responsibility to enforce these provisions. Mexicans with both legal and illegal residency statuses entered the U.S., moved throughout the country looking for high-paying jobs and stayed as long as they pleased while no government agency kept track of the destinations of immigrants once in the U.S. or enforced the Department of Labor provisions limiting their place of work or length of stay. (Cardoso, 48) No accurate count of illegal Mexican entries into the U.S. was taken by either the Mexican or American government, though one can assume a large number of illegal entries, given the opportunities that existed during the war years and the lack of personnel patrolling the border, the small amount of whom were focused primarily on catching Asian or European subversives entering unexpectedly from the South. (Cardoso, 46)

The exemption expired in 1921 and a short recession between 1920-1922 was the cause for the deportation of many Mexicans, who were blamed for unemployment among Anglo cotton workers in the Southwest. (Dunn, 11) The U.S. government, faced with the dilemma of what to do about the masses of unemployed Mexicans, rejected the notion of federal responsibility for the repatriation of these Mexican laborers. Under the terms of the wartime exemption to the Immigration Act of 1917, it was the employer who was to bear the cost of repatriating Mexican laborers. The federal government used the issue to set a precedent that it would not aid stranded foreigners inside the U.S. (Cardoso, 98) Also of importance in 1920s was the passage of another immigration law seeking to limit the number of foreigners from Europe and Asia. The Immigration Act of 1924 placed a quota on European immigrants by nationality, predominantly aimed at holding back the flood of immigration from war-torn Europe. While these quotas did

not apply to Mexicans or other Central and South Americans, new provisions attempting to restrict illegal border crossings in the Southwest were added to the law. Entry fees totaling \$18 were levied, \$10 to obtain a visa and a head tax of \$8, with the realization that most Mexicans could not afford to pay this sum. Mexicans were also required to pass a medical examination and prove they were not “paupers”, in addition to passing the literacy request from the Immigration Act of 1917 they were now no longer exempt from. (Cardoso, 83-84)

The Immigration Act of 1924 essentially ended immigration in any number large enough to matter from Asia and Southern or Eastern Europe. In addition to once again increasing the demand for imported Mexican labor, the law failed completely to stop illegal immigration on the southern border. Instead, Mexicans frustrated with the high cost of entry or the tedious exams that delayed entry significantly simply turned to the growing society of smugglers, known as *coyotes*, who could illegally take them into the U.S. overnight for half the cost of legal entry. (Cardoso, 84) Precisely to counter this kind of illegal activity, the Immigration Act of 1924 established the U.S. Border Patrol to enforce the law on both the Canadian and Mexican borders with America. But, much like previous efforts to police the border, the Border Patrol was undermanned, never having more than 747 officers as late as 1928. (Cardoso, 84) The organization’s initial focus also had little to do with preventing illegal Mexican immigration. Instead, the group was employed to deter illegal entry of Europeans and Asians banned by the 1924 immigration law. Enforcing Prohibition and preventing cross-border alcohol smuggling was also a primary focus of the early Border Patrol. Before the end of Prohibition in 1933, the Border Patrol actually worked with employers of Mexican immigrants in border communities, looking the other way when the employers needed new labor and threatening to deport Mexican laborers when their employers needed discipline among the ranks. (Dunn, 12)

The Great Depression's beginning in 1929 signaled the start of a long period of hardship and repatriation for Mexican laborers then residing in the U.S. As millions of Americans became homeless by early 1930, the labor shortage that had historically kept the Mexican immigrant welcome in America turned into a vast labor surplus. At the same time, government officials at all levels urged employees to layoff their Mexican employees to provide jobs to American citizens. Many charitable organizations took the same attitude, refusing services to minorities such as Mexicans so as to focus their resources on unemployed whites. The result was widespread voluntary repatriation among Mexican laborers. Those that stayed faced unemployment rates of 20 to 50 per cent in the Southwest, where their services were traditionally in highest demand. (Cardoso, 144)

A campaign to deport all immigrants residing illegally, including Mexicans, became the federal government's way of alleviating this crisis, with widespread popular support. As local governments realized that paying the transportation costs to deport Mexicans was cheaper than supporting them with public assistance, those Mexicans who utilized public welfare programs were quickly deported, especially in California. (Cardoso, 146-147) The Border Patrol and Immigration and Naturalization Service conducted raids throughout the Southwest, deporting 80,000 Mexicans by 1935. Repatriation drives were carried out throughout the country, encouraging Mexicans to return to the southern side of the border. Often conducted by charitable organizations, these drives were at times characterized by intimidation and threats. Whether peacefully or through coercion, the repatriation drives removed almost all evidence of a Mexican population in urban centers far from the border. (Dunn, 13, Cardoso, 147) Closer to the border, Texas' Mexican born population decreased by 40 per cent during the 1930's (Dunn, 13) By 1935, more than 500,000 Mexicans residing in the U.S. had returned to Mexico. (Cardoso,

147)

As World War II began in Europe and Asia, border control came to be seen as more of a national security issue, as was evidenced by the transfer of the INS from the jurisdiction of the Department of Labor to the Department of Justice, over time giving the INS more characteristics of other Department of Justice agencies, such as the FBI. (Dunn, 13) With the entry of America into World War II, America was plunged into another labor shortage. Again, as with the labor shortages in the Southwest at the end of the 19th Century and the national labor shortage during World War I, America turned to the Mexican laborer to plug holes in the labor supply during the crisis. This time the Mexican laborer's help came in the form of the Bracero Program, a coordinated agreement between Mexico and the U.S. to provide Mexican agricultural and, later, railroad workers to work during the labor shortage. (Dunn, 14)

The seeds of the Bracero Program were sewn before America became involved in World War II as a combatant. With the rapid growth of war industries in the late 1930's, industrial jobs became available to many Americans who previously could only secure seasonal employment in agriculture. Massive African American migration from rural areas to northern urban centers also drained large farmers of potential laborers. Finally, with the outbreak of hostilities with Japan and Germany in 1941, the internment of people of Japanese descent and the Selective Service Act eliminated most Japanese Americans and many healthy, young males from the labor market. (Driscoll, 51-52) In 1942, in response to requests from American agricultural interests, the U.S. government formed a committee with representation from the departments of State, Agriculture and Justice as well as the War Manpower Commission to create a solution to the labor shortage utilizing imported Mexican laborers. An agreement between the U.S. and Mexican governments was reached in August 1942, creating a binational program to import Mexican laborers. The

U.S. would provide for transportation costs and guarantee certain levels of housing and living conditions. The Mexican government was allowed oversight of the program, in coordination with U.S. officials, to ensure Mexican laborers were being appropriately paid and housed. Contracts were signed between the Mexican laborers and the local labor associations of their designated place of employment. (Driscoll, 53-55) The early program was a success under the administration of the U.S. Department of Agriculture and Farm Security Administration, which the Mexican government trusted more than the USDA to ensure the fair treatment of its workers. In response to agricultural interests request for less government intrusion into the situation, however, the program was continued under Public Law 45 in April 1943, allotting \$26 million to the program, but removing the Farm Security Administration from the list of agencies with oversight. Public Law 45 contained a provision that the Immigration Service to regulate the flow of Mexican laborers into and within the U.S. Part of this provision led to a lack of supervision regarding the whereabouts of many Mexican Bracero laborers, as the Immigration Service was allowed to permit entry to anyone with a photo identification card and fingerprints in absence of a visa or Bracero contract. (Driscoll, 57) More than 118,000 Mexican laborers were recruited during the height of World War II, between 1942 and 1944. (Driscoll, 51)

The program was successful in boosting U.S. agricultural production during the war, though negative side effects occurred. While part of the Bracero Agreement stipulated that Mexican workers would not enter areas where American workers were available, Mexican workers nonetheless took many American jobs when farmers drove wages lower than American workers could bear, justifying their use of Bracero labor. Lax enforcement of the program also resulted in the ability of many employers to hire undocumented Mexicans who were not approved under the Bracero Agreement. (Samora and Simon, 139) At the end of World War II,

labor shortages subsided as millions of soldiers returned home and war related industries shut down. The influence of agricultural interests at the national level was able to extend the Bracero Agreement until 1964, recruiting Mexican laborers in numbers up to 400,000 and above throughout the 1950's and most of the 1960's. (Samora and Simon, 140)

The importance of the Bracero Agreement cannot be underestimated in understanding the U.S.-Mexico relationship and the attitude of the U.S. government toward Mexican immigration. The program set a precedent for potential future binational agreements between Mexico and the U.S. to solve questions of labor and immigration in both nations. However, the Bracero Program and its abuses demonstrate an inconsistent attitude on behalf of the U.S. government, willing to sacrifice standards in border control to obtain cheap labor, while taking hard-line, but ineffective, steps, such as the deportations of the 1950's mentioned below, to solve the problem of illegal immigration.

As the Bracero Program continued during the 1950's, the INS initiated a massive deportation effort known to popular culture as "Operation Wetback". As the number of INS apprehensions of undocumented Mexicans rose dramatically in the late 1940's and early 1950's, agricultural interests in the Southwest began complaining about the number of undocumented Mexicans entering and the Attorney General began directing the INS to pay more attention to the problem. After the Attorney General, Herbert Brownell, received massive resistance to his plan calling for a U.S. Army division to participate in the deportation of illegal residents and patrol the border, he appointed the retired Lieutenant General Joseph Swing to the position of commissioner of the INS and initiated restructuring of the Border Patrol. "Operation Wetback" consisted of a special team of 400 Border Patrol agents to be concentrated at high-traffic areas for undocumented Mexicans. Utilizing state and local law enforcement agencies, as well as

aerial reconnaissance, this mobile teams conducted large sweeps of high-traffic areas, deporting an estimated 107,000 to 164,000 Mexicans during the 1950's. (Dunn, 14-16) Operation Wetback is important to the historical study of American attitudes toward the security of the U.S. border with Mexico because of the amount of synchronization between several agencies and military-style approach to the problem of illegal immigration. Though using military-style tactics was not a first, and the federal government had coordinated with local authorities in the past, this operation took both concepts to a new level.

The Reagan administration in the 1980's, and later the Bush administration, began increasingly characterizing the illegal immigration issue as a matter of national security instead of economic well-being. Early in the Reagan administration, there was worry that the success of several communist-leaning insurgencies in Central America would lead to a flood of undocumented refugees entering America through Mexico. Later, after the passage of the Immigration Reform and Control Act of 1986, a landmark piece of legislation that sets the tone for much of the immigration debate today, the Reagan administration and the administration of George H. W. Bush framed the border threat as the increasing wave of narcotics trafficking occurring at the border. The "War on Drugs", more than anything, drew the nation's attention to border insecurity as a national security issue. (Dunn, 2-3)

The IRCA of 1986 contained many provisions thought to be key to reducing the flow of undocumented migrants into the U.S., particularly from Mexico. One major provision was a general amnesty and offer of permanent residency extended to illegal aliens who, among other things, could prove several years of prior residency and were willing to go through an extensive registration process. This legislation offered to illegal aliens the ability to legally work and, after the achievement of residency status, legally bring family members into the U.S. (Baker, 26) The

IRCA also included a last-minute compromise known as the Special Agricultural Worker (SAW) program, qualifying undocumented seasonal farm workers for permanent residence. (Baker, 42-43)

Sanctions on employers that hire undocumented workers comprise the other major provision of the IRCA. Designed to reduce the demand for illegal laborers through economic punishment, IRCA forced employers to verify the legal status of their workers by inspecting documents proving their residency or visa status. The law provided punishment in the form of fines or even prison sentences for employers found to be violating this provision. Also stipulated under the IRCA's enforcement provisions was a \$400 million increase in the INS budget, intended, among other things, to hire and train a drastically larger number of new Border Patrol agents. (Crane, et al., 1)

The effects of IRCA have been dubious. To begin with, the increase in illegal residents found in every estimate of the illegal alien population throughout the 1990's throws doubt on the effectiveness of this law. In theory, with the legalization offered to so many illegal residents and seasonal workers, the number of undocumented residents should have been reset to zero. With approximately 6 million illegal residents, the majority of which are of Mexican origin, presumed by the INS to be living in the U.S. in 2003, it is obvious that illegal immigration from Mexico has not stopped. Nor has it slowed, as the estimate of annual illegal entries grew steadily in the 1990's and early 2000's as well. (Estimates of Unauthorized Immigration Population Residing in the United States)

Two RAND corporation studies done in 1990 cast early doubts on the effectiveness of IRCA's approach to illegal immigration. Studying a combination of Border Patrol apprehension statistics, statistics on the attempted crossings along the U.S.-Mexico border, asylum applications

and economic data from industries widely known to utilize undocumented labor, one study of the effectiveness of employer sanctions found that, while the flow of undocumented migrants did decline in the period from 1987-1989, the decline was not very significant. While much of the decline in apprehensions and border crossings was attributed by the study to the legalization program, labor data on car washers and dishwashers showed that neither occupation experienced much increase in average wages or decrease in total labor supply, two circumstances a drop in illegal immigration should have created. (Crane, et. al, 73)

The legalization program, while essentially successful in satisfying legal immigrant labor requirements, particularly to agricultural interests, comes into question in the other RAND corporation study for the SAW program designed to give legal status to undocumented seasonal laborers. By making SAW prerequisites vague and open to fraud, IRCA created a backlog of unresolved cases as the INS investigated many applications for legal status, leaving the majority of potential SAW applicants with an ambiguous legal status. (Baker, 192-193) Later research, particularly Sarmiento's aforementioned study of Tzintzuntzeño migration and employment habits, showed that IRCA's legalization program displaced many of the newly legal unskilled Mexican workers as their former employers refused to pay them legal wages, preferring instead to hire new undocumented laborers in their place. (184-185) Finally, the aforementioned binational study of U.S.-Mexican immigration issues concluded that the IRCA's legalization program caused increasingly effective Mexican social networks to appear in the United States, leading to an overall increase in both legal and illegal entries as the social networks pull members from their Mexican communities across the border into the United States. (Commission for Immigration Reform, 5)

While a discussion of more recent laws such as NAFTA and the post-9/11 USA

PATRIOT Act and the Enhanced Border Security and Visa Entry Reform Act bear mention later in this work, it is enough to say that the U.S.-Mexico border is not secure, as it clearly remains, a large source of undocumented residents in the United States even after 9/11. But does it matter if the border is secure? After all, Mexico has historically provided much needed cheap labor to the U.S. agricultural southwest and, in more recent decades, the rest of the nation. This paper assumes that border security in the 21st Century is important for America, not simply to make a study of the state of the border, but instead because of several disturbing reports of potential terrorist activity in Mexico and several Central and South American nations, as well as the ease with which a potential threat could enter the U.S. from the south.

American and Mexican officials suspect that a Saudi national and terror suspect named Adnan G. El Shukrijumah may be attempting to enter the United States from Mexico after being spotted in several Central American locations. The U.S. Attorney General lists El Shukrijumah as one of seven most dangerous international terrorists currently at large, with a \$5 million dollar reward for his capture. (Rodriguez) El Shukrijumah possibly entered Mexico from Belize, after his activities were observed in Panama and Honduras. Two men whose names appear on American and Mexican watch lists, Ali M. Safia and Can Azif, were found to have taken a one-way flight from Europe to Mexico in 2003. Even more troubling is the news that the two men simply disappeared after they failed to show for a one-way flight from Mexico into Los Angeles shortly after entering Mexico. Imelda Ortiz Abdala was arrested in November 2003 for allegedly helping forge documents for potential migrants of Middle Eastern decent, aiding in their illegal entry into Mexico. Finally, the known presence in Mexico of terrorist groups such as the Basque separatists from Spain and the Revolutionary Forces of Colombia, as well as the Mexican intelligence community's suspicion of Hezbollah activities, has sent alarms to both Mexican and

U.S. officials in recent years. (Sandoval)

Many deny hard evidence of a terrorist threat in Mexico or Latin America, choosing to remain skeptical until al-Qaida or other terrorist cells' activities are verified. But, with the aforementioned activity, the ease with which someone can enter the United States without notice should register as a threat on its own merit. Mexican officials scrutinize visa applications of Muslims to a great extent since the September 11 attacks in America. (Rodriguez) But, there are several ways around this for aspiring terrorists, such as the exception made by Mexican immigration agencies for nations such as South Africa, whose visa holders do not need documentation to enter Mexico. A rise in false South African visas and passports being used to enter the U.S. through Mexico reveals the ease of this technique, as someone holding a false South African visa can easily enter Mexico and recruit a smuggler to assist with undetected entry into the U.S. (Stevenson) Another alternative is to utilize Mexico's corrupt immigration system. Since 2001, over 50 Mexican immigration officials have been jailed on corruption charges, involving a total of 70 vehicles used to transport people illegally into or out of Mexico. (Sandoval)

The question of whether a terrorist threat actually has crossed, or is planning to cross, America's porous border with Mexico seems irrelevant in light of recent reports. Mexican immigrants, both legal and illegal, have historically proven to be a cheap, profitable labor source. America's lax attitude toward accounting for the people crossing its Southern border, only occasionally interrupted by brief fits of enforcement, has allowed the entry of vast millions of undocumented persons. The vast number of people entering the U.S. unaccounted every year via Mexico, as well as the potential for entry among those who might desire to harm America, warrants further study of the national security ramifications of American border policy in a post

September 11 atmosphere.

A Cost-Benefit Analysis of Illegal Immigration

There are many pre-conceived notions about the impact of illegal immigration on the American economy. The most powerful example of such pre-conceived notions as applied to public policy debates is the thought that undocumented workers, particularly Mexicans, displace American workers and contribute to higher unemployment. Another example is the thought that undocumented immigrants, particularly from Mexico, widely abuse public services causing a net loss for the local, state and federal government. Another example, less often cited, is that illegal immigrants perform jobs that Americans are not willing to perform for wages American laborers are not willing to accept, thereby stimulating an anti-inflationary effect on prices in a consumer economy in which low prices are highly valued. The purpose of this chapter is to provide a look at economic theory and research on the effects, particularly to the labor market, of undocumented laborers in America to establish, as well as possible, whether their presence in the United States is positive or negative. In addition to labor market analysis, the costs of a potential terrorist attack, using statistics from the aftermath of the September 11, 2001 terrorist attacks, will be analyzed against any present benefits of undocumented labor. This should provide a basis for discussion to determine whether the security of the U.S.-Mexico border deserves discussion as a national security issue.

Economic Theory of Illegal Immigration

There is no simple, well-defined theory of the effects of illegal immigration on an economy. Because of the many factors economists must take into account when studying labor markets, one can best say that several theories on this subject exist for the different theoretical and applied circumstances a labor market could experience. To provide a broad overview, however, it is best to look at the theoretical effects of illegal immigration on an economy at full

employment, an economy with high levels of unemployment and an economy with some unemployment at a realistic, for the 20th and 21st Century U.S. economy with between 5 and 7 per cent unemployment.

In a full employment economy, illegal immigrant labor could not cause unemployment because unemployment does not exist. All workers wanting a job at the current wage in a market can secure employment. The effects of removing all illegal workers from a full employment model are somewhat negative, especially for those industries that utilize illegal labor. Overall, output for those industries employing illegal labor would fall with the level of total employment as wages, prices and domestic employment increase due to the entering of the labor market of those who formerly did not participate. Illegal immigrants working in a full employment economy provide theoretical benefits by increasing profits and per capita real income, while costing only narrow segments of society by lowering incomes for domestic laborers in direct competition with illegal laborers. Furthermore, the continued economic growth implies upward job mobility for domestic workers while leaving illegal workers in low-skilled positions. (Fogel, 98-101)

In an economy with high levels of unemployment, illegal immigration's effects are not so positive. Assuming 10 per cent unemployment in the U.S. economy, removal of all illegal laborers would produce gains in domestic employment at a 1:1 ratio, as domestic labor replaces illegal labor. Removal of illegal labor from the market also reduces social costs by decreasing the need for government welfare assistance to domestic workers. The wages in the labor markets formerly occupied by illegal laborers would stay the same, except that domestic workers would hold these jobs after the removal of illegal labor. Illegal immigration's effects to a high unemployment economy are negative, displacing native laborers that would be employed in

absence of illegal laborers and increasing the society's burden in the form of government assistance to the unemployed and impoverished. (Fogel, 101-102)

Generally accepted theory states that illegal immigrant workers bring both benefits and costs to an economy with less than full unemployment. Less than full employment describes the situation often characterizing the American labor market of the late 20th Century, with unemployment rates usually existing between 4 and 9 per cent unemployment. Illegal immigrants function in this economy to keep labor costs low through increased production, a decrease in market wages, or a combination of both for the industries in which domestic workers must compete with them. (Fogel, 107) In the short-run, the costs of illegal immigrant labor on society are felt by the unskilled laborers, frequently immigrants themselves, who must compete with illegal laborers, causing lower wages and unemployment in those specific sectors of the labor market. (Fogel, 108) Illegal laborers are often substitutes for low-skilled domestic laborers in some industries, however, they also complement other laborers with whom they do not compete by retarding inflation and aiding upward mobility of non-competing domestic workers. (Fogel, 103, 108)

Fogel theorizes that the real effects of illegal immigration on the U.S. labor market are directly related to the level of unemployment present in the American economy. In the late 1960's for instance, when the unemployment rate stayed around 4 per cent, illegal immigration kept inflation down by slowing and upward trend in labor costs, and, despite the evidence of some substitution of illegal workers for domestic laborers, illegal workers played a small role in delaying an economic recession. In the 1970's, however, as unemployment rose, these economic benefits of illegal immigration became less noticeable as their positive effect on the American economy decreased. . (Fogel, 108)

A more current theoretical study assumes an economy producing two finished goods using legitimate labor, with one good requiring skilled workers and the other depending on unskilled workers. The study also assumes an intermediate good, used to produce the previous finished good requiring skilled workers, produced by an informal sector utilizing both native and undocumented unskilled laborers. The study then analyses the effects of an inflow of illegal immigrant laborers into such an economy. Djajić's study finds that, in the short run, an influx of illegal foreign laborers increases the wages for skilled workers and decreases the wages of unskilled workers. By lowering the production cost of an intermediate good produced in the informal economy, the presence of undocumented labor decreases the production costs of the finished good depending on the intermediate good. The skilled workers employed in the production of the finished good benefit as their employer sees higher profits, allowing their wages and real incomes to increase. Unskilled laborers in this model lose in the short run as competition lowers the wages and real incomes of both native and undocumented unskilled workers. (Djajić, 104-105)

In the long run, native laborers entering the workforce are encouraged to acquire skills in response to higher wages, resulting in an increase in skilled native labor supply and a decrease in unskilled native labor supply. Increased competition in the informal sector between native unskilled labor and undocumented immigrant unskilled labor pushes native unskilled workers out of the informal sector and into formal jobs subject to legal regulations. Wages for skilled labor decrease in the long-run due to the increase in the supply of skilled labor, while the diminished supply of unskilled labor increases the wages for unskilled workers in both the formal and informal sectors to the levels existing prior to the inflow of illegal immigrants. In the end, the inflow of illegal immigrants increases the average labor income for all native workers,

with unskilled native laborers receiving the most increase in real income as skilled wages actually decline, while prices paid by consumers are reduced in the short-run, only to return to previous levels in the long-run. (Djajić, 105)

Taking the same economic model and modifying the labor system to place only undocumented workers in the informal economy and only native workers in the legitimate economy creates slightly different results. Under these circumstances, an inflow of illegal immigrants increases the real income of both domestic skilled and unskilled workers, while subjecting the unskilled illegal immigrants in the informal sector to a decrease in wages as a result of increased labor supply. Under this situation, the cost of intermediate goods from the informal sector decrease, expanding the formal economy, whose finished goods are now cheaper to produce. (Djajić, 107) Djajić concludes that, “efforts to stem illegal immigration are likely to benefit native unskilled workers at the expense of other productive factors such as capital and skilled labor.” (99)

Evidence of the Fiscal Effects of Illegal Immigration

The fiscal benefits of illegal immigration are mentioned in several studies, while the economic costs to society of illegal immigration are also well represented, often in the same works that mention positive aspects of the issue. While a large amount of work on the fiscal effects of illegal aliens exists, there is no definitive study with an answer to all the economic questions surrounding this issue. Because the characteristics of the economy, in particular the labor market, vary by location, industry or any number of other factors, no standardized study of the effect of illegal aliens on the U.S. economy as a whole is available at this time. Instead, it is possible to draw some generalizations and make some educated guesses as to the costs and benefits of illegal Mexican labor in the United States based on the large volume of works

conducted on the subject.

The most prominent talking point of those opposed to immigration in general, particularly those arguing for tougher restrictions on illegal immigrants, is that immigrants, particularly illegal immigrants, saturate the market with low-wage labor and take jobs that otherwise would be held by domestic American laborers. Advocates of cracking down on illegal immigration often argue that the employment of illegal aliens often occurs at sub-minimum wage, making competition unfair for domestic workers. Research is somewhat divided on the subject, though much of the credibility of the native labor displacement argument may depend on the labor market in question. For instance, in Chiswick's study of 300 illegal aliens apprehended in Chicago in 1983, he found that most illegal workers were not being paid sub-minimum wages. In fact, while the minimum wage at the time was \$3.35/hr., the average wage for Mexican illegal aliens was \$4.42/hr., while illegal aliens of other backgrounds earned \$4.72/hr. on average. (Chiswick, 98) Chiswick also found that the wage earned by illegal immigrants varied depending on their method of entry, with those entering illegally, predominantly Mexicans who illegally crossed the Southern border, earning less than immigrants who entered legally, but overstayed their visas illegally. Wages for illegal aliens in his sample rose significantly during their first year in the U.S., and continued to rise throughout their stay, demonstrating that upward mobility does exist for illegal immigrants. (99-100) Due to the seasonal nature of the migration of many Mexican illegal immigrants, they may not experience as much upward mobility as other immigrants, as they do not stay with the same employer long enough to reap the benefits of their tenure on the job. Also, the Mexican illegal aliens in Chiswick's study are lower skilled and less likely to invest in human capital than their counterparts, justifying lower wages in the eyes of employers. While the wages of illegal aliens are certainly lower than those paid to American

laborers, this appears to be more the result of lower skill levels for undocumented workers, as opposed to the ability of employers to illegally pay sub-minimum wages. (Chiswick, 143) Chiswick's work, however, must be placed within the context in which it was conducted. Conducted in 1983, the study does not include more modern evidence of illegal Mexican immigrants forming ethnic networks in previously unpopulated locations, such as North Carolina, Georgia and Colorado, as previously documented in Census Bureau statistics, or Washington State and Alaska, as mentioned in Sarmiento's work. Applying Chiswick's work to modern statistics may mean that undocumented Mexican workers may experience more upward job mobility, especially in light of Sarmiento's work on migration habits after the entry of the undocumented Mexican.

Simon cites a study by Villalpando of two government experiments that further repudiate the claim that illegal immigrants displace native workers. In the first experiment, the California State Human Resources Agency removed 2,154 illegal aliens from jobs and attempted to replace them with domestic workers. The program was labeled a "failure" because "most employers paid less than the minimum wage rate... the job categories were not appealing to the local resident... and applicants were discouraged by not only the low wages but also the difficulty of some jobs, and the long hours demanded by the employer." (qtd. in Simon, Consequences of Immigration 324) In the second experiment, the INS removed 340 illegal workers from employment in San Diego's hotel, restaurant, food processing, laundry and operative industries during 1975 and 1976 and attempted to fill the positions for the employers with native labor. 90 per cent of the 340 jobs were eventually filled not by unemployed domestic workers from San Diego, but by laborers of dubious immigration status from Baja California, Mexico. (qtd. in Simon, Consequences of Immigration 324-325)

A study by Simon, et al., looked at the correlation between immigration levels and unemployment rates in various U.S. cities. The study concludes that, even in the short-run, there is no significant increase in domestic unemployment related to immigration. Furthermore, small signs of unemployment in the studied cities appear to affect the immigrants themselves in the long run, as apposed to native workers. (Simon, et al., Consequences of Immigration 310)

So far, all of the studies cited show evidence that immigration has little to do with domestic unemployment. In some of the above works, the presence of illegal immigrant workers may actually lower unemployment of domestic workers by complimenting them in the labor market, through the capital gains they bring, as opposed to competing with domestic workers. All of the above studies, however, focus on urban centers such as Chicago and Los Angeles. Jenkins study of the effects of Mexican immigration patterns on Southwestern agricultural labor markets, however, provides some different results. Using an analysis of the level of illegal immigrant apprehensions correlating to economic indicators, such as agricultural wages, capital investments in agriculture and levels of farm worker employment, Jenkins finds that Mexican laborers in the form of legal immigrants, illegal immigrants and seasonal workers entering through the Bracero program have competed directly with native workers in the agricultural labor market. Jenkins' statistical analysis shows that decreases in farm wages and increase in capital investments in agriculture correlate strongly with increases in illegal immigration as evidenced by rising apprehension rates. (523) Jenkins concludes that Mexican immigrants, including illegal Mexican immigrants, are not supplementary to domestic laborers in the agricultural labor market. Instead, undocumented Mexican workers compete with American farm workers, displacing them and lowering the average wage for unskilled farm labor. This effect does produce capital gains as agricultural profits are increased by lowered production

costs. (Jenkins, 530-531)

Contrary to Chiswick's work, stressing upward job mobility in illegal immigrants, Espanshade finds that, at least in the short-run, job mobility among illegal immigrants displays a downward trend upon entry into the U.S. In the long-term, however, there is evidence to support an upward trend in illegal immigrant job mobility. (Espanshade, 208) Borjas and Tieda support Chiswick's findings that the wages of illegal immigrants have more to do with skill level than with legal status or employer exploitation. While they found that illegal immigrants make 30% less in wages than their legal counterparts from the same country of origin, they find that the amount of human capital investments in education and job skills prior to immigration are typically lower for undocumented aliens. (qtd. in Espanshade, 207) Espanshade also weighs in on labor market effects, finding no significant evidence of a nationwide increase or decrease in wages or unemployment of domestic workers as a result of illegal immigration. According to Espanshade, where evidence of harm to domestic workers does exist it appears in studies of particular labor markets and localities that do not suggest a widespread economic effect. (208)

While Espanshade finds little evidence of harm to domestic workers due to the presence of illegal immigrants, a study by Carter finds that illegal immigration helps native workers by creating attractive primary sector jobs. These primary sector jobs are available exclusively to native laborers as long as the amount of illegal immigrant labor is less than the number of unskilled jobs in the informal economy. When the number of illegal immigrants is greater than the amount of non-primary sector jobs, however, a sufficient number of illegal immigrants exist to cause competition between native and illegal workers for those primary sector jobs. (Carter, 401) Therefore, Carter concludes, deportation targeting only those illegal immigrants with the highest wages is more effective economically than deporting all illegal immigrants or attempting

to bar entry in the first place. (401)

Marcelli's study focuses on the effects of the illegal immigrant presence in the informal economy of Los Angeles on the city's native workers employed in both the informal and formal economies. The study also highlights some of the conditions in which illegal immigrants labor in Los Angeles. Marcelli finds that the level of informal economic activity in a sector also affects those formally employed in that sector, as their levels of human capital investment are rewarded at lower rates in terms of wages than individuals with similar skills employed in economic sectors with less informal economic activity. Overall, however, when factoring formal workers not in competition with illegal laborers, the presence of informal economic activities employing illegal aliens boosts wages and employment levels in all formal workers. Finally, Marcelli finds that high poverty levels, low education levels, low wages and less likelihood of self-employment are all correlated with high levels of informal economic activity in a sector of the economy. (602-603) That this informal economic activity is the likely method of employment for illegal Hispanic immigrants in Los Angeles suggests that illegal immigrants do not completely benefit from their occupation in America, at least when considered by American standards of living.

The other major aspect of the economics of illegal immigration is the net fiscal cost to the governmental organization in the U.S. of the presence of illegal residents. Several studies exist on the topic, with many in agreement in their conclusions.

To begin with, Simon concludes that illegal immigrants produce an overall net loss to local and state governments effected by their presence, while the overall contribution by illegal immigrants to the U.S. Federal Government, through Social Security payroll taxes paid by the immigrant and his or her employer, as well as through Federal Income Taxes, produces a net

gain in light of their overall reluctance to use federal assistance programs for fear of deportation. (318) That illegal immigrants always cause a net loss at the state and local level is contradicted by Weintraub and Cardenas, whose study of illegal immigrant residents of Texas finds that, without including federal Social Security taxes paid by, or as a result of, undocumented workers, state and local governments in Texas receive between an estimated \$162 million and an estimated \$286 million from undocumented workers while expending an estimated \$63 million to \$132 million on services directly to undocumented residents. Weintraub and Cardenas estimate the contributions of undocumented workers in Texas to be between \$359 million and \$580 million once all federal taxes paid by illegal residents are added, likely producing an even greater fiscal surplus at the national level. (qtd. in Simon, 318) Contradicting this is an Urban Institute study of California Census data showed that, for those undocumented residents who were contacted by and agreed to an interview with the Census Bureau, the State of California paid more in services than it received in taxes. (qtd. in Simon, 314) However, Simon argues that since the study only included those illegal aliens interviewed by the Census Bureau, who are more likely to be those with families using the school system and other public services, the undocumented workers not studied in the sample may have contributed the same amount of taxes without using as many services as the sample group. (314) Simon's argument is, of course, highly speculative since there are neither estimates of exactly how much the undocumented workers not contacted by the census contributed in taxes, nor proof that supports the theory that those undocumented residents of California not contacted by the Census were less likely to have families or use less public services.

According to Espanshade, the effects of illegal immigrants on public finances appear to consist of a fiscal surplus at the federal level. Fiscal costs of public services as a result of illegal

immigrants minus the contribution these immigrants make in taxes and other public revenues fall primarily on state and local governments. (Espanshade, 209) These fiscal costs at the state and local level are not isolated from the illegal immigrant's participation in the economy, which, according to research by Espanshade and King, causes employment increases for native workers as a result of increased corporate profits. (qtd. in Espanshade, 210)

Perhaps the source that best sums the conclusions of the aforementioned research on economic effects of illegal immigration in the U.S. is a report by the National Research Council's Panel on the Demographic and Economic Impacts of Immigration. The panel, consisting of researchers from academic institutions across America, concluded in its study of immigration in the U.S. with several conclusions relevant to the debate on illegal immigration. According to the panel, Domestic skilled laborers whose occupations are complimented by unskilled immigrants, legal and illegal, benefit from the presence of unskilled legal and illegal immigrants, as do owners of capital whose profits increase as production costs decrease through the employment of low-skilled immigrants. Consumers of goods affected by immigration, both legal and illegal also benefit. Unskilled native workers in competition with immigrants, especially cheaper illegal immigrants, will pay the costs with job displacement and decreased wages, while the presence of immigrants who specialize in labor that would not exist in their absence cause little substitution for domestic workers and little effect on native wages. Long-term, legal and illegal immigrants must possess unique skills, different from any that domestic workers possess, to affect economic growth nationwide. Otherwise, illegal and legal immigrants increase the labor supply and the scale of the economy, while production per capita changes little. In other words, immigration of any kind has little long-term effect on large economic indicators such as real income or gross domestic product per capita. The real effects of illegal

immigration are felt by specific segments of society, such as localities with high immigrant populations or native workers with little education who compete with unskilled illegal immigrants. Most interesting is the panel's assessment of the total annual domestic gain from immigration, both legal and illegal, which is between \$1 billion and \$10 billion; though how much is specifically a result of illegal immigrants is uncertain. This amount, while significant, is certainly not one of the more important factors in the massive U.S. economy. (Panel on the Demographic and Economic Impacts of Immigration, 5-6)

Some Conclusions About the Fiscal Effects of Undocumented Immigrants

No one source of research can be completely accurate about this topic, mostly due to the shadowy nature of illegal immigration and the elements of informal economic activity that involve many illegal workers. Perhaps the best way to answer the question of whether illegal immigration is good for America's economy is with the reply, "it depends." Illegal immigration is potentially good for some, such as employers in the informal economy, firms that depend on intermediate goods and services provided by the informal sector and skilled workers employed by those same firms. Illegal immigration quite probably hurts unskilled native workers, at least in the short-run, who compete with illegal immigrants. Illegal residents also hurt local and state governments in which the presence of illegal immigrants is high, causing taxpayers to bear a large burden for the undocumented residents' use of public services. On the other hand, the federal government most likely makes a surplus from the Social Security and income taxes often paid by illegal immigrants who rarely use federal public services. Unskilled illegal laborers quite often provide a capital gain to the industries connected to them, creating growth for the economy as a whole.

In markets experiencing low unemployment, the benefits of the presence of illegal workers

are more significant than the costs. On the other hand, the higher the rate of unemployment, the less noticeable those benefits are in the face of displaced unskilled native workers and lowered wages. Finally, in markets not affected by illegal aliens, there is probably little discernable benefit or cost for illegal aliens. So, whether illegal immigration is good for America's economy depends on what industry, where and to whom the question is applied. To answer the question of whether illegal immigration is good for America, adding the national security component of the question, we must weigh what is probably a small, situational economic benefit applied to firms and skilled labor at the expense of unskilled labor, against the potential costs of a terrorist attack of a proportion equal to the September 11, 2001 attacks.

The Cost of Terrorism: September 11, 2001

A 2002 report by the New York branch of the Federal Reserve on the economic effects of the September 11, 2001 attacks on New York City serves as a major reference point in assessing the potential costs of future terrorist attacks on the United States. This in no way minimizes the national impact of the attacks. Nor is it intended to ignore the local impact to the Washington, D.C. area or the impact on those from around the country whose loved ones perished in the hijacked airplanes used to execute the attacks. However, since the attacks caused the most damage and loss of life in New York City, this instance serves as the best reference point for the costs in the cost-benefit analysis of illegal immigration in a terrorist threat environment.

The report, by Bram, et al., calculates the estimated economic effect of September 11 attacks on New York City based on the attack's effects on labor and capital inputs to the city's economy. Labor was assessed by lost earnings of the families of the estimated 2,780 deceased workers and the spike in private-sector unemployment after the attacks. Capital losses were assessed based on clean up and replacement costs at the World Trade Center site and the repair

of damaged buildings in the effected area.

According to Bram, et al., the lifetime earnings losses of the nearly 3,000 fatalities at the World Trade Center on September 11 totals \$7.8 billion, or roughly \$2.8 million per worker. (6) While other estimates place the Value of a Statistical Life closer to \$1.5 million per person in the U.S., these numbers must be inflated due to the average earnings of all workers in Manhattan, which was \$57,000 in 2000, and the Finance and Investment industry, in which many of the deceased workers labored, and whose employees earn an average of \$197,000 annually. This study placed the average annual income of a deceased worker in the September 11 attacks on New York City to be \$127,000. The study also assumed an average age of 40 and an average of 22 years remaining before retirement for all deceased workers. (Bram et al., 6)

The attacks also had a significant effect on employment levels, especially as national and local business cycles had already begun a downward employment trend in the city several months prior to the attacks. The number of New Yorkers employed in the private sector fell by 147,000 during the period between the end of 2000 and early 2002, when the number of people employed began to rise. Of the total decrease, more than one-third occurred in October 2001 as 51,000 people exited private sector employment. The report estimates that in June 2002, the number of private sector workers was lower than expected by between 28,000 and 55,000 people, a stabilized number after employment levels were between 49,000 and 71,000 lower in February 2002. (Bram, et al., 6-7) The financial services, restaurant, hotel and air transportation industries were most affected, accounting for 42,000 of the 55,000-job decrease in October 2001. (Bram, et al., 8) Based on the number of jobs lost in relation to the attacks and the decrease in hours worked by many workers in the aforementioned industries, the study estimates a total of \$3.6 to \$6.4 billion in lost wages and salary reductions among the city's workers. (Bram, et al.,

9)

The report also accounts for physical capital losses as a result of damages in the September 11 attacks. Using the repair and replacement cost estimates of buildings and infrastructure damaged in the attacks, the report finds a total of \$21.6 billion in physical damages. These numbers account for the cleanup and repair of the World Trade Center site, at \$1.5 billion, the rebuilding of the World Trade Center complex, at \$6.7 billion, replacing damaged buildings near the World Trade Center, \$4.5 billion, the lost contents of those buildings, \$5.2 billion, and the rebuilding of public works damaged in the attacks, \$3.7 billion. (Bram et al, 10-11)

While all indications show a recovery for the economy of New York City beginning in March 2002 and growing stronger by summer 2002, there can be no doubt that the economic costs of these attacks were significant, as the total impact is estimated at between \$33 and \$36 billion. (Bram, et al., 15) This, of course says nothing of the psychological impact of the attacks for those who witnessed and the emotional impacts for those whose lives were changed forever by the death of a loved one. It is difficult to truly place a price on human life. It is also difficult to evaluate the cost of losing the sense of safety the U.S. felt before September 11, 2001. However, for the purpose of debate, the cost to New York City of between \$33 billion and \$36 billion serves as a basis for comparison against the possible benefits of tolerating the current immigration system and the mass of undocumented Mexican residents allowed to enter the U.S. from its border with Mexico.

The cost of September 11 to the entire nation is somewhat more difficult to calculate. A study by Zycher, however, attempts to calculate the effects of a continued terrorist war against the United States, as well as the public costs of the resulting U.S. counter-terrorism campaign. In

this study, three scenarios are used. A moderate case terrorist campaign is modeled off of statistics surrounding the routine activities of terrorists in North Ireland during the period between 1969 and 2000 in which 104 people were killed and 1,375 wounded annually. (Zycher, 9) A severe case terrorist campaign is modeled off of the recent terrorist violence in Israel occurring between 2000 and 2002. An annual average of 331 people killed and 2,438 wounded resulted in this situation, with the main difference being not only in gross number of people killed and wounded, but in the much higher ratio of people killed to people wounded. The moderate case sees a ratio of almost one death per 100 injuries, while the severe case demonstrated a 13.6 to 100 ratio of killed to wounded. (Zycher , 10) Finally, a nuclear case assumes the use of a crude nuclear device by a terrorist group in urban areas. While the type and power of nuclear devices that may be available to terrorist groups vary widely, even a small-yield nuclear device could cause casualties well into the hundreds of thousands with more than 10,000 deaths. The study assumes for the nuclear case scenario an annual death total of 50,000 with 300,000 injuries. (Zycher , 11)

For comparison to the scenarios above, it should be noted that, between 1995 and 2000, the United States lost an average of 13.5 citizens per year in terrorist attacks, while an average of 109 citizens were wounded annually. These numbers obviously do not include the events of September 11, 2001, which bring the numbers to over 440 killed annually and 1022 wounded annually, making for a ratio of 43 killed to 100 wounded, much higher than the either the moderate case or severe case. (Zycher, 8)

The costs associated with each case are high. Costs associated with deaths, injuries, property damage and reduced GDP being \$11.3 billion annually for the moderate case, \$183.3 billion annually for the severe case and \$465 billion annually in the nuclear case. An estimated

\$10 billion annually in counter-terrorism measures would be spent in the moderate case, while the severe and nuclear cases would require \$200 billion and \$300 billion annually. The total costs of a protracted terrorist campaign against the United States, even at a moderate level, are at least \$21.3 billion annually, while severe and nuclear situations would see a cost of between \$383.3 billion and \$765 billion annually. (Zycher, 21)

In addition to counter-terrorism efforts, we must consider the cost of U.S. preemptive actions in the Global War on Terror. According to a UPI article, the United States has spent over \$250 billion in the Global War on Terror as of January, 2005. (Tomkins) Since military force would not have been used in either Iraq or Afghanistan had the terrorist attacks never happened, one could include this cost in estimates of the September 11 terrorist attacks.

Conclusions

This chapter has revealed that the best estimate of a national benefit of immigration is between \$1-\$10 billion in annual GDP growth. This is the gain from the entire population of immigrants, legal and illegal, from all nations of origin. How much of this GDP growth is the result of the presence of illegal immigrants, specifically of Mexican origin, is unknown. State and local governments see a net fiscal loss as a result of illegal immigrants, particularly Mexicans in California and Texas, though the nation as a whole benefits from their fiscal contribution to the federal government. Local economies do experience capital gains in certain sectors, benefiting skilled laborers and entrepreneurs at the occasional expense of unskilled native workers. Nationally, it is doubtful that capital gains from illegal Mexican laborers are much of a driving force behind growth, though the presence of undocumented Mexican labor seems to aid agricultural interests in the Southwest.

While quantifying the impact of illegal Mexican immigrants on the American labor

market and economy as a whole is an unfinished process that only years of dedicated research will be able to complete, quantifying the cost of a large terrorist attack on a U.S. target is relatively easy given the example of September 11, 2001. The estimate of \$33 billion to \$36 billion by the Federal Reserve only speaks to the cost to New York City, where the attack hit hardest. It does not include the costs incurred by the U.S. government to rebuild the Pentagon building in Washington, D.C., nor does it include lost wages due to the untimely deaths of those killed in the Pentagon and those killed on the hijacked airplanes that crashed into the Pentagon and a field in Pennsylvania, respectively. This figure also does not show how much money the American economy lost as a result of closing financial markets such as the NYSE and NASDAQ exchanges temporarily. While the effects of one attack on New York City are drastic, the rest of America is certainly affected by terrorism. The Global War on Terror has reached a cost of \$250 billion, and will continue to cost hundreds of billions annually in the near future. Counter-terrorism efforts are predicted to reach costs of hundreds of billions annually. These responses to September 11 are funded directly by every American taxpayer and effect every American participating in the U.S. economy. It is clear that any potential stimulus the U.S. economy receives due to illegal immigration originating in Mexico is vastly outweighed by the potential for another terrorist attack, whether in the magnitude of September 11 or smaller. This statement clearly has some implications for public policy in the coming years. The next chapter will explore these implications as it is clear the U.S. must reform its immigration system.

Policy Implications

The purpose of this chapter is to explore the possible solutions to the post-9/11 questions of national security pertaining to the U.S.-Mexico border. Before the September 11, 2001 terrorist attacks, the United States and Mexico had made rather unprecedented movements toward bilateral agreements on immigration issues facing the two countries. The September 11 attacks placed hopes for bilateral coordination along the border in the temporary political backseat as the United States made its initial moves in the new Global War on Terror. In the last year, however, as the United States has examined the findings of the 9/11 commission and attempted to shore up weaknesses in domestic security, the issue of the U.S.-Mexico border and the treatment of illegal aliens has become a more pressing topic for the U.S. to deal with. This is evidenced by the debate over the REAL ID Act, among other legislation effecting the issue at hand. There are many interests on all sides of the issue, ranging from pro-immigration activists and the travel industry to advocates of immigration quotas and even the use of the U.S. military to seal the border with Mexico. This chapter will explore the suggestions of many of these interests, while analyzing the Post-September 11, 2001 U.S. and Mexican administration agendas in order to suggest coherent policies that may best secure the U.S. against terrorist infiltrators entering from Mexico while representing the broad array of interests that advocate the continuation of America's open society.

Pre-9/11 Bush Administration Policy

In early 2000, the relationship between the Mexican and American governments was one characterized more by similarities than differences. The recent election of Vicente Fox to Mexico's presidency in 2000 coincided with the election of George W. Bush to the U.S. presidency, placing two men with very compatible backgrounds in a position to set the future

course for U.S.-Mexico relations. Bush's time as governor of Texas and Fox's extensive travels to the U.S. provided both with a good background in each other's nation. Making the situation more hopeful was the continued opening of Mexico's government to democratic values. Fox's election was the first of a Mexican presidential candidate coming from a political party other than the PRI, or Institutional Revolutionary Party, which had virtually complete control of Mexico's post-revolutionary government for the majority of the 20th Century. The election was seen as a grand step in the democratization of Mexico, a process that had slowly begun after the end of the Cold War during the Clinton presidency, and provided a grand opportunity for a warming of relations between the neighboring U.S. and Mexican governments. Immediately, both presidents attempted to create a bilateral agenda on a number of issues, the most important in the context of this study being cross-border migration. (Purcell, 146-147)

In 2000, Fox began pushing for a more integrated North America, modeled on the European Union. This reflected Mexico's new foreign policy priorities of broadening the NAFTA agreement to spur cooperation on immigration, energy and economic development while expanding the definition of threats to North American security to encompass poverty, terrorism, poor public health systems and human rights violations. (Purcell, 148-149) The Bush administration welcomed discussion of a broader NAFTA, to include raising the number of visas provided to Mexican workers and providing some sort of amnesty or legalization of the millions of undocumented Mexicans living in the U.S. Many of the measures discussed included allowing undocumented Mexican residents of the U.S. better access to American bank accounts, drivers licenses and other forms of identification, which were already becoming accessible in many localities which accepted Mexican consular ID cards, known as *matrículas consulares* and used by many illegal aliens, as legitimate to open bank accounts and obtain U.S. identification.

(Purcell, 150-151) These proposals coincided with extensive efforts by Mexico to prevent its own citizens from illegally crossing the border with Mexican agents guarding certain off-limits areas and initiating a public safety campaign warning Mexican citizens of the dangers encountered while illegally crossing. (Purcell, 151) Fox's proposals would have between 3 and 4 million undocumented Mexicans living in the U.S. given some kind of legal status as part of a "regularization" or as part of a guest-worker program. (Ugalde, 126-127) In the first days of September 2001, during Fox's official visit to Washington, Mexico's president affirmed that his policy was that of the "whole enchilada", meaning he had set his sights on both a legalization of undocumented Mexicans in the U.S. and a guest-worker program and would not settle for just half of this proposal. Despite the ending the meeting with a moderate announcement stance that it would take four to six years to make such an agreement, Fox's administration soon demanding an immigration accord by the end of 2001. (Ugalde, 127-128) Mexico's aggressive timeline for the agreement caused a fair amount of discomfort in Washington, despite the reasonable possibility that the U.S. political scene was perfectly aligned to deal with the immigration issue. As far as the U.S. political parties lined up, Republicans favored the guest worker program as a solution to labor shortages and to keep wages and prices low in the agricultural and packing industries, while Democrats favored the legalization of illegal Mexican immigrants in the hope that Mexican laborers with new legal status would help fill the thinning ranks of labor unions which traditionally support democratic candidates. That both parties supported a different half of Mexico's proposal provided Fox's government with hope that their agenda would be approved intact, as neither party would be willing to sacrifice their agenda in the process. (Ugalde, 129)

Post-9/11 Bush Administration Policy

After the 9/11 attacks, the priorities of U.S. foreign policy changed drastically, taking focus away from building a special partnership with Mexico. As security concerns became the Bush administration's first priority, Mexico held on to its priorities of liberalizing immigration and fostering economic unity between itself and America. Securing some sort of amnesty agreement for illegal immigrants in the United States had been an important goal for the Fox administration, on which President Bush's administration was at least willing to discuss. After September 11, however, any kind of liberalizing of immigration, much less the free flow of laborers across the border Mexico previously envisioned as a long-term goal, became politically unfeasible for the United States as 58 per cent of Americans desired fewer immigrants in the U.S. shortly after the terrorist attacks. (Purcell, 156-157) These differences in agenda caused friction in the U.S.-Mexico relationship, compounded by the fact that the Fox administration was slow to show support in the wake of the 9/11 attacks. (Purcell, 157) Signs of cooperation on the subject of migration were virtually nonexistent. Meetings between Presidents Bush and Fox at the International Conference on Financing and Development in March 2002 and the Asia Pacific Economic Cooperation in October 2002 failed to result in any agreement, as President Bush's primary focus was winning Mexico's support for preemptive military operations against Iraq. Mexico's loud objection to U.S. policy concerning Iraq can be partially blamed for the Bush administration's lack of concern for immigration talks with Mexico. The resignation of Mexico's foreign secretary in 2003 signaled the end of Mexican hopes for an agreement during Bush's first term in the White House. (Ugalde, 130-131)

A slow reversal of this friction has occurred, however, as Mexico's National Security Coordinator, Adolfo Aguilar Zinser, has made security cooperation with America a top priority. The Fox administration has increased cooperation with U.S. in security matters by sharing

intelligence and increasing their own physical presence on the border to discourage human trafficking. Specifically, Mexico aided a U.S.-led manhunt by detaining persons of Middle Eastern descent with suspected terrorist ties, while the Mexican army has assisted the U.S. with increased cooperation against drug trafficking. (Purcell, 158) All of these are positive signs of Mexico's desire to cooperate with the U.S. in order to thaw relations. That the amount of illegal drugs flowing across the U.S.-Mexico border has declined can be seen as a positive sign that increased presence on the border has made conducting illegal activity more difficult in the area. The attention to the border has created significant trade problems as trucks shipping goods between the U.S. and Mexico now face significant delays. Technology may be the best remedy to this, as, in Purcell's opinion, "... some form of pre-clearance for goods, high-tech identification cards and other innovations that reduce the risk of the entry of potentially dangerous individuals into the United States ultimately will be adopted for the U.S.-Mexico border." Such innovations would also reduce lengthy waits at the border. (Purcell, 158)

Mexico has recently reframed the immigration debate in the form of a security question. By granting legal status to many of the millions of undocumented Mexicans living in the U.S., American security officials would have a means to positively assess the identity of persons entering the country from Mexico. This proposal, placed in the context of a national security measure, is more palatable for U.S. lawmakers of both parties, as both also have domestic agendas that would benefit from the increase in legal Mexican laborers. That both parties also desire an increase in Hispanic votes does not hurt the proposal. (Purcell, 159) However, Purcell concludes that any agreement between the U.S. and Mexico concerning immigration must be packaged by both nations and viewed by the American public as a security agreement. (144)

Finally, Purcell mentions the potential for U.S.-Mexican cooperation involving the issue of energy sharing. While immigration reform is a very politically difficult issue in the United States, energy reform is similarly difficult for Mexico. Achieving a deal on immigration in the future may require Mexico to privatize its state-owned energy industry to participate in free energy trade with the U.S. and Canada under the auspices of NAFTA. Such a trade may make immigration reform more politically feasible for American politicians. (Purcell, 160)

Potential Solutions to the National Security Risks of Illegal Mexican Immigration

Since September 11, 2001 many potential solutions to the security issues surrounding the U.S.-Mexico border have been explored. Among these solutions include adding physical security to the border by using U.S. military manpower to patrol the border and by building a large security wall along certain high-traffic areas of the border. Another method involves current legislation being debated by congress to restrict access to U.S. identification for undocumented residents. Finally, new attempts at a bilateral agreement between the U.S. and Mexico on the subject of immigration will have implications for the security of the U.S.-Mexico border.

In the aftermath of the September 11 terrorist attacks, the U.S. began using the National Guard in a variety of homeland security roles. Fighter jets routinely flew combat patrols above some of the nation's largest urban and political centers. National Guard soldiers stood watch in airports, often armed with assault rifles. National Guard soldiers also, after contentious debate, temporarily provided physical security at the U.S.-Mexico border while the government funded the hiring and training of Border Patrol agents to replace them.

Immediately after the attacks, some conservatives recommended that as many as 100,000 National Guardsmen patrol land borders until an equivalent number of Border Patrol agents could be trained to backfill them. Michelle Malkin wrote in her 2002 book on homeland

security, "If we are willing to send American troops to the mountains of Afghanistan and the jungles of the Philippines to defend against foreign threats, we should be prepared to dispatch them for the duration of the War on Terror to help police the vulnerable, unguarded stretches of desert, forest, valley and sea here on the home front." (233-234) While less than 2,000 National Guardsmen were actually called up to guard the border, Malkin raises an interesting question. Could the U.S. military seal the border with a large number of troops and equipment patrolling the border?

To answer the question, one must look at the debate surrounding the use of just a small number of National Guardsmen to temporarily guard the border after September 11.

In an analysis of the new Global War on Terror, Duncan writes extensively on the issues surrounding mobilization of National Guard and Reserve troops. In December 2001 Attorney General John Ashcroft made a proposal for 1,700 National Guard troops to augment border security with Canada and Mexico during a 12-18 month span in which permanent funding would be acquired to train and employ the Border Patrol personnel to adequately patrol the border. (Duncan, 151-152)

Debate over the plan centered around several issues. First, military and civilian officials clashed over who was to be the chain of command supervising the National Guardsmen. The Joint Chiefs of Staff opposed subordinating the National Guard soldiers to civilian authority until the Secretary of Defense, Donald Rumsfeld, approved the idea of civilian agency control of the troops. It should be noted that the subordination of National Guard units to civilian authority has been frequently practiced in the last two decades when National Guardsmen have supported federal agencies in counter-drug efforts. It should also be noted that a National Guard unit's dual role as servant to both the federal government and the government of the state in which it is

located, National Guard units have been subordinated to state civilian agencies for a variety of domestic purposes, such as disaster relief and law enforcement assistance, throughout the nation's history. (Duncan, 152)

It is this dual role as both a federal and state asset that caused further debate over who was to control National Guard units sent to patrol America's land borders. National Guardsmen can be called to duty in their state role under Title 32 of the United States code. Troops mobilized under Title 32 may perform a wider range of duties in a law-enforcement capacity without violating the Posse Comitatus Act, which restricts federal troops from arresting or monitoring U.S. civilians. National Guardsmen mobilized under Title 32 would also be deployed within their home state, keeping them closer to home and ultimately increasing morale. When it was decided to place the National Guard troops under Title 10 federal status, however, the soldiers were barred from making arrests and searching suspects. Later, the Department of Defense made agreements with the multiple federal agencies to be supported by the National Guard that ensured federal law enforcement would take the role of providing force protection for soldiers supporting them, while the soldiers would not bear firearms. This aspect, as well as the argument that state governments would have more local and regional knowledge to better command and control military forces in support of law enforcement, drew intense criticism. With all 50 states' National Guard commanders protesting the federalization of the force, some modifications were made, including allowing a small contingent of National Guardsmen who were to perform duties at remote border locations to carry sidearms for personal protection. (Duncan, 153-154)

Duncan concludes that with the current pace of operational deployments, "it is imperative that we continuously reassess our worldwide responsibilities and that we do not assign domestic

tasks to military personnel, if the tasks can possibly be performed by civilian institutions of government.” This sentiment is seconded by the Secretary of Defense’s comments saying that the military should only perform domestic functions on a short-term, emergency basis, so as not to interfere with its martial functions. (Duncan, 267) The idea of reserving military forces for war-time functions and allowing civilian agencies to perform domestic security and law enforcement functions makes sense in light of the current dispersal of Army units. In July 2004, 16 active duty brigades were deployed to Iraq, two to Afghanistan, one to the Balkans and two in Korea, making 21 brigades forward deployed. 3 brigades were non-deployable while undergoing modernization. The remaining 9 brigades in the active duty force were committed to responding to a contingency in Korea. (Duncan, 259)

Another aspect to consider when discussing the physical security of the border is the benefits of a “seal the border” strategy. In a comparison of counter-terrorism border security efforts with counter-narcotics efforts undertaken by the U.S. for decades in the War on Drugs, Caulkins argues that, while interdiction of terrorists and their materials on the border is a critical aspect of counter-terrorism strategy, massive efforts at patrolling the entire border are not the most effective method to counter terrorists. Caulkins concludes that “while border control is likely to play a supporting role, it will not play a key role in helping reduce terrorism risks for the United States.” (82) The reason for this conclusion is the sheer volume of people and materials coming and going at the border. While it is difficult enough to locate a kilogram of cocaine crossing the border among the tons of legitimate goods, finding materials that could supply terrorists is an even more difficult proposition, given the fact that many of the items historically involved in terrorist incidents are “dual-use” items with legitimate purposes, such as box-cutters and fertilizer. Also, while stopping a large percentage of illegal drugs from crossing the border

would be a large success, failing to stop just one terrorist or his materials could easily be a disaster. For this reason, Caulkins recommends targeted searches along the border, reacting to intelligence, rather than attempting to seal off the entire border at once. (83)

Terrorists attempting to smuggle people or material resources into the U.S. on land across the Mexican border face many of the same vulnerabilities as large drug-trafficking operations. Agencies involved in counter-terrorism will be able to exploit these vulnerabilities to an extent, making border enforcement relevant for decades to come in the matter of homeland security. First, Caulkins argues, the high stakes of being apprehended attempting to enter the U.S. with a terrorist agenda cause terrorists to spend much more time and effort just to enter the U.S. with more sophisticated, difficult and costly smuggling techniques. The seizure of materials is also a key vulnerability caused in terrorist organizations. While many terrorist materials are easily replaced, rare and expensive biological, chemical and nuclear materials would be very difficult for terrorists to replace. Furthermore, whereas drug smugglers are relatively easy to replace due to the money to be made in drug smuggling, replacing a trained, committed terrorist would be much more time-consuming and costly for a terrorist organization. Finally, any time a terrorist or his supplies are caught at the border, law enforcement possesses the potential to trace the goods or person to other terrorists operating in the U.S. or elsewhere. This may prove to be the most important vulnerability for terrorists attempting to enter the U.S., as the risk of being tracked by confiscated goods or detained employees has historically been a major concern for narcotics traffickers. (Caulkins, 84)

Real ID Act

After the 2004 elections in the United States in which President Bush was re-elected and the Republican Party gained seats in both houses of congress, the immigration issue has been

hotly debated as new legislation has forced this issue into the national spotlight. This legislation is the REAL ID Act written by Republican Representative James Sensenbrenner and passed by the House of Representatives in March of 2005 as a condition of President Bush's \$81.3 billion emergency funding request for operations in the Global War on Terror. The provisions of the REAL ID Act include many suggestions by the 9/11 commission that were excluded in an intelligence overhaul passed in November of 2004. The law includes a provision that would make all states verify the legal status of a person before issuing a driver's license. If a state does not comply, its driver's licenses will not be accepted for federal purposes, mainly boarding airplanes and registering for passports. (Epstein) Critics of the REAL ID Act charge that the act does little to improve national security. In a New York Sun article, a spokesperson for the American Immigration Lawyers Association is quoted as saying, "the provisions seek large-scale changes to laws in the name of national security; however, none of its provisions do anything even remotely to secure our borders." Other groups have criticized the bill on the grounds that denying undocumented immigrants access to a driver's license poses more of a threat by placing unsafe drivers on America's roadways. A spokesperson for the New York Civic Participation Project issued the statement that, "the provisions that he has introduced with regard to the driver's licenses don't make the country any safer, they would just prohibit in New York State hundreds of thousands of immigrants from legally getting licenses." Also, a group of more than 50 immigrant, labor and religious groups from New York signed a letter to congress in opposition to the driver's license proposal on the grounds that it will "result in an increased number of unlicensed, uninsured drivers on our roads." (Gerson)

In congress, debate about the bill has been split along party lines, with Democrats opposing not only the driver's license provision, but a provision included in the bill that would

make asylum harder to get and keep for immigrants. Democrats oppose this measure, saying, in the words of Democratic Representative Linda Sanchez, "If the Real ID Act is passed, it would slam the door on refugees seeking asylum from blood-thirsty regimes. It's a sad day when Republicans use the pretext of national security to attack immigrants who pose no real threat to the national security." Republicans, on the other hand, largely support both provisions of the bill. Republican Representative Ed Royce, like many of his colleagues, supports the asylum provision, stating, "It is a fact that terrorists have and continue to abuse our asylum laws to stay in this country." The Bush administration has also given its support to the Real ID Act. (Bunis)

Also included in the REAL ID Act legislation is a controversial measure to finish building a fence along the area of the U.S. Mexico border between San Diego and Tijuana. The REAL ID Act would give the Department of Homeland Security the right to waive environmental laws in order to complete the final 3.5 miles of the 14-mile fence, which is already in progress. (Epstein) Completion of the fence, which has three tiers and runs through one of the highest-traffic areas for illegal immigrants from Mexico, is expected to cost between \$32 and \$37 million. (Bunis, Bazar) The U.S. Border Patrol claims the fence, in its unfinished state, and others like it that have been erected along the border in Arizona and New Mexico, promotes security by reducing illegal human traffic in well-traveled areas along the border. The Border Patrol states that the number of illegal aliens crossing at land borders has declined from 1.6 million in 2000 to 931,000 in 2003, while violent crimes committed against migrants by smugglers and bandits has decreased, partly because of the fences. Other supporters of the border fences, including politicians from Border States like Republican Senator Jon Kyl of Arizona, maintain that the fences are important in the effort to keep terrorists and criminals from entering. (Barclay)

Critics of the border fence claim that migrants merely find alternate routes around the fences. Guillermo Alonso Meneses, a professor at the College of the Northern Border in Tijuana, claims the walls have forced migrants to cross in more dangerous areas like the Sonora Desert, where hundreds of migrants die each year. "With the walls, more contractors get rich and more migrants die, and nothing is solved," the professor told UPI in a recent article. The Mexican government fiercely opposes the walls, calling them discriminatory against Mexican citizens desiring work North of the border. But U.S. lawmakers who support the wall, like Senator Kyl, maintain that the walls only discriminate against smugglers, terrorists and migrants illegally entering the U.S., while the U.S. has a sovereign right to protect its borders. (Barclay)

Environmentalists comprise another group opposed to any further work on the fence. Groups like the California Coastal Commission cite the many endangered species that inhabit the area as a reason not to continue construction of the fence, which would involve large-scale earthmoving. The San Diego Audubon Society has stated that the fence construction would threaten the ecosystem of the 2,500-acre Tijuana River Estuary. Some politicians representing the area, like Democratic Representative Bob Filner of San Diego, are nervous about the REAL ID Act's proposal to give the Director of Homeland Security the power to waive federal laws in order to complete the project, which would block any environmental lawsuits from being heard on the matter. It should be noted that Republican Representative Duncan Hunter, whose district borders Filner's, proposed the provision to waive federal laws in order to complete the fence. (Bazar)

Another aspect of any solution to the U.S.-Mexico border security issue will be bilateral dealings between the U.S. and Mexico. As mentioned before, though hopes for a bilateral migration agreement faded after the September 11 attacks, recent events have spurred increased

discussion on future cooperation between the two nations. After the November 2004 elections in which President Bush won a second term, hope for an agreement was raised when Presidents Bush and Fox agreed to a meeting in early 2005, as President Bush vowed publicly to press congress for a broad guest worker program offering legal status to millions of undocumented Mexican workers in the U.S. But, against such positive signs, stood the fact that immigration remained a polarizing political issue in congress. (Hillman)

Bush's first proposals for a guest worker and legalization program in January 2004 were met with little positive response from both parties in congress. After the widely criticized 1986 Immigration Reform and Control Act, selling a drastic increase in the number of legal immigrants has been a politically difficult idea to sell. Republican gains in both houses of congress are predicted to make selling amnesty for illegal immigrants and a guest worker program even more difficult for the Bush Administration. Alternative legislation exists in the form of the AgJobs bill, which would give eligibility for legal status to 500,000 undocumented farm workers and attracted 62 Senate cosponsors in early 2005. (Kraul and Alonso-Zaldivar)

Though well below the Fox administration's hopes for millions of legalization for millions of undocumented workers, President Bush sought to lower expectations in a March 23, 2005 meeting with President Fox in Waco, Texas. Due to a split within the Republican Party on the issue of immigration, in which moderates are backing the Presidents offer of amnesty to illegal immigrants with more than three years of residency in the U.S. while conservatives are seeking stricter border controls. President Bush did make a pledge to President Fox to continue pressing congress for his original proposal, while he also said he could not "pledge that Congress will act, because I'm not a member of the legislative branch." (Kornblut)

For its part, while Mexico has met the Bush Administration's proposals for guest worker and legalization programs, Mexican officials have strongly protested the REAL ID Act, especially its provisions on driver's license restrictions and the continuing erection of the San Diego-Tijuana border fence. In a statement shortly after the U.S. House of Representatives passed the REAL ID Act, Mexican Interior Secretary Santiago Creel said, "We oppose those measures and that our migrants be denied drivers' licenses. We're against building any wall between our two countries because they are walls that increase our differences. And, above all, the walls don't stop the migration flow." (Rodriguez) Whether the U.S. Senate will pass the REAL ID Act as part of the emergency funding for the Global War on Terror recently passed by the House remains to be seen. If passed despite of rigorous debate on the bill and the Senate's ability to strip REAL ID Act provisions from the funding proposal, the legislation could prove to be a stumbling block in future relations between the U.S. and Mexico.

Another aspect of bilateral cooperation between the U.S. and Mexico is economic cooperation. While cooperation on immigration reform and border security offers many potential solutions to the security problems plaguing the U.S.-Mexico border, seeking the root causes of illegal immigration from Mexico may prove useful as well. 51 per cent of Mexico's population lives below its poverty line, according to a 2002 Mexican government survey. (Pardinas, 65) The 1992 NAFTA between the U.S., Mexico and Canada provides for the elimination of tariffs on all manufacturing and agricultural products traded between the three nations over a 15 year period. The trade agreement also provides for the opening of automobile markets and banking operations between the three nations, as well as allowing U.S. and Canadian companies to bid for contracts with Mexico's state-owned oil company. Mexico, under the agreement, did not open its oil reserves to ownership by foreign countries or guarantee

the U.S. a set amount of oil exports. (Acevedo and Espanshade, 730) An early assessment of the potential effects of NAFTA by Acevedo and Espanshade forecasts increased illegal immigration from Mexico to the United States in the short-run as a result of displacement of Mexican workers caused by increased foreign competition with Mexico's domestic products. In the long run, however, Acevedo and Espanshade conclude that if NAFTA's effect is to strengthen the Mexican standard of living relative to the United States, pressures to migrate will lessen. This theory provides an alternative to employer sanctions and increased physical presence by law enforcement on the border, which have both proven to be ineffective. (Acevedo and Espanshade, 740) More recently, Pardinias concludes that the pressure for illegal immigration from Mexico into the United States will only be remedied by continuing integration of the Mexican manufacturing and service sectors with the U.S. market as Mexicans in the rural agricultural sector are displaced by agribusiness. With 88 per cent of Mexican exports going to the U.S., the solution to illegal immigration lies partly in continued economic cooperation with the U.S. (Pardinias, 84)

Conclusions

America's border with Mexico has historically been porous and accessible to Mexicans seeking a better life in the United States. While for the bulk of America's history, these Mexican immigrants have provided a valuable resource in the form of unskilled labor, primarily in the agrarian U.S. Southwest. While U.S. policy has at times attempted to deny these immigrants access to U.S. society, the U.S. attitude towards illegal Mexican immigrants has traditionally been rather accepting, especially when economic expansion and labor shortages make cheap undocumented labor attractive to American employers. Since the September 11 terrorist attacks, however, more focus has been turned to securing the border against the realistic possibility that terrorists may attempt to gain access to the United States through the U.S.-Mexico border. While the U.S. government has little way of knowing who among the thousands of people illegally entering from Mexico each month is friendly and who might be involved in international terrorist plots, Mexican immigration officials, some of whom have been prone to corruption in the past, have just as little means to know who is entering their country. Reports of terrorist cells representing groups ranging from the Irish Republican Army to Hamas acting in Mexico and Latin America, possibly with cooperation of Mexican smugglers are unnerving enough, but reports of the possible activity of an al-Qaida operative in Mexico signal that the enemies of the United States are prepared to attack at one of the nation's weakest points.

Clearly the costs of countering terrorism are high. In the case of the U.S.-Mexico border, it is not clear exactly how much the American economy benefits from the presence of undocumented labor from Mexico. With one report estimating that all immigration, legal and illegal from all source nations, produces at most a \$10 billion dollar annual increase in American Gross Domestic Product, clearly any gains from illegal labor from Mexico must be outweighed

by the cost of another terrorist attack on the scale of September 11, which cost New York City alone between \$33 billion and \$36 billion in physical damages and economic repercussions. This analysis should also include the increasing cost of homeland security efforts and preemptive efforts in the Global War on Terror, which approaches trillions of dollars and is a cost borne by all Americans.

Clearly something should be done to secure the U.S.-Mexico border against terrorist threats. This paper concludes that there is no simple magic bullet to cure the ills of U.S.-Mexico border insecurity. Instead, several policies must be pursued by the U.S. government, both unilaterally and involving cooperation with the Mexican government.

In cooperation with the Mexican government, the U.S. must reach a long-term agreement on immigration, for several reasons. First, any combination of a guest worker and legalization program warns Mexico to working on other issues with the U.S. Initiating this kind of program would make Mexico more likely to increase cooperation in intelligence sharing and physical security of the border. Leverage resulting from an opening of the cross-border labor flow could also be used to urge Mexico to continue public education and enforcement campaigns discouraging Mexican citizens from illegally crossing the border, especially in dangerous, difficult terrain. Cooperation between the U.S. and Mexican governments on immigration may also soften Mexican resistance to certain U.S. programs, such as fencing on the border and stricter driver's license regulations. Of course, a more immediate result of a freer flow of labor across the border would be an increase in legitimate traffic into the U.S., making it easier for enforcement officials to spot potential terrorists and other criminals more likely to attempt to cross the border in a clandestine manner. Of course, key to the success of such a program would be the U.S. government's ability to track the legitimate flow of people into the country. Unless

federal agencies can positively identify Mexican citizens entering the U.S. and track their whereabouts to discourage visa overstays or abuses of a guest worker program, the program would be as fruitless as the IRCA legislation of 1986. Finally, the United States must assist Mexico's economic integrations into the realities of NAFTA. The pressure to illegally migrate to the United States may be lifted for many Mexicans with easier means of legitimate migration. With the Mexican poverty rate at more than 50 per cent, however, more must be done to alleviate the pressure to illegally migrate. The U.S. government must explore ways to encourage investment in the poorest areas of Mexico. As NAFTA continues to lower and eliminate tariffs between the U.S. and Mexico over the next few years, Mexicans previously dependant on rural, agrarian lifestyles will be displaced by the kind of large-scale agribusiness that competes better with American products. Investments in rural Mexican communities would go a long way toward modernizing Mexico's economy and removing the incentive behind illegal migration. The bilateral relationship between Mexico must be developed and utilized in the above manner to reduce the flow of Mexicans illegally entering the U.S. Doing so will increase the efficiency and effectiveness of domestic U.S. counter terrorism efforts at the U.S.-Mexico border.

As for U.S. domestic policy, standardizing access to state identification, like driver's licenses, is critical to denying terrorists who have already entered the U.S. access to vulnerable targets, such as airplanes, and resources, like bank accounts. For the physical security of the U.S.-Mexico border, it is clear that America' should not use its military for long-term or large-scale border security. Utilizing them to do so permanently would be politically unfeasible in light of the heated debate that would take place over possible violations of the Posse Comitatus Act and the historic principle of civilian control over the United States military. Title 10 military forces regularly guarding the border would cause an extended and messy debate over Posse

Comitatus and the military's jurisdiction over the population. Moreover, much of America would be very uncomfortable with the thought of increased domestic powers available to a federal military. Also, the military, both active duty and reserve Title 10 soldiers as well as National Guardsmen deployed on a Title 10 basis, is occupied with foreign matters, primarily stabilizing Iraq and rebuilding Afghanistan. To utilize any arm of the military permanently for border security alone would be wasteful in light of the military's current operational tempo. The use of Title 32 troops and Title 10 troops in previously executed auxiliary and training roles should continue on the same limited basis in which it occurs today. The U.S. should continue emplacing physical obstacles such as the border fence between San Diego and Tijuana. It is impractical to fence the entire border, a \$35 million for 3.5 miles would equal about \$20 billion for the entire 2,000-mile border, not to mention politically unfeasible in the face of U.S. environmental and human rights opposition and Mexican government opposition. Fences in certain areas of easy access to smugglers and terrorists force threats to the U.S. to use more difficult approaches, forcing many well-intentioned illegal immigrants to reconsider the trip and making it easier to spot terrorists and criminals in the large volume of illegal crossers. Continuing efforts to police the border against terrorist threats should be based on specific intelligence, as sealing the border entirely would be unimaginably difficult and costly. However, any enforcement effort that reduces the traffic of well-meaning illegal immigrants serves to make counter-terrorism efforts at the border easier and more efficient.

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