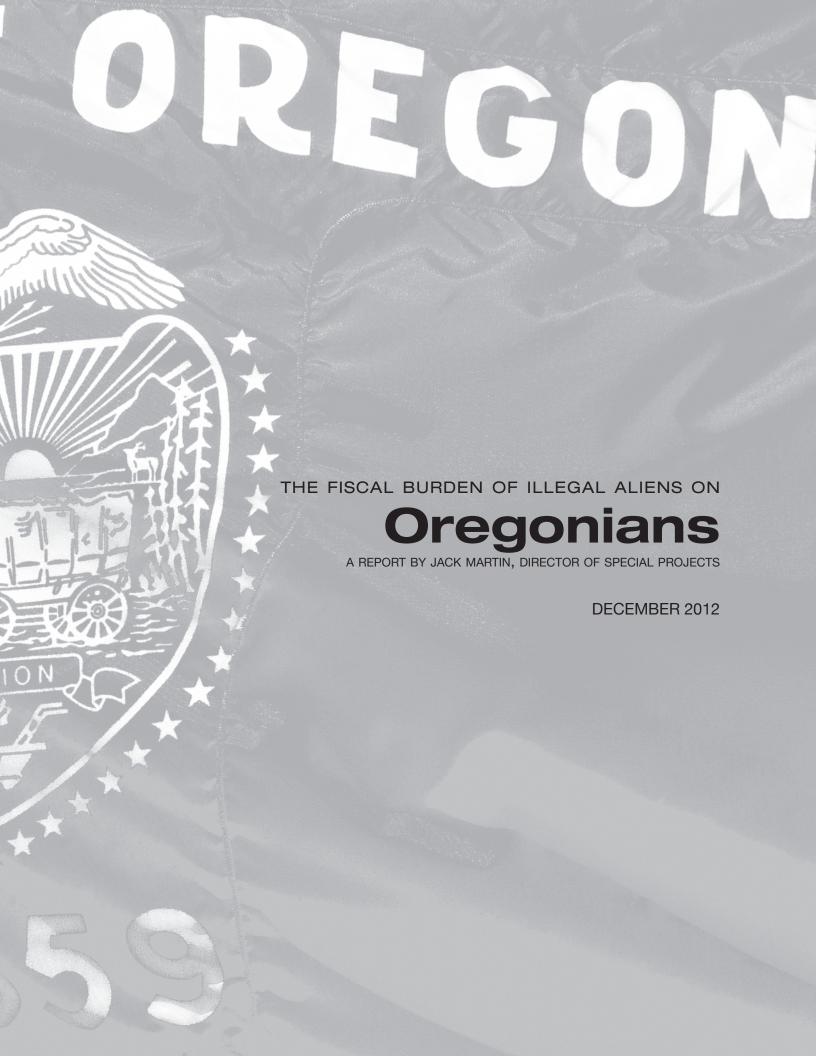




THE FISCAL BURDEN OF ILLEGAL ALIENS ON

Oregonians

A REPORT BY JACK MARTIN, DIRECTOR OF SPECIAL PROJECTS





Executive Summary

Oregon has a fast growing illegal alien population and a related rapidly increasing fiscal burden on the state's tax-payers. Major cuts had to be made in the state's 2012-13 budget to pare back spending for schools and social safety net programs to overcome a revenue shortfall of \$3.5 billion. This report identifies more than \$1 billion in annual fiscal costs borne by the state's taxpayers because of illegal immigration. State lawmakers have available the means to reduce that burden.

This study examines what the estimated 170,000 illegal aliens and an additional 64,000 U.S.-born children of illegal aliens cost Oregonians.

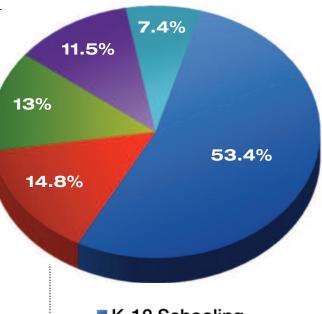


- K-12 EDUCATION COSTS About \$575 Million
- SUPPLEMENTAL ENGLISH INSTRUCTION About \$159 Million
- JUSTICE AND LAW ENFORCEMENT (includes policing, court and prison costs)
 About \$140 Million
- HEALTH CARE AND SOCIAL ASSISTANCE About \$125 Million

The average Oregon household headed by a U.S. citizen pays about \$728 annually to cover the costs of the state's illegal alien population.

The estimated tax revenue from illegal aliens is about \$77 million — 7.3 percent of the estimated burden. Illegal aliens pay relatively little in taxes, mainly because of their low earnings.

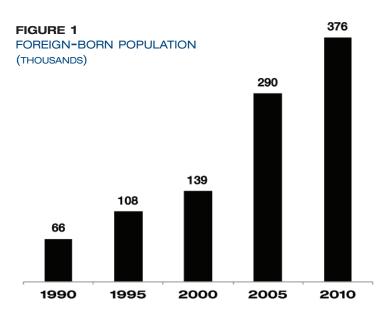




- K-12 Schooling
- Limited English
- Justice
- Health & Social
- General

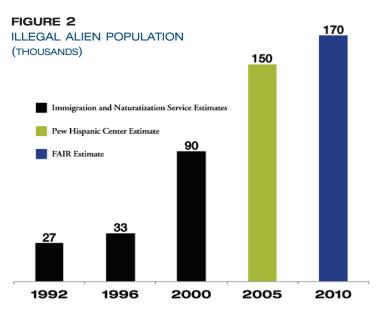
Background

Oregon has a fast growing foreign-born population in absolute numbers and in the share of the overall population. In 2010, the foreign-born population had grown from 66,149 in 1970 to nearly 375,000 (from 3.2% to 10.3% of the overall population). That rapid surge in the foreign-born population includes both legal and illegal immigrants, although it is generally accepted that the illegal alien population is underestimated in the Census data cited above.



The state's illegal alien population has similarly surged. In 1992 it was estimated by the Immigration and Naturalization Service at about 27,000 residents. That compares with a current estimate of about 170,000 illegal residents.

Public school enrollment of students in Limited English Proficiency (LEP) classes in Oregon — mostly children of immigrants and often children of illegal aliens — rose from 55,709 to 93,069 (67.1%) from 2000 to 2010. Over the same decade, enrollment for non-LEP students actually dropped by about 5,700 students. The 2010 Census data revealed that in Oregon more than four-fifths (81.1%) of the immigrant population over age five speak a language other than English at home and nearly half (49.7%) of them spoke English "less than very well." Among the for-



eign-born who have not become naturalized U.S. citizens — the population segment that includes illegal aliens — the share that said it does not speak English very well, 59.1 percent, was still higher.

The 2010 Census recorded that a large majority (71.1%) of non-U.S. citizen, full-time, full-year workers in Oregon over age 16 reported annual income of less than \$35,000 during the previous year. This suggests that virtually all illegal residents are in that low earnings category, and if they have children born in the United States they are eligible to apply for welfare benefits on behalf of those children.

Another glimpse at the conditions that accompany the fast growing foreign-born population may be seen in the Census Bureau's estimates of crowded living accommodations. Crowded housing is defined as more than one resident per room. Statewide, 1.6 percent of native-born residents reported living in crowded housing compared to 19.2 percent of non-citizen residents. Non-citizens in Multnomah County had an even higher rate of crowded housing at 25.6 percent, and Portland, which accounts for most of the county's population, had a rate of 23.8 percent. These crowded living conditions often result from unrelated individuals or extended families living together — often a means of minimizing expenses.

The impact of the rapidly growing illegal alien population is magnified by the unemployment rate in the state — 8.7 percent in September 2012 according to the federal Bureau of Labor Statistics. Competition with illegal workers in unskilled jobs is especially harmful to teenagers seeking work. In January 2011, more than one-infour (28.7%) of Oregon's teenagers looking for work was unemployed.²

Much of the fiscal burden from illegal immigration results from services provided to the children of illegal aliens born in the United States. As they are considered to be U.S, citizens by birth, the possibility of lessening the fiscal burden from those services relates only to the possibility that the illegal alien parents will take their children with them when they depart the state. For that reason, the process of lessening the fiscal burden is one that is likely to unfold over several years. That makes it important not to delay initiating the process. Finally, while it is clear that uniform measures across the country would be more effective and equitable than reliance only on state and local measures, the failure to act at the national level makes it important for state and local policymakers to fill the void in order to protect their constituents from the job competition and fiscal impact of illegal immigration and provide a level playing field for the state's employers.

This report updates a fiscal impact estimate by FAIR issued in 2010.³ The current report adds analysis of the distribution of the illegal alien population in Oregon.

The purpose of estimating the fiscal impact on Oregon taxpayers is to educate policymakers regarding the burden illegal immigration places on the state's resources and on its taxpayers. It is aimed at informing the public about the potential benefits from adopting measures designed to discourage the settlement of illegal aliens in the state.

Estimating the Impact

The starting point for estimating the fiscal impact of illegal immigration on Oregonians is to estimate the size of the illegal alien population. There can be no doubt that that population has soared since the amnesty for illegal aliens in 1986 when more than 27,500 aliens applied from Oregon for legal status.⁴ Of those, 23,338 amnesty applicants applied under the provision for seasonal agricultural workers.

The Immigration and Naturalization Service (INS, now merged into the Department of Homeland Security, DHS) estimated the size of the illegal alien population in Oregon in 1992 at 27,000 persons. INS raised that estimate to 90,000 illegal aliens in 2000. FAIR's estimate of the illegal alien population in 2010 was 170,000 residents — a nearly 90 percent increase over the decade. That increase was nearly as large as the overall increase in the state's foreign-born population.

FAIR's estimate is similar to — but slightly higher than — that of the 160,000 illegal alien estimate by the Pew Hispanic Center. FAIR's estimate includes illegal aliens who have been granted temporary work permits and who will revert to illegal alien status once those temporary permits expire. A report by the Congressional Research Service identifies these aliens and others, such as illegal aliens seeking asylum protection, as "quasi-legal." There are currently about 775 of these quasi-legal — mostly Central American beneficiaries of Temporary Protected Status who sneaked into the country — residing in the state. Further, the DHS and Pew estimates do not include recently arrived illegal aliens — on the basis that they may simply be temporary "sojourners" who will leave on their own within a year.

Based on the estimate of the illegal alien population, an additional estimate is required of the number of schoolage children within that population. Although there are no specific estimates of the illegal alien population at jurisdictions lower than the state level, we allocate the school-age children by region of the state based on the distribution of the foreign-born population, the distribution of the population that does not speak English well, and the distribution of the Limited English Proficiency (LEP) public school students.

FAIR includes an estimate of fiscal costs associated with the U.S.-born K-12 school-age children of illegal aliens. The birth of these children and their subsequent medical care is often paid for by the taxpayer, and they often speak the parents' language at home and require LEP classes when they enter school. Although they are U.S. citizens and not deportable, we include them in the cost estimates inasmuch as they would not be present in the United States and an expense to U.S. taxpayers if their parents had been deterred from illegally residing in the United States. Therefore, proactive policy responses that discourage future illegal alien settlement in the state can diminish this impact. Furthermore, if the parents leave the United States voluntarily or involuntarily, these dualnational children are likely to accompany the parents, and their departure would contribute to a reduction in the taxpayers' burden.

Research by the Pew Hispanic Center on the citizenship status of children in illegal alien households suggests that about 82 percent of K-12 students who are children of illegal aliens are likely to be U.S.-born.⁶ Based on the Pew estimate, and our estimate of the overall illegal alien population in the state, we estimate the number of children in Oregon who are themselves illegal aliens is about 14,285, among whom are 10,715 school-age children. The comparable estimate of the U.S.-born children of illegal aliens is 64,285, among whom 48,215 are schoolaged. The resulting estimate of about 58,930 children of illegal aliens in Oregon's K-12 public schools represents 10.1 percent of total enrollment

Educational Expenditures

Expenditures for K-12 education vary by school district because of the state education expenditure formula and varying local resources. Data provided on the state government website (www.Oregon.gov) on expenditure per pupil (not including capital expenditures) vary significantly. For example, per pupil expenditures in the Gervais school district — about 30 miles south of Portland — are \$11,570, while those in the North Clackamas school district — 12 miles southeast of Portland — are \$8,229.

Because data are not collected on enrollment of foreignborn students, an estimate of the expenditures on illegal aliens is imprecise, but is likely to be roughly proportionate to the enrollment of Limited English Proficiency (LEP) students. Table 1 shows school districts with large LEP enrollment — both in absolute numbers or as a share of total enrollment.⁷

These data suggest that there are concentrations of LEP enrollment in Multnomah and Marion Counties. Six of Multnomah County's 15 school districts account for 22 percent of the state's total LEP students and seven of Marion County's 19 school districts account for 18.2 percent of the students.⁸ These school districts in the two counties account for more than two-fifths of the state's total LEP enrollment, whereas the overall population of the two counties was slightly more than one-fourth (27.6%) of the state's population in 2010.

TABLE 1 K-12 Outlays by District

	LEP Enrollment	Expenditure per Pupil
Beaverton	5,756	\$8,754
Canby	795	\$9,113
Centennial	1,424	\$9,050
David-Douglas	2,833	\$9,516
Dayton	150	\$10,314
Eugene	472	\$9,837
Gervais	436	\$11,570
Gresham-Barlow	1,508	\$8,614
Hillsboro	3,182	\$8,984
Hood River	1,008	\$10,921
Klamath County	434	\$9,487
Medford	1,107	\$8,582
Mt. Angel	120	\$10,841
N. Clackamas	2,255	\$8,229
N. Marion	380	\$9,536
N. Santiam	149	\$8,298
Newberg	475	\$8,477
Oregon City	440	\$8,663
Parkrose	840	\$10,002
Phoenix-Talent	495	\$8,948
Portland	4,758	\$11,830
Reynolds	3,214	\$9,390
Salem-Keiger	7,770	\$9,421
Silver Falls	309	\$8,760
Tigard-Tualitin	1,575	\$9,187
Woodburn	2,938	\$10,468
Sub Total	44,823	
Rest of State	21,518	\$9,585
Total	66,341	

Average educational expenditures per student are higher than average in those 13 school districts. For the Multnomah County districts, the average is \$10,173, and for the Marion County districts, the average expenditure per student is \$9,779.9 For the rest of the state, the average per pupil expenditure is \$9,585. Applying those average expenditures to the estimated distribution of the children of illegal aliens in K-12 schooling results in an estimated outlay of \$575 million per year (see Table 2).

TABLE 2 Outlays on K-12 Children of Illegal Aliens (\$millions)

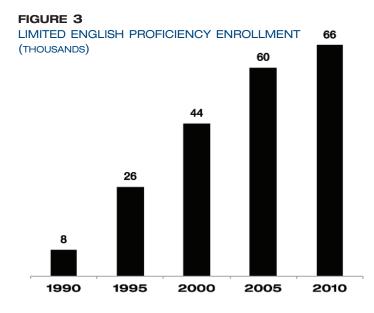
	Multnomah County	Marion County	All Other Counties	Total
Illegal	\$24.0	\$19.1	\$61.4	\$104.5
U.SBorn	\$107.8	\$86.0	\$276.3	\$470.1
Total	\$131.7	\$105.1	\$337.7	\$574.5

[Note: Multnomah and Marion County amounts are partial, as they are based on only the districts with the largest LEP enrollment: Multnomah (6 of 15 districts) and Marion (7 of 19 districts).]

LIMITED ENGLISH PROFICIENT (LEP) STUDENT ENROLLMENT

Additional educational resources are required to provide English language instruction to public school students who are not proficient. Census data collected by the Migration Policy Institute indicate that in 2010 more than 78 percent of Oregon's LEP students spoke Spanish.

Along with the rapid rise in the foreign-born population, enrollment of LEP students who are placed in supplemental classes in Oregon's public schools has risen rapidly in recent years. According to data collected by



"REACHING THE 10,000 MARK OF STUDENTS EXITING LANGUAGE PROGRAMS IS SIGNIFICANT, BECAUSE ABOUT 12,000 ENGLISH LANGUAGE LEARNERS ENTER PUBLIC SCHOOLS ANNUALLY. 10

> - CRYSTAL GREENE PUBLIC AFFAIRS MANAGER OREGON DEPARTMENT OF EDUCATION

the National Clearinghouse for English Language Acquisition (NCELA), enrollment in LEP instruction has risen from less than 10,000 in 1990 to about 44,000 LEP students in 2000, and by 2010 that number had soared to more than 66,300 students, as shown in Figure 3. From 1990 to 2010, LEP enrollment increased nearly nine-fold (778%), while the non-LEP enrollment increased by about 11,300 (2.2%).

LEP instruction is aimed at transitioning students who are native speakers of other languages to sufficient English fluency to be able to be educated in the regular classroom. Some LEP students reach that goal and exit the program every year. The rise in the number of LEP students is, therefore, because more are entering the program than are exiting.

LEP EXPENDITURES

Expenditures per student for LEP instruction have risen along with the rapid rise in enrollment. According to a report by the state legislature's Joint Special Committee on Public Education Appropriation, "In 1990-91 the programs accounted for \$625 on a per pupil basis and \$1,132 in 2000-01."11

Current expenditures are even higher, according to a Portland School District performance auditor [LEP and ELL (English Language Learners) are synonymous]:

Revenues to support educational services for ELL students are derived from two primary sources – the state school fund and federal grants. Under the Oregon state school fund grant formula, school districts receive additional funding for eligible students enrolled in ESL programs. On average, this amounts to approximately \$2,700 for each ELL student each year. In addition, districts also receive approximately \$136 per ELL student through Title III of the federal No Child Left Behind Act. 12

As this report focuses on the estimated direct fiscal costs to Oregonians, federal Title III funding is not included in our estimate, even though Oregonian taxpayers will also contribute to a share of that cost.

TABLE 3 LEP Expenditures for Children of Illegal Aliens (\$millions)

	Multnomah County	Marion County	Rest of State	Total
Illegal	\$6.4	\$5.3	\$17.3	\$28.9
U.SBorn	\$28.6	\$23.7	\$77.8	\$130.2
Total	\$35.0	\$29.0	\$95.1	\$159.1

[Note: Totals for Multnomah and Marion County amounts are partial, as noted at Table 2.]

The K-12 students enrolled in LEP instruction will include both those students who themselves are illegally in the country and those born here whose parents are illegal aliens. We estimate that those born in the United States are more likely to be proficient in English when they enter the school system than those brought into the country illegally. Without data collected on the immigration status of foreign-born students, it is not possible to determine accurately the share enrolled in LEP classes who are illegal aliens, but we estimate that about 95 percent of the illegal alien students will be in LEP instruction and about three-fourths of U.S.-born children of illegal aliens will also be in LEP instruction. Applying those shares, we arrive at the estimated level of expenditures shown in Table 3.

The combined K-12 fiscal burden to educate the children of illegal aliens – both foreign-born and U.S.-born in regular instruction as well as supplemental LEP instruction amounts to nearly \$734 million annually as shown in Table 4.

TABLE 4		
Total Educational	Outlays	(\$millions)

	Multnomah County	Marion County	All Other Counties	Total
LEP	\$35.0	\$29.0	\$95.1	\$159.1
K-12	\$131.7	\$105.1	\$337.7	\$574.5
Total	\$166.7	\$134.1	\$432.8	\$733.6

[Note: Totals for Multnomah and Marion County amounts are partial, as noted at Table 2.]

IN-STATE TUITION

Oregon has not adopted legislation to allow illegal alien students to enroll in higher education as in-state residents, although the state Senate passed legislation to do that in 2011 (Senate Bill 742). If the state allows illegal alien students who have received temporary deferred deportation to enroll at in-state rates, it will have a similar fiscal effect. We do not yet have data for estimating how much those additional costs would be, but an idea of the cost may be gained from Washington State, which already allows in-state tuition for illegal aliens.

Our estimate of the annual fiscal burden on Washington's taxpayers, based on an estimated enrollment of about 1,125 illegal alien students in both two-year and four-year public colleges and universities, is about \$3.8 million per year. That estimate does not include tuition assistance. Oregon's illegal alien population is smaller than Washington's — about three-fifths the estimated size — and presumably the cost would be proportionately less than in Washington.

Health Care Expenditures

After education outlays, health care expenditures represent the second largest area of fiscal cost associated with illegal immigration. These costs are largely the result of births to illegal aliens and other emergency medical care that, by law, may not be denied to anyone for as long as it takes to stabilize the emergency medical condition. Medicaid expenditures are shared between the federal government and the state. A federal funding program that previously compensated states for the out-of-pocket medical expenditures directly resulting from services provided to illegal aliens without medical insurance is no longer providing funds to the state.

MEDICAID BIRTHS

The emergency conditions that lead to costly expenditures are, for the most part, associated with the birth of children to illegal aliens who do not have health insurance. These are covered by Medicaid, because the medical service is attributed to the child, who will be considered a U.S. citizen at birth. 13

An estimate of the annual births in Oregon that are attributable to illegal alien mothers is based on a number of factors: the estimated 2010 illegal alien population (170,000) compared to the total foreign-born population (375,743); the average number of births in the state (about 46,915 per year between 2000 and 2009); and the greater proportionate share of births to the foreign-born compared to the native-born (about double their 10.8 percent population share). The foreign-born share of births is higher than the native-born share due in part to a larger share of foreign-born who are in their child-bearing years and in part due to a higher birthrate among the foreign-born. We make allowance for some of the births to illegal alien mothers being paid for by employer-sponsored health insurance.

Pew Hispanic Center research found that about three-fifths of Hispanics who were not U.S. citizens and not legal permanent residents ('green card' holders) had no health insurance in 2007. 14 Our estimate is that no more than a quarter of the births to illegal aliens are likely to be covered by insurance and the remainder paid by Medicaid. The income criteria for Medicaid provide coverage for pregnant women who reside in households with up to 250 percent of the poverty level. The above factors suggest that the number of annual births to illegal alien mothers in Oregon likely is about 4,590 and the three-fourths covered by Medicaid amounts to about 3,440 births. This number of births was 17.5 percent of all Medicaid births in the state in 2009 per data compiled by the National Governors Association. 15

We use an estimate of \$19,000 per birth (including prenatal care, delivery, and hospital newborn care). ¹⁶ This average, used in a 2001 fiscal impact calculation by state budget analysts in Maryland, is within the range of estimated costs for delivery only.

"For patients not covered by health insurance, the typical cost of a vaginal delivery without complications ranges from about \$9,000 to \$17,000 or more, depending on geographic location and whether there is a discount for uninsured patients. The typical cost for a C-section without complications or a vaginal delivery with complications ranges from about \$14,000 to \$25,000 or more." 17

Under Medicaid, the federal government is paying 62.9 percent of expenditures in Oregon. The estimated cost of Medicaid deliveries to Oregon's taxpayers is, therefore, \$7,050 per delivery. That expense multiplied by the estimated 3,440 births amounts to a cost to state taxpayers of \$24.3 million per year. Of course, Oregon taxpayers also pay a share of the larger matching federal expenditure funded by taxpayers across the country.

This expense to the taxpayer would be nonexistent if the illegal alien mother had been deterred from coming into the country or had not stayed to deliver a child. The state does not have the ability to curtail these costs directly, but it may do so indirectly by adopting measures to deter the arrival of additional illegal aliens and by encouraging those already present to leave.

MEDICAID FOR U.S.-BORN CHILDREN OF ILLEGAL ALIENS

U.S.-born children in low-income families receive Medicaid services without regard to the parent(s)' ineligibility for Medicaid services as a result of their illegal residence. According to the Kaiser Family's State Health Facts data collection, the average annual medical expenditures under Medicaid for children was \$3,936 in 2009. 18 Oregon pays 37.1 percent of that cost, or about \$1,460 per child. We estimate that three-fourths (36,160) of the U.S.born children without health insurance will meet the poverty criteria for Medicaid coverage. That amounts to an expenditure of about \$52.8 million annually.

HEALTHY KIDS

Oregon's Healthy Kids program is the local effort to enroll low income families with children in Medicaid. There is also a component to enroll children in the Children's Health Insurance Program (CHIP) that covers low income children when the family income is above the cut-off for Medicaid eligibility. The eligibility criteria for these programs — low income and lack of medical coverage — mean that a disproportionately large share of the child beneficiaries will be children of illegal aliens. In July 2012, there were 71,800 Oregon children enrolled in CHIP. We estimate that 14,730 — about one-fifth — of those children will be the children of illegal aliens. Applying the same estimated per child cost as for Medicaid, the estimated annual state and local cost of the CHIP coverage is \$8.1 million.

OTHER EMERGENCY MEDICAL CARE

Illegal aliens who do not have health insurance because they are working in the underground economy or as independent contractors or for employers who do not provide medical insurance generally cannot afford medical attention. Because they are ineligible for Medicaid coverage, they often turn to emergency rooms for uncompensated medical treatment. They cannot legally be refused treatment until their medical condition is stabilized. Oregon's 58 community hospitals reported charity care in 2011 in the amount of \$790.4 million. 19 A share of the unreimbursed cost is passed on to the taxpayer in the form of subsidies and to insured patients in higher medical costs. Illegal immigrants' use of charity care is disproportionately higher than their share of the low income population because low income U.S. citizens, refugees, and longer-term legal residents have access to Medicaid or Medicare.

However, illegal aliens tend to be younger than average and generally do not require extensive health care. According to the 2010 Census, many fewer of Oregon's non-naturalized foreign-born residents were age 55 or older (11.7%) than for native-born residents (28.1%). However, illegal residents also are more likely to work in jobs that are more strenuous physically and are more prone to workplace injuries, both of which mean that they would be more likely to access emergency room care than native-born residents in the same age range.

Because data are not collected on immigration status of medical charity care users, they must be estimated. The most recent study of these costs was done in 2002 for the United States/Mexican Border Counties. That study, although dated, indicated an average use by uninsured illegal aliens of \$190 in medical services per year. Those costs will have increased over the past decade as medical costs have increased by more than 2 percent per year.

TABLE 5 Health Care Costs (\$millions)	
Medicaid Births	\$24.3
Child Medicaid	\$52.8
Healthy Kids	\$8.1
Emergency Care	\$26.2
Total	\$111.4

Adjusted for inflation, that cost would be about \$225 per uninsured illegal alien in Oregon in 2012 or an estimated \$26.2 million.

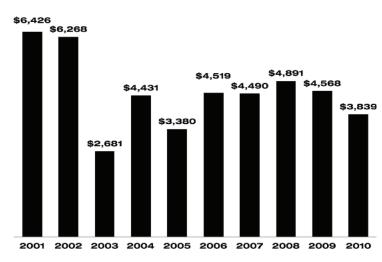
Overall medical expenditures attributable to the illegal alien population and their U.S.-born children are therefore estimated to total \$111.4 million as shown in Table 5.

Justice Expenditures

The number of deportable and criminal aliens in Oregon's state and county prison system increased by 57 percent over the 2001-2010 decade according to data collected by the federal government in the State Criminal Alien Assistance Program (SCAAP). The number of prisoner years reported in the program averaged about 1,050 per year for the first two years of the decade and about 1,650 for the last two years.

The number of illegal and deportable alien prisoner years in Oregon in 2010 SCAAP data was 8.8 percent of all prisoner years. This compares with a 4.4 percent share of illegal aliens in the state population. The difference between those two shares demonstrates an incidence of criminal activity among the illegal alien population that was double the incidence among legal residents.

FIGURE 4 SCAAP FUNDS PER PRISONER YEAR (THOUSANDS)



Over the same period, federal compensation to the facilities that incarcerate the deportable aliens has stagnated. Average SCAAP compensation for 2009-10 was less than five percent higher than average compensation for 2001-02. Measured as compensation per prisoner year, the funding dropped off precipitously from the level in 2001-02 (\$6,345) to about \$4,200 per prisoner year for 2009-10 as shown in Figure 4. The SCAAP award to Oregon for fiscal year 2011 dropped even further to \$4.17 million, i.e., about 30 percent below the 2010 award.

The cost per prisoner year in the Oregon prison system — which has the bulk of all incarcerated deportable aliens — is nearly \$31,000 per year.²⁰ Thus, the cost to Oregon taxpayers for the estimated 1,650 prisoner years being served by deportable aliens was about \$51 million. That outlay does not include other corrections costs such as parole administration.

In our 2010 fiscal cost study, we reported that the presence of illegal aliens in the Oregon justice system resulted in \$111 million in costs. This was based on the estimate of an illegal alien population of 125,000 persons and data from a 2008 report by the U.S. Bureau of Justice Statistics (BJS) on "direct expenditure on criminal justice, by level of government, 1982-2006."21 The categories of expenditure by state and local jurisdictions were for imprisonment, police, and the judicial system. Those expenditures related to illegal aliens in Oregon broke down to \$31.7 million for policing, \$12.5 million for judicial operations, and \$73.4 million for the corrections system. Partially offsetting that cost was \$6.7 million in SCAAP com-

pensation.

Those expenditures will have increased because of the increased size of the estimated illegal alien population, the illegal alien prison population, and cost inflation. Using updated data in the SCAAP system on deportable alien prisoners and the cost data in the BJS report adjusted for inflation, the estimated outlays for each of the three categories of justice expenditures are as shown in Table 6.²²

More important than the justice system's cost to the taxpayer is the human cost of the crimes such as drug trafficking, hit-and-run accidents, and theft. There is no way to estimate the human and

TABLE 6 Justice Costs (\$millions)

Policing	\$43.1
Judicial	\$17.0
Incarceration	\$83.7
Total	\$176.2
SCAAP	\$-4.2
	\$139.6

monetary costs associated with the crimes of the deportable aliens. But policymakers should focus on the fact that the incidence of crimes by illegal aliens is greater than their share of the population, and that implies that measures to combat illegal immigration should reduce the crime rate in Oregon as it has in Arizona.

As noted above, an offset to the local fiscal burden is the SCAAP reimbursement. The 2011 reimbursement of about \$4.2 million meant the net cost of justice expenditures was about \$139.6 million.

Social Assistance Costs

Illegal aliens are not entitled to receive social assistance benefits other than free and reduced price meals in the schools (and during the summer) and emergency medical benefits. But illegal aliens benefit from other assistance programs which provide services to their U.S.-born children – most notably the Temporary Assistance to Needy Families (TANF), Child Care and Development Fund (CCDF), Supplemental Nutrition Assistance Program (SNAP) and Women Infants and Children (WIC) programs. Of those programs, TANF and CCDF have funding provided by the state's taxpayers, while the others are solely federally funded, and Oregonians support them through their federal taxes (although the state absorbs administrative costs for these federal programs).

Illegal aliens sometimes also gain access to a limited number of federal, state or local government supported benefits where there is lax screening or no eligibility exclusion for illegal aliens. Examples include adult education classes, e.g., English as a Second Language (ESL), public health services, e.g., immunization programs, subsidized housing, and tax credit payments.

TANF

Oregon's Temporary Assistance for Needy Families (TANF) had an average caseload of 34,654 families in 2011.²³ Of those cases, 47.5 percent were identified as "child-only." Of the child-only cases, 24.8 percent were in that category because the parent(s)' immigration status. This indicates that about 4,080 of the TANF caseload resulted from U.S.-born children of illegal aliens. That was 11.8 percent of the overall caseload. The state share of the TANF budget in 2011 was \$96,847,839 and 11.8 percent of that outlay for family assistance was \$11.4 million or an annual outlay of \$2,794 per child only case. Nearly half (45.7%) of the TANF recipients resided in Multnomah, Polk, Marion and Yamhill Counties.

CCDF

The CCDF program for child care for children in poverty households is funded by both federal and matching state funds. The state funding for the program in 2011 was \$11,714,966. Applying the same share of the caseload as for the TANF program indicates an annual expenditure on child care for the U.S.-born children of illegal aliens of about \$1.4 million.

TABLE 7
Social Assistance (\$millions)

	Cases	Expenditure
TANF	4,080	\$11.4
CCDF	4,080	\$1.4
Total		\$12.8

Although the TANF and CCDF programs account for the bulk of state-funded assistance received by illegal aliens on behalf of their U.S.-born children, there are other state and locally funded social assistance programs that account for additional expenditures designed to benefit low-income families — especially children.

There are additional expenditures associated with the free and low-cost school meals program and other social assistance pro-

grams for children in poverty that may be attributed to the presence of illegal aliens, but these costs are relatively low and are not separately estimated in this report.

The TANF and CCDF social assistance funding by the state's taxpayers for the children of illegal aliens is estimated as \$12.8 million annually as shown in Table 7.

Other Fiscal Costs

There are additional fiscal outlays not detailed above that are common to all residents in the state, and a proportionate share of those costs should be assigned to the presence of illegal residents and their children. Examples of those costs include general government, street maintenance, public transportation subsidies, parks and recreation, fire protection, and garbage collection. Many of those expenditures are at the municipal or county level. In our 2010 estimate of the fiscal burden on Oregon taxpayers we estimated general government expenditures associated with a population of 125,000 illegal aliens plus their U.S.-born children at \$57.1 million. On the basis of our increased estimate of 170,000 illegal aliens and a larger number of U.S.-born children, our estimate of those other general fiscal costs increases to \$79.2 million. That increase includes a small adjustment for inflation in addition to the larger illegal alien population.

TABLE 8	
Cost Summary	(\$millions)

Program	Outlay
K-12 Schooling	\$574.5
Limited English	\$159.1
Justice	\$139.6
Health & Social	\$124.2
General	\$79.2
Total	\$1,076.6

Other Impacts

Besides its fiscal impact, illegal immigration has other effects that are disruptive to a society. One of those effects is its contribution to the nation's growing income inequality. One of the signs of increasing income inequality is

MEAN INCOME STAYING CLOSE TO THE MEDIAN DOES NOT MEAN AN EQUAL DISTRIBUTION, BUT IT DOES IMPLY THAT INEQUALITY IS NOT BECOMING WORSE. IN THE UNITED STATES OVER THE LAST THIRTY YEARS, DISTRIBUTION BECAME VERY WORSE, INDEED.²⁴

-JOHN WEEKS

a growing difference between median (midpoint) and mean (average) income. A growing gap between median and mean income indicates either low income earners losing ground to high earners, or high earners gaining a greater share of income, or a combination of the two. The greater the difference between the two measures, the greater the inequality.

In the 2000 Census data, the gap between the two measures at the national level was 34.8 percent and in 2010 it had risen to 38.9 percent. In Oregon, the 2000 Census data gap between the two measures was 25.7 percent and in 2010 it had risen to 31.2 percent. The inequality gap in Oregon was not as great as at the national level, but it was increasing more rapidly.

While the gap between median and mean household income in Oregon was lower than for the nation, that did not hold for Portland. In the state's largest metropolitan area, the mean income was 45.3 percent higher than median income. Much of the reason for that greater income inequality in Portland resulted from the gap in income between low-wage and high-wage earning foreign-born residents who were not U.S. citizens. Those non-citizen residents include illegal aliens as well as professional guestworkers such as H-1B visa high-tech workers. In Portland, the gap between median and mean income for non-U.S. citizen, foreign-born headed households was 50.3 percent. This fact points to a greater concentration of workers at both ends of the income distribution, i.e., a disproportionate share of both high-wage foreign workers and low-wage foreign workers.

It is also notable how much higher average household earnings were in Portland compared to the rest of the state. The statewide average (mean) household income (of those reporting income) was \$61,095, the Portland average income was \$68,538 while in the rest of the state it was \$59,656.

That income disparity between high earners and low earners may be seen as even greater when it is put in the context of the larger average number of workers per foreign-born household. The average number of workers per household state-wide in 2010 was 1.1 persons. For the non-U.S. citizen foreign-born, the average was 1.53 workers per household. That means the annual household income statewide averaged \$55,540 per worker, and for the non-U.S. citizen households it averaged \$31,812 per worker.

REMITTANCES

The state's economy, like the national economy, is weakened when wages earned locally are sent out of the country in the form of remittances. While it is understandable and responsible for foreign workers to send money to family members living in their home country, it nevertheless deprives the local economy of that money being spent locally. That loss to the economy means fewer sales, reduced tax collections, and fewer jobs.

The illegal alien population is the source of a major remittance flow because they often leave immediate family members behind when they illegally come to the United States to seek work. The annual remittance flow out of the United States was estimated to be \$48 billion as of 2011 by the World Bank. 25 A study published in 2008 estimated the amount of remittances sent to Latin America from sources in Oregon at \$431 million.²⁶ Remittances to other parts of the globe obviously would increase that amount as would the growth in the illegal alien population. Not all of the remittance flow out of the state would be from illegal residents, but a large share of it would be.

Tax Collection

Some state and local taxes are received from illegal immigrants – even from those working off the books. Advocates for illegal aliens imply that those tax collections somehow entitle the aliens to be in the country. But those taxes do not — and should not — confer any immigration benefit, whether they are paid into the Social Security system or to federal, state, or local government. They result from illegally received earnings. Analogous to the suggestion that an illegal alien should gain legal status because of taxes paid would be to suggest that a law breaker should be forgiven for the crime if taxes were paid on the illegal activity.

Taxes collected from illegal alien workers should not be counted as an offset against the fiscal burden that their presence generates. The presence of the illegal aliens often means that legal workers are denied jobs, and the same or greater tax collections would be result if the legal worker had the job. That is because legal workers are likely to command higher wages than illegal alien workers and thus pay more in taxes. Legal workers are also more likely to be working in the formal economy and have payroll taxes deducted from their wages. Nevertheless, we include an estimate of those tax receipts from illegal aliens to put them into perspective.

It is important to keep in mind when estimating tax collections from illegal aliens that their economic profile is different from that of legal workers.

- An estimated half of all illegal aliens work in the underground economy for cash wages and do not, therefore, have any payroll taxes withheld.
- Those who are working with fake or stolen identity documents are largely in low wage jobs which do not pay enough to raise the family out of poverty. They may be filing a tax return to receive a refund and for a

federal Earned Income Tax Credit payment. They may also file a state tax return, and, if they do, Oregon offers to match 6 percent of that tax credit. A family with two children and adjusted gross income of \$10,000 could receive a check from the U.S. Treasury of \$3,605 and from the Oregon treasury of \$216.

- In addition to the low level of earnings, illegal aliens send money out of the country as noted above in remittances to support family members in the home country and, perhaps, to create a nest egg for an eventual return to that home. That means that they have less disposable income than a legal worker with the same income.
- Illegal aliens are less likely to be settled than Americans and are, consequently, more likely to be temporarily sharing housing accommodations with other illegal aliens or legal resident relatives. This means that the share of expenditures on housing is likely to be significantly less than for legal residents. It also means that property tax receipts from illegal aliens are significantly less than from settled residents. In Oregon, 2010 Census Bureau data record the share of crowded housing occupied by non-naturalized U.S. citizens was 19.2 percent compared to 1.6 percent for native-born residents.
- Where illegal aliens are concentrated, there are also likely to be informal services, such as unlicensed food vendors, who help the illegal alien cut costs while also depriving legal, tax-paying commercial enterprises of revenue.
- Because Oregon does not have a state sales tax, it relies much more on the state income tax for revenue than do other states. This makes the state less able to capture taxes from illegal aliens than states that have a sales tax.

There is also an indirect fiscal effect associated with illegal alien workers. By being prepared to work for low wages, their exploitation causes wages for unskilled workers to stagnate and leads to discriminatory hiring of illegal workers to keep payrolls low. This has meant lower wages for legal workers as well as unemployment of some legal workers. Social assistance programs are, therefore, relied on more by unemployed and underpaid legal residents, and that indirect cost is passed on to the taxpayer.

INCOME TAX

Most illegal aliens are working in the underground economy for cash, although some use invalid or stolen Social Security Numbers to work as if they were legal. The latter are subject to employer tax withholding. Oregon income tax withholding is generally similar to federal income tax withholding, and our calculations at the federal level indicate that most of the illegal alien workers subject to tax withholding have income at a level that leads to zero tax withholding — with only a limited number of outliers earning enough to have a tax liability. Our assumption is that the same is true with regard to the Oregon income tax. In our 2010 fiscal cost study we estimated income tax collection in Oregon of \$4.4 million based on the assumption that one-fourth of the illegal alien families and most of the single illegal alien workers were employed in the underground economy and did not have taxes withheld. The state tax increase in 2010 does not affect the calculation, because it did not apply to low earners. Based on our current estimated illegal alien population, we estimate income tax receipts by the state of \$6 million annually.

PROPERTY TAX

Although few illegal aliens will own their residence, they contribute in rental payments to the collection of property taxes. Both the state and counties collect property taxes. For Oregon, the property tax on a 6-unit apartment house with assessed values of \$330,000 is about \$4,113, or a tax of about \$685 per unit. Some low rent apartments, however, are exempt from property tax. Nevertheless, we use the estimate of \$685 per housing unit multiplied by 27,265 family units (with 3.5 illegal aliens per unit) and 18,625 units of 4 unrelated persons to arrive at an estimated total of \$31.4 million in property tax collections.

GASOLINE TAX

Oregon's 30 cent per gallon tax also generates revenue from the illegal alien population, but much less per capita than legal residents because of their lower income relative to the cost of owning and operating an automobile and the attendant insurance costs. They are much more likely, therefore, to rely on public transportation – which is subsidized by the taxpayer rather than being a revenue generator.

Based on an average commute of 16 miles (32 miles round trip) 6 days per week, average commuter mileage per year is about 10,000 miles. We assume that this average applies to a fourth of illegal alien workers, i.e., 29,365 workers, the rest relying on public transport. We also assume that car pooling — four to a car — is common among those illegal aliens travelling by car and that the cars that illegal aliens use are not fuel-efficient.

The one-fourth of workers driving with four workers per car would account for about 7,340 cars consuming 694 gallons per year (at 20 mpg). These estimates yield a calculation of fuel tax collections by the state of about \$22 million per year.

TABLE 9 Tax Collections	(\$millions)
Income Tax	\$6.0
Property Tax	\$31.4
Gas Tax	\$22.0
Cigarette Tax	\$17.1
Total	\$76.5

CIGARETTE TAX

With the low disposable income of most illegal aliens, cigarettes should be a discretionary expense to avoid. Nevertheless, there is undoubtedly some cigarette tax collection by the state at \$1.18 per pack. In the absence of any data on the smoking habits of illegal aliens, we assume that the incidence of smoking among illegal alien men is the same as for the overall U.S. population, i.e., 35 percent, but lower than the average of 22 percent for U.S. females, because that rate is much higher than for women in most other countries. We estimate there are 39,680 illegal alien smokers smoking an average of a pack a day, and the resulting state cigarette tax revenue amounts to \$17.1 million.

The above calculations represent the bulk of the estimated tax collections from the illegal alien population. They total \$76.5 million as shown in Table 9.

Net Fiscal Costs

The above analysis indicates a net fiscal cost to Oregon taxpayers of about \$1 billion per year. This cost does not include additional costs that the same taxpayers support through their federal tax payments.

There are about 1.48 million households in the state headed by U.S. citizens. The more than \$1 billion fiscal burden created by the illegal alien households spread among those households amounts to about \$728 per household per year.

TABLE 10 Net Fiscal Cost (\$millions)	
Outlays	\$1,076.6
Tax Collections	-\$76.5
Net Cost	\$1,000.1

Policy Implications

Illegal aliens are rational individuals. Their decision to come or to stay illegally is shaped by their assessment of the likely consequences. If they expect that they will succeed in entering the country and finding work that will reward their decision, they will be encouraged to come. If, on the other hand, they anticipate that they will fail in their entry attempt or in finding rewarding employment, they will stay home. Once they are here and have found a job, if they assess their chances are good at avoiding deportation and eventually being accommodated with legal residence, they will settle in for a long stay - likely supporting the illegal entry of family and friends and/or starting a family here. If, on the other hand, they recognize that the public and government are committed to combating illegal immigration, and the chances of continued evasion of immigration law enforcement are slim, they are more likely to be prepared to leave on their own or to be ready for their eventual deportation.

The fabric of laws and enforcement of those laws at the local as well as the national level is critical to shaping the responses of present and would-be illegal residents. The awareness of this fact may be seen in the responses of several state governments that have opted to try to discourage the residence of illegal aliens in their state. Arizona was an early leader in this regard as a result of bearing the brunt of the problem with surging illegal immigration. As a result of enacting laws to combat illegal residence in the state, Arizonans saw their illegal alien population drop faster than anywhere else in the country. Other results included a major drop in the deportable alien prisoner population, a decrease in the crime rate greater than in most other states, a significant decline in the Medicaid birth rate, a reduction in K-12 and LEP school enrollment, and a major reduction in uninsured motorists.²⁷ All of those trends meant lower fiscal outlays.

Policies and practices that send a contrary message of accommodation of illegal immigration may be seen in the actions of local activists who style themselves as immigrant defenders. An example may be seen in the agenda of Causa, which describes itself as an organization that "works to defend and advance immigrant rights." ²⁸ In January 2012, it and other local organizations met in Salem to coordinate action on policies that would accommodate the presence of the state's illegal alien population.

"The group [Causa] says its top priorities are restoring driver's licenses and allowing in-state college tuition for all Oregon residents, no matter what their immigration status; and asking that Oregon reject the Secure Communities program, in which local law enforcement officers serve as the eyes and ears of federal Immigration and Customs Enforcement (ICE) agents."²⁹

Issuing driver's licenses to illegal aliens is contrary to the intent of the federal Secure ID law enacted as a security measure in the aftermath of the 9/11 terrorist attacks. Driver's licenses facilitate mobility of the illegal alien, decrease the chance of detection as an illegal resident if they are detained by law enforcement personnel for a law infraction, and are part of the identity requirement employers must meet before hiring a new worker.

In-state tuition is not just a further burden on the state's taxpayers, it also advances the arguments in favor of adoption of an amnesty as illegal aliens gain professional degrees but are not legally employable.

The Secure Communities program identifies persons known to be illegally in the country to the federal immigration authorities so they can be deported rather than being released back to the streets where they may be a public threat.

Taken together, this action agenda of Causa and other illegal alien support groups is aimed at decreasing the threat of deportation for those illegally in the country and promoting their incorporation as permanent residents.

Similar encouragement of illegal aliens to permanently settle occurs when local governments adopt policies that facilitate their finding work. In 2008, Portland's city government committed \$200,000 over two years for the establishment of a new work center for day laborers. The Portland Development Commission supported the project by leasing a parking lot to the VOZ Workers' Rights Education Project for 1 a year. The policy makers must have known, or at least should have known, that national studies have documented that a large majority (84 percent) of day laborers are illegal aliens.³¹

According to the Congressional Research Service, Oregon has a "sanctuary" policy that protects illegal aliens. Or. Rev. Stat. §181.850, enacted in 1987, prohibits state and local law enforcement agencies from using agency moneys, equipment or personnel for the purpose of detecting or apprehending foreign citizens based on violation of federal immigration law.³² Additionally, according to the same report, Ashland, Gaston, and Marion Counties have similar "sanctuary" policies. Portland, too, is considered a sanctuary city for illegal aliens, especially after the city denied police department cooperation with federal immigration authorities interviewing foreign students from Middle Eastern countries in the aftermath of the September 11, 2001 attacks.

Conclusion

The major cost areas detailed in this report do not fully encompass the fiscal costs of illegal immigration to Oregon's taxpayers. Other costs result from programs to further communication with illegal aliens who do not speak English, such as adult education English instruction and translation of materials into foreign languages sent home from schools, or interpretation at PTA meetings. The costs would also be considerably higher if they accounted for the impact of illegal aliens taking jobs that could be filled by unemployed U.S. workers. Such costs would include assistance to families in poverty and unemployment insurance payments to American workers displaced by illegal alien workers. Similarly, the negative fiscal impact would be still greater if the calculation accounted for lost tax collections resulting from illegal aliens working for cash and wages for workers in above ground jobs that are depressed as a result of illegal alien employment. Still further costs result from congestion, and loss of property value in areas where illegal aliens congregate to seek day jobs.

Non-quantifiable costs of illegal immigration, which should be kept in mind, include issues such as the impact on the education of other students if the learning environment is negatively affected by students with limited English language proficiency, or if the funding for some programs is curtailed to provide extra resources for remedial instruction. Other harm and/or inconvenience includes extended waits to receive medical attention where illegal aliens contribute to congestion in the emergency admissions facilities of public hospitals, or the closure of emergency rooms due to rising uncompensated costs. Social cohesion may be strained by foreign language communications barriers, and rising income inequality associated with immigration.

Finally, respect for the rule of law is eroded when an increasing share of the population lives illegally in our country, relies on stolen and counterfeit identities, and works in the underground economy. This is magnified when law enforcement officers are required to ignore this lawbreaking activity.

Some form of amnesty for the illegal aliens would not, on balance, lessen the burden on the state's taxpayers. While amnesty could lead to less exploitation of the illegal workers and, thus, higher wages and tax collection, it would also increase the access of this population to additional social welfare benefits currently unavailable to them. It would also encourage even more illegal immigration.

The more than \$1 billion annual fiscal cost burden on the state's taxpayers is not inevitable. State and local policymakers have several means at their disposal to discourage settlement in the state by illegal aliens. Oregonians concerned about the impact on their state and local communities should demand an end to policies of accommodation.

The primary attraction that draws illegal immigration is the perception that jobs that will provide a better life for the illegal alien and family members are available. The U.S. Congress recognized this in 1986 when it made it illegal for an employer to hire a foreigner not authorized to work. That law has been widely ignored because employers are not held accountable unless it can be proven they knowingly hired illegal workers. In 1996, Congress required the creation of a system that would make employers accountable by mandating creation of a work document verification system for new hires.

The E-Verify system administered by DHS is the current version of that system. It was created as a voluntary program and is still operating as such. States, however, have discovered that they can mandate the use of the E-Verify system for their employers, as that requirement in Arizona was upheld by the U.S. Supreme Court in 2011.³³ In addition, some states and the federal government have adopted regulations that require contractors to use the E-Verify system for all employees working on publicly financed projects.

If Oregonians want to reduce the attractiveness of their state to illegal aliens and to assure that the state's legal residents have less illegal competition for jobs, a major first step would be to adopt the requirement for all employers to participate in the E-Verify system. The experience in Arizona demonstrates that such policies have a measurable impact not only in deterring new illegal immigration, but also on reducing the resident illegal alien population.³⁴

A July 2010 Rasmussen poll asked likely Oregon voters if they would support adoption of a law similar to Arizona's immigration enforcement law SB 1070. Those supporting the proposal strongly outnumbered those opposed, 53 percent to 35 percent.

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