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BORDERS COMMITTEE AGENDA

Thursday, September 9, 2004
3:00 p.m. – 5:00 p.m.
SANDAG, Conference Board Room
401 B Street, 7th Floor
San Diego, CA 92101

SPECIAL MEETING

AGENDA HIGHLIGHTS

- **LITTLE HOOVER COMMISSION REPORT
ON NEW CALIFORNIANS**

MISSION STATEMENT

The Borders Committee provides oversight for planning activities that impact the borders of the San Diego region (Orange, Riverside, and Imperial counties and the Republic of Mexico). The preparation and implementation of SANDAG's Binational Planning and Interregional Planning Programs are included under its purview. It advises the SANDAG Board of Directors on major interregional planning policy-level matters. Recommendations of the Committee are forwarded to the Board of Directors for action.

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Welcome to SANDAG! Members of the public may speak to the Borders Committee on any item at the time the Committee is considering the item. Please complete a Speaker's Slip which is located in the rear of the room and then present the slip to Committee staff. Also, members of the public are invited to address the Committee on any issue under the agenda item entitled Public Comments/Communications. Speakers are limited to three minutes. The Borders Committee may take action on any item appearing on the agenda.

This agenda and related staff reports can be accessed at www.sandag.org under meetings on SANDAG's Web site. Public comments regarding the agenda can be forwarded to SANDAG via the e-mail comment form also available on the Web site. E-mail comments should be received no later than noon, two days prior to the Borders Committee meeting.

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BORDERS COMMITTEE
Special Session on New Californians

Thursday, September 9, 2004

Staff Contact: Hector Vanegas
(619) 699-1972; hva@sandag.org

ITEM #		ACTION
1.	WELCOME AND INTRODUCTIONS Hon. Crystal Crawford will welcome the guests and Committee Members who will conduct self-introductions.	
2.	PUBLIC COMMENTS/COMMUNICATIONS	
+3.	REPORT FROM THE LITTLE HOOVER COMMISSION ON NEW CALIFORNIANS (Toby Ewing, Project Manager, Little Hoover Commission (PP. 4-24)) In response to the request of the Borders Committee to explore further the issue of the impacts of undocumented migrants on the San Diego region, staff has organized a presentation by a staff member of the Little Hoover Commission to discuss a report it produced on the impact of immigrants in California. Mitch Mitchell, Vice President of Public Policy and Communications at the San Diego Chamber of Commerce and member of the Little Hoover Commission, will introduce the speaker.	INFORMATION
4.	ADJOURNMENT	

BORDERS COMMITTEE

September 9, 2004

AGENDA ITEM NO.: **3**

Action Requested: INFORMATION

LITTLE HOOVER COMMISSION REPORT "WE THE PEOPLE: HELPING NEWCOMERS BECOME CALIFORNIANS"

Introduction

At its meeting on February 13, 2004, Councilmember Jack Feller, City of Oceanside, asked the Executive Committee to talk about possible venues to discuss the effects of undocumented immigration in the San Diego region. It was suggested that it should be brought to the Borders Committee. Councilmember Feller then presented his concerns on this topic to the Borders Committee at its April 16, 2004 meeting. During that meeting the Committee decided to task several members to meet again and discuss whether this was an issue that the Borders Committee should be dealing with and, if so, what the most appropriate course of action might be. The subgroup held two meetings. The subgroup met with Robert L. Bach, former executive policy advisor to the Immigration and Naturalization Service, on April 28, 2004. The second meeting was held on June 23 to discuss whether or not to hold a workshop or conference focused on this issue, and, if so, how best to approach it. Staff provided various background materials for consideration. Among them was a report on the issue of the impact of immigrants in California prepared by the bipartisan Commission on California State Government Organization and Economy, known as the Little Hoover Commission.

Recommendation

The subgroup that met on June 23, 2004 recommended that a special session of the Borders Committee be held to hear a presentation on a report produced by the Little Hoover Commission. The objective of this special session would be to discuss the origin of the report, how the information was gathered, how they reached their recommendations, and where those recommendations stand currently. As a bipartisan legislative commission that has examined this issue thoroughly within the context of how California as a state is impacted by federal immigration laws, the subgroup considered this to be a balanced report that could be the basis for any discussion on the issue. A copy of the Executive Summary of this report is attached for the Committee's review and consideration.

Discussion

More than 8.6 million foreign-born residents live in California, which is approximately 25% of the population. It is estimated that there are an additional two million individuals who are undocumented. The needs of this population can generate pressure on public programs and services

with limited resources. Although increases in the population base of any region create pressure on local infrastructure, often the frustration that established residents have regarding employment opportunities, access to social and health services, and general quality of life issues are blamed on these undocumented populations.

The Little Hoover Commission, formally known as the Milton Marks "Little Hoover" Commission on California State Government Organization and Economy, is an independent state oversight agency that was created in 1962 (see Attachment 1). The Commission's mission is to investigate state government operations and—through reports, recommendations and legislative proposals—promote efficiency, economy and improved service. The full Commission selects study topics that come to its attention from citizens, legislators and other sources and produces in-depth, well-documented reports that serve as a factual basis for crafting effective reform legislation.

In 2002 this bipartisan commission examined the implications of immigrants (both undocumented and legal residents) on the state economy and social infrastructure (see Attachment. 2) According to the members of the Commission, faced with the impact of inconsistent, and often contradictory federal immigration laws, "the State cannot quietly accept or suffer the consequences of federal policies that fail our families, our communities, and our businesses."

Despite the differing views represented on the Commission, the members came to an agreement on a set of guiding principles for public debate on the issue:

1. All persons deserve dignity and respect;
2. All residents are obligated to be responsible community members; and
3. New Californians need the same opportunity as others to become self-reliant and responsible community members.

After collecting existing data and holding hearings with a variety of organizations and experts, they came up with a set of policy recommendations. The Commission report arrived at a two pronged strategy for local, regional, and state governments to consider. On the one hand, they should work aggressively to reform federal immigration laws to serve California. The regional and state agencies should "call attention to barriers in federal policy that restrict the ability of communities and their residents, particularly immigrants, to meet shared responsibilities and build a high quality of life."

On the other hand, it should also be recognized that many undocumented immigrants are working, paying taxes, and belong to families that are establishing themselves in communities. The Commission concluded that denying services and opportunities to these residents only delays their integration, reduces their contributions and increases state costs. Therefore, the Commission recommended that communities focus on the distinction between "responsible community members" and "those who disregard state and local ordinances" rather than legal status and provide opportunities for all residents, including undocumented immigrants, to move toward and maintain self-reliance.

The Commission recommended the creation of a "Golden State Residency Program" to encourage immigrants to establish residency and become citizens, creating incentives for their integration and supporting those who demonstrate a commitment to their new community. Rather than legal status, the criteria for participation would be: a) commitment to establish citizenship; b)

responsibility to local community; c) proficiency in English; d) participation in civic affairs; and e) responsibility for children and other family members.

The Executive Summary is included in this packet as Attachment 2. The full 90-page report is available on the Commission website (www.lhc.ca.gov/lhcdir/report166.html).

BOB LEITER

Director of Land Use and Transportation Planning

Attachments (2)

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About the Commission

The Little Hoover Commission, formally known as the [Milton Marks](#) "Little Hoover" Commission on California State Government Organization and Economy, is an independent state oversight agency that was created in 1962. The Commission's mission is to investigate state government operations and -- through reports, recommendations and legislative proposals -- promote efficiency, economy and improved service.

By statute, the Commission is a balanced bipartisan board composed of five citizen members appointed by the Governor, four citizen members appointed by the Legislature, two Senators and two Assembly members.

The full [Commission](#) selects study topics that come to its attention from citizens, legislators and other sources. In addition, it has a statutory obligation to review and make recommendations on proposed government reorganization plans.

The Commission's role differs in three distinct ways from other state and private-sector bodies that analyze state programs:

- Unlike fiscal or performance audits, the Commission's studies look beyond whether programs comply with existing requirements, instead exploring how programs could and should function in today's world.
- The Commission produces in-depth, well-documented reports that serve as a factual basis for crafting effective reform legislation.
- Based on its reports, the Commission follows through with [legislation](#) to implement its recommendations, building coalitions, testifying at hearings and providing technical support to policy makers.

Under the direction of a subcommittee of Commissioners, staff conducts research by bringing key players together for discussions, contacting experts, reviewing academic literature and interviewing those most closely affected by the targeted topic.

Based on preliminary research, the subcommittee identifies key issues and oversees the creation of [public hearings](#) to explore all sides of the issues in an open setting. The public hearings serve to inform the Commissioners and educate the legislators, the public and the media about the problem areas. The subcommittee develops findings and recommendations that focus on the key issues and forwards a draft report to the full Commission for its consideration. The Commission, as a whole, may make changes before adopting and releasing the [final report](#).

The Commission works to implement its recommendations either through [legislation](#) or administrative changes. New hearings are held and progress reports are issued in the years following the initial report until the Commission's recommendations have been enacted or its concerns have been addressed.

If you have any questions about the Commission, contact our office, little.hoover@lhc.ca.gov, 925 L Street, Suite 805, Sacramento, California 95814, (916) 445-2125 or (916) 322-7709(fax).



LITTLE HOOVER COMMISSION

June 18, 2002

The Honorable Gray Davis
Governor of California

The Honorable John Burton
President pro Tempore of the Senate
and members of the Senate

The Honorable Herb Wesson
Speaker of the Assembly
and members of the Assembly

The Honorable James L. Brulte
Senate Minority Leader

The Honorable Dave Cox
Assembly Minority Leader

Dear Governor and Members of the Legislature:

To its peril, California has not come to terms with the extraordinary challenges of a large population of immigrants. Increasing globalization and the corresponding economic, political, and social uncertainties require California to strengthen its communities and ensure that newcomers become confident Californians. By not squarely dealing with these challenges, the State will ultimately increase public costs, and delay the enormous benefits that immigration can bring to individuals and communities.

Immigration in California – from the days of the Bear Flag Republic and evolving since September 11 – has spawned emotional controversies. Newcomers are blamed for the problems associated with rapid population growth. Poor immigrants increase pressure on the public safety net until they become self-sufficient. Cultural differences create tensions. And at least some of the anxiety over immigration is linked to the large numbers of immigrants who are in the country in violation of federal immigration law.

But these controversies do not diminish the need to deal with the challenges facing a modern California in which one in four residents is foreign-born. For these immigrants to be successful they must learn to speak English, improve their education and job skills, and understand the law and what is expected of them. But California has not aligned existing public and community efforts in ways that effectively integrates immigrants – and it must do so to accelerate the transition from newcomer to responsible community member.

This enormous task is greatly complicated – legally, politically and even practically – by public policies that are confusing and even contradictory. The challenge is further magnified by the nearly 25 percent of California's 8.6 million immigrants who do not have legal documentation.

Most of the immigrants who are here “illegally” had legal documentation at some point, or belong to families that include legal residents and even citizens. In reality, most “undocumented” residents are part of their communities in virtually every other way. They are employees and taxpayers. They are parents of schoolchildren. They are church members, volunteers and consumers.

But because of federal laws – which have failed to provide necessary workers or enable communities to engage all residents – many immigrants are living in a quasi-legal California. They may qualify for medical assistance, but are afraid to ask. They may want to learn skills that are in demand by California employers, but are not eligible for job training. They may want to become citizens, but may never be given the chance.

Many community leaders – including law enforcement officials – no longer distinguish between documented and undocumented immigrants. Clearly many businesses are not supporting laws against employing undocumented workers. And increasingly, to achieve public policy

goals, services are being provided to undocumented residents. It is not just that some immigrants are ignoring federal immigration law, but the law – because it is so flawed – is overlooked by political, civic, community and business leaders.

California did not create this problem. But it must impose some rationality on the confusion of policies that make it difficult to integrate newcomers into California's communities and has resulted in 2 million of its residents not having legal immigration status, even though they are contributing community members by so many other measures.

The Commission recommends that policies affecting immigrants be linked to community priorities. The Commission begins with basic principles: All persons deserve respect and dignity. All residents are obligated to be responsible community members. And new Californians need the same opportunities as their native-born neighbors to become self-reliant.

To put these principles into operation, the Commission believes the State should establish a residency program. This effort would give priority access to existing public services to immigrants who demonstrate commitment to becoming responsible citizens. The proposal, which is detailed in this report, would transform a set of now-inconsistent programs into a deliberate policy to accelerate the integration of immigrants – socially, economically and civilly.

Since public resources are always inadequate to meet demands, the residency program would reflect smart priorities, investing first in those who want to be responsible and contribute. Given the potential benefits, this program should be an imperative for the large majority of immigrants who are documented.

Because so many undocumented immigrants are effectively Californians, and intend to remain Californians, and would be documented if federal laws were meeting California's needs, eligibility in the residency program should be extended to them as well.

The State cannot quietly accept or suffer the consequences of federal policies that fail our families, our communities, and our businesses. California needs to work aggressively to reform federal immigration laws to serve California. In the meantime, the State should recognize that many undocumented immigrants are working, paying taxes, and belong to families that are setting new roots. Denying them services and opportunities only delays their integration, reduces their contributions and bloats state costs. So until federal policies are reformed, the residency program should include undocumented immigrants.

When federal immigration laws are aligned with California's needs, there will not be so many undocumented immigrants because there will not be a demand for undocumented workers. There will be fewer families with conflicting immigration statuses and there will be more "residents" advancing to "citizens." At that time, local law enforcement, employers and civic leaders would be expected to renew their commitment to immigration policies and California could focus solely on integrating documented immigrants.

Finally, public programs – such as education, job training, consumer protections – need to work for all Californians and that means working for immigrants. So in addition to access, administrators need to ensure that services efficiently help residents grow from where they are to where they want to be.

Prior to September 11, federal policy-makers were beginning to recognize the failures of federal immigration laws. Since the terrorist attacks, the focus has shifted to the failure of federal agencies to regulate borders, screen immigrants and enforce time limits. This is one more reason for California policy-makers – in Sacramento and Washington, D.C. – to work in concert toward policies that support our common goals of safe, healthy and prosperous communities.

Sincerely,


Michael E. Alpert
Chairman

We The People

Helping Newcomers Become Californians

June 2002

Executive Summary

California history is enriched by the contributions of immigrants. Some newcomers arrived from across the sea; others journeyed from across the continent. Many arrived generations ago, and more arrive every day. Some 8.6 million first-generation immigrants live in California, representing about one in four residents.¹

Immigrants feature prominently in California's contemporary and future prosperity. Helping them integrate – meaning to develop a sense of belonging, to take responsibility for the quality of life in their neighborhoods, and to seize opportunities for success – is a key challenge for state and local leaders.

But California does not have deliberate policies to integrate immigrants into communities and capture their contributions. There are plenty of public programs. But eligibility rules are not consistent or aligned to a specific set of goals. The State has recently offered subsidized college tuition to undocumented residents, but those same people are not eligible for job training that will lead to skilled employment.

While there is never enough money to serve everyone who wants help, the State does not set priorities based on who wants to become a citizen, who is making contributions and who is a responsible community member. And while a growing number of people served by public programs are immigrants, little has been done to ensure those services are delivered in ways that are effective with people who are learning English or are unfamiliar with bureaucracies or American culture.

The greatest challenge – the byproduct of federal immigration laws that have not provided enough workers for California's booming economy – is how to treat an estimated 2 million undocumented immigrants. In the long run, many will become legal residents and citizens. But today, they are expected to live in the shadows.

All of these complexities make it difficult – yet essential – for California to develop a coherent strategy for accelerating the integration of immigrants into the economy and their communities.

Principles to Guide Policy

In recent years, immigration as a political issue has been divisive in California, inciting bitter debates.

In this study, the Commission distilled the following principles, which could guide a new public discussion.

- **All persons deserve dignity and respect.** Regardless of whether they are in the United States for a day or a lifetime, each individual should be free from abuse and threats to their physical safety and property.
- **All residents are obligated to be responsible community members.** These obligations include obeying the law, taking care of family members, becoming involved in the community, learning English and eventually establishing citizenship.
- **New Californians need the same opportunity as others to become self-reliant and responsible community members.** Newcomers deserve opportunities to get a job, find a home and provide for their families.

From Division to Potential

Discussions about immigrants often are shaped by immigration “status” – are they legal or illegal immigrants? But this distinction is problematic for many reasons. As an alternative, the Commission developed a set of principles that can guide public policy as it relates to immigrants and communities.

No Clear Line between Legal and Illegal Immigrants

Californians have great respect for hard-working immigrants who have come to the United States legally. Yet immigrants who have entered the country surreptitiously are often condemned. While the law is clear on who is in the country legally and who is not, the realities of that law are complex.

Immigration Status is Inconsistent. Many immigrants who entered illegally have since established legal residency. Others have lost their permission to remain. The majority of undocumented immigrants live in families with mixed status. The husband is legal; the wife is not. The children are legal; the parents are not.

Public Policy Also is Inconsistent. Consider the following:

- Federal and state laws conflict. Federal law excludes some immigrants from receiving social security benefits, but California offers them supplemental payments.
- Not even health care policy is consistent. Illegal immigrants are excluded from most Medi-Cal services, but are targeted for services through community medical clinics.
- Some policies punish legal and illegal immigrants alike. Welfare reform was crafted to help the most vulnerable residents become self-reliant, but many legal immigrants are excluded from participating, just like illegal immigrants.
- Law enforcement looks the other way. Local law enforcement officials complain that enforcing immigration policies hinder their ability to protect public safety.
- The public spends millions to patrol the U.S.-Mexico border, but even the INS looks the other way when otherwise law-abiding illegal immigrants come to their attention.
- Ironically, illegal immigrants are taxed. While it is illegal for them to have a job, the IRS and the State collect income tax, and will issue refund checks to legal and illegal immigrants alike.

Moreover, policies that focus on the distinction between documented and undocumented immigrants often frustrate the ability of communities to meet public priorities. With more than 8 million immigrants in California, some 2 million or more here illegally, goals for public health, education, welfare and safety are frequently compromised because communities are precluded from serving undocumented residents.

A More Meaningful Distinction

The Commission found that communities have begun to make new distinctions among their residents. Residents who are responsible community members can count on support from community leaders. Local sheriffs, for instance, make a distinction between law-abiding residents and bad actors, regardless of immigration status.

The Commission believes the distinction between responsible community members and those who flout state and local ordinances and community values is more significant than legal status. Three opportunities merit attention:

1. All residents, including immigrants, must recognize their responsibilities to support broad community goals.
2. Communities and the State must provide opportunities for all residents, including immigrants, to move toward and maintain self-reliance.
3. The State must call attention to barriers in federal policy that restrict the ability of communities and their residents, particularly immigrants, to meet shared responsibilities and build a high-quality life.

Immigration is Defined by Critical Tensions

Immigrants have made California strong, and they have engendered controversy. In California immigrants perform important, often vital roles in the workforce. They create new trade opportunities with their native countries and introduce innovation into the marketplace. And immigrants bolster the quality of life by being responsible community members, working hard and believing in the “American Dream.”

Yet immigrants also compete for scarce resources – whether it is land, jobs, or desks in a crowded classroom. California’s rapid population growth – through immigration and native births – has fueled rapid urban development, traffic congestion, and increased housing costs. Immigrants, rightly or wrongly, are targeted for aggravating already difficult fiscal, land-use and public benefit decisions.

Immigrants are pulled into ageless controversies over the public’s obligation to the poor. Many come to the U.S. to escape poverty. They struggle to find adequate employment, provide for their families and pay their bills. Some immigrants are eligible for public assistance because of their age, because they have U.S.-born children or for other reasons – magnifying the challenges of eliminating poverty with limited public funds.

Immigrants also have challenged social norms and altered community rhythms. Controversies erupt when immigrants are unfamiliar with local laws, such as limits on the number of inhabitants who can occupy a home, or the requirement to buy car insurance. Similarly, new neighbors challenge long-time residents by speaking different languages, practicing different religions and following different cultural norms. Differences breed mistrust and occasionally conflict.

Because of these tensions, political debates over public spending, resource limitations and the declining quality of life become debates over

Immigration and Public Security

Following the attacks of September 11, Americans and their leaders are increasingly aware of how a fluid immigration system frustrates efforts to protect public safety.

Building impervious borders would be expensive and limit essential trade. Fortifying federal law enforcement activities is only a partial answer. Law enforcement alone will have great difficulty ferreting out the few among millions who may bring harm to the nation.

The Commission’s recommendations in this report would improve national security in two ways:

1. ***More immigrants would become actively involved in local communities.*** The Commission envisions policies that create incentives for immigrants to become responsible community members and make a commitment to their communities.
2. ***The public would support immigration law.*** The Commission calls for aligning federal immigration and naturalization policies with community goals. This alignment would put the public on the same side of the law as immigration officials.

No one has all the answers to how California and the nation can best ensure safety while supporting essential movement of people and goods across our borders. But the public and public officials must ask difficult questions and devise practical strategies for seeking answers.

immigrants. These tensions become rallying points for anti-immigrant fervor and rubicons for immigrant rights advocates. Policy-makers, confronted by these conflicts, must maneuver this political minefield while attempting to meet the needs of their communities. In some instances policy-makers have allowed documented immigrants to receive some benefits while undocumented immigrants remain ineligible. In

other instances services are extended or denied to documented and undocumented immigrants alike.

***California Commission of
Immigration and Housing: 1913-1945***

At one point, California had an agency dedicated to integrating immigrants. For 32 years, the Commission of Immigration and Housing supported the “Americanization” of immigrants. Its goal was “to encourage the immigrant who regards this country as his home to become an American citizen.” The Commission oversaw complaints, conditions of labor camps, housing and immigrant education. Its functions were integrated into other state agencies and it was disbanded in 1945.

At the community level, in part because of the contributions immigrants make, civic leaders often do not distinguish between those with and those without documents. Local leaders are more concerned about immigrants who compromise public safety, who flout local ordinances or who otherwise undermine community goals, regardless of their immigration status. Some work deliberately to ensure that immigrants fit

into their new community and are able to contribute to their neighborhoods. They are helping families participate in the local economy and community activities, whether or not they carry a green card. Of course, in some communities, when tensions mount, the focus shifts to limiting the number of immigrants allowed to enter the country, or removing immigrants who are in the country illegally.

A Jumble of Immigrant-Related Policies

How immigrants are defined by public policies – and treated by public programs – is the result of a complex array of laws, rules, and regulations that have evolved over years. They have been put in place through legislation, ballot initiatives, court rulings and bureaucratic practice. Interpretation and application of these rules vary across the state, leading to confusion and apprehension on the part of immigrants, other residents and public officials.

Latino immigrants tell of being recruited into English-language classes by local community colleges, while simultaneously targeted by law enforcement officers who wait for them to drive to work or class. Immigrants working in high-technology fields are confused when job or family changes stress the web of local, state and federal rules that allow them to live and work in California. And immigrants from South East Asia and Africa express humiliation and fear when prosecuted for

conducting cultural practices that conflict with health and safety standards in their adopted communities.

Long-standing residents can be equally frustrated by ambiguity in public policies. Employers are told to enforce immigration laws that challenge their ability to recruit workers, yet are not enforced by local officials. Educators are distraught when meritorious students face unnecessary hurdles to their education. And others are angered when long-time residents are denied public assistance while scarce resources are shared with itinerant families.

Embedded in California's jumble of immigrant-related policies is a fundamental dichotomy - immigrants as assets or immigrants as a hindrance.

As assets, immigrants are credited for their contributions to the economy and community. As obstacles, immigrants - and federal immigration policies that allow them to enter the country - are blamed for social, economic and environmental woes. The choice is often cast as stem the tide of immigrants, particularly illegal immigrants, or fuel California's economic engines with immigrant labor and innovation.

This dichotomy fails to recognize the realities: Many families include a mix of immigrants, including undocumented immigrants and native-born citizens. In some areas immigrant labor is the backbone of the local economy. And they contribute beyond their tax payments and labor. They are parents and grandparents, mentors and neighborhood leaders. And more significantly, most immigrant families progress, from unskilled to skilled labor. Many include entrepreneurs.

Equally significant, this dichotomy does not reflect the full cost of immigration when immigrants fail to integrate into a community. When policy options are cast as either fewer immigrants or more rights for immigrants, policy-makers miss opportunities to explore how immigrant and immigration policies can work together to promote community goals.

Guiding Values

In previous reports on community-based services, the Commission has identified the importance of commonly held goals. In this project the Commission discovered that community goals for immigrants are the same as for native-born residents.

California's primary goal should be to support the ability of all residents, including immigrants, to:

- Be safe.
- Be healthy.
- Remain out of trouble.
- Live in safe, affordable housing.
- Be economically self-sufficient.
- Participate in self-governance.
- Have a sense of belonging and responsibility to the community.

A Policy that Promotes Quality Communities

A coherent immigrant policy should establish clear goals for immigrants and clarify how the State and communities should respond to their needs. By better meeting the needs of specific residents, this policy would improve the effectiveness of public programs for all. A consistent policy could better communicate public expectations for all residents, including immigrants, as well as the opportunities available to all residents.

Immigrant Responsibilities

Immigration should support the ability of California's communities to realize goals for a high quality of life. All residents, particularly immigrants, must make a commitment to being good community members. They should:

- Learn English.
- Obey the law and support public safety.
- Know their rights.
- Be responsible family members.
- Be engaged in civic affairs.
- Maximize their contributions to ensure a high quality of life in their community.

Immigrants and the communities in which they live are equally responsible for these goals. The Commission has identified three elements of a policy that will assist more immigrants to achieve economic self-sufficiency and improve the effectiveness of public programs for all residents.

1. Residents, including immigrants, must recognize their responsibilities to support quality communities.
2. Community leaders and members must recognize community responsibilities to respond to the needs of all residents, including immigrants.
3. The State must work to lower barriers – particularly in federal law – that restrict the ability of immigrants and their communities to meet shared responsibilities and to be successful.

Recognizing the Responsibilities of Immigrants

Finding 1: Immigrant policies fail to encourage immigrants to fully participate in their communities, be contributing community members, and become citizens.

Immigrants, as with other residents, have a responsibility to seek out opportunities, to take advantage of available programs and to make good use of limited public resources. The American Dream is the product of opportunity and initiative. The public sector can help provide opportunity; individuals are responsible for contributing initiative.

But newcomers often are unaware of how they can participate in their new communities and what is expected of them as responsible community members. California can explicitly recognize that immigrants make important contributions when they are successful. And it should proactively identify the avenues available to immigrants to help them

succeed and ensure those avenues are effective. But ultimately, immigrants are responsible for their success.

California can establish reasonable expectations for newcomers that help them understand what it means to be responsible community members, guide them to opportunities that can promote success and capture the contributions that individual success brings to communities.

And California can reinforce those expectations by rewarding responsible community members. Policy-makers can replace the inconsistent jumble of public policies that determine eligibility for public programs with a consistent policy that rewards immigrants who recognize their responsibilities and restricts benefits to others. California can make a commitment to invest in immigrants who are committed to helping improve California. Those who chose not to commit to be responsible community members receive lower priority to access public sector services.

More than three-fourths of immigrants in California are legal residents. California can establish a residency program that would give priority for public services to legal immigrants who make a commitment to California. The State must also advocate before federal officials to reform a system that results in so many undocumented immigrants. Until immigration policies are aligned with state and community goals, California should, where not in violation of federal law, extend benefits to undocumented immigrants who make a commitment to their communities.

Recommendation 1: California should establish goals for immigrant integration and create incentives for immigrants to achieve those goals. The Governor and Legislature should:

- ***Establish the Golden State Residency Program.*** The Governor and Legislature should establish a program that encourages immigrants to establish residency and become citizens. It should create incentives for immigrants to integrate and support those who contribute to their communities. Participation should be open to documented immigrants – and until federal policies are reformed, undocumented immigrants. Criteria for participation could include:
 - ✓ ***Commitment to establish citizenship.*** The program could be limited to immigrants who demonstrate they want to become U.S. citizens and enforce a time frame for establishing citizenship, once a person is eligible.
 - ✓ ***Responsibility to local community.*** The program could ensure that participants have a history of paying taxes, are law abiding,

and are employed or engaged in workforce development and training programs, where appropriate.

- ✓ **Proficiency in English.** The program could ensure that participants have practical English skills or are actively engaged in English-language training where appropriate.
- ✓ **Participation in civic affairs.** The program could ensure that participants are actively involved in local civic affairs through public, volunteer and community-based organizations and other opportunities.
- ✓ **Responsibility for children and other family members.** The program should ensure that immigrants are fully responsible for the needs and nurturing of their children and care of other dependent family members. Children should be enrolled in school, in a health plan and have adequate housing.

Participants in the Golden State Residency Program would be eligible for a range of benefits comparable to those afforded citizens. The program should take adequate measures to ensure that information pertaining to the legal status of immigrants is kept confidential and that participation in the program does not expose participants to an increased risk of adverse actions by federal immigration officials. Finding 2 discusses the opportunities available to participants in detail.

- **Develop a public awareness campaign on the rights and responsibilities of immigrants.** The State should develop – or encourage foundations and civic organizations to develop – a series of public awareness campaigns on the following issues:
 - ✓ The importance of proficiency in English, and the value of bilingual skills.
 - ✓ Immigrant rights, including freedom from abuse and harassment, and protection from fraud.
 - ✓ Immigrant responsibilities to their communities, including the need to pay taxes, be law abiding, secure employment and establish and maintain economic self-sufficiency.
 - ✓ Parental and family responsibilities and child welfare laws.
 - ✓ Avenues to civic involvement and ways to promote community improvement.
 - ✓ Current and historic contributions of immigrants to California and individual communities.

Supporting Immigrant Success

Finding 2: California has an obligation to help immigrants succeed. But policies that ration access to public services hinder many from becoming responsible, successful community members.

Public programs can help poor immigrants live above minimum standards and develop the skills to be economically self-sufficient. Communities have a stake in ensuring that immigrants access those programs and benefit from them. Without conscientious attention to helping immigrants become self-sufficient, communities face larger and more enduring costs associated with unemployment, inadequate health care, overcrowded and unsafe housing and other concerns.

But a number of barriers limit the effectiveness of public programs. Language and cultural differences, migratory tenancy, and the lack of shared expectations and respect confound efforts to serve some residents. Eligibility restrictions dictate who can be served with public funds and who cannot. A number of communities are working around these barriers. Local leaders recognize that public goals in health care, education and employment are undermined when large numbers of residents are prevented from receiving assistance.

The bottom line is that the public sector cannot afford to ignore the needs of immigrants. But neither can it afford to offer unbridled access to public services. A prudent investment in immigrants is necessary to safeguard the future of a state with one-quarter of its residents who are newcomers.

Where not in violation of federal law, California can reform its eligibility rules to offer public services to immigrants who are enrolled in the Golden State Residency Program. Those immigrants who have demonstrated a commitment to be responsible community members merit an investment in their future.

Community Responsibilities

California's communities must not squander the opportunities that all residents, including immigrants, represent to enrich the quality of life.

Each community should ensure that residents have adequate opportunity to be self-reliant and receive appropriate assistance to quickly achieve and maintain self-reliance.

Communities should:

- Be aware of the needs of residents, including immigrants.
- Provide adequate housing.
- Ensure health care.
- Inform all residents of their rights.
- Offer English training that works for immigrants.
- Provide job training and assistance.
- Hire sufficient staff who are culturally proficient to work with community members.
- Maximize the opportunities for all residents, including immigrants, to be self-reliant and successful.

Recommendation 2: California must prudently invest in immigrants who make a commitment to become citizens and support their communities. Policy-makers and the public must ensure that public programs effectively address community needs. The Governor and Legislature should:

- **Align public policy with community goals through the Golden State Residency Program.** Immigrants who commit to the residency program described in Recommendation 1 should be given priority over other immigrants to receive public services.
- ✓ **Education.** Participants should be eligible for all education benefits afforded citizens, beyond what is currently available under federal and state law. Educational providers should assess barriers that may prevent immigrants from benefiting from educational programs and ensure that those programs effectively and quickly promote self-reliance.
- ✓ **Health Care.** Participants should be eligible for all health care programs available to citizens, including Medi-Cal. State health officials should ensure that health programs focus on prevention and efficiently address the health needs of immigrants in the residency program.
- ✓ **Welfare and Social Services.** Participants should be eligible for all welfare and social service programs available to citizens. State administrators should ensure that welfare and social service programs quickly provide the support and guidance necessary to move families quickly toward self-reliance.
- ✓ **Workforce Development.** Participants should be eligible for all workforce development programs that promote employment and economic self-reliance. State administrators should assess the effectiveness of existing programs and propose reforms necessary to effectively serve native-born and immigrant residents.
- ✓ **Civic Participation.** Participants should be eligible to serve on all non-elected boards and commissions that are open to citizens. The right to vote should remain an exclusive right of citizens.
- ✓ **Driver's License.** The Governor and the Legislature should enact legislation to make participants in the residency program eligible for a driver's license or state identification card.

While the residency program should be open to all immigrants, participation should be limited to those who make a commitment to California. Other immigrants would receive lower priority for services through public programs.

- ❑ **Ensure that state programs effectively support community goals.** Each state agency should review how effectively it supports the self-reliance of immigrants. The following agencies should pay particular attention to the needs of immigrants and community goals:
 - ✓ **State and Consumer Services Agency.** The agency should assess the effectiveness of efforts to protect immigrants from discrimination in employment, housing and public accommodation. It should review credential and license requirements to ensure that well-trained immigrants can work in their professional fields while upgrading or assessing their skills to meet current standards.
 - ✓ **Department of Finance.** The department should annually report the number of immigrants who have established naturalized citizenship, the number of non-citizens in the state, and trends in the percentage of citizens and non-citizens living in poverty and participating in publicly funded health and welfare programs.
 - ✓ **Labor and Workforce Development Agencies.** California's labor and workforce development agencies should ensure that immigrants have access to the training and skill development resources needed to become or remain economically self-sufficient. They should ensure that immigrants fully understand workplace rights and responsibilities and receive adequate protection on the job.
 - ✓ **California Community Colleges and Adult Schools** Programs that provide English-language training should develop and implement plans to increase the number of students who become proficient in English each year for the next 10 years.
- ❑ **Create the California Commission on Immigrants.** The Commission should be charged with three fundamental challenges:
 - ✓ **Create a statewide dialogue.** The Commission should promote public awareness of the contributions of immigrants and how immigration can support community goals.
 - ✓ **Advocate for effective programs.** The Commission should work to improve the performance of public programs that promote immigrant responsibilities to their communities and community responsibilities to immigrants. It should pay particular attention to growing the role of community-based organizations in promoting the integration of immigrants and addressing barriers to citizenship.
 - ✓ **Monitor progress.** The Commission should identify ways to define and measure immigrant integration and self-reliance and report progress to policy-makers and the public. The Commission should identify ways the naturalization process and INS services could be improved to better serve new Californians.

Components of a California Residency Program

A California Residency Program that provides incentives for immigrants to integrate and supports those who contribute to their communities should be made up of the following components.

Participation should be open to documented immigrants and undocumented immigrants – until federal policies are reformed. Criteria for participation could include:

- ✓ ***Enrollment in English-language training.*** The program could ensure that participants are actively working to develop functional English ability where appropriate.
- ✓ ***Commitment to establish citizenship.*** The program could be limited to immigrants who demonstrate they want to be an American and enforce a time frame for individuals to become citizens, once they are eligible.
- ✓ ***Participation in civic affairs.*** The program could ensure that participants are actively involved in local civic affairs through public, volunteer and community-based organizations and opportunities.
- ✓ ***Responsibility to local community.*** The program could ensure that participants have a history of paying taxes, are law abiding and are employed or engaged in workforce development and training programs, where appropriate.

Participants should receive the following benefits:

- ✓ ***Eligibility for public services.*** The program should allow participants to access the full array of public services available to citizens.
- ✓ ***Eligibility for naturalization support.*** The program should assist immigrants to quickly and efficiently navigate the naturalization process. It should develop working agreements with the Immigration and Naturalization Service to develop a “fast track” naturalization process for participants and include a revolving loan program to help immigrants pay naturalization fees.

The program should take adequate measures to ensure that information pertaining to the legal status of immigrants is kept confidential and that participation in the program does not expose participants to an increased risk of adverse actions by federal immigration officials.

Align Immigrant and Immigration Policies with Community Goals

Finding 3: Efforts to build strong communities are undermined by federal policies that limit prudent investments in immigrant self-reliance, fail to create incentives for immigrants to become citizens and forgo opportunities to ensure immigrants are responsible community members.

Federal, state and local policies often hinder the success of immigrants and the subsequent success of communities. California can address barriers in state and local policies through a residency program that creates opportunities for immigrants to benefit from public investments. But federal immigration policies will continue to frustrate state and community goals.

Federal immigration rules limit the ability of California employers to attract adequate numbers of legal immigrant workers. Some 2 million undocumented immigrants in the state, with the majority gainfully employed, is evidence of a flawed immigration policy. The State is restricted by federal law from supporting high-achieving students who could benefit from higher education. The public benefits of universal health care, workforce development, and adequate housing are beyond reach because federal regulations exclude a significant portion of the population from benefiting from public programs.

And extensive waiting periods and an impenetrable federal bureaucracy prevent immigrants from efficiently moving through the residency and naturalization process, delaying their ability to become committed citizens.

California can promote the alignment of federal policies with broad public goals for immigrants and communities. California should seek the support of the President and Congress to address those federal policies that limit the benefits of immigration in California.

The Governor, the Legislature and community leaders can solicit support in Washington to ensure that immigration and immigrant policies reflect the following values:

- Legal immigration should provide an adequate supply of workers to meet workforce needs that cannot be met by existing residents or workforce development programs.
- The federal government should ensure access to high-quality, efficient assistance throughout the immigration and naturalization process.
- Immigration, residency and citizenship decisions at the federal level should reflect state and community interests in recruiting and retaining individuals who contribute to their communities. The naturalization process should create incentives for immigrants to learn English, participate in civic affairs and contribute to their communities.

Recommendation 3: California should advocate for federal reforms that link immigration policies to community goals, create incentives for immigrants to be responsible community members and encourage immigrants to work toward citizenship. The Governor and Legislature should:

- ❑ **Advocate for immigration reform.** The Governor and legislative leaders should work with California's congressional delegation to motivate the President and Congress to craft an immigration policy that ensures the country admits adequate numbers of immigrants to meet workforce needs and supports strong communities. Immigration policies should encourage immigrants to become citizens.
- ❑ **Advocate for naturalization reform.** California's state and federal representatives should work with the President and Congress to align naturalization policies with state goals for immigrants. The naturalization process should create incentives for immigrants to meet their responsibilities to be good community members and clearly communicate the obligations that citizens have to their communities.
- ❑ **Advocate for federal support of community priorities.** California's state and federal representatives should work with the President and Congress to align federal policies to community goals for immigrants. State leaders should pursue two options:
 - ✓ **Immediate steps.** State leaders should seek additional federal funding to provide services that support the ability of immigrants to become responsible community members, maintain self-reliance and establish citizenship.
 - ✓ **Long-term reform.** State leaders should work to reform federal policies that govern eligibility criteria for public programs, particularly programs that address education, health, welfare and job training needs. Federal policies should make eligible those immigrants who make a commitment to be responsible community members and become citizens.
- ❑ **Advocate for more efficient and effective immigration and naturalization services.** California should pass a resolution asking Congress to ensure that immigration and naturalization services in California are customer-oriented, continuously improving and at least as available and efficient as services in other states. The delegation should work with the President and Congress to identify strategies for the INS to immediately reduce backlogs, improve customer service and provide responsive information to the public and state and federal policy-makers on progress.