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Immigration Enforcement: A Better Idea for Returning Illegal Aliens

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By some estimates, more than 15 million individuals are unlawfully present in the United States. If the U.S. government actually succeeds in appreciably reducing illegal border crossings on the border with Mexico, the number of people unlawfully present in the United States could actually rise significantly. No voice in the immigration debate—on the right or on the left—believes as a practical matter that millions of immigration violators can be detained and deported in short order. Before implementing comprehensive immigration and border security reform, Congress needs a realistic answer to solve what will be a very real and significant problem.

Getting immigration and border security right will require a quick and efficient means of getting large numbers of illegal aliens to return voluntarily to their home countries. Indeed, if reforms are conceived and implemented correctly, many of these millions will want to leave so that they can seek the opportunity to return for lawful employment. The best solution would be for Congress to establish a privately funded national trust fund that legitimate nongovernmental organizations (NGOs) could use to help unlawfully present persons to return to their places of origin.

The Border Security Paradox. Much of the debate over immigration and border security has

focused on sealing the southern border with gates and guards, with little regard to the implications of these policies. According to a study by Dr. Manuela Angelucci, an economist at the University of Arizona, each additional Border Patrol agent hired will stop roughly 771 to 1,621 illegal border crossings annually. This sounds impressive, but hundreds of thousands of people cross the border illegally every year.

However, reduced border crossings is only half of the story. Studies find that each additional agent hired encourages roughly 831 to 1,966 illegal immigrants already in the United States to stay here for fear of being caught at the border if they try to return home. “The effect of an additional agent,” concluded Dr. David Muhlhausen, who reviewed the academic studies in a report for The Heritage Foundation, “is unclear, possibly resulting in a net reduction of 503 individuals or a net increase of 995 individuals residing in the United States illegally.”

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- Heightened border security and better workplace enforcement may trap millions of unemployed illegal aliens in the United States.
 - Congress should establish a private trust fund to help illegal workers return home voluntarily.
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This paper, in its entirety, can be found at:
www.heritage.org/research/immigration/em1011.cfm

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If this research is correct, Congress is pushing for a solution that could make the problem worse.

The congressional focus on manpower and fences ignores another key fact: About half of the illegal immigrants currently in the United States came here legally and then overstayed their visas. Border security cannot stop this type of illegal immigration. Furthermore, as the border is made more secure, this type of visa abuse and trafficking in phony visas and other identity documents is likely to increase exponentially.

This is the paradox: Heightened border security could produce a net increase in the number of people illegally present in the United States. Furthermore, better workplace enforcement will deny more undocumented workers jobs, leaving millions of unemployed illegal aliens trapped in the United States behind secure borders.

A Better Answer. The simplest “answer” to this problem is to give amnesty to people already unlawfully present in the United States. Along this line, the Senate’s Comprehensive Immigration Reform Act of 2006 (S. 2611) would allow most of the millions of illegal immigrants, who have broken U.S. immigration laws, to remain in the United States. However, the Immigration Reform and Control Act of 1986 has already demonstrated that amnesty does not work, largely because it encourages further lawbreaking. Under the Immigration Reform and Control Act, 2.7 million undocumented workers received amnesty. Predictably, over the next 20 years, the number of illegal immigrants in the U.S. exploded to about five times that number.

On the other hand, if the United States had reasonably secure borders and reasonable legal opportunities to get visas, green cards, and access to a common-sense temporary worker program, many of those unlawfully present would leave willingly so that they could return to live and work here legally. To help them, the Congress should establish a National Trust for Voluntary Return—a program to help illegal aliens return voluntarily to their home countries.

Essentially, the National Trust for Voluntary Return should be a privately run, community-based volunteer program. It makes no sense to try to turn the federal government into a travel agency or to saddle American taxpayers with the burden of helping lawbreakers to make amends. In contrast, many nongovernmental groups have a serious interest in helping at-risk undocumented populations in their communities. Immigrant rights and faith-based organizations and other civil groups and individuals would donate money out of humanitarian concern. Business coalitions would enthusiastically support such a program as a way to get the workers that they need. Individuals interested in a strong civil society would donate funds because it would help to reduce the unlawfully present population in the United States.

The National Trust for Voluntary Return fund should be:

- **Administered** by a private commission with government oversight,
- **Funded** by private donations, and
- **Drawn** on by accredited NGOs that would use the funds to assist individuals to return voluntarily to their places of origin.

Finally, individuals participating in the program should be required to register with US-VISIT before they exit.

A Needed Initiative. Border security and immigration law enforcement efforts should be backed by measures that will help to make implementing these laws practical and effective. The National Trust for Voluntary Return is a necessary measure, but also one that is missing from the current legislation being considered by Congress.

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