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**TO:** Interested Parties  
**FROM:** Jim Kessler, Vice President for Policy and Rachel Laser, Director of the Culture Program  
**RE:** Winning the Immigration Debate

With the failure of Congress to pass comprehensive immigration reform, it is clear that immigration will remain one of the critical topics for debate through 2008.

In our polling,<sup>1</sup> we found that the American public has strong—though complex—views on immigration, and that a substantial majority supports the kind of meaningful reform embodied in the bipartisan legislation that failed in Congress. ***The bottom line is that progressives can support comprehensive reform legislation, not only because it is right substantively, but also because it can be described and argued in ways consistent with the wishes of Americans.***

### The Message

There is a message on immigration that works with the vast majority of Americans, including an overwhelming number of Whites and a strong majority of Hispanics. That message is ***tough, fair, and practical***, and that is how bipartisan immigration reform, and the issue in general, *must* be described.

- *Tough* means tough on the border and tough enforcement.
- *Fair* means a solution that is FAIR TO TAXPAYERS.
- *Practical* means restoring the rule of law and practically solving the problem.

Moreover, conservatives have a near-fatal vulnerability that is based on two irrefutable facts: much of the current immigration crisis occurred on their watch, and under President Bush, enforcement of immigration laws is down by 25%. Indeed, under Bush a person is as likely to be eaten by an alligator as to be prosecuted for hiring illegal labor.

These vulnerabilities lead to an effective message to parry conservative proposals. That message is *more of the same*:

- This is the same ineffective plan in a new wrapper that brought us the immigration crisis in the first place.
- It will do nothing to restore the rule of law.

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<sup>1</sup> Benenson Strategy Group, 1,200 likely voters from swing states.

- It will take taxpayers for a ride and waste your money on a plan that has failed for the last seven years.

## Arguments to Win

As you make public statements about comprehensive reform, be aware of the terrain you must hold to control the immigration issue:

- **Fairness to taxpayers.** Every argument must make clear that your solution will be fair to taxpayers, turn illegal immigrants into taxpayers, and make businesses pay their fair share in costs and taxes instead of taxpayers.

*Thus, your approach is fair to taxpayers because it:*

- » Requires illegal immigrants to pay back taxes;
- » Turns illegal immigrants into taxpayers;
- » Makes businesses that hire illegal immigrants pay the wage taxes that they routinely avoid; and
- » Eliminates the shadow economy that allows people to be paid under the table and avoid taxes.

*And their solution is more of the same and unfair to taxpayers because it:*

- » Doesn't effectively deal with the 12 million illegal immigrants already here;
- » Does nothing to eliminate the shadow economy that feeds off of illegal immigrant labor; and
- » Does not provide real incentives for illegal immigrants to pay back and future taxes.

- **Jobs vs. Benefits.** Anti-reform conservatives want to argue that illegal immigrants are here to get benefits they don't deserve—from health care to Social Security. You should remind voters that immigrants are here to get jobs.

*Thus, your approach is practical and puts the taxpayer first because it:*

- » Goes after businesses that hire illegal labor;
- » Restores the rule of law on the border; and
- » Creates an orderly system at home.

*And their plan is more of the same and bad for taxpayers because it:*

- » Does nothing to address the hiring of illegal labor—the real reason that millions have crossed our border;
- » Fails to go after unscrupulous businesses that attract illegal labor; and
- » Calls for the impractical and expensive deportation of the 12 million illegal immigrants in our country.

- **Who is Responsible?** Because progressives express compassion toward illegal immigrants and their families, conservatives will try to turn the tables

and blame them for our current illegal immigration crisis. In fact, much of this crisis occurred on their watch and *they must own the status quo*.

*Thus, your approach is tough on the border because it:*

- » Strengthens border enforcement right away before any current illegal immigrant can apply for legal status; and
- » Eliminates the incentives that draw people across the border.

*And their plan is more of the same and an expensive sham, because for seven years:*

- » Enforcement of our immigration laws has declined by 25% from Clinton levels;
- » There has been a conspiracy of failure between President Bush, who turned a blind eye to the border, and unscrupulous businesses that make billions of dollars by hiring illegal labor; and
- » It would take more than 100 years to deport all of the illegal immigrants already in America under the Bush enforcement rates.

## Additional Insights

- **Don't confuse support with popularity:** Our polling showed that by 83-15%, voters supported the bipartisan Senate compromise, which included an earned path to citizenship. At the same time, 60% of voters (including 51% of Hispanics) believed it would be a good goal to deport all 12 million illegal immigrants back to their home countries—though most say that is impractical. This is not a contradiction; rather the public finds this issue complicated.
- **Fairness to taxpayers trumps justice and compassion:** Most voters believe that illegal immigrants are mostly good, hardworking people who seek to build a better life in America. But their warm feelings toward illegal immigrants end when their taxpayer interests begin. Voters ranked “don't pay their fair share in taxes” as their second highest complaint about illegal immigration (behind national security concerns from lax borders). They ranked “fairness to taxpayers” as their top goal for immigration reform.
- **Party labels matter:** Voters believe that Democrats put illegal immigrant interests ahead of taxpayers, don't think illegal immigration is a serious problem, and could care less whether immigration laws are followed or ignored. Republicans are seen as defenders of the border, respectful of the rule of law, and on the side of taxpayers.
- **You can align voter goals with progressive reform efforts:**
  - » Fair to taxpayers (94% all, 92% Hispanic)
  - » Uphold respect for the rule of law (91% all, 89% Hispanic)
  - » Practical solution to the problem (89% all, 88% Hispanic)
  - » Tough and secure border (87% all, 74% Hispanic)
- **Highlight Washington Failures:** With little prodding, Americans are willing to accept that Bush has failed America on immigration. The illegal immigration

population has doubled on their watch, no reform bill has passed because of deep divisions among Republicans, and enforcement is lax and half-hearted. Republicans have a fatal vulnerability on the enforcement issue and progressives must not be afraid to use it.

- **Hispanics are not monolithic:** Hispanic goals for reform are nearly identical to all other voters. Moreover, if progressive efforts are seen as an attempt to curry favor with one community, it will repel others.