
PUBLIC DEBATES ON IMMIGRATION REFORM in America are almost always emotionally charged because they reflect underlying tensions in two different realms of politics. In one realm—*identity politics*—immigration laws establish boundaries of membership in the national political community.¹ By specifying who is legally admissible as a foreign national and on what terms, immigration laws speak to the nature of American identity. In the other domain—the *politics of economic interests*—more-tangible interests are at stake. Immigration reform creates expectations about who will “win” or “lose” as new immigrants enter the labor force and settle in local communities. Expansive policies often give rise to public concern and sometimes to overt resentment over the labor market and the fiscal effects of immigration.²

By taking a simple inventory of groups that lobby Congress on immigration issues, we can get a sense of how identity politics and the distinct politics of economic interest are intertwined. In recent decades, the most active immigration lobbyists have included Latino and Asian American rights groups, churches, humanitarian and human rights groups, population-control advocates, environmentalists, taxpayer groups, and pro-family values advocates.³ At the same time, private business associations and labor unions have undertaken lobbying campaigns to secure the economic interests of their members.

Out of this disparate collection of identity and interests groups, occasional and recurring coalitions of ethnic rights and business groups tend to emerge. We commonly observe these very different groups acting together in support of expansive admissions policies. Certain ethnic

migration policy for temporary workers illustrate. When guest-worker policy is at issue, employer and ethnic lobbyists take up their usual roles as competitors. The business interests favor programs that would temporarily admit large numbers of guest workers, while rights-oriented ethnic organizations generally oppose these programs unless they provide a clear path to citizenship.

This book is a study of how organized economic interests and ethnic groups both cooperate and compete to influence lawmakers in Congress. Business lobbyists are mainly interested in economic outcomes and they very often have both the voice and the funding to secure favored outcomes. Ethnic rights groups, on the other hand, are concerned with attaining socially inclusive policies for new immigrants. Can these small organizations influence policy outcomes substantially? Or is their influence tangential to that of the more powerful economic interests? How do economic conditions and the ethnic constituency in their districts affect legislators' votes?

I examine these questions in two ways. First, I provide an account of the congressional politics that led to the passage of three immigration bills: the Immigration Reform and Control Act of 1986 (IRCA), the Immigration Act of 1990, and the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA). These three pieces of omnibus legislation generated extensive debate in the 1980s and 1990s, a debate that linked identity and economic policy issues in their focus on controlling illegal immigration and on regulating economic and family-based immigration.⁴ Second, I test a model of roll-call voting on these bills. This statistical study allows us to evaluate the ethnic and economic factors that influenced legislators' voting choices.

The legislative case studies show that lawmakers were highly responsive to American employers' demands for access to permanent and temporary foreign workers. Associations of employers that rely on migrant labor funded powerful lobbying machines. Given the economic resources that large corporate interests could deploy, it is no wonder

an inclusive form of identity politics. Casting their demands for rights in universal terms, they formed alliances with other civil rights and humanitarian organizations. It was these coalitions that helped them sway the votes of moderate and undecided lawmakers.

Ethnic minority organizations influenced policy outcomes even before the populations they represented gained significant political clout in the voting booth. Latino electoral power was emergent in some states during the 1990s (de la Garza and DeSipio 2005; DeSipio 1996; Fraundorfer and Leal 2004), but Latino organizations were already significant players in federal policymaking on immigration issues in the early and mid-1980s. As Zolberg (1999) observes:

The ethnic organizations established by earlier immigrants in the United States have become legitimized as political interlocutors beyond what might be expected on the basis of their electoral weight, forming in the cultural sphere an equivalent to the corporatism that is sometimes found in the political economic sphere (but to a very low degree in the United States); this distinctly shapes the dynamics of immigration politics and also patterns the organizational strategies of more recent immigrants. (89)

The most influential organizations were nonprofit entities with professional staffs dedicated to lobbying public officials. By the 1970s, the major Latino organizations had established headquarters in Washington, D.C.: the Mexican American Legal Defense and Education Fund (MALDEF), the National Council of La Raza (NCLR), and the League of United Latin American Citizens (LULAC). The Japanese American Citizens League was founded in 1929. The Organization of Chinese Americans was established in the early 1970s. It was joined by the National Asian Pacific American Legal Consortium (NAPALC) in the 1990s. These and other ethnic organizations pressed civil rights demands on behalf of immigrants in national deliberations on immigration reform while also acting as advocates on other issues, such as health care, education, and the protection of members of ethnic minority groups from racially motivated acts of violence.⁵

up a very small segment of Washington-based interest groups.⁷ Nonprofit advocates did grow in number in the nation's capital the surge in citizens' group activity that began in the 1960s (W 1991). The rise of citizens' groups altered the nature of an interest group system that would otherwise have been dominated by associations formed around occupational interests.⁸ Recognizing the important role nonprofit groups have played in local politics since the civil rights movement, political scholars have widely studied their incorporation into municipal government (Berry and Arons 2003, 118).

We know much less about the national influence of nonprofit groups that lobby on behalf of Latinos and Asian Americans. While most studies of minority representation focus on how racial and ethnic minorities can gain representation through the electoral or party system, our focus here is on how ethnic nonprofits provide informal representation for immigrants and their co-ethnics in national policymaking.⁹

Mixed Outcomes

This study begins with passage of the Hart-Cellar Act in 1965.¹⁰ This legislation opened the nation's door to the largest wave of immigration since the great migration to Ellis Island, which began in the 1880s and continued until the First World War. As shown in Figure 1.1, each decade after 1965 saw an increase in immigration. The unusual spike in the late 1980s was the result of a program that regularized the immigration status of a large number of undocumented aliens. The Hart-Cellar Act also changed the ethnicity of the immigrant population. Most were no longer European but Asian and Hispanic. As we will see, this consequence of the Hart-Cellar Act was not anticipated by its framers, and it gave rise to restrictive reform movements in each decade following the law's enactment.

In the Immigration Act of 1921, the United States had adopted a system of national-origin quotas designed to limit immigration from Southern and Eastern Europe. The Chinese Exclusion Act of 1882 already

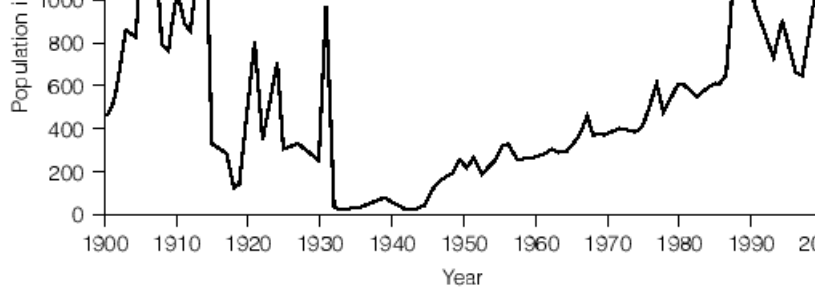


FIGURE 1.1. Immigrants Admitted: Fiscal Years: 1900–2002

barred the entry of Chinese laborers. It was the first in a series of anti-Asian immigration laws: The Immigration Act of 1917 established an Asian-barred zone; the Immigration Act of 1924 would exclude immigrants from countries across the Asian continent. Even after the McCarran-Walter Act of 1952 formally abolished the Asian-barred zone, restrictive quotas allowed only a trickle of immigrants from Asia and the Asian Pacific.¹¹

After the Second World War, American leaders felt pressure to make the nation's immigration laws conform to international norms. The defeat of Nazi Germany had discredited racial theories of nation building in international circles. The Geneva Convention Relating to the Status of Refugees (1951), for instance, called for contracting states to admit refugees without discrimination as to race, religion, or country of origin. Twenty years after the end of the war, the United States finally removed national-origin and racial immigration quotas with passage of the Hart-Cellar Act.

Hart-Cellar allotted an equal quota of 20,000 visas per year to nations in the Eastern Hemisphere and set a 170,000-visa hemispheric limit. It also set the limit for nations in the Western Hemisphere at 120,000 visas. As Reimers (1992, 123) notes, Congress traded the termination of national-origin quotas and restrictions on immigration from Asia and the Asian Pacific for this limit on immigration in the Western

of the twentieth century. In annual immigration intake, the main countries of origin shifted away from Europe to the developing world. In the 1950s, more than 65 percent of immigrants admitted to the United States came from Europe and Canada. By the 1980s, just 13 percent originated in Europe or Canada, while the great majority came from Asia and Western Hemispheric countries other than Canada (Holt 1994, 1669).

It is not hard to understand the underlying motivations of immigrants. Wage disparities between developing and industrialized nations create strong incentives for people to leave their homeland. Also, political strife and natural disasters in source countries have led to large-scale movements of refugees and asylum seekers (Hatton and Williamson 1994). More puzzling is the congressional response to these immigration pressures.¹² When reformers initiated proposals that would have reduced legal immigration after 1965, legislators repeatedly rebuffed them. Congress kept intact family-unification policies known to lead to chain migration even through cycles of economic recession, when the public pressure to restrict immigration tends to be strongest. The most expansive pressure on immigration rolls in recent decades has come from family-based, not employment-based, admissions and from the legalization programs that allowed undocumented immigrants to regularize their status under the Immigration Reform and Control Act of 1986 (Table 1.1).¹³ Although various national opinion polls showed that in the late 1980s, nearly half—in some studies, slightly more than half—of Americans favored cutbacks in immigration, in 1990, Congress actually decided to increase immigration limits by 40 percent.¹⁴ And in 1994, Congress left total numerical limits on legal immigration in place despite a push by congressional Republicans to restrict immigration, as they held a majority in both houses.

In the post-1965 period, however, immigration policies were not uniformly expansionist. Refugee and asylee policies selectively favored immigration from some countries while restricting it from others.

TABLE 1.1
Immigrants Admitted by Type and Selected Class of Admission, Fiscal Years 1986–2002

Type and class of admission	FISCAL YEAR									
	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995
Total, all immigrants	601,708	601,516	643,025	1,090,924	1,536,483	1,827,167	973,979	1,064,311	1,064,311	1,064,311
Total, IRCA legalization ¹	—	—	—	478,814	880,372	1,123,162	163,342	163,342	163,342	163,342
Total, nonlegalization	601,708	601,516	643,344	620,699	669,170	720,015	827,888	827,888	827,888	827,888
Preference immigrants:	269,556	269,328	259,499	274,833	272,742	275,613	329,342	329,342	329,342	329,342
Family-based immigrants	212,939	211,809	200,772	217,092	214,550	216,088	213,111	213,111	213,111	213,111
Employment-based immigrants ^{2,3}	56,617	57,519	58,727	57,741	58,192	59,525	116,119	116,119	116,119	116,119
Immediate relatives of U.S. citizens ⁴	223,468	218,575	219,340	217,514	231,680	237,103	235,444	235,444	235,444	235,444
Refugees and asylees	104,383	91,840	81,719	84,288	97,364	139,079	117,031	117,031	117,031	117,031
Other immigrants	4,301	21,773	82,786	44,064	67,384	68,220	146,000	146,000	146,000	146,000

Type and class of admission	FISCAL YEAR				
	1995	1996	1997	1998	1999
Total, all immigrants	720,461	915,900	798,378	654,451	646,568
Total, IRCA legalization ¹	4,267	4,635	2,548	955	8
Total, nonlegalization	716,194	911,265	795,830	653,496	646,560
Preference immigrants:	323,458	411,673	303,938	268,997	273,700
Family-based immigrants	238,122	294,174	213,331	191,480	216,883
Employment-based immigrants ^{2,3}	85,336	117,499	90,607	77,517	56,817
Immediate relatives of U.S. citizens ⁴	220,360	300,430	321,008	283,368	258,584
Refugees and asylees	114,664	128,565	112,158	52,193	42,852
Other immigrants	57,712	70,597	58,726	48,938	71,424

1. The legalization programs under the Immigration Reform and Control Act of 1986 went into effect in 1989.

2. Includes spouses and children.

3. Includes immigrants issued third-preference, sixth-preference, and special-immigrant visas prior to fiscal year 1992.

when Congress terminated the bracero program, which had allowed migrant farm laborers from Mexico to enter the United States. See a legal source of inexpensive labor, increasing numbers of American farmers in the West and Southwest began to rely on illegal immigrants. In turn, the federal government moved to tighten its control over unauthorized border crossings, instituting measures to apprehend unauthorized migrants as they crossed the U.S.-Mexico border and sanctions against employers for hiring them. These enforcement efforts proved mostly ineffective, however, as the number of unauthorized foreigners in the United States grew to an estimated 5 million by 1995 and to 10 million by 2000.¹⁵

One question that has elicited interest among immigration scholars is why legal-admissions policy in the United States remained expansionist despite pressures to restrict immigration after 1965.¹⁶ My approach is to consider the varied dimensions of immigration policy and why the outcomes were mixed. The system for admitting permanent immigrants remained robustly expansionist, and policy toward highly skilled professional foreign workers was fairly generous; but proposals to create new agricultural guest-worker programs were repeatedly defeated, with one major exception: In 1986, lawmakers agreed to a brief but important trial of a new guest-worker program in agriculture, but only on the condition that foreign workers could become eligible to apply for permanent residency after working for a designated time in the temporary worker program.

Clearly there has been fluctuation in policies toward admitting different categories of immigrants over the past decades. We find significant fluctuation in *integration, or social incorporation, policies*, the policies that help immigrants become part of U.S. society. In the mid-1990s, for example, Congress cut social benefits for immigrants; but within a few years, it had reinstated a number of them.

Why do policy outcomes vary across different dimensions? The answer has to do with the way identity politics interacts with the politics of economic regulation in different policy areas. By id

reformers who favor restrictions and proimmigration business interests. For example, while reformers were asking for limits on immigration in the 1980s, ethnic advocates were lobbying to protect family-based visa categories. Generous admissions of relatives, they argued, would facilitate the long-term social integration of immigrants already resident in the United States. In the same decade, they also worked to add special categories that would allow undocumented immigrants who had already lived in the United States for some significant length of time to apply for regular status. In both cases, *ethnic advocates were adding expansionist pressure at points in the system where inclusive admissions and integration policies converged.*

Ethnic advocates also interjected rights demands into controversies over the economic regulation of immigration. In disputes over temporary workers, rights advocates opposed measures that would admit guest workers without granting them membership rights—for example, the right, earned after a probationary period, to permanent residence with a path to naturalization. *This advocacy worked in the direction of straining an expansionism driven by employers' demand for unregulated access to inexpensive migrant labor.*

If we consider the two effects together, the course of action favored by ethnic advocates was a moderate one. By supporting inclusive policies with respect to both admissions and social incorporation, they favored a policy path that modulated new admissions according to the nation's capacity to integrate the newest immigrants. To be sure, ethnic rights advocates were only one of many types of groups lobbying Congress, and they had to form coalitions with other forces to try to sway the votes of undecided legislators. But in general, ethnic advocacy worked as an independent influence on policy outcomes. It was not simply reinforcing the expansionist policies set in motion by economic forces.

The odd coalitions that form in immigration politics are complicated by the mixed stands taken by organized labor. In the mid-1950s, the American Federation of Labor (AFL) and the Congress of Industrial Organizations (CIO) merged to form the AFL-CIO. The newly merged

tions may have been a mistake because it led to discrimination against all foreign workers.

In 2000, the AFL-CIO formally abandoned its support of employment sanctions, having questioned their effectiveness for some years, and several influential union affiliates aggressively sought to incorporate legal and undocumented workers into their membership ranks. The AFL-CIO actively joined in coalitions with ethnic organizations to fight for immigrants' rights (Haus 2002, 98). Because both the AFL-CIO and the ethnic advocacy organizations held liberal ideological views, this was not an odd coalition in the sense described above.

After the AFL-CIO adopted a liberal stance on immigration, leadership of the anti-immigration movement was left in the hands of organizations that had originated in one strand of the environmental movement. Egalitarian norms constrained the anti-immigration rhetoric of these organizations. They could not overtly stir racial animosity toward immigrants in the way of traditional nativists. Their arguments for reducing immigration were more limited, pointing to problems such as overcrowding in American cities, competition between immigrants and natives for scarce resources, and the tendency of immigration to depress the wages of unskilled workers (Tichenor 2002, 237–238).

Given these circumstances, *the membership of immigration coalitions tended to shift over the course of a single policy battle, depending on what many immigration issues was currently at stake*. For instance, ethnic advocates and unions cooperated in support of family-based admissions, which employer lobbies generally supported too. In contrast, ethnic groups and unions opposed employers' proposals to establish a national guest-worker program in agriculture in the 1980s and 1990s. Neither group aligned itself with the restrictive environmentalists because the environmentalists strongly opposed liberal family-based migration policies.

The tendency of immigration coalitions to shift along different axes is also reflected in patterns of congressional voting. Elected representatives respond to the constituencies that are proimmigration

closely to the advice of ethnic advocates as ethnic constituencies grow in the district. Also, ethnic factors seem to influence legislators' votes independently of unemployment in their district or other economic variables. In some situations—namely, when growers contribute to legislators through a political action committee (PAC) to indicate their support of a traditional guest-worker program—legislators respond to the proimmigration lobbying of these business interests.

Theories of Immigration Lawmaking

Political scientists have engaged in a lively discussion of the sources of inclusive and expansive immigration policies in the United States since 1965.¹⁷ One ongoing debate weighs the relative importance of social interests and cultural-political factors in shaping policy outcomes. Freeman (1995a) has proposed an interest-driven model of immigration policymaking. The argument is built on J. Q. Wilson's (1980) theory of client politics.¹⁸ In Freeman's model of client politics, small, tightly organized groups that would benefit from a certain policy work with elite political actors—that is, lawmakers—to attain their policy goals in a setting largely removed from the influence of the public.

Immigration policymaking fits the client-politics model because beneficiaries are concentrated while those who pay its costs are diffuse. Specifically, employers and ethnic groups tend to benefit from liberal immigration policies: employers because they get an inexpensive source of labor, and ethnic groups because those policies tend to increase family-based immigration. The costs of the policies are borne largely by taxpayers, a widely dispersed group that pays for the social services used by immigrants; they are also borne by nonunionized native workers who compete with immigrants in labor markets. To the extent that employers and ethnic groups are intensively organized (i.e., have concentrated interests), they hold a political advantage in contests with diffuse interests. They have lower collective-action costs and can therefore mobilize

over the ethnic makeup of migrant streams, for example. Brubaker (1995) disagrees with Freeman on this point. He argues that the adoption by the United States of a universal selection policy was not premised on a democratic structure but on "changes in the shape and boundaries of discursive fields" that took place fairly recently in a specific cultural, political, and historical context (905).

In a rejoinder to Brubaker, Freeman (1995b) insists that the U.S. decision to adopt universal selection criteria in 1965 should be considered irreversible in practical terms because it reflects the core values of liberal democracy (909). Joining the debate, Joppke (2005) affirms Freeman's view that the antipopulist norm "has come to resonate with the ethos of liberal democracy," adding that it would be reversed only at the price of a wholesale civilization break or regression" (19).¹⁹

The simplicity of Freeman's client-politics model is one of its strengths, allowing it to be used in cross-national comparative studies. Especially when applied to the recent history of immigration politics in the United States, the theory provides a convincing explanation for the privileged position that business groups enjoy in the processes of migration lawmaking. One limitation of the theory, however, is that it does not take into account the multiple dimensions of immigration policy. Although ethnic advocates have supported proimmigration policies for permanent immigrants, they also have lobbied against the expansion of traditional guest-worker programs, which do not permit migrant workers to stay in the host country and eventually attain naturalized status.

Immigration scholars have added new insights to the debate over the source of trends in immigration policy by examining the role of political institutions. Fitzgerald (1996) takes an "improvisational institutionalist" approach to the problem of explaining immigration-policy changes. In his view, policymakers rely on innovation to solve problems by responding to specific issues with specific fixes. He identifies three different sets of issues in immigration policy: permanent residents, refugees, and unsanctioned migration across the U.S.-Mexico border.

especially when different policies are packaged in the same bill.

Tichenor (2002) proposes an “historical-institutionalist” framework for the analysis of immigration politics, an approach that highlights the role of state actors and state structures. He describes “four interlocking processes” that help explain alternating restrictive and expansionist policies in the United States from the colonial period through the 1990s (29). The first process stems from the changing dynamics of national governing institutions, which create opportunities for political actors to try to initiate new policies; the second is the process by which changing coalitions of interests form; the third entails the influence of professional experts; and the fourth consists of international pressures that influence opportunities for policy change in the domestic arena.²⁰

In the post-1965 period, Tichenor adds, two kinds of politics promoted expansionism. In the first, elite lawmakers were insulated from the public. In this insulated realm, several factors were significant: the “ideological convergence of liberal and conservative politicians and interest groups in favor of immigration,” the lobbying expertise of pro-immigration forces, and “international pressures,” including global competition for trade (246). The second kind of politics unfolded in the public realm and consisted of the enfranchisement of Latinos. In the mid-1990s, Tichenor notes, anti-immigrant measures supported by the Republican Party brought about a surge of Latino participation in electoral politics. Latino naturalization rates increased dramatically; in 1996, for example, more than 1 million Latinos were naturalized. And between 1992 and 1996, voter registration among Latinos increased almost 29 percent. The Republican Party responded by moderating its position on immigration to court Latino voters. It cooperated with President Bill Clinton in 2000 to pass the Legal Immigration Family Equity (LIFE) Act, for instance. Among the provisions of that act was an opportunity for certain immigrants to regularize their status who were unable to do so under a 1986 amnesty (285–287).

I found, however, that large-scale enfranchisement was not a prerequisite for ethnic groups’ attaining a voice in immigration policymaking.

Gimpel and Edwards (1999) attribute the long-term stability of admissions policy after 1965 to a bipartisan consensus forged at the time. They argue that this consensus was possible because immigration admissions were not controversial in the mid-1960s. Immigration and unemployment levels were low, the national economy was robust, and objections to the Hart-Cellar Act on grounds that it would change the racial composition of the United States were considered racist or un-American (109). The consensus began to fray in the mid-1990s, as the parties grew increasingly polarized, and as the public costs of a generous immigration policy seemed increasingly prohibitive in the eyes of taxpayers in states with large immigrant populations. One watershed event occurred in 1994, when the Republican Party in California won the gubernatorial election by exploiting immigration as a wedge issue and drawing dissatisfied taxpayers and workers away from the Democratic Party's base.²¹ Immediately afterward, congressional Republicans added legal immigration cuts to their Contract with America.

Gimpel and Edwards show that votes on immigration bills divided along party lines in the 1980s and 1990s. Although votes were party-line, they found that proimmigration advocates were able to block restrictive reform by winning over a handful of Republican legislators. It is true that in 1996, Congress retreated somewhat from an expansive immigration policy by cutting welfare benefits for immigrants and making it more difficult for prospective immigrants to show financial independence. However, by 2000, Congress had enacted the LIFE Act and had increased visa allocations for temporary skilled workers (Tichenor 2002, 287).

Identity Politics and Representation

Ethnic advocacy organizations informally represent Latinos and other ethnic Americans in national policymaking circles. These organizations are not accountable to constituents in periodic elections. Although they lack formal standing as political representatives, the ethnic nonpartisan

time, both the NCLR and NAPALC are interest groups because they pursue the common goals of their members. And they both are what Gutmann calls “justice-friendly”:

[An] ascriptive association is maximally justice-friendly if it struggles against discrimination and allies with other associations that share this aim. Ascriptive associations that are narrowly self-centered do not make such alliances, but many ascriptive associations have strategies as well as moral reasons not to be narrowly self-centered. The NAACP is a model in this regard; it explicitly aims to end discrimination for all individuals, even as it focuses its energies on African American Americans. (204–205)

In their statements of program goals, the NCLR and NAPALC did not explicitly include a commitment to end discrimination for all individuals. The NCLR formed with a mission to reduce discrimination and improve life opportunities for Latinos.²³ For its part, NAPALC’s mission was to advance the human and civil rights of Asian Pacific Americans.

Yet in practice, as Hula (1999) has pointed out, civil rights organizations tend to be “long-term coalition experts,” more inclined to form long-term coalitions than are trade associations, whose cooperation is usually of shorter duration.²⁵ Both the NCLR and NAPALC have been active members of the Leadership Conference on Civil Rights (LCCR), for example, which specializes in coordinating national legislative campaigns to advance the basic civil rights of all people in the nation.²⁶

In the 1990s, Latino and Asian American groups cooperated with like-minded civil rights groups; but they also formed coalitions with certain social conservatives and libertarians in an effort to preserve family-unification rights in federal immigration law.²⁷ Family-based immigration is supported by a basic human right recognized in international conventions.²⁸ Adopting a stance of universal rights helps these ethnic groups form broad left-right coalitions.

Even among the civil rights organizations there were sometimes tensions. In the 1980s, for instance, the major Latino advocates—the NCLR, MALDEF, and LULAC—favored an amnesty for undocumented

cans are disproportionately represented in the ranks of unskilled workers. After passage of the Civil Rights Act of 1964, structural shifts in the economy displaced many blacks from relatively well paying jobs in manufacturing as the flight of industry from the cities left service jobs in the lowest-paying occupations or jobs requiring technical training (W. J. Wilson 1996). Middle-class African Americans saw improvement in their life opportunities, on average. But many African Americans lived in neighborhoods of concentrated poverty (Cohen and Dalton 1994), and remained economically disadvantaged in terms of income and individual or family wealth (Bobo 2004).

Although Latino and black leaders in the civil rights movement could not find common ground on employer sanctions, Fuchs (1999) documents the full support that black legislators gave the Congressional Hispanic Caucus in the 1980s on illegal immigration policy. In the end, amnesty for undocumented immigrants was won (though not with as generous terms as the Latino leaders wanted); but the Latino advocates' efforts in the 1980s to remove employer-sanctions measures from legislation failed.

Ethnic advocates also used outside and inside strategies to influence legislators' decisions. Interest groups in Washington commonly combine both approaches (Gais and Walker 1991). *Outside strategies* include techniques like letter-writing campaigns and flying in constituents from districts to meet with elected officials in Washington, D.C. *Inside strategies* include the policy briefs interest groups draw up for lawmakers and executive agency officials that predict the likely effects of proposed legislation on different constituencies. In the legislative battle over immigration, ethnic advocacy groups also helped representatives write legislation and frame the relevant issues for public audiences.

Ethnic advocates saw the provision of services to new immigrants expand the social networks of their supporters, creating a social capital that extended beyond formal membership circles. Traditionally, political representatives of immigrant communities have provided services as a link between themselves and their constituents. In writing a

grants needed when they settled in this country.²⁹ Those services included help finding work, navigating systems of public health care and education, and adjusting to living in a new cultural environment. In the 1980s, community nonprofits coordinated advocacy efforts for the legalization of undocumented immigrants through national ethnic rights groups, while acting as local administrators of legalization programs. The legalization programs granted residency rights to undocumented immigrants who could show they had been residents of the United States for some specified length of time.

As ascriptive associations, the NCLR and NAPALC promoted ethnic solidarity to mobilize their social base of supporters. Insofar as they worked with allies to advance universal civil and human rights, I suggest they practiced an inclusive form of identity politics.³⁰ As Brubaker (2004) has argued, as an analytical category, *identity* is often fraught with problems of ambiguity, but the term *identity politics* refers to something more specific: Leaders try “to persuade people that they are one that they comprise a bounded, distinctive, solidarity group; that their internal differences do not matter, at least for the purpose at hand—that is a normal and necessary part of politics, and not only of what is ordinarily characterized as ‘identity politics’” (60–61).

An Unresolved Issue: Guest Worker Policy

In the early twenty-first century, Congress is entertaining new proposals to comprehensively reform the system of regulating economic immigration. Industrial trade lobbies have called for programs that would admit large numbers of guest workers to fill labor needs in industry. Deliberations on these proposals were temporarily suspended after the terrorist attacks of September 11, 2001. In the wake of those attacks, as the priorities of the federal immigration system shifted toward the protection of national security, the need for reform of that system became even more evident to the nation’s leaders. Enforcement mechanisms were designed to distinguish criminal or terrorist elements, who pose a threat

residents or citizens has troubling implications for American workers, especially those who work in low-skill occupations.

One indication of recent change in the politics of immigration appears in the agricultural industry, where there are unprecedented efforts to cooperate across the traditional business-labor divide. Growers who employ migrants from Mexico and other low-wage countries have long been adversaries of farmworkers' unions. But in 2000, American growers agreed for the first time to negotiate directly with the United Farm Workers over temporary-worker policy in agriculture. Eventually, the growers agreed to support an earned right for temporary workers to stay in the United States in exchange for the union's agreement to temporarily loosen regulations on wages and the housing provisions of the existing foreign-farmworker (H-2A) program. Crafted in legislative language, the proposal received sixty-three cosponsorships in the Senate and passed in the House in the 108th Congress. This agreement between economic actors indicated a growing recognition on the part of business and labor that new systems regulating migrant workers are required in an age of mass migration and globalization.

In early 2004, President George W. Bush proposed the creation of a new visa program that would allow temporary foreign workers to apply for jobs in the United States after registering in an employer-sponsored database that would make the jobs available first to American workers, though the plan did not tie workers to a single employer—as traditional guest-worker programs had done—it did require that temporary workers return home after their work eligibility ends. Those who wished to become permanent residents of the United States would have to return to their home country and apply through regular channels; they would not automatically earn the right to permanent residency because of their work record in this country.

The Bush proposal was vague but reflected the demands of the Essential Worker Immigration Coalition (EWIC), which in 2004 represented thirty-six of the nation's largest business and trade associations, including the U.S. Chamber of Commerce. During the spring of

ate a three-year temporary visa renewable for up to six years. After working for four years in temporary status, workers could get in line to apply for permanent residency. Pending a decision on permanent residency, temporary status would be extendable in one-year increments. Most controversial, undocumented immigrants already living in the United States could apply for the temporary-worker visa if they paid a substantial fine as a penalty for their initial illegal entry.

The McCain-Kennedy proposal faced stiff opposition from critics. Some lawmakers have opposed any measure that would allow undocumented immigrants to stay in the United States even if they pay a punitive fine; others have criticized the proposal because it does not provide an infrastructure for processing temporary-worker applications or for deporting illegal aliens. Still others argue that enforcement at the nation's borders must be effective before a new guest-worker program is implemented.

In the course of debates over immigration reform, lawmakers have been presented with proposals that have tried to address the problem of illegal immigration over the long term. Papademetriou (2002) suggests a process by which an undocumented immigrant could progress from illegal to legal to permanent-resident status. The first step would require the undocumented immigrant to register; over time, this would help bring the illegal immigrant population in the United States above ground. After registering, the immigrant could earn "points" over a designated number of years toward the goal of legal and then permanent resident status. For example, points could be earned for demonstrating steady employment; for paying taxes; for not having a criminal record; and for "certain benchmarks of 'civic engagement,'" signs of integration in community life (5). In Papademetriou's argument, this process of "earned regularization" sits in sharp contrast to the concept of amnesty, which the federal government grants out of its generosity to undocumented immigrants after they have proved continuous residency.

In 2002, Papademetriou envisioned the earned-regularization program as part of a larger proposal for the United States and Mexico

regularization program. The second part is the establishment of a temporary-worker program for Mexican workers that treats participants with dignity. The third part is the creation of a new border security agreement between the United States and Mexico (2).³²

As lawmakers address these and other issues of immigration reform, it will be useful to evaluate what political factors led to or impeded congressional reform of immigration laws in recent decades. In the 1980s, as we will see, agricultural employers did not have the political strength to push a new guest-worker program through Congress without offering migrant workers the opportunity to apply for permanent residence (if they win a congressional majority for a temporary-worker program that has expired), it was necessary to pace economic admissions to the capacity of U.S. society to incorporate those admissions.

Organization of the Chapters

Chapter 2 provides an overview of where interests groups stand on immigration policy. The discussion challenges the view that immigration policymaking is captured by expansionist special interests. The chapter then turns to analyze how and why coalitions of interest groups form and shift along multiple issue axes.

Chapter 3 examines the bipartisan compromise that enabled passage of the landmark Hart-Cellar Act of 1965. By removing national-origins quotas and placing a priority on family-based immigration, the Hart-Cellar Act defused the conflict over race in U.S. visa policy. By delegating regulatory authority over permanent-labor immigration to the executive branch, the act also lessened the volatility of future interactions between employers and unions. But the failure to delegate the issue of temporary-worker admissions would lead to recurring controversies in Congress in subsequent decades.

Chapter 4 analyzes the position of Hispanic rights groups and unions on issues affecting the working conditions and wages of migrant workers and undocumented immigrants. The first part of the chapter

ployed by ethnic rights groups and other interest groups to obtain the favored policy in contests over legal- and illegal-immigration reform during the 1980s. Two specific legislative cases are analyzed: passage of the Immigration Reform and Control Act of 1986 and passage of the Immigration Act of 1990. The second part of the chapter tests several hypotheses for predicting a legislator's vote on immigration issues: characteristics of the legislator's constituents and district. Controlling for the lawmaker's party membership and ideology, the most consistent predictor of a House member's vote on immigration policy is the size of foreign-born or ethnic populations in his or her district. With few exceptions, the larger those populations, the more likely lawmakers are to respond to them.

Chapter 6 revisits the controversy over legal and illegal immigration in the 104th Congress, which enacted the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. The most important political difference from the 1980s was Republican control of both houses of Congress. But the Republican Party was hardly monolithic in demanding cuts in legal immigration, nor was the party unified in its attitude toward instituting new methods of enforcement that would increase the power of the government to collect information on individuals. A skillful legislative strategist favoring immigration expansion could frame issues to further exacerbate splits in one or both parties. This was precisely the tactic taken by a coalition of nonpro-ethnic and humanitarian groups whose purpose was to block proposals to cut family immigration and safeguard the rights of immigrants. The second part of the chapter examines the predictors of a hypothetical House member's votes on the IIRIRA and the implications of the multidimensionality of immigration policy. The analysis supports the argument that distinct issue dimensions—legal admissions, traditional guest-worker programs, general enforcement, enforcement and privacy, and social incorporation—give rise to shifting voting coalitions in the House, some cutting across the liberal-conservative divide and others cutting along it. Chapter 6 tests a model of voting that includes

nic minority voters. In considering the features that would define a rational and humane system for regulating admissions of low-wage workers to the United States, the chapter suggests that openness to migration ought to be combined with grants of provisional membership rights to temporary workers and protections for fundamental human rights for all immigrants, documented or undocumented. Ethnic groups representing Latinos and Asian Americans have been at the front of advocating this approach, and they may well find themselves in a pivotal position as negotiations on immigration reform unfold in the coming years.