

Playing Politics with Deportation

Data...and policy

By **EDWIN S. RUBENSTEIN**

To hear the Administration tell it, Barack Obama has presided over one of the largest peacetime deportations of people in American history. That sounds like good news. Drill down into the details, however, and you find that the recent deportation blitz presents a danger to our communities and to economic growth.

In 2013, America deported 369,000 illegal aliens, an increase of nine times compared with 20 years ago. Taken at face value, this puts the total number deported during the Obama Administration at almost 2 million (see graphic next column).

While the numbers are up, the type of immigrants expelled from the country has also changed — in ways that many of us find troubling:

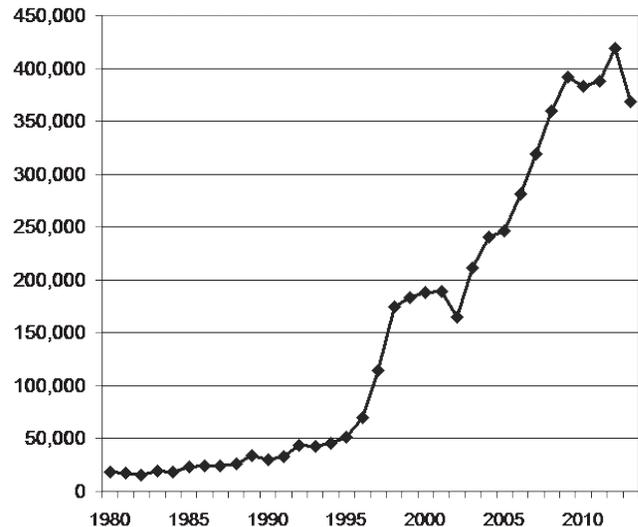
The Obama administration today announced it will no longer actively seek to deport illegal immigrants who don't have criminal records and that it will review all existing deportation cases involving non-criminal immigrants on a case-by-case basis. <http://blogs.abcnews.com/politicalpunch/2011/08/obama-administration-halts-deportations-of-non-criminal-immigrants.html>

Criminal removals more than doubled between FY2008 and FY2013 according to government data. Non-criminal removals fell by 40 percent during that time (see graphic next page).

The implicit assumption behind the new policy — that redirecting the deportation bureaucracy to criminal

aliens will make us safer — does not reflect realities of the deportation process. Immigration courts are overwhelmed by the number of criminal deportations they are asked to rule on. In early 2013 the backlog of criminal cases awaiting resolution reached a new all-time high of 325,296. <http://trac.syr.edu/whatsnew/email.130313.html> This is 9.3 percent higher than it was at the end of FY2011, when Immigration and Customs Enforcement (ICE) Director John Morton announced a review of cases designed to reduce both the backlog and wait times. (The average time cases have been waiting to be heard jumped to 553 days from 489 days over this period.)

Deportations, 1980-2013
(Data sources: Yearbook of Immigration Statistics; ICE)



Federal immigration authorities simply do not have the manpower: there are only 600 Deportation Officers for the whole country — responsible for deporting the worst criminals among millions of legal aliens and millions more illegal aliens. <http://www.humanevents.com/article.php?print=yes&id=23732>

A ratio that small means that every day thugs and criminals are set free for lack of resources to deport them — free to rape, to kidnap, to extort, to burglarize, to con, to kill. But it also means that the Deportation Officers seldom get around to deporting anybody's illegal nanny

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or gardener, so it's a small price to pay for cheap illegal labor for the Manhattan and Malibu set.

Wait times for deportation hearings orders can be as long as 18 months. A criminal alien, no matter how depraved, cannot be held for more than 180 days <http://www.humanevents.com/article.php?print=yes&id=23732> while awaiting deportation. During that time lawyers bring appeals, advocates obstruct, family members beg politicians, and courts issue injunctions. At the end of 180 days the criminal alien must be released.

Nor does issuing a deportation order guarantee removal. Certain countries — Cuba for example — simply refuse the return of any felon they've exported to the U.S.

The Administration's focus on criminal deportations has become a running joke among those who know the real story: federal bureaucrats. A few years ago 7,000 unionized ICE employees voted "No Confidence" in the agency's Director and other politically appointed managers. <http://www.cis.org/articles/2010/259-259-vote-no-confidence.pdf> Among their charges:

- Senior ICE leadership dedicates more time to campaigning for immigration reforms aimed at large scale amnesty legislation, than advising the American public and Federal lawmakers on the severity of the illegal immigration problem, and the need for more manpower and resources...[ICE] is currently overwhelmed by the massive criminal alien problem in the United States resulting in large scale release of criminals back into local communities.
- Criminal aliens incarcerated in local jails seek out ICE officers and volunteer for deportation to avoid prosecution, conviction and serving prison sentences. Criminal aliens openly brag to ICE officers that they are taking advantage of the broken immigration system and will be back in the United States within days to commit crimes, while United States citizens arrested for the same crimes serve prison sentences. State and local enforcement, prosecutors, and jails are equally overwhelmed by the criminal alien problem and lack the resources to prosecute and house these prisoners before making contact with ICE. Thousands of others criminal aliens are released by ICE without being tried for their criminal charges. ICE senior leadership is aware that the system is broken, yet refuses to alert Congress to the severity of the situation and request additional resources to provide better enforcement and support of local agencies.

Non-criminal deportations — of rank-and-file illegals working in burger joints, food processing plants, landscaping companies, and other jobs once held by native-born Americans — fell by a whopping 31 percent in 2013. These are the folks who avoided apprehension at the border and displace American workers in the interior.

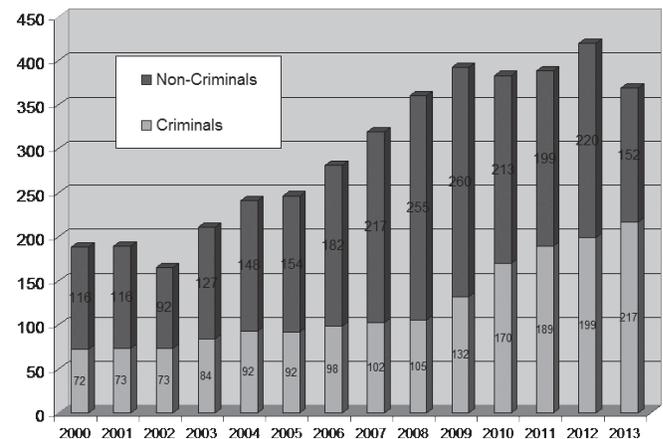
Even in the weak post-Great Depression economy there are far more illegal aliens working than in jail. It is scandalous that their deportations are declining while native unemployment is unacceptably high.

For them a de facto amnesty is already in place.

**We can do better;
We have done better**

In 2013 nearly 370,000 illegal immigrants were removed — about 3 percent of the 12 million or so illegals living in the U.S. At that rate it will take about 32 years to remove the illegal aliens already here. (Even longer if you take into account the revolving door nature of criminal deportations.) By then, of course, millions of new arrivals will have entered.

Deportations of Illegal Aliens, 2000-2013
(Data source: Dept. of Homeland Security; thousands)



America now spends \$17.9 billion per year on immigration enforcement. This amount exceeds the spending on the FBI, Secret Service, Bureau of Alcohol Tobacco, and Firearms, and all other federal law enforcement agencies combined. <http://www.economist.com/news/briefing/21595892-barack-obama-has-presided-over-one-largest-peacetime-outflows-people-america>

The ICE budget alone runs about \$5.3 billion annually. <http://www.ice.gov/doclib/news/library/speeches/120308morton.pdf> Let's assume that only 5 percent of this total, or \$265 million, is attributable to deportation costs. Under these assumptions the federal government spent an average of \$716 per each person it deported in 2013 (\$265 million divided by 370,000.)

While 370,000 removals per year is a formidable accomplishment, it is hardly a record. In 1954 Opera-

tion Wetback is reported to have sent about 1 million illegal farm workers back to Mexico. Buses and trains deposited many deep within Mexican territory. As many as 700,000 are thought to have left voluntarily. http://en.wikipedia.org/wiki/Operation_Wetback

These mass deportations were in reaction to the extension of the Bracero Program beyond the dates of its original mission as a temporary World War II measure. The program enabled U.S. agricultural employers to cope with wartime labor shortages by importing Mexican laborers, primarily in the Southwest. The expectation was that the Mexicans would work during the harvest season and then go home.

Braceros were supposed to be hired only if an adequate number of Americans could not be found. U.S. employers did not honor those commitments.

...The availability of bracero workers exerted a narcotic effect on the agricultural employers of the Southwest. They became addicted to cheap Mexican labor that entered under contractual terms that bound the braceros to work for them or be returned directly to their homeland. The effects of the bracero program on citizen workers were the reduction of worker wage levels in some localities where they competed, the moderation of wage increases that would have occurred in the program's absence, and the shortening of the duration of seasonal employment, which reduced citizen worker incomes. In essence the program functioned as a public subsidy to the private agricultural sector... <http://www.questia.com/library/2348189/mass-immigration-and-the-national-interest>

Only 1,075 Border Patrol agents were assigned to Operation Wetback. http://www.endillegalimmigration.com/History_of_Illegal_Immigration_in_US

Let's generously assume they were paid a salary and benefit package equivalent to \$150,000 per year in today's dollars, bringing the Wetback payroll to \$161.3 million. Add in another \$25 million for associated overhead costs. This admittedly crude, back of the envelope calculation puts the total cost of Operation Wetback at \$186.3 million in today's dollars, or a mere \$186 per deportee (\$186.3 million divided by 1,000,000).

Bottom line: During the Eisenhower years, before computers, the Internet, and other digital efficiencies, the government undertook a mass deportation project at a cost of just \$186 per deportee. By contrast, in 2013 the deportation process cost \$716 per each deportee.

The lesson: mass deportation undertaken under relatively primitive conditions in a brief period of time is far more cost effective than prolonged dithering in the digital age.

No one's suggesting mass deportation— But it would pay for itself

The eight years of President George W. Bush saw an uninterrupted increase in illegal immigration and a drop in immigration enforcement. The number of illegal aliens arrested in workplace cases fell from nearly 3,000 in 1999 to 445 in 2003, while the number of criminal cases brought against employers during this period went from 182 to 4. http://www.endillegalimmigration.com/History_of_Illegal_Immigration_in_US

In late 2007, after a well-hyped Bush Administration "crackdown," only 92 employers faced criminal charges. Meanwhile the U.S. economy, according to the *Washington Post*, included 6 million businesses that employed more than 7 million illegal alien workers.

Bush repeatedly pushed for "comprehensive immigration reform," a catch phrase for proposals that provided for some form of mass legalization for illegal immigrants living in the U.S. Eventually the liberal tilt encountered pushback. Patriotic groups, conservatives, even some members of Congress, articulated a more draconian solution to the problem — a severe crackdown on illegal immigration not only against those attempting to cross the border, but also the deportation of the entire undocumented population currently living in the United States.

Proponents believe the federal government has the ability and authority to execute such a policy, but lacks only the political will.

Can such hard-line "extremism" be allowed to prevail? The open borders crowd was terrified. In 2005 the Center for American Progress (CAP), a liberal think tank, was deputized to dismantle the notion that mass deportation was a viable option.

The resulting study, *Deporting the Undocumented: A Cost Assessment*, questions whether deporting illegal immigrants would be worth the cost. http://www.americanprogress.org/atf/cf/%7BE9245FE4-9A2B-43C7-A521-5D6FF2E06E03%7D/DEPORTING_THE_UNDOCUMENTED.PDF It was touted as the first-ever estimate of costs associated with apprehending, detaining, prosecuting, and removing immigrants who have entered the U.S. illegally or overstayed their visas.

The cost of mass deportation according to CAP: \$206 billion over five years (\$41.2 billion per year). The study assumes that about 10 million illegals would be subject to deportation and 2 million would leave voluntarily if a mass deportation program was announced.

The report's introduction contains this (very typical) caveat: "In order not to overstate our estimates, we consistently make conservative assumptions for key variables; as a result, these estimates in all likelihood are less than the actual costs if such a policy were to be implemented."

In our view \$206 billion is an absurdly large figure. The largest chunk of it is apprehension costs (\$141 billion). In arriving at this figure, researchers blithely assumed that the historical, abysmally low, deportee apprehension rates would continue under a mass deportation regime:

We extrapolate from the available evidence to provide an estimate of the per-apprehension cost. In 1999, 240 agents apprehended 2,849 unauthorized workers, and, as noted above, 90 agents apprehended 445 unauthorized workers in 2003. Assuming a typical annual cost of \$175,714 per agent, and after summing the number of apprehensions (3,294) and agents (330), the average apprehension cost comes to \$17,603. Assuming a 20 percent voluntary departure rate, the total costs for apprehending 8,000,000 undocumented immigrants would be \$141 billion over five years.

Ten deportees per agent per year is the apprehension rate the researchers used in estimating the cost of apprehending 8 million illegals. *Ten per year!* You can find more illegals in front of Walmart in a single afternoon.

But even if \$206 billion was a reasonable estimate of the cost of mass deportation, mass deportation would be well worth it. This from a comprehensive Heritage Foundation analysis of the fiscal burden of an amnesty <http://www.heritage.org/research/reports/2013/05/the-fiscal-cost-of-unlawful-immigrants-and-amnesty-to-the-us-taxpayer>:

Under current law, all unlawful immigrant households together have an aggregate annual deficit of around \$54.5 billion.

The typical unlawful immigrant is 34 years old. After amnesty, this individual will receive

government benefits, on average, for 50 years.

If amnesty is enacted, the average adult unlawful immigrant would receive \$592,000 more in government benefits over the course of his remaining lifetime than he would pay in taxes.

Over a lifetime, the former unlawful immigrants together would receive \$9.4 trillion in government benefits and services and pay \$3.1 trillion in taxes. They would generate a lifetime fiscal deficit (total benefits minus total taxes) of \$6.3 trillion. (All figures are in constant 2010 dollars.) This should be considered a minimum estimate. It probably understates real future costs because it undercounts the number of unlawful immigrants and dependents who will actually receive amnesty and underestimates significantly the future growth in welfare and medical benefits.

These costs would have to be borne by already overburdened U.S. taxpayers.

The illegal alien labor force also reduces wages of native-born American workers. There are roughly 7 million illegal immigrants working in the U.S. — about 3.5 percent of the labor force. Each 1.0 percent rise in the U.S. labor force due to immigration reduces native-born wages by about 0.35 percent, according to George Borjas. <http://ksghome.harvard.edu/~GBorjas.Academic.Ksg/Papers/w9755.pdf> It follows, then, that illegal immigrant workers reduce wages of U.S.-born workers by approximately 1.2 percent percent (3.5 x 0.35).

To deport or not to deport? The choice is between two alternatives: A one-time deportation outlay of (at most) a couple hundred billion dollars, or a lifetime of fiscal deficits and wage losses that are measured in trillions.

Looked at this way, mass deportation is a bargain. Plus, of course, we'd get America back. ■