

## HOW *TIME* MAGAZINE GOT IT WRONG: ILLEGAL IMMIGRATION IS NOT 3 MILLION A YEAR

Don't believe everything you read. After recent examples of media missteps we have another, albeit perhaps less serious one, on our hands. In its recent cover story (September 20, 2004), *Time* magazine erroneously reported that illegal immigration has increased to 3 million a year, having based the estimate on assumptions that don't bear out under scrutiny.

In its story, "America's Border," the magazine reports: "It's fair to estimate, based on a *Time* investigation, that the number of illegal aliens flooding into the U.S. this year will total 3 million — enough to fill 22,000 Boeing 737-700 airliners, or 60 flights every day for a year." The problem is that to arrive at this estimate, *Time* magazine's "investigation" involved nothing more than taking the annual number of Border Patrol apprehensions and multiplying by three because some people told them that at least three people get through for every person caught.

This is how *Time* Editor-at-Large James Steele, who co-authored the article with Donald Barlett, described their methodology: "Basically this year they are going to apprehend more than a million illegal aliens largely on the southern border. When you interview law enforcement people down there, border patrol, sheriff's office, policemen and ranchers who are dealing with this day in and day out, week in and week out, the basic percentage they talk about for every one they apprehend, basically three more get through. I talked to some people down there and they will say it is six, seven times as much. We decided to go with basically the conservative estimate."<sup>1</sup>

The problem with the *Time* magazine analysis is the numbers don't add up. Between 1990 and 2004, there were approximately 20 million apprehensions of people entering illegally, 19 million (or 95 percent) were Mexican nationals, according to U.S. government law enforcement data.<sup>2</sup> Let's assume, as *Time* does, that it's true that 3 individuals make it through and stay in the United States for every one that is apprehended. That means that multiplying 19 million times 3 should tell us how many Mexicans have come to the United States illegally since 1990.

Here's why *Time's* figures are implausible. If the *Time* magazine numbers were correct, and we multiply 19 million times 3, that would mean that 57 million Mexican illegal immigrants (just since 1990) should now be living in — or have come to — the United States. The problem is that would represent nearly 60 percent of Mexico's population of 100 million.

In addition, since we know people from Mexico entered illegally prior to 1990 and apprehensions of Mexicans between 1970 and 1989 also totaled nearly 19 million, that means another 57 million Mexican illegal immigrants should have entered the U.S. based on *Time's* formula. In other words, if the *Time*

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analysis was correct, then we should no longer have an illegal immigration problem with Mexico, since everyone from Mexico should already be in the United States.

The main error in the *Time* report is that it misses the double- and triple-counting that goes on in reporting official apprehensions data. In other words, the same person may be apprehended 6 times over the course of a year but it would be counted as 6 apprehensions. In addition, someone who is already living in the United States illegally may go to Mexico to visit family and be apprehended by the Border Patrol while attempting to re-enter, which is also categorized as an apprehension.

### POLICY SOLUTIONS

The main contention of the article, namely that there are still many people entering the United States illegally each year, is not news and not disputed by anyone in the immigration policy debate. Some say that the problem is we aren't "tough" or "serious" enough. Yet it's clear that the Border Patrol and others in the Administration are both tough and serious, yet are dealing with a phenomenon that is not amenable to a "law enforcement only" solution. Added enforcement personnel both over the years and more recently have not reduced illegal immigration but rather has changed the geography and the nature of the flows. After nearly tripling the Border Patrol between 1990 and 2000, illegal immigration rose by 5.5 million during the 1990s. That is, in part, because now that it is harder to get into the United States, individuals who would have traveled back and forth to Mexico instead put down more permanent roots to avoid the increasingly dangerous trek.

The writers of the *Time* article and others argue that the problem is that (employer) sanctions against hiring someone here illegally are not adequately enforced. But with limited resources, few Members of Congress would support immigration enforcement agents raiding restaurants and tracking down maids instead of pursuing genuine criminal or national security threats.

Without a change in policy that provides additional avenues for individuals to enter the United States and work legally, it is not surprising that illegal immigration has not sharply declined during the past few years. The issue is not a matter of will or toughness, but rather adopting intelligent policies that channel those who want to work here onto a legal path.

Those who say we should not permit more people to work on legal visas until we "control the border" have it backwards: The only proven way to control the border is to open up paths to legal entry and allow the market to succeed where law enforcement alone has failed.

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Past use of legal visas greatly reduced illegal immigration. Beginning in 1942, the bracero program allowed Mexican farm workers to be employed as seasonal contract labor. Despite these legal admissions, limited enforcement and other factors provided little deterrent to illegal entry prior to 1954.

That is when a controversial crackdown on illegal immigration ensued. Importantly, INS Commissioner Joseph Swing preceded the crackdown by working with growers to replace an illegal and, therefore, unpredictable source of labor with a legal, regulated labor supply. Swing received favorable press from growers and in Congress for pushing the substitution of legal for illegal workers.

Bracero admissions rose from approximately 201,000 in 1953 to over 430,000 a year between 1956 and 1959. In other words, the number of Mexicans who entered each year to work legally in agriculture doubled. The increased bracero admissions produced dramatic positive results. Illegal entry, as measured by INS apprehensions at the border, fell by an astonishing 95 percent between 1953 and 1959.

However, complaints helped lead to the end of the program by 1964. What happened to illegal immigration after we stopped letting in Mexican farm workers legally? It skyrocketed. From 1964 to 1976, while the number of Border Patrol Agents remained essentially constant, INS apprehensions of those entering illegally increased more than 1,000 percent. While economic conditions in Mexico and the lack of temporary visas for non-agricultural jobs also contributed, an internal INS report found that apprehensions of male Mexican agricultural workers increased by 600 percent between 1965 and 1970.<sup>3</sup>

### THE NUMBERS

It is surprising that James Steele or Donald Barlett did not reference official estimates of illegal immigration from the Department of Homeland Security or Immigration and Naturalization Service (INS). Such analyses used Census and other data to perform the best available estimate of the illegal immigration population. If they had consulted official data, the reporters would have found that between 1990 and 1999, the estimated number of people annually who entered the population of illegal immigrants was 706,000. That included those who came in legally and overstayed visas. The net number of new people added to the illegal immigration population each year, on average, was 350,000. (That was determined by factoring out individuals who died, left the country, adjusted to legal status, or were removed by INS enforcement.)<sup>4</sup>

The *Time* magazine article cites figures as high as 15 million for the total population of illegal immigrants. However, the official estimates as of January 2000 place the total at 7 million. While this figure is almost certainly higher today, it has not more than doubled.

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Unfortunately, Donald Barlett and James Steele have a history of misinterpreting data. Back in 1997, columnist Robert Samuelson labeled as "junk journalism" a series of Barlett and Steele articles for the *Philadelphia Inquirer*. In those articles, the reporters assumed that both imports and immigrants led to massive job loss in the United States. Similar to their mistake with illegal immigration numbers, they misinterpreted a rule of thumb data point regarding \$1 billion in exports generally representing 20,000 jobs. They stated: "(I)f \$1 billion in exports creates 20,000 jobs, then \$1 billion in imports eliminates a like number." However, if Barlett and Steele had been correct about imports and job losses, then the \$105 billion trade deficit in 1995 should have meant 2.1 million fewer jobs that year, rather than the increase of nearly 2 million reported by the Bureau of Labor Statistics.<sup>5</sup>

**CONCLUSION**

The tone of the *Time* magazine cover story is sensationalistic — using terms like "invaders" and "invasion" — and does not attempt a serious examination of issues at the border and illegal immigration more generally. No attempt is made to explore a root cause of illegal immigration — the lack of a legal structure for foreign-born individuals to work here legally in lesser-skilled jobs. Instead, the writers trod out the tired rhetoric of blaming greedy businessmen (as if businessmen suddenly became self-interested starting in 1965, when illegal immigration to the United States started to rise significantly). This also doesn't explain why business groups, such as the U.S. Chamber of Commerce, favor an expansion of legal visas if companies are so pleased with the status quo.

The writers' misinterpretation of apprehension numbers also leads to a likely overstating of non-Mexicans who cross the Southern border illegally. No one denies that non-Mexicans cross the border. However, the best way to provide our law enforcement with a better chance of catching threats coming across our borders is to remove from the illegal flow those who simply seek the opportunity to come here to work. If relatively few people in comparison were attempting to enter illegally, it would be far easier to apprehend those who attempted it. Employer sanctions and beefing up the Border Patrol have not done the job but using a more common sense approach that combines legal work visas with law enforcement can succeed.

We know how to reduce illegal immigration. The United States has done so before and can do so again by making available sufficient legal visas so that individuals will enter legally to work, rather than through means that occupy Border Patrol Agents with apprehending potential workers. By freeing up law enforcement assets to focus on more genuine security threats, we will enhance both homeland security and the rule of law.

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<sup>1</sup> *Lou Dobbs Tonight*, September 13, 2004.

<sup>2</sup> *INS Statistical Yearbook*, 1997 and 2002; Department of Homeland Security; consultations with individuals experienced in formulating estimates of illegal immigration.

<sup>3</sup> Testimony of Stuart Anderson, House Agriculture Committee, January 28, 2004. Source of numbers is official INS data. Also, the entry of Mexicans as immigrants (lawful permanent residents) was able to increase during this period as well.

<sup>4</sup>See "Estimates of the Unauthorized Immigrant Population Residing in the United States: 1990 to 2000," Department of Homeland Security, 2003.

<sup>5</sup> Stuart Anderson, "More Immigration Myths," *Investor's Business Daily*, January 30, 1997.

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Started in 2003, the National Foundation for American Policy (NFAP) is a 501(c)(3) non-profit, non-partisan public policy research organization based in Arlington, Va. The focus of the research is on trade, immigration, and other issues of national importance. NFAP Executive Director Stuart Anderson served as Staff Director of the Senate Immigration Subcommittee, working for Senators Spencer Abraham and Sam Brownback, and as head of policy and counselor to the Commissioner of the Immigration and Naturalization Service. The Advisory Board members include Columbia University economist Jagdish Bhagwati, Ohio University economist Richard Vedder, Rep. Guy Vander Jagt (ret.), and other prominent individuals.