

IMMIGRATION AND BORDER CONTROL

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For the past two decades the United States, a country with a strong tradition of limited government, has been pursuing a widely popular initiative that requires one of the most ambitious expansions of government power in modern history: securing the nation's borders against illegal immigration. Congress and successive administrations—both Democratic and Republican—have increased the size of the Border Patrol from fewer than 3,000 agents to more than 21,000, built nearly 700 miles of fencing along the southern border with Mexico, and deployed pilotless drones, sensor cameras, and other expensive technologies aimed at preventing illegal crossings at the land borders. The government has overhauled the visa system to require interviews for all new visa applicants and instituted extensive background checks for many of those wishing to come to the United States to study, travel, visit family, or do business. It now requires secure documents—a passport or the equivalent—for all travel to and from the United States by citizens and noncitizens. And border officers take fingerprints and run other screening measures on all travelers coming to this country by air in order to identify criminals, terrorists, or others deemed to pose a threat to the United States.

The goal is to create a border control system that ensures that only those legally permitted by the government to enter the territory of the United States will be able to do so, and that they will leave the country when required. The ambition of such an undertaking is little appreciated. For most of its history, the United States had only the

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loosest sort of border controls. Scrutiny of most visa applicants was cursory; few checks were done on incoming airline passengers; and it was possible to walk freely across almost any portion of the more than 7,500 miles of land borders with Mexico or Canada (Alden 2008).

That began to change gradually in the 1980s with the increase in illegal immigration from Mexico, and then more rapidly in the early 1990s following a political outcry from U.S. border states, especially California. The border control effort was greatly accelerated after the 9/11 attacks, becoming the primary mission of the new Department of Homeland Security (DHS) created in 2003. Yet some two decades along, border control remains a work in progress. Most Americans remain unconvinced that border security is improving; a Rasmussen poll taken in May 2011 found that two-thirds of the public believe the border with Mexico is not secure. While budget constraints will slow the extraordinarily rapid growth of border enforcement, the Obama administration and Congress are determined to continue tightening border control and further reducing illegal entries.

An in-depth stocktaking of the costs and benefits of this effort to date is long overdue. But at least three interim conclusions can be reached.

First, the U.S. borders are far harder to cross illegally than at any time in American history, and the number of people entering illegally has dropped sharply. Evading border enforcement has become more difficult, more expensive, and more uncertain than ever before. But border control will always remain imperfect; it is not possible for the United States to create a perfectly secure border, and that should not be the goal.

Second, more people still wish to come to the United States—even in a weak economy with high unemployment—than are permitted by current legal immigration and work visa quotas. One consequence is an expanding organized crime problem in which increasingly sophisticated criminal networks earn high returns for helping illegal immigrants enter the United States. This has contributed to a growing sense of insecurity along the borders even as illegal entry has become more difficult. The only way to remedy this is through legal programs that hew more closely to labor market demand.

Third, increased border control efforts have not just discouraged illegal border crossers, but legal travelers as well. Tourism, business travel, crossings at the land borders, and other legal entries into the

United States have all been flat or falling over the past decade. Skilled immigrants have been discouraged and sought out more hospitable countries. The economic costs of these declines have never been measured in any comprehensive way, but they are certainly large.

The questions for Congress and the Obama administration in the near future ought to be these: What are the goals of border control? How much is enough? How much can we afford? How can the economic costs of tighter border enforcement best be mitigated? How can better legal immigration and temporary work programs help to reduce further the illegal migration problem? Unfortunately, in the current political environment such questions are not being asked. Instead, Congress and the administration continue to be focused on the elusive goal of creating a perfectly secure border through enforcement measures alone.

A Brief History of U.S. Border Control

Immigration has been the forgotten stepchild of the second era of globalization. The United States over the past half century consciously and deliberately freed up trade in goods, lifted controls on capital and investment, and urged and pressured other countries to do the same. Its immigration policy, however—the third leg of freer movement of people to accompany the freer movement of goods and capital—developed largely by accident. Legal immigration levels rose sharply beginning in the late 1970s, largely as an unanticipated consequence of the Immigration and Nationality Act of 1965 that allowed permanent residents and naturalized citizens to petition for family members to join them. The Immigration Act of 1990 added larger quotas as well for skilled immigrants with no family ties. The United States also tacitly accepted high levels of illegal immigration, whether Mexicans and Central Americans coming across the southwest land border or Chinese, Pakistanis, and Filipinos arriving by air and overstaying tourist or student visas. While there was constant grumbling about the problem of unauthorized immigration, especially from the border states, the pressure to do something about the problem was outweighed by economic interests that opposed the sort of the heavy-handed government intervention that would be required to gain greater control. The landmark 1986 Immigration Reform and Control Act (IRCA), which continues to loom over the

immigration debate today, coupled legalization for nearly 3 million unauthorized immigrants with a largely unmet promise of better border security and workplace enforcement to discourage additional illegal immigration.

The result of this non-policy and non-enforcement of existing laws was a system that worked rather well from an economic perspective. Many young Mexican or Central American men would come on a seasonal or temporary basis to fill jobs in agriculture, tourism, construction, and other sectors. The numbers would rise in a strong economy and fall in weaker one, responding effectively to U.S. economic cycles. And given the few legal options available for low-skilled workers, as Gordon Hanson has written, illegal immigration was “the most viable means of entering the country” (Hanson 2007: 14). The few interventions by Congress were generally positive, such as the creation in 1990 of the H1-B visa to permit some of the increasing number of skilled foreign students at U.S. universities to remain and work in the United States.

But the arrangement could not survive two external shocks. The first was the surge in illegal immigration, driven primarily by a demographic bulge of young people in Mexico, successive Mexican economic crises in the 1980s and 1990s that slowed economic growth and limited job opportunities at home, and the restructuring triggered by the North American Free Trade Agreement (NAFTA), especially in the Mexican agriculture sector. Attempted illegal entries, as measured by the number of Border Patrol apprehensions, grew from negligible levels in the 1960s to more than 1 million annually during the 1980s and close to 2 million annually by the end of the 1990s.¹ Illegal migration went from being a nuisance problem to a major issue of public security and state welfare in the border states of California and Texas (and only later in Arizona). The first big buildup of armed agents at the southern border, with Operation

¹The use of apprehension data to measure attempted illegal entry has long been inadequate, but they are the only data that have been gathered consistently over time by the Border Patrol. Apprehensions count only those who are detected and arrested by Border Patrol agents, and do not include those who escape detection. The numbers thus underestimate attempted illegal entry. Further, apprehension data do not account for those who arrive in the United States legally and then overstay their visas. For a fuller discussion of measurement issues, see Alden and Roberts (2011).

Gatekeeper in San Diego and Operation Hold the Line in El Paso, fundamentally changed the economic dynamics of the border. As border crossing became more difficult and expensive, more migrants opted to settle in the United States, often bringing spouses and children with them (Durand, Malone, and Massey 2003). That put pressure on local schools, hospitals, and other social services. And with the option of returning home foreclosed, increasing numbers of illegal migrants began to follow work opportunities away from the border to states like Iowa, Georgia, and North Carolina that had previously seen few immigrants. The total number of illegal migrants resident in the United States swelled to roughly 12 million by 2007 (Passel and Cohn 2011).

The second big shock was 9/11. All 19 of the hijackers entered the United States on legal visas, despite red flags that should have excluded several. At the time of the attacks, five had overstayed or otherwise violated the terms of their visas (Eldridge et al. 2004). Following 9/11, preventing future terrorist attacks became the highest national priority of the United States, and stopping entry by future would-be terrorists became a core pillar of that strategy. The attacks transformed border control from what had been essentially a public order issue into a national security issue. And it broadened the notion of border control from the historic focus on the southern border to concern with air and sea entries, and with the northern land border with Canada. The creation of DHS institutionalized the link between border security and terrorism. The department was created largely by merging three border control agencies—the Customs Service, the Immigration and Naturalization Service, and the Coast Guard—and border and immigration enforcement is by far the largest budget item for DHS, accounting for more than half of the agency's annual budget. (U.S. Department of Homeland Security 2011: 15)

In response to these two shocks, the United States has pursued for the first time in its history a serious, sustained campaign to gain control over the borders. The goal is to create a system in which the U.S. government will decide exactly who is allowed to come into the country and who is not, and will have the capacity to enforce those choices with a high level of success. For a large, open, democratic country with a tradition of limited government, it ranks as one of the most ambitious government undertakings in American history.

Hardening the U.S. Borders

Foreigners can enter the United States legally in several ways. They can come temporarily as tourists or students or business travelers; they can come for longer periods of time to work on short-term visas, with the expectation that they will eventually return home; or they can immigrate permanently, either sponsored by a family member or on the basis of employment skills. The primary goal of border security (leaving aside drugs and other contraband) is to ensure that these legal channels are the only way to enter the United States.

The scale of that task is enormous. Last year, for instance, more than 8 million people applied for immigrant or non-immigrant visas to come to the United States, and just under 2 million were rejected. More than 16 million individuals were admitted without visas under the Visa Waiver Program. And more than 243 million legal entries were processed at the land borders with Canada and Mexico, a steady stream of cross-border traffic by people living, working, and doing business in the border regions. Illegal entries are far harder to track. There were 463,000 apprehensions made of individuals trying to cross illegally between the land border ports of entry. And an unknown number of individuals failed to leave when their visas expired, leaving them living illegally in the United States.

Over the past two decades, the U.S. government has systematically rolled out a series of measures aimed at reducing the flow of illegal immigrants. The first and most closely watched has been the expansion of a quasi-military presence at the U.S. land border with Mexico, and to a lesser extent with Canada. The Border Patrol, established in 1924, was for many years little more than a token presence between the land border ports of entry; today, it is the single largest law enforcement agency in the United States. Border Patrol agents have in recent years also been reinforced by the regular deployment of National Guard forces. Vehicle and pedestrian fencing has been constructed across nearly 700 miles of the border with Mexico; the former are metal barriers that block cars and trucks but do not stop walkers, while the latter are high steel barriers that can be breached only through ladders or tunneling. The border region is further monitored by electronic sensing devices and aerial drones that allow Border Patrol agents to respond quickly to breaches.

Determining the effectiveness of border enforcement is imprecise. Illegal immigration from Mexico has long been driven primarily

by relative economic conditions in the two countries (Hanson and Spilimbergo 1996). As long as wages in the United States remain far higher than in Mexico and its other southern neighbors, there will continue to be many who will take the risk of trying to enter the United States illegally. But the data in recent years strongly suggest that enforcement has played a significant role in discouraging illegal entry across the southern border.

In the mid-1990s, for instance, the Border Patrol was making about 600,000 arrests annually in each of California and Texas, and about half that number in Arizona. Border crossing was much easier in the urban regions of California and Texas than in the harsh, unpopulated deserts of Arizona. Following the border buildup of the mid-1990s, however, that pattern changed. Apprehensions rose to more than 700,000 per year in Arizona even as they were falling sharply in California and Texas. There was no question that illegal migrants were responding to the tougher enforcement in those two states by seeking other, less defended routes. With a similar crack-down in Arizona over the past five years, apprehension numbers have fallen all along the border. The number of arrests last year was the lowest of any year since 1972. Through mid-2011, apprehensions had fallen even lower, to levels not seen since the 1960s. While the apprehension data are far from adequate as a measure of illegal crossing, the declining trend is unmistakable.

More difficult is assessing how much of the reduction in attempted crossings is due to enforcement and how much is the result of a weak U.S. economy with lower demand for immigrant workers. But again the numbers suggest that enforcement is playing a big part. Since 2006, the number of apprehensions has fallen by more than half. The decline coincided with the border buildup in the second term of the Bush administration, and predated the onset of the recession in 2008 (though the construction market, which is a magnet for illegal migrants, had begun to weaken sooner). The number of attempted entries has continued to fall every year. In comparison, the previous recessions in 2001–02, 1991–92 and 1981–82 had virtually no impact on illegal entries, producing only a small decline and a swift return to the pre-recession level of entries. While certainly the recent recession was deeper, and the recovery much slower, than previous postwar recessions, the figures suggest that enforcement has been a significant factor discouraging illegal entry.

Expanded land border enforcement has been matched by a similar effort in the air environment. Here the focus has been less on identifying potential illegal immigrants and more on identifying those with criminal records or ties to terrorist organizations. Entry into the United States from overseas now involves passing through an extraordinary, high-technology security gauntlet, nearly all of it constructed over the past decade. Visa applicants are required to give fingerprints and digital photographs, present themselves for interviews, and in some cases wait for lengthy security background screenings (Alden 2011). Those who do not require visas must still register their identities with the U.S. government in advance of travel. All passengers on incoming flights are screened against a terrorist watch list of roughly one million names. Upon arrival in the United States, all non-Americans must also provide digital fingerprints and photographs to border inspectors, both to verify identity and to check against archived fingerprints of suspected criminals or terrorists.² The U.S. government now has in its databases the fingerprint records of roughly 130 million individuals, as well as 142 million facial recognition images. The major hole remains the lack of a comprehensive system for tracking whether visitors to the United States overstay their visas, though the government increasingly has the capacity to do this by matching incoming passenger records with outgoing records, and is about to embark on a pilot project to exchange entry and exit data with Canada (Alden 2010a, Obama and Harper 2011).

Measuring success in these efforts is even more difficult than at the land borders. Since the purpose is to keep terrorists out of the United States, even a single mistake constitutes a major failure. Following the near-miss Christmas bombing of 2009, for instance, Congress stepped up calls for even tighter visa and border screening measures. The plotter, a young Nigerian man, had in fact been identified through passenger screening after he boarded the flight to Detroit, and Customs and Border Protection (CBP) officials were ready to pull him aside on his arrival in the United States, and would likely have sent him home. But that turned out to be too late, calling the efficacy of the entire system into question (White House 2010).

²The exception remains Canadian and Mexican crossers at the land border, primarily because the large volume of cross-border travel makes such intrusive inspection impossible as a routine matter. Individual travelers at the land borders are pulled aside for additional scrutiny at the discretion of border officers.

The Christmas bombing incident highlights one of the biggest problems in the current discussion of border security—the conflation of terrorism and illegal immigration. Since 9/11, border security has been considered as part of the larger counter-terrorism mission of DHS. To be effective, counterterrorism needs to be successful virtually all the time; even a single failure could be extremely costly in terms of lives lost. While Stephen Flynn has argued persuasively that the United States needs to develop resilience in responding to and recovering from terrorist attacks, the standard for successful deterrence will always be extremely high (Flynn 2007).

But border security for the purpose of dissuading illegal migration is an entirely different matter. Here, perfect security cannot be the goal. Even the Cold War border between the two Germanies—the most heavily fortified in modern history—was successfully breached a thousand or so times each year. There is simply no way for a large, open, and democratic country like the United States to construct and maintain perfect border defenses. It is hard to think of another issue where the public debate is so utterly at odds with what the government can realistically achieve (Ziglar and Alden 2011).

The administration and Congress have exacerbated this misperception by failing to put forward any serious proposals for a reasonable standard of enforcement (Whitley, Roberts, and Shea 2011; Alden and Roberts 2011). What percentage, for instance, of illegal entries should the United States be able to prevent? While DHS does not currently measure the apprehension rate, the best guess is that between 40 and 60 percent of those who try to cross the southern land border illegally are arrested. Is that too low? Perhaps, but a comparison to crime statistics is illuminating. According to the FBI's Uniform Crime Reporting System, only the most serious criminals in the United States face a similar likelihood of apprehension. Sixty-four percent of murders, for instance, result in arrests and prosecution; the figures are 55 percent for aggravated assaults, and 45 percent for all violent crimes. But only 17 percent of property crimes and 13 percent of burglaries result in arrests and prosecution.³

It may be reasonable to set a higher goal for border apprehensions, so long as Congress is prepared to appropriate the necessary funds, though the current budget environment is one in which extra

³I am grateful to Bryan Roberts for assembling these figures and suggesting the relevance of the comparison to border apprehension rates.

dollars are certain to be scarce. But no serious discussion of border enforcement is possible until reasonable targets can be set by political leaders.

Smuggler's Paradise

The purpose of border enforcement is not just to apprehend would-be border crossers, but to raise the costs for potential crossers and thus deter others from ever attempting illegal entry. Again, the evidence is sparse but it suggests that tougher enforcement is increasing the price for anyone wanting to enter the United States illegally. At the southern border, most of those attempting to enter illegally use smugglers and the costs of entry have grown significantly (Roberts et al. 2010).

But the rise in smuggling costs underscores a central problem that arises from trying to stem illegal immigration through enforcement measures alone: tougher enforcement increases the financial incentive to elude enforcement. The lesson is the same one that was learned during Prohibition and has yet to be learned in the 40-year war on drugs: any successful effort to outlaw a good that is in high demand invariably creates an organized crime problem, because the value of the prohibited good rises. Most of the violence in northern Mexico is a consequence of the U.S. demand for illegal drugs, not the smuggling of illegal migrants. But while U.S. private sector demand for immigrant labor is much weaker than it was before the financial crisis and the recession, it has not disappeared. Unless there are legal programs that allow some orderly way for immigrants to come and work in the United States, smugglers will continue to fill that demand illegally.

There has long been a debate over the relationship between legal work programs and illegal immigration. From 1942 to 1964, the United States permitted several hundred thousand young Mexican men to come seasonally for work, most in the agricultural industry, under what was known as the Bracero Program. At its peak more than 400,000 agricultural workers came each year. In the absence of enforcement, the program did little to discourage illegal immigration; many farmers had the choice of hiring braceros or unauthorized workers, and one consequence was poor wage and working conditions for both. Those concerns led to the Bracero scheme being abolished in 1964 (Martin 2003). Whatever the problems with the

Bracero Program, however, the number of illegal entries from Mexico began to rise immediately after it was ended and continued to increase steadily throughout the following decades.

The lack of any new mechanisms to improve legal work opportunities for low-skilled workers, especially from Mexico, is one of the most unfortunate consequences of the failure by Congress to pass comprehensive immigration reform. The original legislation proposed by Senators John McCain and Edward Kennedy in 2005 would have authorized as many as 400,000 guest workers annually, roughly the number that came at the height of the Bracero Program in the late 1950s. Coupled with improved enforcement at the border and the workplace, there are strong reasons to believe that such a program today would be far better managed than it was a half century ago, and would provide a genuine alternative to illegal migration, especially for seasonal workers. A further advantage is that the U.S. government could levy sizeable fees on those coming to work; individuals who are willing to pay upwards of \$3,000 to a smuggler for the opportunity to enter the United States illegally would surely be willing to pay as much or more for the right to live and work here legally.

Instead, the administration and Congress appear determined to keep lining the pockets of the smugglers and other criminal organizations. Alongside increased border security, the major immigration initiative of the current Congress is an effort by House Judiciary Committee chairman Lamar Smith to mandate that all employers use an electronic verification system to ensure that they are hiring only legally authorized workers. Employer verification—like border security—will certainly help in discouraging illegal immigration, but it will also further enrich criminal enterprises engaged in producing increasingly sophisticated false documents to evade the system. While better employment verification is needed, unless it is coupled with a sensible legal work program for lower-skilled immigrants it will—like border enforcement—produce unintended consequences that diminish many of the benefits.

Effects on Legal Travel and Immigration

In its first strategic framework document, produced last year, the Department of Homeland Security stated: “Secure, well-managed borders must not only protect the United States against threats from

abroad; they must also expedite the safe flow of lawful travel and commerce” (DHS 2010: 24). The facilitation side of the DHS mission, however, has consistently come a poor second to the enforcement mission. The United States continues to hurt itself through poorly targeted enforcement measures that discourage foreign students, keep out skilled immigrants, drive away tourists, and lead foreign investors to look for friendlier markets. These economic impacts of border enforcement have never been measured and aggregated in any precise way, but they are unquestionably large.

Take the tourist industry, for example, which is the largest U.S. service sector export, and accounts for nearly 9 percent of all exports. (Tourist dollars spent by foreigners in the United States are counted as an export in trade statistics.) In 2000, the United States welcomed 26 million foreign tourists; ten years later, in 2010, it welcomed exactly the same number—26 million. Yet in that decade the world tourist market grew by some 60 million passengers as growing middle classes in China, India, Brazil, and elsewhere began to travel abroad. Those additional travelers did not come to the United States. Over the past decade, the U.S. global share of long-haul travel has fallen from 17 per cent to 12.4 per cent. The U.S. travel industry estimated that if the United States were to regain that lost travel share, it would increase U.S. exports by \$390 billion and create 1.3 million jobs (U.S. Travel Association 2011: 13).

It is difficult to know for certain whether it is border security measures or other unrelated factors that have dissuaded tourists from coming to the United States, but there are many reasons to believe border measures have played a significant role. The U.S. visa process is difficult, expensive, and often time-consuming for tourists and other travelers. A U.S. Travel Association survey of travelers from Brazil, China, and India found that large majorities were discouraged from visiting the United States by the visa process and security measures. Since those countries are the biggest sources of future travel growth, that is surely a damaging perception.

There have been other business costs as well. More detailed border inspections, even with the laudable efforts that have been made by CBP to streamline procedures for high-volume shippers and encourage enrollment in registered traveler programs like Nexus and Sentri, have slowed cross-border commerce (U.S. Chamber of Commerce and Canadian Chamber of Commerce 2009, and U.S. Chamber of Commerce 2011). Visa delays have discouraged foreign

investors from the U.S. market, and may well have contributed to the declining U.S. share of foreign direct investment over the past decade (U.S. Commerce Department 2007). The United States has failed even to sign on the APEC Business Travel Card, a scheme designed to ease business travel in the fast-growing Asia-Pacific region.

The loss of tourist revenue and the discouragement of foreign investors and business travelers are certainly costly, especially in a weak economy with catastrophically high unemployment. But the more lasting consequence may be the loss of skilled immigrants. The United States has long been the most successful country in the world at recruiting and retaining highly talented immigrants—in sports, in entertainment, and most importantly in the scientific and technological fields that drive modern economies. Over the past decade, however, that advantage has shrunk significantly. The growth in foreign students slowed sharply, with many going to places like Australia and Canada, and even to long-closed Japan. Skilled workers are being lured by other countries that have overhauled their immigration laws and promise a smoother transition to a new life. And Chinese and Indians, the two largest groups of skilled migrants, are returning home in greater numbers to pursue job opportunities in their own fast-growing economies (Alden 2010b).

As with many of the other developments discussed in this article, it is hard to know for certain how much the U.S. effort to tighten its borders has been responsible for these trends. During this period, other countries have been waking up to the benefits that come from skilled immigration, and would likely have done more to lure talented migrants regardless of what the United States did. In addition, strong economic growth in China and India would surely have lured back many of their overseas students who might in the past have remained in the United States. But there is little question that U.S. policies have exacerbated these trends. At the very time much of the world has been opening itself to skilled immigration, the United States has been making it harder for these migrants to come here, and harder for them to stay.

The Future Border: Flexible and Secure

The United States will never again be a country with loosely guarded borders. The political coalition in favor of tough border control is strong and probably durable; the threats from terrorism or

other transnational crime are severe enough to necessitate effective border measures; and the desire by many to migrate illegally to the United States will remain strong enough that deterrence through enforcement is essential. The challenge, therefore, is how to make border security compatible with a sensible immigration system that strengthens the U.S. economy rather than weakens it. That unfortunately still appears to be a long way off.

A more sensible direction for the future would involve three major elements. The first would be an honest, constructive political discussion on the goals of border security. The current debate remains infantile in the literal sense that it imagines that the United States can exist inside a perfect cocoon of border security. Every Government Accountability Office (GAO) report that notes, quite rightly, that the United States does not exercise firm control over each inch of its 7,500 miles of land borders is greeted with a political gasp of alarm, even from normally sober politicians like Senator Joe Lieberman (I-Conn.) (GAO 2010). The Obama administration and the heads of the relevant congressional committees should sit down together to set some sensible targets for border enforcement, agree on the resources needed to reach those targets, and relentlessly monitor progress towards those goals.

The second requirement flows from the first. Border enforcement does not exist in a vacuum. If the United States tomorrow were to end all legal immigration, border enforcement would need to be strengthened much more still just to prevent a surge in illegal immigration. Similarly, if the United States tomorrow were simply to abolish immigration quotas and open its doors to all comers, the need for enforcement (again leaving aside drugs and contraband) would disappear. It is obvious, though it is almost never portrayed that way in the public debate, that border security is closely connected to legal immigration levels. The program that would do the most to address the illegal immigration problem is a temporary worker program, primarily aimed at low-skilled Mexicans and Central Americans who make up the bulk of the illegal immigrant flow. There are a range of difficult issues to be resolved in designing and implementing such a program, but it would pay immediate benefits in reducing illegal migration.

The United States also needs a more flexible legal immigration system that is closely tied to the state of the economy; current U.S. quotas are unnecessarily rigid and unresponsive to economic

conditions, in part because they require an act of Congress to change. The two major independent task-force reports of the past decade—one sponsored by the Migration Policy Institute and chaired by Lee Hamilton and Spencer Abraham, the other sponsored by the Council on Foreign Relations and chaired by Jeb Bush and Mack McLarty (I served as project director)—both recommended the formation of an independent government commission with defined and limited authority to adjust immigration levels in a timely fashion to respond to U.S. economic conditions (MPI 2006, CFR 2009).

There are certainly many—indeed the majority of the American public at the moment—who would argue against higher levels of immigration. That is perfectly reasonable. But the debate should be an honest one. Larger legal quotas, especially for less-skilled workers, would reduce the need for enforcement; smaller quotas would increase it. Instead, the discussion is a disingenuous one in which many in Congress insist that the border must first be “secured” before any serious consideration of immigration reform can be permitted. Legal immigration levels and border security are intimately tied to each other, and cannot be credibly separated in that fashion.

The third need is to reconsider our understanding of national security and border control. The close link in the public mind is largely a result of the specific circumstances of the 9/11 attacks, in which all the attackers entered the United States from overseas. The result has been an intense focus on policies designed to prevent similar future attacks, and border control has figured prominently. But if the attacks had been carried out by individuals who had lived many years in the United States—such as the perpetrators of the 2005 London subway bombing, who were all born or raised in the United Kingdom—the response would have been quite different. Immigration policy might still have figured prominently in the reaction, but the issue would have been—as it has largely been in Europe—the failure of integration rather than the failure of border control. Border control is a very limited counter-terrorism tool. While it can raise the hurdles for entry, there are many other ways to carry out terrorist attacks successfully. It is not coincidental that since 9/11 the majority of the terrorist conspiracies in the United States have involved U.S. citizens or permanent immigrants rather than recent arrivals. Terrorist groups have

simply adapted to tougher border controls and recruited accordingly (Alden 2010c).

The more serious threat to U.S. national security is that ill-conceived or poorly implemented border controls will do lasting damage to the U.S. economy. America's military advantage stems largely from its wealth and superior technology, and both depend in no small measure on the U.S. ability to attract and retain the best and the brightest from across the globe. As Amy Chua (2007), the Yale law professor, has argued persuasively, the most successful empires in history have been those that opened their doors widely; turning inward is invariably associated with decline. A perfectly secure border would not bring perfect security to the United States; indeed the opposite is true.

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