

Should They Stay Or Should They Go?

As the intense national debate on immigration heats up—with security, identity and wealth all at issue—every side can agree on at least one thing: the system is broken

By **KAREN TUMULTY**

YOU WOULDN'T THINK THE man whose name is rarely written without the word *maverick* attached would ever meet a cause he deemed hopeless. But that was pretty much where Republican Senator John McCain of Arizona was in the spring of 2006. McCain had embarked on a quest to transform the nation's immigration laws and set on the path to becoming citizens the estimated 11 million people who are here illegally. When the proposition had been tested, as recently as December 2005 in the House of Representatives, the result was a bill that went just about as far as possible in the other direction, one that would build two layers of reinforced fence along much of the 2,000-mile border with Mexico and declare everyone a felon who is illegally on this side of it.

But then, as the implications of that bill started to sink in, protesters began pouring into the streets of cities from Los Angeles to Philadelphia to vent their outrage. Among the protesters were illegal immigrants, and their American-citizen children emerging from behind their shield of invisibility, plus legions of voters who count the newcomers as family, friends and neighbors, in numbers "bigger than the Vietnam War demonstrations," McCain says. Something almost as remarkable started to happen inside the Capitol. One by one, Senate colleagues started coming to him privately whom McCain had written off as "rock-ribbed"



opponents to the legalization that he and Democratic Senator Edward Kennedy of Massachusetts had been working on for a year. There were maybe 10 of them, McCain says, all asking the same questions: "Isn't there a compromise on this? Isn't there some way to come together on this?"

For nearly as long as the U.S. has been a country, the question of who gets to be an American has stirred our passions and conflicted our values as few others have. In

1886, the same year that the Statue of Liberty was dedicated in New York harbor to the ideal of taking in the tired, the poor and the huddled masses yearning to breathe free, racist mobs rioted in Seattle and forced more than half the city's 350 Chinese onto a ship bound for San Francisco.

The immigration overhaul in 1986 was supposed to have fixed the root problem of an uncontrolled influx by making it illegal for U.S. employers to hire undocumented workers and offering an amnesty to illegal immigrants who had been here for five years at that point. Instead, the best estimates suggest that since then, the number of illegal immigrants has more than tripled. Local governments are staggering under the costs of dealing with the inflow, and since 9/11, controlling who comes into the country has become a security issue, as well.

In the end, drafting a law acceptable to both the House and the Senate would mean finding common ground in three areas:

■ TIGHTENING THE BORDER

THERE IS ONLY ONE THING ON WHICH all sides of this debate agree: America needs to get tougher about controlling its borders. Every proposal before Congress calls for more border-patrol agents, more jail cells and detention centers for captured illegal immigrants, and new technology to enable employers to screen employees to ensure that they are lawfully in the country.

■ ASSURING A LABOR SUPPLY

THE COUNTRY HAS WELCOMED SO-called guest workers into the U.S. since World War I, during which tens of thousands of Mexican workers were allowed in temporarily to help on the nation's farms. The idea is that when harvest time is over, they return home. Except that often they don't, which is why the House rejected President Bush's proposed guest-worker plan when it passed its immigration bill in 2005.

■ THE A WORD

AND WHAT OF THE 11 MILLION ILLEGAL immigrants who are in the U.S.? Will they get a chance at the biggest prize—citizenship? No word in the immigration debate is more controversial than *amnesty*. Everyone who wants to legitimize a significant portion of those who are here illegally is quick to insist that what they are talking about is “earned citizenship.” A bill that passed the Senate Judiciary Committee created a path to citizenship that would take 11 years and require that immigrants hold jobs, demonstrate proficiency in English, and pay fines and back taxes.

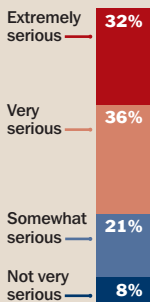
It's easy to understand why the idea of amnesty would spark such a negative reaction. The country tried that with the 1986 law. Nearly 3 million people took advantage of it, and the amnesty was followed by an explosion in illegal immigration. But not to offer some process by which illegal immigrants gain legitimacy is to keep them underground forever.

TIME POLL

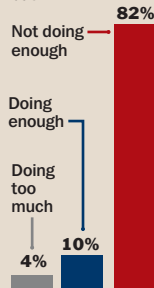
LET THEM STAY, BUT GET TOUGH

While a majority of Americans want to crack down on illegal immigration, they also strongly favor guest-worker programs and temporary visas

How serious a problem is illegal immigration into the U.S.?



Is the U.S. doing enough along its borders to keep illegal immigrants out?



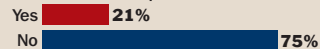
Should illegal immigrants be allowed to ... obtain driver's licenses?



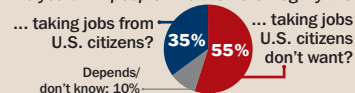
... attend public schools?



... obtain government services such as health care or food stamps?



Do you think people who are here illegally are ...

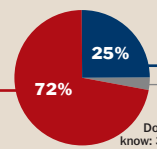


What if the U.S. deported all illegal immigrants and toughened security to stop them from entering the country? Do you think the U.S. would be better off?



Which comes closest to your view?

Allow illegal immigrants to get temporary work visas so the government can track them, and allow them to earn permanent residence after six years if they learn English, pay a fine, pay any back taxes and have no criminal record



Make illegal immigration a crime and not allow anyone who entered the country illegally to stay in the U.S. under any circumstances

Would you favor or oppose ...



This TIME poll was conducted March 29-30 among 1,004 adult Americans by SRBI Public Affairs. The margin of error for the entire sample is ±3 percentage points. "Don't know" responses omitted for some questions.

So which way is really in the American tradition? “Immigrants don't come to America to change America,” says Florida Senator Mel Martinez, who arrived from Cuba when he was 15. “Immigrants come to America to be changed by America.” But either way, they come. ■

Questions

1. What were some provisions of the immigration bill that the House passed in December 2005?
2. What three issues must be addressed to get a consensus from Congress on an immigration bill?