



A Moderate Look at DACA Repeal

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September 17, 2017

The immigration policy introduced by the Obama administration, known as Deferred Action for Childhood Arrivals (DACA), allowed for some 800,000 individuals brought to this country illegally as children to receive renewable two-year periods of deferred action from deportation, while also making them eligible to receive work permits to remain in the US. From a legal perspective, President Obama's use of "prosecutorial discretion" was absolutely legitimate and has been used by many presidents--Republican and Democratic alike--prior to him. However, from an ethical perspective, the Executive's use of personal discretion to ram through policy is cause for some concern.

Policy--especially that of an issue as complex as immigration--should not be left solely to the Executive. Doing so creates a trend towards executive overreach which has the potential to be abused. Whenever possible, legislative measures must be exhausted before resorting to the use of executive powers. That being said, I am fully aware that a Republican controlled House and Senate failed to bring forward a sound bill to the president in 2012--largely because the issue of granting citizenship to illegal aliens is such a complex one and coming to consensus is not simple. Even so, such complexities should not have prevented the GOP from bringing forth a sound--if only temporary--solution to the problem.

Immigration is a multi-faceted issue, and it is my opinion that due to the initial shock of last Tuesday's decision many of the complex layers in the immigration debate were overlooked. I would like to explore those issues in some depth in order to rise above the TV talking points and examine immigration in a level headed way

Financial Ramifications. According to an NPR article published on September 6th, immediately after announcing the president's action to end the DACA program, Attorney General Jeff Sessions mentioned that the implementation of DACA took away the jobs of "hundreds of thousands of Americans by allowing those same illegal aliens to take those jobs."

While it makes sense to assume that more immigrant workers would mean fewer employment opportunities for Americans, the job statistics observed after the enactment of of DACA would

seem to prove otherwise. Ray Perryman, president and CEO of the Perryman Group, a financial research firm, said in a September 2017 NPR interview that “the primary thing that would argue against [Session’s claim] at this point is, we are at full employment with more job openings than at any point in history...we desperately need workers in this country.”

Additionally, DACA recipients tend to be well educated which means that they fit into the bracket of educated individuals able to make the economy more productive through their skill sets. The CATO institute similarly reported that somewhere around 17 percent of DACA recipients are pursuing an advanced degree. This number is only expected to rise which leads one to believe that there will be an increase in the DACA recipients being employed in higher skilled jobs (DACA recipients likewise tend to pursue higher paying jobs more than that of their illegal/non-recognized counterparts). These statistics certainly lend themselves to a thinking that not only would increased immigration, but also the sustainment of programs like DACA would lead to more job creation and higher wages. However there is another side to this debate which merits mention and consideration.

The idea that an increase in legally recognized non-citizen workers would naturally lead to fewer employment opportunities for Americans is not necessarily a flawed one, as the above statistics might suggest.

A 2013 study from the University of Chicago surveyed economics professors from Harvard, University of Chicago, Yale, Stanford, Princeton, Berkeley, and MIT. The study found that when posed the statement: “*The average US citizen would be better off if a larger number of low-skilled foreign workers were legally allowed to enter the US each year*”, 63 percent of the economists agreed. Likewise when presented with the statement: “*Unless they were compensated by others, many low-skilled American workers would be substantially worse off if a larger number of low-skilled foreign workers were legally allowed to enter the US each year*”, 60 percent of the economists agreed. In other words, it would be disadvantageous for low-skilled American workers if low-skilled foreign workers were allowed to join the workforce. In short, increased immigration might spell benefit for average Americans, but it equally might spell disaster for lower skilled Americans--who are disproportionately Black and Hispanic youth between the ages of 17-34. Another 29 percent of the economists surveyed admitted they were unsure of the impact that foreign workers had on native workers. This only affirms what has been previously mentioned: that this issue is not as cut and dry as some would like to believe.

Harvard economist George Borjas concludes that the influx of immigrants (legal non-citizens eligible for work) can potentially be a net good for the nation as far as the increase of national wealth is concerned. However, he also points out that many lower-skilled American workers are negatively impacted by the influx of low-skilled immigrants. [So as not to belabour a point which I feel is self evident, I will not delve deeper into Borjas, but I suggest taking a look at his [article](#) in *Politico*]. Borjas’s points speak directly to the heart of the matter. While 17% of DACA recipients tend to pursue jobs that require higher skill (thus not making them a threat to low-skilled workers), there are enough DACA recipients that pursue lower skilled labor which presents a threat to low skilled native workers. This issue, no doubt, presents us with more

complexity the deeper into the matter we go. But I posit that we might find solutions (or steps towards a solution) from the wise leadership of past conservative presidents.

The Conservative Record. President Ronald Reagan used the power of executive order in 1987 when faced with the Immigration Reform Control Act of 1986 (IRCA). This act granted legal status for many illegal immigrants but failed to address the status of spouses or children of these newly, legally recognized immigrants. Reagan's executive order legalized the status of minor children of parents granted amnesty which affected an estimated 100,000 families. I must stress, however, that the use of executive orders--no matter how expedient and efficient they are over the arduous and slow process that is the legislative process--should be few and far between in a democracy. But occasionally executive orders are appropriate inasmuch as they address pressing issues not easily resolved through legislation. The difference between DACA and Reagan's actions is significant because they arrive at different ends. Where DACA failed, Reagan's executive action prevailed. Where DACA gave a temporary renewable safeguard against deportation, Reagan's order gave undocumented children full legal status with the possibility of permanent residency and, eventually, a clearer pathway to citizenship. Similar to Obama's executive action, President George H.W. Bush created an executive measure that forestalled deportation of spouses and children of legal immigrants who were brought here illegally.

In their own sincere way, all three executive orders tried to address an issue in an efficient and sound way; an issue which affected the lives of hundreds of thousands of immigrants and even more Americans. Gorjas's observation regarding immigration and its impact on native workers and the economy is as true today as it was in 1987, 1990, and 2012. But these leaders saw that our nation would benefit more from making pathways to citizenship possible for as many eligible and upstanding people as possible.

Present Day Problems, Challenging Solutions. Bearing all of the aforementioned in mind, we can perhaps conclude what we've always known--or at least those of us who are thoughtful on the issue--and that is that immigration reform is no easy issue to tackle. That being said, President Trump's move to repeal DACA is met with weary and reluctant applause by this writer. A policy that moves to keep children of illegal immigrants here is a noble one. After all, they have only known life in America and they feel in their hearts that they are Americans. However, one cannot overlook the economic effect that policies like DACA have on native American workers. I cautiously applauded the measure for its willingness to address a pressing issue, but am deeply critical of its execution. President Trump could have eased concerns of many of the 800,000 DACA recipients by proposing legislation to congress that would work towards the realization of citizenship (while keeping DACA in place until a sound replacement was sent to his desk) instead of pulling the rug out from under them, and leaving much speculation and even greater worry in the minds of thousands. If congressional legislation proved too difficult to pass, he could have followed the example of Reagan, whose executive order made a path to citizenship more of a reality for thousands. This is the type of executive order that deserves praise—one that does more than just apply a band-aid to a much larger wound (so to speak).

The President could have taken a page from the book of Reagan in trying to implement a more wide ranging solution. Instead, he opted not to and, in doing so, only added to his already worrisome anti-immigration rhetoric he so unabashedly displayed during the campaign. I should hope that a Republican controlled House and Senate could address this issue in a smart and forthright manner like their Republican predecessors of 1986 did. But given the 115th's track record, I am less than optimistic.