



NATIONAL QUEER
ASIAN PACIFIC
ISLANDER ALLIANCE

a federation of lesbian, gay, bisexual, and transgender
Asian American, South Asian, and Pacific Islander organizations

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MYTHS AND REALITIES ABOUT IMMIGRATION TODAY DRAFT AUGUST 2009

Myth 1: Amnesty is bad for the United States.

Amnesty, also called legalization or regularization, is a law that would allow undocumented immigrants to obtain “legal permanent resident” status in the United States. With legalization, undocumented immigrants could access a “green card,” a social security number, and could eventually apply to become a United States Citizen. The last time an amnesty occurred in the United States was 1986. Recently, Spain, Greece, and Chile have enacted amnesty programs for the undocumented immigrants living in their countries.

Amnesty has gotten a bad reputation in the United States mainly because elected officials or anti-immigrant groups, such as the Minutemen or other nativists, say that it is bad for our country. They say that amnesty rewards lawbreakers and that too many immigrants will destroy our way of life. In fact, amnesty would be a major positive step to recognizing immigrants as equals in society. They would be able to hold jobs without fear of immigration authorities and could access basic forms of identification, such as driver’s licenses. Immigrants would no longer have to live in fear of their neighbors or the government.

Reality 1: Amnesty ensures human and civil rights for immigrants.

Myth 2: Congress has enacted an amnesty.

This is not true. Congress has not yet passed any legislation creating amnesty for the undocumented. If you see an advertisement for immigration services promising amnesty, this is fraud. If you see this type of fraud, contact NQAPIA or any of the member organizations of NQAPIA in your area.

Reality 2: There has been no amnesty enacted by Congress since 1986.

Myth 3: Any new law would have undocumented immigrants jump ahead in line over individuals who have been pursuing valid channels to come to the US.

One prevailing myth about the immigration reform is that undocumented immigrants will be able to attain legal resident status before the people who are being petitioned through family reunification channels. The concern is that undocumented immigrants are being treated more favorably by the government than legal immigrants. Under recent proposals dating back to 2006, undocumented immigrants would get at the end of the line. All of the people who have petitions pending in the backlogs of the family unification system would be processed before any undocumented immigrant could apply for a green card.

Reality 3: Most legalization programs will favor families who have already been waiting before undocumented immigrants could gain access greencards.



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Myth 4: Undocumented people do not pay taxes.

The Social Security Administration estimates that nearly 75% of all undocumented immigrants pay taxes. Undocumented immigrants pay approximately \$7 billion annually into the Social Security system (source: New York Times, April 5, 2005). It is widely acknowledged that undocumented immigrants are keeping the Social Security system solvent. However, by federal law, undocumented immigrants cannot access Social Security or any other public benefit. Undocumented immigrants are actually a boon to society because of their contributions to our public welfare system.

Reality 4: A majority of undocumented immigrants pay taxes.

Myth 5: The current immigration debate only affects Latino immigrants.

Approximately 65% of the Asian community in the United States was born in another country. In 2004, the Asian community numbered approximately 14 million, meaning that there are more than 9 million Asian immigrants in the U.S. Of this number, 3.7 million are not citizens. In California, Asians are the second largest major racial or ethnic group in four counties and the majority of the population in eight cities across the state. Clearly then, the immigration reform debate also impacts not just the well-being of Latinos, but Asians and all other immigrant communities in the U.S.

Reality 5: Immigration reform proposals affect all immigrants including Asians, Africans, Latinos, and Europeans.

Myth 6: Guestworker programs are good because they allow people to come to the United States.

Guestworker (or temporary worker) programs have a long history in the United States. The U.S.'s first major experiment with guestworkers was the Bracero program that lasted from 1942 to 1964 and involved 2.4 million Mexicans. The Bracero program has been decried by scholars and historians alike as one of the most abusive immigration programs in history. Harley Shaiken, director of UC Berkeley's Center for Latin American Studies and an expert on U.S.-Mexico trade and labor relations, noted "What happened to the braceros is both a tragedy and a disgrace." (Source: San Francisco Chronicle, January 16, 2004)

Abuses in the Bracero program were commonplace and workers were often deported for standing up for their rights on the job. Abuses are also common in modern-day guestworker such as the H1-B professional worker program. Nurses, high-tech workers, and other often have to work harder and longer than their U.S. counterparts, and live under the constant threat that their employer may fire them, leaving them without legal permission to be in the U.S.

We can see from the lessons of history that even though guestworker programs allow individuals to come to the U.S. legally, the risk of exploitation and abuse is high. There is a better alternative. We need to guarantee workers' human and civil rights on the job by giving them the option to immigrate to the U.S. as legal permanent residents.



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Reality 6: Guestworker programs stack the deck against immigrants and leave them at the mercy of their employers.

Myth 7: If I have a greencard, I cannot be deported.

Unfortunately, having a greencard is not a shield from deportation. The only shield from deportation is US citizenship.

Just 20 years ago, an individual could only be deported for major crimes like arson or drug trafficking. Today, an individual can be deported for very minor crimes and even for administrative paperwork offenses. For instance, under current law, a greencard holder can be detained by immigration authorities for failing to file a “change of address” form.

Proposals before Congress threaten to expand the categories of deportable offenses in unprecedented ways. For instance, under a recent proposal, an individual could be deported because they are merely suspected of being a gang member – ie guilty without being convicted in a court of law.

Reality 7: Even with greencards, immigrants can be deported.

Myth 8: Immigrants are taking jobs from African Americans.

There is no substantial evidence that immigrants are taking jobs from African Americans or other workers. Furthermore, studies that attempt to show that immigrants displace Blacks from lower-wage jobs fail to take in other factors such as educational attainment, work experience, and discrimination. Analysts such as UC Berkeley economist Steven Pitts say the culprits are employers, not immigrants. "The reality is that with or without immigrants, a major detriment of black job outcomes is the issue of racism in the labor market. When people talk about immigrants taking black jobs, it places the onus on the workers and not the employers." (Source: San Francisco Chronicle, April 13, 2006). Many economists disagree with the notion that immigration is the reason black unemployment is high. Instead, shrinking government budgets for job training and job creation, industry downsizing and manufacturing flight to foreign countries are the real reasons for job loss for American workers.

Reality 8: Immigrants and African Americans alike face a volatile job market controlled by employers.

Myth 9: Immigrants drive down wages.

This is a commonly held belief among the American public, but it is a fear that is often times rooted in xenophobia. Studies have shown that immigrants have minimal effect on wages.

A 2005 study by Harvard economists George Borjas and Lawrence Katz, that concluded undocumented Mexican immigrants undercut wages for U.S.-born high school dropouts only by 8.2 percent over 20 years from 1980 through 2000.

According to David Card, an economics professor from UC Berkeley, “That’s 40 cents an hour (less) as a result of 20 years of Mexican migration. In the several studies that I’ve done over almost 20 years, if there are effects (of lowering wages), they are very, very small.”



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His studies compared cities with large immigrant populations to those with few or no immigrants. He found that wage differentials between high school dropouts and more educated workers were the same in cities, regardless of the size of the immigrant population. (source: San Francisco Chronicle, May 21, 2006)

Reality 9: Immigrants have had little to no effect on the wages of U.S. workers.

Myth 10: People choose to be undocumented.

If given a choice between living in the margins of society or participating as equals in society, undocumented immigrants would choose to be treated with dignity and respect – as equals. However, because the legal channels of migration are so few, people are not given meaningful options to be able to come to the US legally. Being an undocumented immigrant is not a choice; it is a status forced upon millions of people all over the country because of flaws in our current legal system. Furthermore, we need to acknowledge that U.S. policies towards other countries, such as Mexico, create conditions that force people to migrate in order to survive.

Reality 10: Immigrants are driven out of their countries and are denied access to legal immigration status when they come to the U.S.

Myth 11: Immigrant rights is not a “gay issue.”

In the mainstream LGBT community, there is a prevailing myth that there are few or insignificant numbers of LGBT immigrants and, therefore, the LGBT community is not impacted by immigration reform. This is untrue. There are millions of immigrants in the United States and very likely hundreds of thousands of LGBT immigrants, if not more. Legalization, immigration marriage equality, and many other changes to our immigration system will change the lives of LGBT immigrants for the better. It is in all our communities’ interests to mutually support changes in the law that will create a more fair and just society for everyone.

Reality 11: The LGBT rights movement is very closely linked to the Immigrant rights movement.

Myth 12: Undocumented immigrants have low levels of educational attainment.

While the mainstream media fixates on images of undocumented immigrants as disheveled workers on the street corner, in fact, some undocumented immigrants actually attain high levels of education. Many states allow students to pay in-state tuition at public universities and some even offer financial aid to assist students to finance their higher education. Undocumented young people are able to make their way to college. However, upon graduation, they are not permitted to legally work in the United States due to the 1986 Immigration Reform and Control Act, which outlawed employment for undocumented immigrants.

There are other undocumented immigrants who are very highly educated in their home countries and come to the United States as college graduates or even as doctors, nurses, or PhDs. Many times these individuals come on tourist visas or work visas that have expired, and they are not



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able to subsequently obtain legal status. As a result, they are forced to work in professions that do not match their skill or educational level.

There are still other undocumented immigrants who actually are employed in middle-class jobs because they may have come many years ago when obtaining a Social Security card was much easier. They are able to transfer jobs and “pass” for any other work authorized immigrant or naturalized citizen. The stereotypes that undocumented immigrants are uneducated or working class are untrue.

Reality 12: Among the 12 million undocumented immigrants in the U.S., there is some income and educational diversity.

Myth 13: Department of Homeland Security provides cash rewards to people who report the undocumented to federal law enforcement.

The Department of Homeland Security is not paying cash rewards to individuals who report the presence of undocumented immigrants in their neighborhoods or workplaces.

Reality 13: The Department of Homeland Security does not pay rewards to people who “turn in” the undocumented.

Myth 14: A wall between U.S. and Mexico will decrease unauthorized migration to this country.

When President Bush took office in 2000, policing along the U.S.-Mexico border dramatically increased. Bush approved a 30 percent rise in the number of border agents, from 9,500 to 12,500 today. This amounts to \$139 million worth of upgrades and new technology and \$70 million in physical barriers at the border. Moreover, from 1986 to 2002, the border patrol budget increased tenfold (from \$151 million to \$1.6 billion) and the number of hours border agents spent patrolling increased eightfold. Yet, the number of undocumented immigrants from 1993 to 2004 doubled, from 4.5 million to 9.3 million.

In a July 2002 report entitled, “Holding the Line? The Effect of Recent Border Build-up on Unauthorized Immigration,” the Public Policy Institute of California concluded that increased border enforcement did not decrease migration across the U.S.-Mexico border. The report brief states, “[There was no] statistically significant relationship between the build-up and the probability of migration. Economic opportunities in the United States and Mexico have a stronger effect on migration than does heightened enforcement.” (Source: www.ppic.org) The report also found that increased border enforcement has actually led to a lengthening of the period of time that undocumented immigrants stay in the United States because it is now more difficult leave.

Because of the already-existing wall, immigrants are forced to cross in the U.S. in more dangerous areas, like the desert in Arizona. The PPIC study found that the number of people who die while attempting to cross the border has increased in recent years because of increased enforcement. President Obama supports similar “border security” efforts.

Reality 14: A wall will not diminish the flow of migrants to the U.S. and has only led to a growing human rights crisis at the border