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Immigration reform

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[Bridgette Chatman Lewis](#) Signature Track · 17 hours ago 🔗

I believe immigration reform is an incredibly important inter-generational project and topic. As such, immigration policy could possibly add a new clause to the constitution. Thoughts?

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[Joel Kovarsky](#) · 17 hours ago 🔗

I suspect this goes well beyond simply adding a new clause: <http://www.law.cornell.edu/wex/immigration> . Also see:

Johnson, Kevin R., Immigration and Civil Rights: State and Local Efforts to Regulate Immigration (April 25, 2012). Georgia Law Review, Forthcoming; UC Davis Legal Studies Research Paper No. 293. Available at SSRN: <http://ssrn.com/abstract=2046328> .

I would agree that this this is a very important subject, but gaining consensus may be difficult for many elements that have to be considered.

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[Anonymous](#) · 6 hours ago 🔗

Immigration reform is unnecessary. What is really happening is an attempt at amnesty. "Immigration Reform" is a progressive talking point term they think plays better to the public than amnesty. We just need to begin enforcing the laws on the books and tighten up the border.

<http://www.nationalreview.com/corner/365011/obama-continues-ignore-immigration-laws-andrew-stiles>

I have serious concerns regarding this issue. We seem to have so many Americans, especially minorities, who continue to suffer from high unemployment numbers. Increasing

the applicant pool does not benefit them.

"The Senate Gang of Eight's immigration bill is not only impractical, but immoral," said Frank Morris, Council leader, and former Executive Director of the Congressional Black Caucus Foundation. "Increasing immigration levels through amnesty and new visa programs, particularly at the low-skilled level, will flood the labor market with millions more people, leading to higher unemployment, more poverty, and a lower standard of living for many in the black community." Blacks have an unemployment rate nearly twice that of the national average. The Senate's immigration plan to drastically increase the immigrant work force will continue to keep that number high.

<http://online.wsj.com/article/PR-CO-20130423-913825.html>

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Gary Romer · 17 hours ago 🔒

The question is what effect does the Constitution have on immigration policy now? My opinion, not much. There is a lot of latitude for Congress to modify current immigration laws (either to relax the laws or tighten them) before Constitutional issues would come in to play. An exception would be if Congress decides to take citizenship away from U.S. born children of undocumented residents. That would conflict with the 14th Amendment.

And remember that a Constitutional Amendment would require broad consensus on what the policy should be. That doesn't exist right now.

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Bridgette Chatman Lewis Signature Track · 14 hours ago 🔒

My point exactly. Since the Constitution does not have an effect on policy to date- the intergenerational project and or future policy will impact the Constitution in a profound way. Currently, at the head of the debate there are approximately 51 million documented and grossly undocumented Latino people's in the country. Of those 51 million 65% of the peoples are Mexican and a large majority are undocumented. The debate is a heated one as to what entails citizenship, monetary assistance, low wages, illegal jobs, green cards etc. Some have stated the undocumented should be returned to their home where they are citizens- some have stated it is wrong to break up families and use low skilled labor as a means to an end.

As such, 10 years prior to the census 2010, the population was approx. 38 million vs today's 51 million. That is a gross gain of approx. 27% growth. This is a fast growing ethnicity and demographic segment that has (arguably-reaped enormous benefit and enormous backlash)- however the population continues to grow exponentially. If reform does not come soon, this demographic will become a burden to the governmental system and the US will hit a crisis. There will be a monetary and population burden on many state governments that will lack support from our federal system.

The immigrants do not want to be a burden nor does the government have the means to deal with such a monetary burden. The US already has a gap in skill and education vs other developed countries (particularly with Youth 16-30). The system doesn't have enough jobs to support the unskilled workers or the uneducated. Additionally, many low labor jobs continue to be outsourced. The skilled jobs that are entering the jobs market to boost unemployment have not been filled due to the lack of education with the US youth- let alone another country's youth entering this space (very problematic). In this unique catch 22, legislators will have to come to a consensus relative to meeting the needs of "We The People" and ensure fairness to the people(s) who are here that are undocumented and have entered the country illegally with extenuating circumstances (families that could be separated).

It is my belief that Constitutional reform via a clause or amendment is inevitable. You are absolutely correct in that our House is currently very divided yet the population continues to soar. Eventually, there will be a house mandate in change and a clause will have to be added to our Constitution in light of the topic of immigration and policy change. Rationale: States cannot bear the burden. I'm hoping reform will come sooner than later.

Best-Bridgette

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[Edward L Dunlay](#) · 12 hours ago 🔒

Gary, I agree with you on citizenship by birth in the United States through the operation of the 14th Amendment. That was the holding in *United States v. Wong Kim Ark*, 169 U.S. 649 (1898). I believe that what **some** on the right are doing is distinguishing *Wong* on the basis that Wong's parents were present in the U.S. in lawful immigration status. I don't know how they think they get around the language of the 14th Amendment, but the argument is out there.

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[Dolores Carlson](#) · 8 hours ago 🔒

I believe the 14th Amendment definitely needs to be revisited. It's one of those things that changes over time, in ways that could not have been envisioned. Until that happens I don't think it is going to be resolved. Something is very wrong when homes are rented out for foreign nationals to come into the country while pregnant, give birth, then just go back home and stay there, in order to have their child born in the US and become a US citizen. Their parents themselves have no interest in the US but are using the child as a "book marker". This is the one only purpose for their visit. If continued, this could have some ramifications we may not be too happy with.

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[Joel Kovarsky](#) · 3 minutes ago 🔒

Dolores,

I will say from the outset that I disagree with you, but the arguments will not get reconciled here. That said, there is added discussion of two past, tabled attempts to alter the current norm of birthright citizenship in another thread: https://class.coursera.org/conlaw-001/forum/thread?thread_id=3217.

Those are the Immigration Stabilization Act of 1993 (S.1351) and the Birthright Citizenship Act of 2009, H.R.1868, 111th Cong.

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Tom Clark Signature Track · 9 hours ago 🔗

How does Jeb Bush's stance differ from Hilary Clinton's on this subject?

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