# ICE NEG

# Case Args

## SQ Solves

### No Raids

#### Squo solves – SCOTUS ruled ICE raids in schools are illegal

**Abrego 11** (Leisy J., Associate Professor in Chicana/o Studies at UCLA. "Legal Consciousness of Undocumented Latinos: Fear and Stigma as Barriers to Claims-Making for First- and 1.5-Generation Immigrants," Law & Society Review, Volume 45, Number 2 (2011), http://www.marioguerrero.info/461/PL2.pdf) KEN

Despite sharing the legal context created by immigration laws with undocumented adults, undocumented youth have important legal protections not available to their first-generation counterparts (Abrego & Gonzales 2010). Specifically, undocumented youth’s lives are also broadly contextualized by education laws. Since 1982, a Supreme Court ruling, Plyler v. Doe, has barred public schools from excluding undocumented children, thereby granting them legal access to public education through high school. Their status as students protects members of the undocumented 1.5 generation in various ways. Importantly, it provides them with safe spaces in educational institutions that are not likely to be targets for ICE raids. Moreover, because they occupy a socially acceptable status as students, when they have been apprehended (usually away from educational settings) they have received an outpouring of support rom allies nationwide (Preston 2009). Prompted by online organizations, supporters have signed petitions, e-mailed letters, and made phone calls en masse to urge lawmakers to stop the deportation of these youth (Preston 2009). Often, deportations have been at least temporarily halted. Most recently, State Senators Dick Durbin and Richard Lugar, supporters of the DREAM Act, have written to the Obama administration requesting a general halt on the deportation of potential beneficiaries of the DREAM Act.6 Such public support is rare for undocumented workers.

#### Ice raids being solved in the squo by school districts

Kohli 16 (Sonali, Staff Writer, “ICE agents won't be going onto Los Angeles public school campuses”, The Los Angeles Times, <http://www.latimes.com/local/education/lausd/la-me-edu-ice-agents-school-campuses-20160209-story.html>) //AVR

immigration agents won’t be allowed onto the campuses of the Los Angeles Unified School District to look for undocumented students, the school board promised with a unanimous vote Tuesday. The new resolution directs school staff members not to let any federal Immigration and Customs Enforcement agents enter school campuses or to provide them with student data without clearance. ICE officials who have any reason to be on campus -- such as those evaluating schools that offer exchange programs for non-immigrant students -- can visit schools only after their requests have been cleared by the superintendent and district lawyers. Board members noted in the meeting that immigration agents haven’t come to schools looking for students. Students are not actually in danger of being grabbed by ICE agents while at school; ICE considers schools and churches to be “sensitive” locations and does not carry out raids in schools, said spokeswoman Virginia Kice. But families don’t trust the word of the immigration agency, and some were afraid to send their kids to school after ICE carried out a series of raids across the country last month targeting Central American immigrants, said board member Ref Rodriguez, who co-sponsored the resolution. The resolution also gives the superintendent 90 days to create a plan to provide resources and information for undocumented and mixed-status families, including “a rapid response network to assist children whose family members have been detained.” The network would establish a procedure for what happens to students if they are in school when a parent is deported, their emergency contact can't be reached, and there's no one to get them to and from school. L.A. Unified is following the example of other counties and districts nationwide -- the San Francisco Unified School District recently released a statement reminding families that ICE officials wouldn’t be allowed on campuses without a “thorough review process,” and county leaders in Montgomery County, Md., gave the Obama administration a similar message that they would not cooperate with deportation efforts. Although there were no raids in L.A. last month, residents are concerned because the city has a large Central American immigrant population. So to Rodriguez, the resolution is, in part, a symbolic gesture to tell families that “we stand for the safety of our children,” he said. “These are safe spaces.” One major concern for families is what will happen to their children if they are detained during the day and their emergency contact is unavailable. “We are afraid to send them to school or even myself to go to adult school,” one mother told the board members during their board meeting Tuesday. “We need you to make a plan. What will happen if I get picked up?” It’s important for schools to train teachers and staff to educate parents on their immigrant rights because the home environment affects children’s school performance, said Victoria Dominguez, the education services and policy coordinator for the nonprofit immigrant rights organization CARECEN. To be part of a mixed-status family that is worried about deportation and access to resources is “very stressful,” Dominguez said. “And that stress doesn’t stop with the parents.” Although the board unanimously passed the resolution, board member George McKenna wanted to know more about the limits of the staff and campuses, he said during the meeting. For example, schools aren’t able to offer the same level of sanctuary that some churches have promised families. “Schools function when school is open,” McKenna said. “Are we a safe haven when school is closed?" Some ICE officials visit campuses if the schools have foreign exchange students with visas to study abroad in the U.S. They check out the schools to ensure that the campuses are legitimate learning environments. But during these checks, ICE officials said, they do not seek or request information about undocumented students. “[F]ederal law requires ICE to continuously monitor schools and non-immigrant students by collecting data and conducting site visits,” Carissa Cuttrell, ICE Student and Exchange Visitor Program spokeswoman, said in a statement. School districts that block these officials from entering campuses would not be eligible to host international students. School board President Steve Zimmer said in an interview that the goal of the resolution is to ensure immigrant families feel safe in schools, and exchange programs will not be affected.

#### Schools from Pennsylvania to California are taking steps to deny ICE raids in schools – squo school districts solving now.

Sanchez 17 (2/23,Ray, Staff Writer, “Chicago public schools say they will keep ICE agents out”, CNN, <http://www.cnn.com/2017/02/22/us/chicago-public-schools-immigrant-students/index.html>) //AVR

Chicago Public Schools say they will deny federal immigration agents access to district buildings and personnel unless served with a criminal warrant, the latest in a series of steps taken by US school officials to protect undocumented students. School districts from Pennsylvania to California have stepped up efforts to allay fear and uncertainty in immigrant communities over Trump administration directives that would significantly expand the power of immigration officers and could set the stage for mass detentions and deportations. Following a December resolution affirming its commitment to a "safe and welcoming" teaching environment for all students, Chicago Public Schools this week sent a memo to principals who "expressed concern and anxiety" about immigration issues and guidance on handling interactions with US Immigration and Customs Enforcement. "To be very clear, CPS does not provide assistance to US Immigration and Customs Enforcement (ICE) in the enforcement of federal civil immigration law," Tuesday's memo said. "Therefore, ICE should not be permitted access to CPS facilities or personnel except in the rare instance in which we are provided with a criminal warrant." Nearly 700 immigrants arrested nationwide The guidance to principals in the nation's third largest school district came Tuesday, as Department of Homeland Security officials laid out plans to expand state and local law enforcement's ability to act as immigration officers. The DHS guidance memos -- which follow the arrests of nearly 700 immigrants nationwide this month -- seek to explain how the agency intends to carry out some of Trump's controversial executive orders. Those orders call for a vast increase in the resources provided to ICE and Customs and Border Protection, the construction of a wall along the southern border and an aggressive stance toward undocumented immigrants. Chicago Chief Education Officer Janice Jackson's package to principals included multilingual information and palm cards on immigration law and rights for students and their families, as well as guidelines for school personnel. "While many of our families have serious concerns and anxiety about recent federal actions and statements, we want to make sure that parents know school is a safe place for all students regardless of their race, ethnicity or country of origin," Jackson wrote to principals. 'ICE agents should wait outside' Jackson noted that attendance in some schools was lower than usual during the last week's "Day Without Immigrants" events. "We firmly believe that the safest and most beneficial place for students is a classroom alongside their fellow students," she wrote. The guidance urges personnel to call the school system's law department if "ICE agents arrive at a school and present paperwork... ICE agents should wait outside while the school is reviewing the matter with the Law Department." The document said principals should not share student records with ICE -- "with the rare exception where there is a court order or consent from the parent/guardian." "If a child is left stranded at your school and you suspect it is because his or her parent is detained, please exhaust the child's emergency contact list," the document said. "Please have a staff member remain with the student until the parent, guardian, or emergency contact can arrive." Other US schools pledge to protect undocumented students Other school districts throughout the country have pledged to protect undocumented students and their families in response to Trump's crackdown on illegal immigration. In Colorado, for instance, Denver Public Schools last week passed a resolution saying in part that the school board's general counsel "will not grant access to our students unless the official presents a valid search warrant issued by a federal or state judge or magistrate." "The resolution stresses Denver Public Schools will do everything in our lawful power to protect our students' confidential information and ensure that our students' learning environments are not disrupted by immigration enforcement activity," Superintendent Tom Boasberg wrote on the school system's website. "I want to highlight that we have not had nor do we have any information that leads us to believe there will be immigration actions at our schools. Federal guidelines continue to provide that schools are sensitive places where immigration enforcement should not take place, and we will continue to advocate for those guidelines to remain in place. We do not want to create any additional fear or panic in our communities." In Pittsburgh, Pennsylvania, school officials last month passed a resolution requiring that all ICE requests "must be processed through the Law Department and the Office of the Superintendent," according public schools spokeswoman Ebony Pugh. "Schools will not permit ICE officials to access any students, without having contacted the Law Department with all relevant documentation." In 2014, about 725,000 students enrolled in grades K-12 in the US -- 1.3% of all students enrolled -- were unauthorized immigrants, according to Pew Research Center estimates based on government data. About 3.9 million were children of unauthorized immigrants.

### Sensitive Location Memo Solves

#### Schools were declared a sensitive location and are exempt from ICE raids

Moller 17 (Kenza, Journalist for Canadian Geographic, “Is It Legal For ICE Officials To Go Into Schools? Alleged Incidents Have Parents Worried”, Romper, https://www.romper.com/p/is-it-legal-for-ice-officials-to-go-into-schools-alleged-incidents-have-parents-worried-38952)

Immigration agents won’t be allowed onto the campuses of the Los Angeles Unified School District to look for undocumented students, the school board promised with a unanimous vote Tuesday. The new resolution directs school staff members not to let any federal Immigration and Customs Enforcement agents enter school campuses or to provide them with student data without clearance. ICE officials who have any reason to be on campus -- such as those evaluating schools that offer exchange programs for non-immigrant students -- can visit schools only after their requests have been cleared by the superintendent and district lawyers. Board members noted in the meeting that immigration agents haven’t come to schools looking for students. Students are not actually in danger of being grabbed by ICE agents while at school; ICE considers schools and churches to be “sensitive” locations and does not carry out raids in schools, said spokeswoman Virginia Kice. But families don’t trust the word of the immigration agency, and some were afraid to send their kids to school after ICE carried out a series of raids across the country last month targeting Central American immigrants, said board member Ref Rodriguez, who co-sponsored the resolution.

#### ICE agents don’t target schools

Anderson 16 (Melinda, 1/26/16, Writer for The Atlantic, “How Fears of Deportation Harm Kids’ Education: The threat of raids could be preventing some undocumented immigrants from sending their children to school”, The Atlantic, <https://www.theatlantic.com/education/archive/2016/01/the-educational-and-emotional-toll-of-deportation/426987/>) CS

This view is endorsed by the executive of Prince George’s County Executive Rushern L. Baker, who called on federal authorities to halt the raids due to the “fear and anxiety this situation is creating in many of our neighborhoods.” A recent Education Writers Association “Latino Ed Beat” blog post also quoted a statement from the county’s schools chief, Kevin Maxwell, noting “the devastating impacts of [Department of Homeland Security] actions on the academic, social, and emotional well-being of all of our students.” Next door in Montgomery County, Maryland, leaders have been equally vocal, reassuring its large Central American community against fearing the deportation threats. Nestor Alvarenga, a liaison to the local Hispanic community, revealed to Bethesda Magazine that “people are in panic mode … parents are afraid and we’ve had parent coordinators and principals [notify] students who haven’t come to school.” He stressed that immigration agents “to this day [haven’t] gone into a school …hopefully it stays that way.”

#### Under the sensitive locations memo, ICE isn’t allowed to execute enforcement actions in schools

NILC ND (National Immigrant Law Center, "Immigrant and Refugee Children A Guide For Educators And School Support Staff" , American Federation of Teachers, https://www.nilc.org/wp-content/uploads/2016/06/ICE-Raids-Educators-Guide-2016-06.pdf)

Are there places where raids are prohibited? Yes, with exceptions. According to a policy memorandum released by the Immigration and Customs Enforcement agency in 2011, commonly referred to as the “sensitive locations memo,” ICE officers and agents are to refrain from enforcement actions at least at the following locations and events: schools (including preschools, primary schools, secondary schools, colleges and universities, and other institutions of learning, such as vocational and trade schools); hospitals; churches, synagogues, mosques and other institutions of worship, such as buildings rented for the purpose of religious services; during funerals, weddings and other public religious ceremonies; and during public demonstrations, such as a march, rally or parade. The sensitive locations policy is intended to establish safe havens for immigrant communities, but it is important to note that there are exceptions to this policy, including cases where prior approval must be obtained before conducting enforcement operations in a sensitive location, and cases where prior approval is not required, such as when there is an extraordinary circumstance involving public safety

#### ICE has not approved any enforcement actions in schools due to the sensitive locations memo

Von Hoffmann 16 (Emily Von Hoffmann, writer for The Atlantic, 4-11-2016, "Does ICE Pressure Schools for Student Info?," Atlantic, https://www.theatlantic.com/education/archive/2016/04/does-ice-pressure-schools-for-student-info/477600/)

“ICE has not approved any enforcement actions at any school under the ‘exceptions to the general rule’ section in recent history,” said Bryan Cox, a spokesperson for ICE.  He further clarified that while he lacks data on ICE’s history of enforcement actions in this regard, “no such approval has been given anywhere in the country during at least the past year.” In a 2011 “sensitive locations” [memo](https://www.ice.gov/doclib/ero-outreach/pdf/10029.2-policy.pdf), ICE commits to not arresting, interviewing, searching, or surveying targets of its investigations while they are in schools, churches, or hospitals. The policy permits a large degree of discretion, since it can be overridden by obtaining prior approval from several officials, or by invoking any of the numerous exceptions noted in the memo.

### Districts Solve

#### School boards are capable of preventing ICE officials from entering and detaining students on school grounds in the squo

Sanchez 17 (Ray, Newsdesk Editor for CNN, CNN digital editor/writer/producer and foreign correspondent, “US public schools take steps to protect undocumented students”, CNN, <http://www.cnn.com/2017/02/23/us/public-schools-immigration-crackdown/index.html>) CS

(CNN)Chicago Public Schools say they will deny federal immigration agents access to district buildings and personnel unless served with a criminal warrant, the latest in a series of steps taken by US school officials to protect undocumented students. School districts from Pennsylvania to California have stepped up efforts to allay fear and uncertainty in immigrant communities over Trump administration directives that would significantly expand the power of immigration officers and could set the stage for mass detentions and deportations. After a December resolution affirming its commitment to a "safe and welcoming" teaching environment for all students, Chicago Public Schools this week sent a memo to principals who "expressed concern and anxiety" about immigration issues and guidance on handling interactions with US Immigration and Customs Enforcement. "To be very clear, CPS does not provide assistance to US Immigration and Customs Enforcement (ICE) in the enforcement of federal civil immigration law," Tuesday's memo said. "Therefore, ICE should not be permitted access to CPS facilities or personnel except in the rare instance in which we are provided with a criminal warrant." Nearly 700 immigrants arrested nationwide Some students welcomed the news. "There was a lot of panic going around," Yuliana Rodriguez, who attends Hubbard High School in Chicago, told CNN affiliate WLS. She added, "I feel like school should be a safe place, just like home. We go there to learn. I feel like it shouldn't be a scary place to go to." The guidance to principals in the nation's third largest school district came Tuesday, as Department of Homeland Security officials laid out plans to expand state and local law enforcement's ability to act as immigration officers. "Protecting the safety and privacy of our students is our top priority at Chicago Public Schools," the guidance to schools said. "Given the recent political climate and events which have occurred on a national stage, some of our students and families have expressed concerns about how our schools may interact with the United States Immigration and Customs Enforcement." The DHS memos -- which follow the arrests of nearly 700 immigrants nationwide this month -- seek to explain how the agency intends to carry out some of Trump's executive orders. Those orders call for a vast increase in the resources provided to ICE and Customs and Border Protection, the construction of a wall along the southern border and an aggressive stance toward undocumented immigrants. Chicago Chief Education Officer Janice Jackson's package to principals included multilingual information and palm cards on immigration law and rights for students and their families, as well as guidelines for school personnel. 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"If a child is left stranded at your school and you suspect it is because his or her parent is detained, please exhaust the child's emergency contact list," the document said. "Please have a staff member remain with the student until the parent, guardian, or emergency contact can arrive." Parents are being encouraged to update emergency contact forms, including backup contacts in case they are detained. "A student's home address is information contained in the student's record that cannot be disclosed without a court order or consent," according to the guidance. School districts in the Chicago suburbs of Aurora and South Elgin also pledged to maintain a policy of not allowing ICE agents into schools without a criminal warrant, WLS reported. Chicago officials have said an estimated 500,000 undocumented immigrants -- between 15% and 20% of the city's population -- could be affected by the immigration crackdown in the city, the station reported. Other US schools pledge to protect undocumented students Other school districts throughout the country have vowed to protect undocumented students and their families in response to Trump's crackdown on illegal immigration: In Colorado, Denver Public Schools last week passed a resolution saying in part that the school board's general counsel "will not grant access to our students unless the official presents a valid search warrant issued by a federal or state judge or magistrate." "The resolution stresses Denver Public Schools will do everything in our lawful power to protect our students' confidential information and ensure that our students' learning environments are not disrupted by immigration enforcement activity," Superintendent Tom Boasberg wrote on the school system's website. "I want to highlight that we have not had nor do we have any information that leads us to believe there will be immigration actions at our schools. Federal guidelines continue to provide that schools are sensitive places where immigration enforcement should not take place, and we will continue to advocate for those guidelines to remain in place. We do not want to create any additional fear or panic in our communities." In Pittsburgh, school officials last month passed a resolution requiring that all ICE requests "must be processed through the Law Department and the Office of the Superintendent," according to public schools spokeswoman Ebony Pugh. "Schools will not permit ICE officials to access any students, without having contacted the Law Department with all relevant documentation." The Houston Independent School District Board of Education declared its support for undocumented students in a resolution passed earlier this month. "Our schools will continue to be safe and positive learning environments that promote student learning and development versus discrimination and fear," HISD Superintendent Richard Carranza said in a statement. In Eugene, Oregon, the school board passed a resolution this month denying "law enforcement ... access (to) private areas of school property or (to) take a student from school for the purpose of immigration law enforcement without parental permission, court order, or other legal authority." The Austin, Texas, Independent School District, has instructed personnel "to request ID and proof (law enforcement agents) have obtained permission to conduct enforcement at a school, such as a written directive by a superior or a signed warrant," according to the district's website."Undocumented children and children of undocumented parents have the same right to attend Austin ISD as do other US citizens and permanent residents," the district said in a message to students and parents this week. In Los Angeles, the board of the country's second-largest school system in November approved a resolution affirming the district's "safe zones" policy, which instructs staff to not allow federal immigration agents into schools without the approval of district lawyers. The policy declares all campuses as "safe zones and resource centers" for students and families threatened by immigration enforcement. In Santa Fe, New Mexico, the Board of Education in December approved a resolution reaffirming its status as a "sanctuary school district," protecting student privacy and confidentiality and refusing immigration agents access to schools and other properties. "We will only allow lawful ICE contact with our students, which includes a properly executed warrant," Santa Fe Public Schools Superintendent Veronica Garcia said in a statement. In 2014, about 725,000 students enrolled in grades K-12 in the US -- 1.3% of all students enrolled -- were unauthorized immigrants, according to Pew Research Center estimates based on government data. About 3.9 million were children of unauthorized immigrants.

#### ICE raids can be prevented on a district by district basis – status quo proves

Moller 17 (Kenza, Journalist for Canadian Geographic, “Is It Legal For ICE Officials To Go Into Schools? Alleged Incidents Have Parents Worried”, Romper, https://www.romper.com/p/is-it-legal-for-ice-officials-to-go-into-schools-alleged-incidents-have-parents-worried-38952)

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#### Districts alone can effectively prevent ICE agents from targeting students and entering schools grounds

ACLU N/D (American Civil Liberties Union, Organization with the goal of defending and preserve the individual rights and liberties, “Model Federal Immigration Enforcement on Campus”, ACLU, <https://www.aclunc.org/docs/model_board_policy_on_immigration_enforcement_on_campus.pdf>) CS

In accordance with these principles and general District policies restricting visitor access to school sites for school-related purposes only, the District shall deny all requests by federal immigration authority for access to a school site or to interview a student. Given the particular threat immigration enforcement poses to the learning environment, these requests shall be immediately forwarded to the Superintendent and General Counsel for review and a decision on whether to reverse the denial and allow access to the site or the student, and/or a decision on whether such access will conflict with District compliance with Plyler v. Doe and other applicable laws. When federal immigration authority requests access to a school site or to interview a student, the Superintendent and/or General Counsel shall ask for the federal immigration authority’s credentials, ask why the federal immigration authority is requesting access, and ask to see a warrant signed by a federal or state judge. Federal immigration authority must provide written authority from ICE instructing them to enter District property, including the purpose of such entry, as well as a warrant signed by a federal or state judge which specifies the name of the person under arrest or area to be searched. If the federal immigration authority is not able to provide such written authority and warrant, the Superintendent and/or General Counsel shall prohibit their access to District property.

### AT: Racial Profiling

#### DHS and ICE prohibit racial profiling – passage of the 2013 DHS Commitment to Nondiscriminatory law and Enforcement and Screening Activities proves

Department of Homeland Security '15 (Department of Homeland Security: March 19, 2015 ; “Acquisition and Use of License Plate Reader Data from a Commercial Service”, DHS/ICE/PIA-039; pg.8-pg.9; www.dhs.gov/sites/default/files/publications/privacy-pia-ice-lpr-march2015.pdf; 7-12-15) EV

ICE, in coordination with the DHS Chief Privacy Officer and the DHS Officer for Civil Rights and Civil Liberties, has included in this PIA a discussion of civil liberties issues raised by the use of LPRs to more completely address public concerns regarding the use of this technology. The inclusion of an individual rights and liberties discussion in this PIA will improve transparency and assist the public understanding of ICE’s use of LPR technology. In addition to the above framework of privacy and civil liberties protections, existing DHS policies will foster the proper use of LPR data. DHS prohibits the consideration of race or ethnicity in investigation, screening, and law enforcement activities in all but the most exceptional instances. Accordingly, consistent with law and DHS policy, LPR data may not be collected, accessed, used, or retained to target or monitor an individual solely on the basis of actual or perceived race, ethnicity, or nationality. The following is the Department’s official policy7 on this issue: “Racial profiling” is the invidious use of race or ethnicity as a criterion in conducting stops, searches, and other law enforcement, investigation, or screening activities. It is premised on the erroneous assumption that any particular individual of one race or ethnicity is more likely to engage in misconduct than any particular individual of another race or ethnicity. The Department of Homeland Security (DHS) has explicitly adopted the Department of Justice’s “Guidance Regarding the Use of Race by Federal Law Enforcement Agencies,” issued in 7 Janet Napolitano, “The Department of Homeland Security’s Commitment to Nondiscriminatory Law Enforcement and Screening Activities” (Apr. 26, 2013). Privacy Impact Assessment ICE/LPR Page 8 June 2003. It is the policy of DHS to prohibit the consideration of race or ethnicity in our daily law enforcement and screening activities in all but the most exceptional instances, as defined in the DOJ Guidance. DHS personnel may use race or ethnicity only when a compelling governmental interest is present, and only in a way narrowly tailored to meet that compelling interest. Of course, race or ethnicity-based information that is specific to particular suspects or incidents, or ongoing criminal activities, schemes or enterprises, may be considered, as stated in the DOJ Guidance.

## HRts

### Positive Rights Answers

#### Positive rights are not rights – 3 reasons

Pereira-Menaut 88 (Antonio Carlos, lawyer, Winter 1988, Against Positive Rights, <http://scholar.valpo.edu/cgi/viewcontent.cgi?article=2015&context=vulr>) MAM

Yet I would dare to say that positive rights are hardly rights at all. It may be very commendable to try to keep the environment clean, but it seems not to be a proper right. If a claim, reasonable though it may be, cannot be defined and enforced in a court of law, in which the jurisprudentes (those learned in law and justice) adjudicate in terms of right or wrong, then it is not a real right. A real right, in my view, cannot have such political, matter-of-choice, vague more-or-less quality which is characteristic of such social policies. Beyond this, more reasons exist. Many of the modern European positive rights seem to be government services and subsidies, goals to be pursued through political means, or duties imposed upon citizens. The European constitutions mentioned have many examples of these. First, concerning government services and financial supports proclaimed as rights, many instances can be shown, mostly in education, health, social insurances, and like fields, but also, on occasion, in such matters as leisure, sports, or high-level cultural goods: "[T]hey [the Government] shall facilitate adequate utilization of leisure." 6 This could perhaps mean that the Government would have to order inquiries to see if people are bored or amused, and whether the amusements are or are not according to the constitution. The Portuguese Magna Carta, in turn, states that "the Government should guarantee to all the citizens, according to everyone's own abilities, access to the highest degrees of teaching, scientific research, and artistic creation. 21 7 This section appears to place upon the Portuguese government the real duty of making such subsidies as may be needed to effectively give everyone his fair chance to become a Nobel Prize winner in biochemistry or literature. Perhaps Mrs. Airey's claim, seeking a right to financial aid for lawsuits, was of this kind. In my view, Mrs. Airey could have a real right to legal aid if other people in Ireland were enjoying this right already; but not if, for instance, Ireland were in an economic situation impeding the government from giving such aid to anyone, or not if the majority of the people simply would prefer not to have legal aid in order to keep taxes down. Thus, the right that she really seems to have had was the old right to equal treatment by the government and the courts. Second, concerning political goals disguised as rights, something similar could be said. The civil liberties of old were rather modest, and they could be effectively respected with relative ease because they consisted mostly of negative liberties and rights to political participation. For their practical realization, it was enough that the government should refrain from interfering in people's private lives and in the electoral process. So, "one's home is inviolable" 2 8 is a short and clear phrase declaring a right which is easy to understand and inexpensive to fulfill. On the contrary, "[t]he Republic recognizes the right of all citizens to work and promotes such conditions as to make this right effective,"' 29 rather looks like wishful thinking (especially in our day) expressing the praiseworthy goal of full employment while laying upon the government a heavy duty which is both expensive and unlikely to be achieved. Under cover of a right, there is really a goal which can never to be attained without much state activity. Therefore it can give an unemployed person no clear ground to lay a complaint before a court alleging that the government does not fight unemployment effectively or even increases joblessness indirectly because of the widespread neo-capitalist economic policies of our day. The Spanish case is similar since article 35 of the Constitution3 " emphatically proclaims everyone's right to a job, even in the worst periods of unemployment. In fact, unemployment largely increased under the socialist government in power since 1982 irrespective of the constitutional proclamation. Thirdly, and what is worse, along with the lists of new rights, these constitutions include duties laid upon citizens. The preface of the French Constitution of 1946, now still in force, speaks of social and economic rights and duties. In the Italian, Portuguese, and Spanish Constitutions, employment is at the same time both a right and a duty. A further step is taken by article 53 of the Italian Constitution and article 31, paragraph 1 of the Spanish Constitution, both saying much the same: that we are all dutybound to pay taxes."

#### Positive rights are bad – trades off with genuine rights

Selick 14 (Karen, Litigation Director, Canadian Constitution Foundation, 12/30/14, Positive rights are phoney rights, Natl Post, Proquest) MAM

Like a vampire from a horror story, the concept of "positive rights" refuses to die. It keeps slinking into Canadian courtrooms, seeking unwary necks to bite. Occasionally, a timid judge will bonk it lightly on the head and it will retreat temporarily, but no one has yet had the courage to drive a decisive stake through the creature's heart. Its latest manifestation was in the Ontario Court of Appeal's December 1 decision in Tanudjaja v. Canada. Jennifer Tanudjaja and three other individuals sued the federal and Ontario governments, seeking a declaration that would recognize a constitutional right to ... something. It's not clear what. Better housing than what they previously occupied, it seems. Government's failure to provide her with something more posh than her "overcrowded, unaffordable and inadequate" housing violated her Charter right to security of the person, Ms. Tanudjaja claimed. The governments responded with a motion to dismiss the case on several grounds, one being that the Charter doesn't grant positive rights; i.e. it doesn't impose affirmative obligations on the state to give people stuff. The motions judge agreed and threw the case out. Ms. Tanudjaja and friends appealed. The appeal court dismissed their appeal, but in the wimpiest manner imaginable. Two of the three judges held that the matter was "not justifiable" because (like me) they couldn't figure out quite what the applicants were asking for, and anyhow, the question of housing policy was a political one to be left to legislators. Then they explicitly declined to address the issue of positive rights. The third judge dissented, saying that previous courts had never completely closed the door on the possibility of positive rights eventually being endorsed by a court. Sad, but true. Consequently, this judge thought the applicants should have the right to proceed with their claim. Being in the minority, her views were overruled, but the very existence of her dissent gives the applicants a toehold to bring a motion for leave to appeal to the Supreme Court of Canada (SCC) right now. The SCC probably won't accept the case, but let's hope that if it does, it overcomes the spinelessness it has demonstrated in previous positive rights cases. It's really pretty simple. The reason there cannot be a positive right to good, inexpensive housing - or indeed to any housing at all - is this: Housing doesn't fall like manna from heaven. It's not free like air. Someone has to produce it. Some human being must expend time, effort, ingenuity, and physical resources for housing to come into existence. The concept that some individuals have a right to be provided with housing (or anything else) carries with it the corollary that somebody else has an obligation to provide it to them. To put it bluntly, positive rights claims can be fulfilled only by conceding that the claimant has the right to enslave her fellow citizens and expropriate their property. Positive rights - which I call phoney rights - necessarily entail abrogating the genuine rights of others: namely, the right to liberty and the right to keep the fruits of their own labour. One bizarre aspect of this case is that the applicants unwittingly stumbled upon a truth about the housing market, but drew exactly the wrong conclusions. The short supply of reasonably good, inexpensive housing can indeed be laid at the feet of government - but not because the government has done too little. Rather, the government has done too much. Every time the government acquiesces to positive-rights claimants and enacts laws such as rent control, it discourages entrepreneurs from participating in the housing market. Law after law (landlords can't demand damage deposits, landlords can't select tenants via rent-to-income ratios, etc.) dissuades people from being landlords. More of the same won't produce a different result. The sectors of the economy that function efficiently are those supplied mostly by the private sector. The sectors that are full-fledged debacles are those that are monopolized or nearly so by the government: think education and health care. Increasing government involvement in housing would result only in further marketplace chaos - shoddy products and unfilled demand. But it's probably too much to expect Ms. Tanudjaja and her associates, including the 18 lawyers who either represented her or represented the 16 groups that intervened on her side of the lawsuit, to grasp this point. After all, they failed to grasp that if they had taken the resources squandered on this case - including an untold amount spent amassing almost 10,000 pages of mind-numbing "expert" evidence - and simply handed it over to the applicants, they could probably have kept Ms. Tanudjaja and another dozen families like hers in comfortable digs for years. If they really think what the applicants need is to have something handed to them, then why not put their own money where their mouths are, instead of trying to pick other people's pockets by stealth and coercion?

#### Positive rights do not exist

CM 10 [Capitalism Magazine, “Why positive rights do not exist”, 08/08/10; http://capitalismmagazine.com/2010/08/why-positive-rights-are-not-rights/]/MR

If rights are given to you, then they are privileges, as they may be taken away; if rights are given to you, then another human being has the authority over your life as to determine your own rights. This explicitly shows that, if rights are given, men are slaves. Of course, if all men are slaves, we must ask, who is the slave-owner? There can be no answer, and there is no logic with the premise “rights are given”, so it must follow, by the most simple logic, that rights are inherent. This is the only conclusion consistent with the principle of self-ownership. And one may say “…oh, but didn’t the government give women and slaves rights?”. And the answer is no. Government recognized the inherent natural rights of women and slaves; it did not magically endow upon them “more” humanity, and suddenly bestow rights. Government may not give rights; it can only protect them, or violate them. Rights must be inherent, if we are to support the principle of self-ownership. Therefore we have established the first condition of a right: all rights are inherent, and are not given or taken. Now this one condition alone is argument enough against positive rights and in favor of negative rights, but for the sake of the argument, more conditions can be delineated. We have already determined that man, as a self-owned being, has the rights to everything in so far as he does not violate the rights of others, as a virtue of his authority over himself (self-ownership). As such, man has the right to speak and think freely, and to act freely (without violating the rights of others, since that would violate self-ownership), and to acquire property as the fruit of his labor, which he owns. The individual alone may determine what the individual will do, again, in so far as he does not violate the rights of others. This, then, is a necessary condition for a right, for nothing may be a right which imposes obligations onto others. This is what separates the right to think and speak freely, which requires nothing from others, and the right to food, which requires an entitlement to the labor of others and obligates them to produce regardless of their personal choice (if they refuse to, they deny you your “rights”). Furthermore, it logically follows that not only must they produce against their will, but they must do so free of charge; if you pay them, you are paying for a right, and if you pay for a right then it is not a right as it is based upon the condition of payment. Furthermore, the final nail in the coffin is this: we have already established that anything which must be given by others is not a right, for all rights are inherent; thus food, by default, may not be considered a right, and neither can health care or housing or any sort of thing which depends upon production. Rights to goods and services necessarily impose obligations onto others to produce, free of charge, against their will; and this is slavery. And your rights end when they violate the rights of others. If you have the right to the labor of others and thus own others, you are violating their self-ownership. Therefore we have established the second condition of a right: rights must not impose obligations onto others, or require any sort of action on their part, because to require such things violates their rights. Now we must determine the final, and third, condition that is relevant to the subject of rights, and that is, are rights subject to scarcity? It does not follow that anything which may be rationed, and may be in overabundance or in short supply, should be a right. If rights are rights, all individuals must have them regardless, and thus rationing of rights is simply not possible. It cannot be done, for a right, by its very nature, is not something subject to scarcity in order to be rationed in the first place. And surely, payment for a right is unfair; one shouldn’t have to pay for one’s rights, either directly or through tax dollars. Thus a right must transcend material goods and services and must be free; otherwise, it is either not a right, or you are proposing that rights may be rationed, and that is a self-evidently absurd proposal. Therefore we have established the third condition of a right: rights must not be dependent upon production, and must not be subject to scarcity. In reality, all of these conditions only support the others; for instance, to say that rights are inherent already implies that they are not subject to scarcity, and require no input from others. However, it is still important to delineate every condition, in order that no collectivist can still argue for positive rights. Negative rights are inherent, natural rights; and real liberty requires only that nobody else violate your rights, and that you “live and let live”. This is the logical outcome of the principle of self-ownership. Positive rights, on the other hand, are not rights at all. Let us use the example of food, although you may substitute any other good or service you deem necessary; anybody who argues that positive rights are legitimate rights must demonstrate a) food is inherent (otherwise you violate the self-ownership principle) b) food requires nothing from others (if it does, you violate their rights by obligating them to work against their will free of charge) c) food is not subject to scarcity (otherwise your “rights” may be rationed, and this is self-evidently absurd) All proper rights are inherent, and therefore require nothing from others and are not subject to scarcity. Self-ownership, or the authority over yourself as your own property, allows us to figure out what our natural rights are, which no legal right may supercede without violating. Legal rights must protect natural rights, for natural rights must be the moral principles which allow us to differentiate between right and wrong. “Live and let live”. Now, there are some who will point to the Second Amendment and say “But, guns are scarce and must be produced, and aren’t inherent”. This is flawed thinking: the Second Amendment is the right to bear arms. Bearing is an action. The Second Amendment does not guarantee you a gun at no cost as a birthright; it simply allows you to bear a weapon if you so choose. While the Second Amendment is proper and important, it is questionable whether or not it is necessary. Every individual has the right to acquire property in general, and guns are property; thus, it follows that every individual has the right to own a gun. The distinction for firearms is arbitrary, and the general “right to acquire property” is enough. In conclusion, rights must be those things which are yours by birth; inherent, and not given; liberty is not given. Liberty arises from the respect of your natural rights, and your natural rights arise from self-ownership. Positive rights are not rights at all, as they are not inherent, and do not respect the rights of others. Therefore, by logic, positive rights cannot be rights. One may argue in the favor of public services, but to call them “rights” is to cross the line

#### Positive rights are purely relative and are not realistic – no true way of determining what is “right” and what isn’t

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You can go to the police station and say “Come eject these people who are trespassing on my property.” That’s generally seen by conservatives as a right, even if not always a legally enforceable one. It’s the positive right to get (and without paying for it, except through taxes) a certain government service. You can go to court and say “Issue a judgment awarding me damages for my ex-partner’s breach of contract.” That is a legally enforceable right, secured both by common-law and by the federal constitution. It’s the positive right to get (and these days without paying for the entirety of the court’s expenses) a certain government service. You can go to the government and say “Educate my child for free.” That is a legally enforceable right, secured by state statutes and many state constitutions. It’s the positive right to get a certain government service — one that’s more controversial among many libertarians and some conservatives, though also one that’s broadly accepted by many conservatives and some moderate libertarians (though they might prefer that the right be to a voucher redeemable at a wide range of schools). You can go to the government and say “Give me medical care.” That too would be a positive right to get a certain government service, though one that is probably opposed (except perhaps as to a few services, especially ones having to do with communicable diseases) by many hard-core conservatives and libertarians

#### Positive rights allow federal overreach, cancellation of negative rights, and overall violating the US rights doctrine

Machan 1 [Tibor, an Emeritus Professor in the Department of Philosophy at Auburn University and formerly held the R. C. Hoiles Chair of Business Ethics and Free Enterprise at the Argyros School of Business & Economics at Chapman University, 4/01/01; https://fee.org/articles/the-perils-of-positive-rights/]/MR

But when the conceptual perversion known as positive rights becomes the guiding principle of a polity, the state cannot govern by anything like the consistent standards that emerge from the theory of negative rights. The alleged positive rights of the citizenry must clash constantly. To the extent one person is conscripted to serve another, he can no longer serve his own purposes, nor, indeed, even the purposes of many others, given the scarcity of the time and skills to which others are supposedly naturally entitled. There is no principle implicit in the doctrine of positive rights that can resolve the conflicts. But positive rights conflict most of all with our basic negative rights to life, liberty, and property. Guided by such a doctrine, governments cannot merely protect our rights. They must positively pit some rights against others. Instead of simply “securing these rights,” they must scrounge for some additional standard to tell which and whose rights should get protection. Since no intelligible such standard is available, the situation collapses into one of rule not by objective law but by subjective men—men who will decide which rights need protection, and which do not, on a shifting case-by-case basis. Perhaps the ascendant pressure group of the moment will carry the day, or perhaps the latest opinion polls. In practice, the working principle is: “You have a right to whatever you can get away with,” the same consideration governing any plain criminal. The theories defending positive rights are just as incoherent as the practice of them must be. Positive rights have even been defended on the grounds that negative rights—of the very poor, for example—entail positive ones. Others argue that all rights are in fact positive insofar as they are all meaningless unless they are actively protected; and the right to the protection of one’s right to freedom is a positive right, not a negative one. Both views suffer fatal flaws. The first generalizes into a principle of law an understandable but regrettable response to what amounts to a rare moral emergency—one that becomes more and more rare the longer a society is free and able to build its prosperity. In some rare cases, an innocent person might indeed be totally helpless and have no choice but to obtain resources by stealing them. Perhaps only filching that piece of fruit will stave off immediate starvation. But extraordinary circumstances cannot generate laws granting a permanent right to steal, not when stealing itself means taking by force what by right belongs to others. There is no need for a society to send the occasional Jean Valjean to prison for 20 years; he might well be forgiven the transgression. But on the other hand, if the general concern for the plight of such individuals is genuine, there is no reason private charity cannot suffice to meet the need either. Moreover, if the members of a society engage in theft as a regular way of life, it will only undermine the production of wealth that everyone’s survival depends on, including that of the poorest. As for those who believe that protection of negative rights requires positive rights, they fail to show that any such right to protection can exist unless there already exist the more fundamental—and “negative”—right to liberty. To gain protection for something presupposes that one has the right to act for that purpose, including the right to voluntarily combine with others to delegate authority, form the government, and gain the protection. The services of government are something people must choose to obtain by their consent to be governed. They do not have a natural right to them prior to having freely established that institution. Indeed, for that reason taxation, which fit well those regimes that treat people as subjects, is anathema to the free society in which even the funding of the legal order must be secured voluntarily.3 Because it is itself arbitrary and incoherent, the doctrine of positive rights leaves government free to be arbitrary and incoherent. As long as some people are getting resources that were earned by somebody else, that’s all that counts. One day it’s subsidizing AIDS research that tops the to-do list; the next it’s fostering the arts by splurging on the National Endowment for the Arts and PBS; the next it’s curing everyone of smoking and plundering the tobacco companies. No principles, no logic, no standards of restraint, and no surefire way to know from day to day what one will be free to do and what one will be prohibited from doing. Whatever the leaders say goes, so long as they continue to mechanically genuflect before the altar of democracy. If we are to reverse course and achieve a more consistently free society we must tear up the counterfeit standard of rights and restore a gold standard: the rights doctrine that enables us to actually pursue, and achieve, life and happiness.

#### Negative rights are good, but trade off with bad positive rights

Machan 1 [Tibor, an Emeritus Professor in the Department of Philosophy at Auburn University and formerly held the R. C. Hoiles Chair of Business Ethics and Free Enterprise at the Argyros School of Business & Economics at Chapman University, 4/01/01; https://fee.org/articles/the-perils-of-positive-rights/]/MR

“Positive rights” trump freedom. According to this doctrine, human beings by nature owe, as a matter of enforceable obligation, part or even all of their lives to other persons. Generosity and charity thus cannot be left to individual conscience.1 If people have such positive rights, no one can be justified in refusing service to others; one may be conscripted to serve regardless of one’s own choices and goals. If positive rights are valid, then negative rights cannot be, for the two are mutually contradictory. So the question is: which concept is the more plausible in the context of human nature, of how the issue of rights arose, and of the requirements of surviving and flourishing in a human community? America’s political system was founded on a theory of human rights sketched in the Declaration of Independence. The theory had been most fully developed by the seventeenth-century English philosopher John Locke. It held that every human being possesses the inalienable right to, among other things, life, liberty, and property. (Jefferson cast the triumvirate as “life, liberty, and the pursuit of happiness.”) The rights Locke identified—following several centuries of political and legal thinking—are “negative” insofar as they require only that human beings refrain from forcibly intruding on one another. Their existence means that no one ought to enslave another, coerce another, or deprive another of his property; and that each of us may properly resist such conduct when others engage in it. Ordinary criminal law implicitly rests on such a theory of individual rights. On a commonsense basis, murder, assault, kidnapping, robbery, burglary, trespassing, and the like are all easily understood as violations of negative rights.

#### Positive rights are bad – impose undue burdens on both citizens and the government, disincentivizing their implementation

Hocutt 05 (Max, professor of philosophy emeritus at the University of Alabama, 2005, “Sunstein on Rights”, The Independent Review, v. X, pp 130, <http://www.independent.org/pdf/tir/tir_10_1_5_hocutt.pdf>)

As even Sunstein acknowledges, however, rights are not costless. To claim a right for yourself or a second person is to claim that some third person has an enforceable duty to provide it, protect it, or pay for it; and although rights are always good things to have, duties, especially positive duties, are generally irksome, especially when enforced by a meddlesome government. Government’s protections of life, liberty, and property seem essential, hence tolerable, but such negative and political rights impose on others only the duty to refrain from murder, slavery, and theft, and they demand from government only the enforcement of such restraints. By contrast, positive economic rights impose irksome and less-tolerable duties on those who must provide them, pay for them, and protect them. A scheme of positive rights specifically requires some people to contribute labor or wealth to the well-being of people they do not love and may not think worthy. Thus, government has to be licensed to take liberty and property from some people in order to give it to others, creating resentment and possible reaction. Therefore, to add a Second Bill of Rights to the first would be to enact the most enormous and dangerous of political and economic changes. Such a change might conceivably be justifiable (though I have my doubts), but it cannot be justified merely by denying its enormity or by attacking such straw men as the truly mythical doctrine of laissez-faire.

### Education isn’t a right

#### Education is a social good, not a right

Pereira-Menaut 88 [Antonio Carlos, “Against Positive Rights” V 2 CH 22, 1988; http://scholar.valpo.edu/cgi/viewcontent.cgi?article=2015&context=vulr]/MR

Not every social good, value, or goal is a right, and properly speaking, rights and courts are not the only means to have such things protected. Why should social values and welfare policies enter the legal world of rights and lawsuits? There may be other protective devices: political devices, or the protection stemming from public opinion. If social goods, values, and goals are really valuable and good, they should not be left without protection. It seems reasonable that things which are basically political or social in nature should rather enjoy protection of like nature, in the same way as, say, the political answerability of the executive in parliamentary forms of government is not exacted by judges but by the legislature and public opinion. It would be logical that social and political programs would find their own way of being guaranteed.

#### There is no specified right in the US to education

Lurie 13 [Stephen, international analysis reporter for the Atlantic, 10/16/13; https://www.theatlantic.com/education/archive/2013/10/why-doesnt-the-constitution-guarantee-the-right-to-education/280583/]/MR

There simply hasn’t been a movement in the U.S. to establish the rights of children in respect to equal, free, and adequate education. One of the few pending constitutional amendments (meaning approved by Congress but not by 3/4ths of States) is the Child Labor Amendment of 1924, limiting and prohibiting labor for those under 18. Though the amendment failed to gain ratification from enough states, including Louisiana who rejected it multiple times, child labor was effectively nixed by FDR in the Fair Labor Standards Act, 14 years later. When it comes to the rights of children in education, traditional interpretation has deemed the 10th amendment sufficient to shift responsibility to the states, and the 14th amendment adequate to ensure fairness. The Supreme Court decision in San Antonio Independent School District v. Rodriguez (1973), though, ran directly counter to that logic, denying appellant claims that unequal education funding violated a fundamental right and the Equal Protection Clause. Even as America assumes the responsibility for education rests somewhere, its clear that the right to that education has clearly fallen through the cracks. Of the over 11,000 proposed amendments to the Constitution, there have only been a couple that directly address the right of an education (rather than various rights within school, such as the School Prayer Amendment). Though likely incomplete, Congress.Gov records indicate that there have only been two proposals—one by Rep. Major Owens (D-NY) and repeated efforts by Rep. Jesse Jackson Jr. (D-IL)—for an education amendment, ever. The now-infamous Jackson Jr. introduced an identical education amendment in every Congress from 1999 to 2012 “regarding the right of all citizens of the United States to a public education of equal high quality.” Though one year joined by 37 cosponsors (all Democrats), that was the extent of the support. In each case, the resolution was referred to and killed in the House Judiciary Committee. Despite his annual persistence, though, even Jackson’s push didn’t seem too concerted in light of his particularly buckshot approach to constitutional reform. In a House session in 2003, for example, Jackson introduced seven different constitutional amendments on everything from voting to the environment and taxes. Take that in comparison to the four separate resolutions regarding “parental rights” introduced in the 112th Congress alone. Those Republican lead efforts assert that the educational rights at stake are not those of children, but of “the liberty of parents to direct the education of their children” as “a fundamental right.” It’s hard to understand how the fundamental right in education is that of the “educators,” but that’s exactly what the record of constitutional reform suggests. When it comes to non-constitutional legislation, federal lawmakers have obsessed over logistical concerns. With no central basis for reform, national initiatives have long offered varying approaches to improve disparate school systems. The idea is that the problems of the American education system are solved with policy and metrics, by technical requirements, and uniting standards. They assume that the American value on education is implicitly ingrained. The basis for this thinking is founded, in the modern era, in the Elementary and Secondary Education Act of 1965, implemented as part of the War on Poverty, and periodically reauthorized since. This act, and its descendants like No Child Left Behind, begins its work—funding, setting standards, and outlining federal requirements—from a rather bizarre premise. In striking out to reform education, their “purpose” is to “ensure that all children have a fair, equal, and significant opportunity to obtain a high quality education.” Yet, picking the procedural fight—the “ensuring” of a right that has no legal basis—hasn’t enabled practical solutions to vast educational inequality.

### Rights Impact Take-Outs

#### Traditional utilitarian theories are wrong – rights are not absolute

Brink 92 [David O., writing for Princeton University Press, “Mill’s Deliberative Utilitarianism”, Winter 1992; http://davidobrink.com/sites/default/files/publications/Mill'sDeliberativeUtilitarianism.pdf]/MR

By contrast, the account of rights provided by a deliberative conception of happiness seems counterfactually stable. We protect particular liberties, on this account, because these liberties are necessarily, and not just contingently or epistemically, connected with the realization of dominant components of value; we cannot maximize value without securing these liberties. And an objective version of the deliberative conception of happiness (Section 6) will secure greater counterfactual stability for rights to these liberties insofar as it does not hold the value of exercising deliberative capacities hostage to contingent conative facts.33 This interpretation of Mill's conception of rights is confirmed by his discussion of the connections among justice, rights, and utility in chapter V of Utilitarianism: Justice is a name for certain classes of moral rules which concern the essentials of human well-being more nearly, and are therefore of more absolute obligation, than any other rules for the guidance of life; and the notion which we have found to be of the essence of the idea of justice-that of a right residing in an individual-implies and testifies to this more binding obligation. (V 32; cf V 33, 37-38) That some of these "essentials of well-being" are necessary conditions of realizing value is clear in Mill's discussion of the foundation in security that many of our basic rights have (V 25). Just as security from attack is a necessary condition of pursuing other goods, so too are basic liberties necessary conditions for exercising those higher capacities whose exercise is a dominant component in human happiness. 33. As a general matter, Mill's reconciliation of utilitarianism and rights depends only on his deliberative conception of happiness and does not require the objective interpretation of the deliberative conception. Thus, a suitably informed desire-satisfaction interpretation of the deliberative account can effect much the same reconciliation. However, it would not provide the same degree of counterfactual stability for utilitarian rights. This may be an advantage of the objective interpretation. This content downloaded from 128.54.33.205 on Tue, 4 Jun 2013 16:25:28 PM All use subject to JSTOR Terms and Conditions 95 Mill's Deliberative Utilitarianism A basic liberty can be infringed, according to this interpretation, if and only if its exercise would more seriously infringe other important intrinsic goods or other necessary conditions of intrinsic value (e.g., liberties or basic well-being) held by others or by the agent herself. These things too act as trumps over considerations of lesser goods, and so should be construed as rights; they constrain what the agent may do to herself or others.34 Indeed, these restrictions on liberty apply in just those cases where the agent's exercise of freedom would constitute "harms," in Mill's technical sense. That is, he thinks that someone can have her basic liberties interfered with only if doing so is necessary to prevent her from depriving someone of interests in which that person has rights (OL, IV 3, IO, I2).35 Though rights act as trumps, they are not absolute; they can be overridden if they conflict with other rights.

#### Rights cannot be absolute

Smith 8 (Paul, Senior Lecturer in Philosophy and Ethics at the University of Cumbria, Moral and Political Philosophy: Key Issues, Concepts and Theories, p. 107-9)

A third question about human rights is whether they are absolute, that is. never rightly overridden in any circumstances. For rights to be absolute, they would have to be carefully formulated such that conflicts between them could never occur. Declarations of rights leave the details unsettled but more careful definition of rights. building in qualifications. can reduce conflicts of rights, but probably not eliminate them altogether. Negative rights, since they require only inaction. could be formulated so as not to conflict. But positive rights. because they require action. are likely to conflict. Welfare rights. because they require resources, which are limited, are especially likely to conflict. The most plausible candidates for exceptionless human rights would be passive negative rights, that is, rights not to be done to in certain ways. The right not to be tortured is a strong candidate for a human right that is absolutely exceptionless in all circumstances. a right that can never be overridden." A frequently suggested counterexample is the torture of a suspected terrorist when this is the only way to prevent a terrorist outrage. Would that be permissible? Or would permitting any exceptions be too dangerous, because states all too readily find exceptional cases? If human rights were limited to passive negative rights, they could perhaps be absolute. Robert Nozick asserts natural rights only against force, theft and fraud. which he conceives as absolute constraints on action. which may not be violated even to prevent more extensive violations of those rights." However. even among negative rights. conflicts of rights are familiar. The right against detention without trial may conflict. in the case of terrorist suspects or dangerous psychopaths. with the security rights of the public. A hostage's right to life may conflict with others' right not to be taken hostage in the future. The right to freedom of the press may conflict with the right to privacy. Conflicts of rights are unavoidable, especially if welfare rights are acknowledged, so rights cannot be absolute and may be overridden if necessary to prevent a catastrophe or greater violations of rights. This is accepted in relation to everyday moral rights. For example, an unforeseen emergency can override the right of a promisee. Similarly, it has to be accepted that situations can arise in which it is impossible to uphold everyone's human rights, so they cannot be absolute. L. W. Sumner observes that a right insulates its holder to some extent against competing moral considerations. but it also typically has a threshold above which it gives way. 'Rights raise thresholds against considerations of social utility, but these thresholds are seldom insurmountable.' Some rights (for example, those against torture, slavery, or murder) may be absolute, but most are not.

### Consquentialism Good

#### Public officials have a responsibility to evaluate consequences

Goodin 95 – professor of government at the University of Essex, and professor of philosophy and social and political theory at Australian National University (Robert E., “Utilitarianism as a Public Philosophy,” Cambridge University Press, Print) BC

As, an Account of the peculiar role responsibilities of public officials (and, by extension, of ordinary individuals in their public capacities as citizens) that vice becomes a virtue, though. Those agents, too, have to come from somewhere, bringing with them a whole raft of baggage of personal attachments, commitments, principles and prejudices. In their public capacities, however, we think it only right and proper that they should stow that baggage as best they can. Complete neutrality might be an impossible ideal. That is another matter." But it seems indisputable that that is an ideal which people in their public capacities should strive to realize as best they are able. That is part (indeed, a central part) of what it is to be a public official ,it all. It is the essence of public service as such that public servants should serve the public at large. Public servants must not play favor­ites. Or consider, again, criticisms revolving around the theme that util­itarianism is a coldly calculating doctrine.23 In personal affairs that is an unattractive feature. There, we would like to suppose that certain sorts of actions proceed immediately from the heart, without much reflection much less any real calculation of consequences. Among in­timates it would be extremely hurtful to think of every kind gesture as being contrived to produce some particular effect. The case of public officials is, once again, precisely the opposite. There, it is the height of irresponsibility to proceed careless of the consequences. Public officials are, above all else, obliged to take care: not to go off half cocked, not to let their hearts rule their heads. In Hare's telling example, the very worst thing that might be said of the Suez misadventure was not that the British and French did some per­fectly awful things (which is true, too) but that they did so utterly unthinkingly.24 Related to the critique of utilitarianism as a calculating doctrine is the critique of utilitarianism as a consequentialist doctrine. According to utilitarianism, the effects of an action are everything. There are no actions which are, in and of themselves, morally right or wrong, good or bad. The only things that are good or bad are the effects that actions produce.25 That proposition runs counter to certain ethical intuitions which, at least in certain quarters, are rooted deeply. Those who harbor a Ten Commandments view of the nature of morality see a moral code as being essentially a list of "thou shalts" and "thou shall nots" a list of things that are right or wrong in and of themselves, quite regardless of any consequences that might come from doing them.2" That may or may not be a good way to run one's private affairs.[[1]](#footnote-1)Even those who think it is, however, tend to concede that it is no way to run public affairs. It is in the nature of public officials' role respon­sibilities that they are morally obliged to "dirty their hands" - make hard choices, do things that are wrong (or would ordinarily be wrong, or would be wrong for ordinary private individuals) in the service of some greater public good.[[2]](#footnote-2) It would be simply irresponsible of public officials (in any broadly secular society, at least) to adhere mindlessly to moral precepts read off some sacred list, literally "whatever the consequences."[[3]](#footnote-3) Doing right though the heavens may fall is not (now­adays, anyway) a particularly attractive posture for public officials to adopt.

#### Consequentialism is simpler and more plausible than non-consequentialist theories

Pettit 91 – Laurence Rockefeller University Professor of Politics and Human Values at Princeton University and also Professor of Philosophy at the Australian National University (Philip, “Consequentialism,” From Stephen Darwall’s *Consequentialism*, Print)BC

Our key proposition motivates an argument for consequentialism because it shows that the non-consequentialist is committed to a theory which is seriously defective in regard to the methodological virtue of sim­plicity. It is common practice in the sciences and in intellectual disciplines generally to prefer the more simple hypothesis to the less, when other­wise they are equally satisfactory. Consequentialism, it turns out, is indis­putably a simpler hypothesis than any form of non-consequentialism and that means that, failing objections such as those rejected in the last section it ought to be preferred to it. If non-consequentialists have not seen how much their view loses on the side of simplicity, that may be because they do not generally assent to our key proposition. They imagine that there are certain values which are susceptible only to being promoted, others that are susceptible only to being honoured. There are at least three respects in which consequentialism scores or simplicity. The first is that whereas consequentialists endorse only one way of responding to values, non-consequentialists endorse two. Non- consequentialists all commit themselves to the view that certain values should be honoured rather than promoted: say, values like those associ­ated with loyalty and respect. But they all agree, whether or not in their role as moral theorists, that certain other values should be promoted: values as various as economic prosperity, personal hygiene, and the safety of nuclear installations. Thus where consequentialists introduce a single axiom on how values justify choices, non-consequentialists must intro­duce two. But not only is non-consequentialism less simple for losing the numbers game. It is also less simple for playing the game in an ad hoc way. Non-consequentialists all identify certain values as suitable for honour­ing rather than promoting. But they do not generally explain what it is about the values identified which means that justification comes from their being honoured rather than promoted. And indeed it is not clear what satisfactory explanation can be provided. It is one thing to make a list of the values which allegedly require honouring: values, say, like per­sonal loyalty, respect for others, and punishment for wrongdoing. It is another to say why these values are so very different from the ordinary run of desirable properties. There may be features that mark them off from other values, but why do those features matter so much? That question typically goes unconsidered by non-consequentialists. Not only do they have a duality then where consequentialists have a unity; they also have an unexplained duality. The third respect in which consequentialism scores on the simplicity count is that it fits nicely with our standard views of what rationality requires, whereas non-consequentialism is in tension with such views. The agent concerned with a value is in a parallel position to that of an agent concerned with some personal good: say, health or income or status. In thinking about how an agent should act on the concern for a personal good, we unhesitatingly say that of course the rational thing to do, the rationally justified action, is to act so that the good is promoted. That means then that whereas the consequentialist line on how values justify choices is continuous with the standard line on rationality in the pursuit of personal goods, the non-consequentialist line is not. The non- consequentialist has the embarrassment of having to defend a position on what certain values require which is without analogue in the non-moral area of practical rationality. If these considerations of simplicity are not sufficient to motivate a con­sequentialist outlook, the only recourse for a consequentialist is probably to draw attention to the detail of what the non-consequentialist says, inviting reflection on whether this really is plausible. In the second section above we saw that non-consequentialists have to deny either that the values they espouse determine values for the prognoses of an option or that the value of an option is a function of the values associated with those different prognoses. The consequentialist can reasonably argue that either claim is implausible. If one prognosis realizes my values more than another then that surely fixes its value. And if one option has prognoses such that it represents a better gamble than another with those values, then that surely suggests that it is the best option for me to take. So how can the non-consequentialist think otherwise?

#### Only consequentialism can apply to collective action

Pettit 91 – Laurence Rockefeller University Professor of Politics and Human Values at Princeton University and also Professor of Philosophy at the Australian National University (Philip, “Consequentialism,” From Stephen Darwall’s *Consequentialism*, Print)BC

The second observation is one that we have not made explicitly before and it offers a good ending note. This is that many deontological theories come from acknowledging the force of the consequentialist point about justification but then containing it in some way. One example is the rule- consequentialist who restricts his consequentialism to choices between rules, arguing that behavioural choices are justified by reference to the rules so chosen. Another example, more significantly, is the non- consequentialist who holds that each agent ought to choose in such a way that were everyone to make that sort of choice then the value or values in question would be promoted. Here the thought is that consequential­ism is suitable for assessing the choices of the collectivity but not of its members. The collectivity ought to choose so that the values are pro­moted, the individual ought to choose, not necessarily in the way that actually promotes the values, but in the way that would promote them if everybody else made a similar choice. Here as in the other case the non- consequentialist position is motivated by the consequentialist thought. That will not make it congenial to the consequentialist, who will think that the thought is not systematically enough applied: the consequential- ist will say that it is as relevant to the individual agent as to the collectivity. But the observation may help consequentialists to make sense of their opponents and thereby reinforce their own position. They can argue that they are not overlooking any consideration that non-consequentialists find persuasive. What non-consequentialists find persuasive is something which consequentialists are able to understand, and to undermine.

### Extinction First

#### Preventing extinction is the most ethical outcome

Bostrom 13 (Nick, Professor at Oxford University, Faculty of Philosophy & Oxford Martin School, Director, Future of Humanity Institute, Director, Oxford Martin Programme on the Impacts of Future Technology University of Oxford, “Existential Risk Prevention as Global Priority”, Global Policy Volume 4, Issue 1, February 2013)

Some other ethical perspectives We have thus far considered existential risk from the perspective of utilitarianism (combined with several simplify- ing assumptions). We may briefly consider how the issue might appear when viewed through the lenses of some other ethical outlooks. For example, the philosopher Robert Adams outlines a different view on these matters: I believe a better basis for ethical theory in this area can be found in quite a different direction—in a commitment to the future of human- ity as a vast project, or network of overlapping projects, that is generally shared by the human race. The aspiration for a better society—more just, more rewarding, and more peaceful—is a part of this project. So are the potentially end- less quests for scientific knowledge and philo- sophical understanding, and the development of artistic and other cultural traditions. This includes the particular cultural traditions to which we belong, in all their accidental historic and ethnic diversity. It also includes our interest in the lives of our children and grandchildren, and the hope that they will be able, in turn, to have the lives of their children and grandchil- dren as projects. To the extent that a policy or practice seems likely to be favorable or unfavor- able to the carrying out of this complex of pro- jects in the nearer or further future, we have reason to pursue or avoid it. ... Continuity is as important to our commitment to the project of the future of humanity as it is to our commit- ment to the projects of our own personal futures. Just as the shape of my whole life, and its connection with my present and past, have an interest that goes beyond that of any iso- lated experience, so too the shape of human history over an extended period of the future, and its connection with the human present and past, have an interest that goes beyond that of the (total or average) quality of life of a popula- tion-at-a-time, considered in isolation from how it got that way. We owe, I think, some loyalty to this project of the human future. We also owe it a respect that we would owe it even if we were not of the human race ourselves, but beings from another planet who had some understanding of it (Adams, 1989, pp. 472–473). Since an existential catastrophe would either put an end to the project of the future of humanity or drasti- cally curtail its scope for development, we would seem to have a strong prima facie reason to avoid it, in Adams’ view. We also note that an existential catastrophe would entail the frustration of many strong preferences, sug- gesting that from a preference-satisfactionist perspective it would be a bad thing. In a similar vein, an ethical view emphasising that public policy should be determined through informed democratic deliberation by all stake- holders would favour existential-risk mitigation if we suppose, as is plausible, that a majority of the world’s population would come to favour such policies upon reasonable deliberation (even if hypothetical future peo- ple are not included as stakeholders). We might also have custodial duties to preserve the inheritance of humanity passed on to us by our ancestors and convey it safely to our descendants.23 We do not want to be the failing link in the chain of generations, and we ought not to delete or abandon the great epic of human civili- sation that humankind has been working on for thou- sands of years, when it is clear that the narrative is far from having reached a natural terminus. Further, many theological perspectives deplore naturalistic existential catastrophes, especially ones induced by human activi- ties: If God created the world and the human species, one would imagine that He might be displeased if we took it upon ourselves to smash His masterpiece (or if, through our negligence or hubris, we allowed it to come to irreparable harm).24 We might also consider the issue from a less theoreti- cal standpoint and try to form an evaluation instead by considering analogous cases about which we have defi- nite moral intuitions. Thus, for example, if we feel confident that committing a small genocide is wrong, and that committing a large genocide is no less wrong, we might conjecture that committing omnicide is also wrong.25 And if we believe we have some moral reason to prevent natural catastrophes that would kill a small number of people, and a stronger moral reason to pre- vent natural catastrophes that would kill a larger number of people, we might conjecture that we have an even stronger moral reason to prevent catastrophes that would kill the entire human population.

#### Extinction outweighs

Bostrom and Cirkovic (Nick, Professor at Oxford University, Faculty of Philosophy & Oxford Martin School, Director, Future of Humanity Institute, Director, Oxford Martin Programme on the Impacts of Future Technology University of Oxford, Milan, Senior Research Associate at the Astronomical Observatory of Belgrade and Assistant Professor of the Department of Physics at the University of Novi Sad in Serbia and Montenegro, “Global Catastrophic Risks”)

A subset of global catastrophic risks is existential risks. An existential risk is one that threatens to cause the extinction of Earth-originating intelligent life or to reduce its quality of life (compared to what would otherwise have been possible)permanently and drastically.1Existential risks share a number of features that mark them out as deserving of special consideration. For example, since it is not possible to recover from existential risks, we cannot allow even one existential disaster to happen; there would be no opportunity to learn from experience. Our approach to managing such risks must be proactive. How much worse an existential catastrophe would be than a non-existential global catastrophe depends very sensitively on controversial issues in value theory, in particular how much weight to give to the lives of possible futurepersons.2Furthermore,assessingexistentialrisksraisesdistinctive methodological problems having to do with observation selection effects and the need to avoid anthropic bias. One of the motives for producing this book is to stimulate more serious study of existential risks. Rather than limiting ourfocustoexistentialrisk,however,wethoughtitbettertolayabroader foundation of systematic thinking about big risks in general.

#### Extinction outweighs – future generations

Matheny 7 (Jason, Department of Health Policy and Management, Bloomberg School of Public Health, Johns Hopkins University, “Reducing the Risk of Human Extinction” Risk Analysis, Vol. 27, No. 5, 2007)

Discussing the risks of “nuclear winter,” Carl Sagan (1983) wrote: Some have argued that the difference between the deaths of several hundred million people in a nuclear war (as has been thought until recently to be a rea- sonable upper limit) and the death of every person on Earth (as now seems possible) is only a matter of one order of magnitude. For me, the difference is considerably greater. Restricting our attention only to those who die as a consequence of the war conceals its full impact. If we are required to calibrate extinction in nu- merical terms, I would be sure to include the number of people in future generations who would not be born. A nuclear war imperils all of our descendants, for as long as there will be humans. Even if the population remains static, with an average lifetime of the order of 100 years, over a typical time period for the biological evolution of a successful species (roughly ten million years), we are talking about some 500 trillion people yet to come. By this criterion, the stakes are one million times greater for extinction than for the more modest nuclear wars that kill “only” hundreds of millions of people. There are many other possible measures of the potential loss—including culture and science, the evolutionary history of the planet, and the significance of the lives of all of our ancestors who contributed to the future of their descendants. Extinction is the undoing of the human enterprise. In a similar vein, the philosopher Derek Parfit (1984) wrote: I believe that if we destroy mankind, as we now can, this outcome will be much worse than most people think. Compare three outcomes: 1. Peace 2. A nuclear war that kills 99% of the world’s existing population 3. A nuclear war that kills 100% 2 would be worse than 1, and 3 would be worse than 2. Which is the greater of these two differences? Most people believe that the greater difference is between 1 and 2. I believe that the difference between 2 and 3 is very much greater . . . . The Earth will remain habitable for at least another billion years. Civilization began only a few thousand years ago. If we do not destroy mankind, these thousand years may be only a tiny fraction of the whole of civilized human history. The difference be- tween 2 and 3 may thus be the difference between this tiny fraction and all of the rest of this history. If we com- pare this possible history to a day, what has occurred so far is only a fraction of a second. Human extinction in the next few centuries could re- duce the number of future generations by thousands or more. We take extraordinary measures to protect some endangered species from extinction. It might be reasonable to take extraordinary measures to protect humanity from the same.19 To decide whether this is so requires more discussion of the methodological problems mentioned here, as well as research on the extinction risks we face and the costs of mitigating them.20

#### Extinction is the most important consideration

Baum & Wilson 13 (Seth, Research Scientist at the Blue Marble Space Institute of Science and an Affiliate Researcher at the Columbia University Center for Research on Environmental Decisions. He holds a Ph.D. in Geography from Pennsylvania State University, Grant, Outreach and Policy Coordinator at the Earth Law Center. He holds a J.D. from Lewis & Clark Law School (2012) and a B.A. in Environmental Policy from Western Washington University, “The Ethics of Global Catastrophic Risk from Dual-Use Bioengineering”, Ethics in Biology, Engineering & Medicine - An International Journal, 4(1): 59–72)

\*GCR = Global Catastrophic Risk

The importance of GCR is fundamentally an ethics question. Different ethical views can reach different conclusions about GCR. Many views treat GCR reduction as an important goal or even a top priority for humanity today. However, some views are neutral to GCR, and some views would even seek to increase GCR. Here, we review key ethical issues related to GCR and argue that GCR reduction should be the top priority today. The views most closely associated with GCR are certain forms of consequential- ism,12 including common variants of utilitarianism.1 Indeed, the concept of risk itself is commonly understood in consequentialist terms: Risk is commonly defined as the possibility of an event that has bad consequences (but there are deontological conceptions of risk).13 The size of a risk is typically defined as the probability of that event multiplied by the magnitude of harm associated with the consequences if the event occurs. For example, the risk of a disease outbreak is the probability of the outbreak multiplied by the harms of the deaths, illnesses, and other consequences of the outbreak if the outbreak occurs. GCRs are risks of the highest magnitude, regardless of probability. The magnitude of global catastrophe has several definitions. Atkinson proposes a definition of global catastrophe as an event in which more than one quarter of the human population dies.14,15 Bostrom and Ćirković define a global catastrophe as an event causing at least X deaths or Y monetary damages, with 104 < X < 107 and1010< Y < 1013.2 Scholars have often emphasized the particular importance of global catastrophes that would cause human extinction or other permanent declines of human civilization.1,3,5–7 Consequentialism comprises a broad set of ethical views. For GCR, two aspects of consequentialism merit attention: intrinsic value and space–time universalism. A. Intrinsic Value Intrinsic value is defined as that which is valuable for its own sake.16 In consequential- ism, intrinsic value is the consequence to be promoted. For example, in utilitarianism, utility holds intrinsic value. Different variants of utilitarianism define utility differently, for example, as happiness or as the satisfaction of preferences. They also differ on ques- tions of whose utility to count, for example, whether to count the utility of sentient non- human animals. Outside of utilitarianism, other consequentialist views include biocen- tric ethics, which places intrinsic value on life itself, and ecocentric ethics, which places intrinsic value on ecosystems. The relationship between intrinsic value and GCR depends on how GCR is defined. While GCR could be defined otherwise, existing definitions define GCR specifically in anthropocentric terms, that is, as a catastrophe to humans. With this definition, GCR would be considered very important if intrinsic value is placed on some property of humans (i.e., human utility, human lives, etc.) because a global catastrophe would result in a large loss of this intrinsic value (or perhaps a large gain, see below). However, a biocentric or ecocentric notion of intrinsic value could be indifferent to some GCRs. Consider a pandemic that kills all humans and leaves other species intact. This event could cause minimal change in biocentric or ecocentric intrinsic value. Indeed, the event could even cause an increase in biocentric or ecocentric intrinsic value, in which case biocentric or ecocentric consequentialism would recommend trying to increase certain GCRs. Thus, it would seem that much is at stake regarding what we place intrinsic value on. However, these different conceptions of intrinsic value (i.e., anthropocentric, biocentric, and ecocentric) may all point toward decreasing GCR, if they are universalist across space-time (see the following discussion). Another important consideration related to intrinsic value is whether existence is a net positive or a net negative. To clarify, let X be whatever we place intrinsic value on—human utility, ecosystems, etc. The question this is simply this: Is it better for X to exist? This might seem an obvious question; of course, we want what we value to exist. But there are arguments to the contrary, arguments that it would be better to not exist. Consider negative utilitarianism, the view that what matters is negative utility. Here, the goal regards minimizing pain or suffering, perhaps inspired by a ‘do no harm’ principle. Benatar17 and Mayerfeld18 articulated views that include aspects of negative utilitarianism. But all people experience pain in their lives. The only way to guarantee the absence of pain is to guarantee the absence of people—that is, to kill everyone. The fact that this would also eliminate pleasure and happiness and all the other aspects of humanity we might consider good is irrelevant, because in negative utilitarianism, only the negative utility matters. Thus, negative utilitarianism could be interpreted as concluding that we should increase GCR. The same logic also applies for certain applications of the maxi-min principle.4,17 Suppose the aim is to maximize the minimum well-being of any member of society, which suggests that we should focus our efforts on helping the worst-off members. Suppose also that some members will have lives of net negative wellbeing, but we do not know who this will be. In this case, the minimum well-being would be maximized by killing everyone, thereby removing negative well-being from all lives and increas- ing the minimum well-being to zero. Alternatively, suppose the aim is to maximize the minimum level of well-being within each individual’s life. But everyone probably has at least some moments of negative value—moments of pain or suffering. Again, the minimum level of well-being could thus be increased by killing everyone. Thus, maxi- min can also conclude in favor of increasing GCR. These two anti-existence views, negative utilitarianism and maxi-min, both suffer from the problem that they recommend nonexistence no matter how much pleasure any given life might hold, as long as it also contains at least a tiny amount of pain. Would we prefer to die now, thereby denying ourselves a good life, to avoid a brief moment of suffering? We think not.19,20 Without denying the importance of pain and suffering, we would not give them total priority over everything else. Overall, we believe existence to be a net positive. The exception would be for events that cause a significant increase in total suffering, so as to outweigh what pleasures may still exist. We would consider these events, if they are at the global scale, to be global catastrophes as well. B. Space–Time Universalism In consequentialism, universalism can be defined as the view that any given phenom- enon holds the same intrinsic value, regardless of when or where it exists.21 For example, universalist anthropocentric utilitarianism would value all human utility equally, regard- less of where or when that utility exists. The utility of someone in India or Paraguay would hold the same intrinsic value as the utility of someone in Denmark or Senegal. Likewise, the utility of someone alive in 2013 would hold the same intrinsic value as the utility of someone alive in 2014 or 2114 or even year 21114. Strong arguments can be made in favor of universalism. The simplest is to use a ‘God’s eye view,’ looking at the world from ‘above.’ From this standpoint, there is no reason to value anyone any more or less than anyone else. Similar is the ‘veil of ig- norance,’ in which decisions are made as if the decision maker does not know which member of society she will end up being.22,23 In this case, the decision maker is forced to be equally fair to everyone because she has an equal chance of being any of these individuals. Universalism also a material logic: The same material phenomenon should have the same value in each of its instantiations, because each is materially identical. Finally, one might ask: Why is location in time or space a morally relevant criterion? Why should someone be intrinsically valued any differently just because of where or when she lives? We object to such bias,24,25 and, indeed, it reminds us of other objection- able biases such as racism and sexism. We therefore conclude in favor of universalism. Universalism is important to GCR because global catastrophes affect so many people, or ecosystems, however global catastrophe is defined. Suppose global catastrophes are defined in the usual anthropocentric fashion, wherein global catastrophes affect mil- lions or even billions of people throughout the world. Furthermore, global catastrophes (especially the largest ones) can affect future generations, denying many people the chance to exist. The extreme case of human extinction would kill everyone around the world and prevent everyone in all future generations from existing. A selfish person would care about none of this loss of life, except her own. A global catastrophe would be no more important than her own death. A car accident that kills her would be equally tragic as a nuclear war from which humanity never recovers. On the other hand, a universalist would care deeply about global catastrophes. Indeed, the universalist would not care much about her own death relative to all the others dying in a global catastrophe. As long as other people continue to exist, her values would be real- ized. A global catastrophe would prevent many other people from continuing to exist, so she would care deeply about this. An important result is that GCR is considered equivalently for universalist variants of anthropocentric utilitarianism and several non-anthropocentric consequentialisms, including non-anthropocentric utilitarianism, biocentrism, and ecocentrism. As long as each ethical view places positive intrinsic value on the continued existence of Earth-life (in contrast to, e.g., negative utilitarianism), then these views all reach the same conclusion about GCR, namely that preventing the permanent destruction of human civilization is the key priority for this era. Reaching this conclusion requires looking to the very far future. First, note that life on Earth has the potential to continue to exist for approximately five billion more years, until the Sun becomes too hot and large for Earth life. Second, note that the rest of the galaxy could support life for many orders of magnitude longer,26 if Earth-originating life is able to colonize elsewhere in space. A similar orders-of-magnitude difference exists across space between Earth and the galaxy. If we are truly universalist, that is, if we truly do assign intrinsic value equally for all locations in space and time, then this includes spaces and times beyond that of this planet. Most of the opportunity for intrinsic value exists beyond Earth, so space colonization becomes a crucial objective, to spread intrin- sic value throughout the galaxy.

#### Prefer extinction level impacts – stopping extinction is the most ethical action.

Matheny 7(Jason G. Matheny, P.hD is a Program Manager at the Intelligence Advanced Research Projects Activity “Reducing the Risk of Human Extinction” Risk Analysis, Vol. 27, No. 5, 2007 Pg. 1335-1344 *.nt*)

5. DISCOUNTING An extinction event today could cause the loss of thousands of generations. This matters to the extent we value future lives. Society places some value on future lives when it accepts the costs of long-term environmental policies or hazardous waste storage. Individuals place some value on future lives when they adopt measures, such as screening for genetic diseases, to ensure the health of children who do not yet exist. Disagreement, then, does not center on whether future lives matter, but on how much they matter.6 Valuing future lives less than current ones (“intergenerational discounting”) has been justified by arguments about time preference, growth in consumption, uncertainty about future existence, and opportunity costs. I will argue that none of these justifications applies to the benefits of delaying human extinction. Under time preference, a good enjoyed in the future is worth less, intrinsically, than a good enjoyed now. The typical justification for time preference is descriptive—most people make decisions that suggest that they value current goods more than future ones. However, it may be that people’s time preference applies only to instrumental goods, like money, whose value predictably decreases in time. In fact, it would be difficult to design an experiment in which time preference for an intrinsic good (like happiness), rather than an instrumental good (like money), is separated from the other forms of discounting discussed below. But even supposing individuals exhibit time preference within their own lives, it is not clear how this would ethically justify discounting across different lives and generations (Frederick, 2006; Schelling, 2000). In practice, discounting the value of future lives would lead to results few of us would accept as being ethical. For instance, if we discounted lives at a 5% annual rate, a life today would have greater intrinsic value than a billion lives 400 years hence (Cowen&Parfit, 1992). Broome (1994) suggests most economists and philosophers recognize that this preference for ourselves over our descendents is unjustifiable and agree that ethical impartiality requires setting the intergenerational discount rate to zero. After all, if we reject spatial discounting and assign equal value to contemporary human lives, whatever their physical distance from us, we have similar reasons to reject temporal discounting, and assign equal value to human lives, whatever their temporal distance from us. I Parfit (1984), Cowen (1992), and Blackorby et al. (1995) have similarly argued that time preference across generations is not ethically defensible.7 There could still be other reasons to discount future generations. A common justification for discounting economic goods is that their abundance generally increases with time. Because there is diminishing marginal utility from consumption, future generations may gain less satisfaction from a dollar than we will (Schelling, 2000). This principle makes sense for intergenerational transfers of most economic goods but not for intergenerational transfers of existence. There is no diminishing marginal utility from having ever existed. There is no reason to believe existence matters less to a person 1,000 years hence than it does to a person 10 years hence.

#### Extinction comes first – ethical responsibility to address

Matheny 7 – formerly at Future of Humanity Institute at Oxford University, focused on existential risk [Jason, PhD in Applied Economics from Johns Hopkins University, MPH from Johns Hopkins, MBA from Duke University, BA from the University of Chicago, “Reducing the Risk of Human Extinction,” Risk Analysis: An International Journal, pp. 1335, October 2007, Wiley, Accessed 6/28/15]

INTRODUCTION Projections of climate change and influenza pandemics, coupled with the damage caused by recent tsunamis, hurricanes, and terrorist attacks, have increased interest in low-probability, high-consequence “catastrophic risks.” Richard Posner (2004) has reviewed a number of these risks and the failures of policy and traditional risk assessment to address them. Richard Horton (2005), editor of The Lancet, has recommended creating an international body to rationally address catastrophic risks. The World Eco- nomic Forum (2006) recently convened a panel to catalog global catastrophic risks. The OECD (2003) has completed a similar exercise. And national research centers have emerged to study responses to catastrophe—the U.S. Department of Homeland Se- curity recently funded a Center for the Study of High Consequence Event Preparedness and Response that involves 21 institutions. In this article, I discuss a subset of catastrophic events—those that could extinguish humanity. 1 It is only in the last century, with the invention of nuclear weapons, that some of these events can be both caused and prevented by human action. While extinction events may be very improbable, their consequences are so grave that it could be cost effective to prevent them. A search of EconLit and the Social Sciences Citation Index suggests that virtually nothing has been written about the cost effectiveness of reducing human extinction risks. 2 Maybe this is because human extinction seems impossible, inevitable, or, in either case, beyond our control; maybe human extinction seems inconsequential compared to the other social issues to which cost-effectiveness analysis has been applied; or maybe the methodological and philosophical problems involved seem insuperable. Certainly, the problems are intimidating. Because human extinction is unprecedented, speculations about how and when it could occur are highly subjective. To efficiently spend resources in reducing extinction risks, one needs to estimate the probabilities of particular extinction events, the expected duration of humanity in an event’s absence, the costs of extinction countermeasures, and the relative value of current and future human lives. Here, I outline how one might begin to address these problems.

#### Your epistemology is flawed – extinction comes first

Ćirković 12 – Senior Research Associate at the Astronomical Observatory of Belgrade [Milan, Assistant Professor of the Department of Physics at the University of Novi Sad in Serbia and Montenegro, “Small Theories and Large Risks—Is Risk Analysis Relevant for Epistemology?,” Risk Analysis: An International Journal, pp. 2001-2003, October 18, 2012, Wiley, Accessed 6/28/15]

4. DISCUSSION In the preceding, I have tried to sketch some reasons for trying to ensure that our epistemological apparatus does not suffer from faults with potentially catastrophic consequences. This may require large or small modifications in the routine procedures of hypothesis evaluation and scrutiny, as well as the derivation of specific quantitative models based on particular hypotheses regarding global catastrophic risks. To the extent to which we can identify and precisely formulate particular “risky” theories, we need an additional level of systematic scrutiny in order to avoid the philosophical failure of scientific analysis and policies based on a traditional scientific approach. In other words, this may involve additions to or modification of our epistemological practices. Although this may sound dramatic, one should keep in mind, for example, that the threat of global catastrophes—in particular those related to anthropogenic activities in this century (like global warming or pandemics)—has already prompted calls for legal and judicial reforms;(47) many other alarm bells are calling for reassessments and reforms in other fields because of global threats. Why should we find our epistemological practices to be a priori less amenable to change in the face of the same challenges? It is hard to avoid the impression, after considering the above and many other similar examples (which are often to be found in less-understood and less-publicized areas of science), that an additional dimension of analysis is needed, logically orthogonal to the standard one of computing the probabilities inline image and inline image, and evaluating the expectation in number of deaths or some other convenient metric, in order to capture full complexity of such problem situations. Teasing out intuitions about what should constitute that additional dimension in specific and quantitative terms is, however, a formidable task still to be done. One possibility for such an additional criterion could be, for instance, how much of a relative Bayesian probability shift of the risk expectation value would a nonfalsifying, but pertinent, empirical test of a risky hypothesis would cause (roughly speaking, this would correspond to searching for an inflexion point on a curve representing the idealized “total” risk function for a system under consideration). A more radical possibility could be to assign a numerical value or a grade to the present “level of understanding” of the space of possible outcomes as an additional weight; however, it is not clear how this could be done in a nonsubjective manner. In any case, one could argue for the need for a “normative shift” in the practice of risk analysis, compared to what is done in pure science. Due to the extremely high stakes involved in studying and possibly mitigating global catastrophic risks, obtaining the best explanation by developing the most probable theory in all details cannot be allowed to circumscribe other insights and efforts. “Residuals” or “other scenarios” in the terminology of Kaplan and Garrick(13) might indeed dominate the spectrum of global catastrophic risks. This approach might be related to the phantom system modeling (PSM) approach in systems engineering, pioneered by Haimes.(48,49) This is a sort of multidisciplinary, multiscale approach that generates many models of each system under consideration. In accordance with a postpositivistic approach to hypothesis building,(50,51) PSM replaces the emphasis on “deep” truth of explanatory hypotheses with optimization of the overall, holistic picture. Haimes(49) emphasizes that with different modeling and simulation tools, PSM legitimizes the exploration and experimentation of out-of-the-box and seemingly “crazy” ideas and ultimately discovers insightful implications that otherwise would have been completely missed and dismissed. Some of the “phantoms” considered within PSM may correspond to fictitious systems described by our risky theories, others to those described by risk-neutral alternatives. By adopting a multiple-model approach to address the same system from different viewing angles, we may identify entire spectra of risks involved. An interesting question is why this approach is relatively noncontroversial in engineering circles, whereas it is at best contentious in the domain of “pure” science? One may speculate that highly complex, unpredictable, holistic, and historically contingent behavior is unavoidable in considering modern engineering and economic systems, whereas science is still strongly influenced by the notions of determinism, predictability, reductionism, and repeatability inherited from the world of classical physics and the period of logical positivism in epistemology. From the point of view of risk analysis, it is clear that the former type of behavior is closer to what is needed to encompass the truth about hazards, especially global catastrophic ones.7 The fact that a holistic approach still has an overtone of heresy in many scientific circles must not cloud our insight into the importance of such unconventional thinking. More than any other field, risk analysis prompts constant rethinking and reevaluation of its epistemological and methodological foundations. In this sense, the answer to the question posed in the title of this article is emphatically affirmative: risk analysis could and should have a say in epistemological deliberations associated with the assessment of hypotheses about the world. The clear and obvious danger is that a pseudoscientific “fringe” might be encouraged to produce extravagant hypotheses with little or no empirical support if they contain an element of risk in the sense discussed here. However, I find too much emphasis on that danger to be illogical and self-defeating. In the wise words of G. David Brin: “Aversion to an idea, simply because of its long association with crackpots, gives crackpots altogether too much influence.”(52) Here, we need to be quite clear on moral implications of both horns of the dilemma: both a hypothetical boost to pseudoscience and a hypothetical neglect of a source of global risk are undesirable, but there are no further similarities. Global catastrophic risks certainly present many orders of magnitude larger societal danger than pseudoscience—and no amount of self-righteousness on the part of scientific orthodoxy will change that. We should keep in mind the outcome of the 19th-century debate between gradualists and catastrophists in Earth sciences, when the former gained the upper hand by associating their opponents with discredited biblical literalism, which resulted in a century and a half of gradualist dogma. In that period, it was exactly the association with catastrophism (thus, indirectly, with pseudoscience) that obstructed scientific progress on several promising theories, like the plate tectonics or importance of impacts for the history of life. Only after 1980, did this dogma begin to loosen its grip on earth and planetary sciences. Similarly, it is easy to imagine a situation in which people tend to downplay the work on some of the more exotic global catastrophic risks in fear of being stigmatized and ridiculed as pseudoscientists (which actually happens all the time when accelerator risk discussions are concerned). All this may have important implications for interdisciplinary work in the field of risk analysis—and even in STS studies. According to Bauer,(11) some of the largest obstacles to truly interdisciplinary research come from the different methodologies and effective languages of different disciplines. This may present a fatal obstacle in our attempts to reach efficient management of global catastrophic risks. Because the methodologies of different fields are often entrenched in incomplete and artificially bounded epistemologies, the conclusion that corrective factors are necessary in the epistemology itself seems inescapable. Among directions for further work, I shall mention several rather straightforward issues: (i) we need to negotiate and discuss a set of at least rough guidelines for dealing with “risky” outliers in the space of explanatory theories, perhaps searching for an additional criterion for hypothesis evaluation in risk analysis; (ii) the role played by ansatz approaches such as the precautionary principle(53) in parsing the “risky” parts of the parameter space needs to be elucidated; (iii) a conventional mechanism for discussing probability estimates reached by different fields and using varied methodologies would be desirable in striving for successful risk management; and (iv) the public and media image of science needs to be improved in order to achieve increased confidence in science as the general path for studying and handling universally undesirable outcomes. Under the item (iii), there has to be more deliberation about the decision making on investments in studying and testing unorthodox or maverick theories. In any case, the efficient management of global catastrophic risks, perhaps the foremost task that humanity faces in this millennium, clearly requires a degree of open-mindedness and critical spirit that is too often sorely lacking in the contemporary public and cultural discourse.

### Magnitude Framing Good

#### High magnitude impacts must come first, even if they’re improbable

Sandberg et al. 8 (Anders, Ph.D. in computational neuroscience from Stockholm University, and currently a James Martin Research Fellow at the Future of Humanity Institute at Oxford University, Milan Cirkovic, senior research associate at the Astronomical Observatory of Belgrade. He is also an assistant professor of physics at the University of Novi Sad in Serbia and Montenegro, Jason Matheny, Department of Health Policy and Management, Bloomberg School of Public Health, Johns Hopkins University, “How can we reduce the risk of human extinction?” [http://thebulletin.org/how-can-we-reduce-risk-human-extinction](http://thebulletin.org/how-can-we-reduce-risk-human-extinction%20))

Humanity could be extinguished as early as this century by succumbing to natural hazards, such as an extinction-level asteroid or comet impact, supervolcanic eruption, global methane-hydrate release, or nearby supernova or gamma-ray burst. (Perhaps the most probable of these hazards, supervolcanism, was discovered only in the last 25 years, suggesting that other natural hazards may remain unrecognized.) Fortunately the probability of any one of these events killing off our species is very low--less than one in 100 million per year, given what we know about their past frequency. But as improbable as these events are, measures to reduce their probability can still be worthwhile. For instance, investments in asteroid detection and deflection technologies cost less, per life saved, than most investments in medicine. While an extinction-level asteroid impact is very unlikely, its improbability is outweighed by its potential death toll. The risks from anthropogenic hazards appear at present larger than those from natural ones. Although great progress has been made in reducing the number of nuclear weapons in the world, humanity is still threatened by the possibility of a global thermonuclear war and a resulting nuclear winter. We may face even greater risks from emerging technologies. Advances in synthetic biology might make it possible to engineer pathogens capable of extinction-level pandemics. The knowledge, equipment, and materials needed to engineer pathogens are more accessible than those needed to build nuclear weapons. And unlike other weapons, pathogens are self-replicating, allowing a small arsenal to become exponentially destructive. Pathogens have been implicated in the extinctions of many wild species. Although most pandemics "fade out" by reducing the density of susceptible populations, pathogens with wide host ranges in multiple species can reach even isolated individuals. The intentional or unintentional release of engineered pathogens with high transmissibility, latency, and lethality might be capable of causing human extinction. While such an event seems unlikely today, the likelihood may increase as biotechnologies continue to improve at a rate rivaling Moore's Law. Farther out in time are technologies that remain theoretical but might be developed this century. Molecular nanotechnology could allow the creation of self-replicating machines capable of destroying the ecosystem. And advances in neuroscience and computation might enable improvements in cognition that accelerate the invention of new weapons. A survey at the Oxford conference found that concerns about human extinction were dominated by fears that new technologies would be misused. These emerging threats are especially challenging as they could become dangerous more quickly than past technologies, outpacing society's ability to control them. As H.G. Wells noted, "Human history becomes more and more a race between education and catastrophe." Such remote risks may seem academic in a world plagued by immediate problems, such as global poverty, HIV, and climate change. But as intimidating as these problems are, they do not threaten human existence. In discussing the risk of nuclear winter, Carl Sagan emphasized the astronomical toll of human extinction: A nuclear war imperils all of our descendants, for as long as there will be humans. Even if the population remains static, with an average lifetime of the order of 100 years, over a typical time period for the biological evolution of a successful species (roughly ten million years), we are talking about some 500 trillion people yet to come. By this criterion, the stakes are one million times greater for extinction than for the more modest nuclear wars that kill "only" hundreds of millions of people. There are many other possible measures of the potential loss--including culture and science, the evolutionary history of the planet, and the significance of the lives of all of our ancestors who contributed to the future of their descendants. Extinction is the undoing of the human enterprise. There is a discontinuity between risks that threaten 10 percent or even 99 percent of humanity and those that threaten 100 percent. For disasters killing less than all humanity, there is a good chance that the species could recover. If we value future human generations, then reducing extinction risks should dominate our considerations.

#### High magnitude impacts are the most important - a one billionth of one billionth of one percentage point that extinction happens quantitatively outweighs their impacts

Bostrom 13 (Nick, Professor at Oxford University, Faculty of Philosophy & Oxford Martin School, Director, Future of Humanity Institute, Director, Oxford Martin Programme on the Impacts of Future Technology University of Oxford, “Existential Risk Prevention as Global Priority”, Global Policy Volume 4, Issue 1, February 2013)

But even this reflection fails to bring out the seriousness of existential risk. What makes existential catastrophes especially bad is not that they would show up robustly on a plot like the one in Figure 3, causing a precipitous drop in world population or average quality of life. Instead, their significance lies primarily in the fact that they would destroy the future. The philosopher Derek Parfit made a similar point with the following thought experiment: I believe that if we destroy mankind, as we now can, this outcome will be much worse than most people think. Compare three outcomes: 1. Peace. 2. A nuclear war that kills 99 per cent of the world’s existing population. 3. A nuclear war that kills 100 per cent. 2 would be worse than 1, and 3 would be worse than 2. Which is the greater of these two differences? Most people believe that the greater difference is between 1 and 2. I believe that the difference between 2 and 3 is very much greater. The Earth will remain habitable for at least another billion years. Civilisation began only a few thousand years ago. If we do not destroy mankind, these few thousand years may be only a tiny fraction of the whole of civilised human history. The difference between 2 and 3 may thus be the difference between this tiny fraction and all of the rest of this history. If we compare this possible history to a day, what has occurred so far is only a fraction of a second (Parfit, 1984, pp. 453–454). To calculate the loss associated with an existential catastrophe, we must consider how much value would come to exist in its absence. It turns out that the ultimate potential for Earth-originating intelligent life is literally astronomical. One gets a large number even if one confines one’s consideration to the potential for biological human beings living on Earth. If we suppose with Parfit that our planet will remain habitable for at least another billion years, and we assume that at least one billion people could live on it sustainably, then the potential exist for at least 10^16 human lives of normal duration. These lives could also be considerably better than the average con- temporary human life, which is so often marred by dis- ease, poverty, injustice, and various biological limitations that could be partly overcome through continuing technological and moral progress. However, the relevant figure is not how many people could live on Earth but how many descendants we could have in total. One lower bound of the number of biolog- ical human life-years in the future accessible universe (based on current cosmological estimates) is 10^34 years.7 Another estimate, which assumes that future minds will be mainly implemented in computational hardware instead of biological neuronal wetware, produces a lower bound of 1054 human-brain-emulation subjective life-years (or 1071 basic computational operations) (Bostrom, 2003).8 If we make the less conservative assumption that future civilisations could eventually press close to the absolute bounds of known physics (using some as yet unimagined technology), we get radically higher estimates of the amount of computation and mem- ory storage that is achievable and thus of the number of years of subjective experience that could be realised.9 Even if we use the most conservative of these esti- mates, which entirely ignores the possibility of space colonisation and software minds, we find that the expected loss of an existential catastrophe is greater than the value of 10^16 human lives. This implies that the expected value of reducing existential risk by a mere one millionth of one percentage point is at least a hundred times the value of a million human lives. The more tech- nologically comprehensive estimate of 1054 human- brain-emulation subjective life-years (or 1052 lives of ordinary length) makes the same point even more starkly. Even if we give this allegedly lower bound on the cumulative output potential of a technologically mature civilisation a mere 1 per cent chance of being correct, we find that the expected value of reducing existential risk by a mere one billionth of one billionth of one percentage point is worth a hundred billion times as much as a billion human lives. One might consequently argue that even the tiniest reduction of existential risk has an expected value greater than that of the definite provision of any ‘ordinary’ good, such as the direct benefit of saving 1 billion lives. And, further, that the absolute value of the indirect effect of saving 1 billion lives on the total cumulative amount of existential risk—positive or negative—is almost certainly larger than the positive value of the direct benefit of such an action.10

#### High magnitude impacts outweigh high probability impacts – the risk of catastrophic harm like our impacts is uniquely pressing

Sunstein 9 (Cass, Robert Walmsley University Professor and Felix Frankfurter Professor of Law at Harvard Law School, “Worst Case Scenarios”)

A Catastrophic Harm Precautionary Principle, of the modest kind just sketched, raises several questions. The most obvious is whether a low-probability risk of catastrophe might not deserve more attention than higher-probability risks, even when the expected value appears to be equal. The reason is that the loss of 200 million people may be more than 1,000 times worse than the loss of 2,000 people. Pause over the real-world meaning of a loss of 200 million people in the United States. The nation would find it extremely hard to recover. Private and public institutions would be damaged for a long time, perhaps forever. What kind of government would emerge? What would its economy look like? Future generations would inevitably suffer. The effect of a catastrophe greatly outruns a simple multiplication of a certain number of lives lost. The overall "cost" of losing two-thirds of the American population is far more than 100,000 times the cost of losing 2,000 people. The same point holds when the numbers are smaller. Following the collapse of a dam that left 120 people dead and 4,000 homeless in Buffalo Creek, Virginia, psychiatric researchers continued to find significant psychological and sociological changes two years after the disaster occurred. Survivors still suffered a loss of direction and energy, along with other disabling character changes.41 One evaluator attributed this "Buffalo Creek Syndrome" specifically to "the loss of traditional bonds of kinship and neighborliness."42 Genuine catastrophes, involving tens of thousands or millions of deaths, would magnify that loss to an unimaginable degree. A detailed literature on the "social amplification of risk" explores the secondary social losses that greatly outrun the initial effects of given events.43 The harm done by the attacks of 9/11, for instance, far exceeded the deaths on that day, horrendous as those were. One telling example: Many people switched, in the aftermath of the attack, to driving long distances rather than flying, and the switch produced almost as many highway deaths as the attacks themselves, simply because driving is more dangerous than flying.44 The attacks had huge effects on other behaviors of individuals, businesses, and governments, resulting in costs of hundreds of billions of dollars, along with continuing fear, anxiety, and many thousands of additional deaths from the Afghanistan and Iraq wars. We might therefore identify a second version of the Catastrophic Harm Precautionary Principle, also attuned to expected value but emphasizing some features of catastrophic risk that might otherwise be neglected: Regulators should consider the expected value of catastrophic risks, even when the worst-case scenario is highly unlikely. In assessing expected value, regulators should consider the distinctive features of catastrophic harm, including the "social amplification” of such harm. Regulators should choose cost-effective measures to reduce those risks and should attempt to compare the expected value of the risk with the expected value of precautionary measures.

#### Our framing independently solves harms – overinvestment deters attacks

Cox 8 – Ph.D. in Risk Analysis from MIT [Anthony, Editor-in-Chief of Risk Analysis: An International Journal, honorary full professor of Mathematics at University of Colorado, and President of Cox Associates, a Denver-based applied research company specializing in quantitative risk analysis, causal modeling, advanced analytics, and operations research, “Some Limitations of “Risk=Threat×Vulnerability× Consequence” for Risk Analysis of Terrorist Attacks,” Risk Analysis: An International Journal, pp. 1754, December 2008, Wiley, Accessed 6/28/15]

5.1. “Threat” Is Not Necessarily Well Deﬁned Equation (1) assumes that a Threat probability number exists, at least in principle, reﬂecting the probability of an attack in a stated interval of time. However, if the attack probability in that interval depends on the assessed Threat number, then any estimate of Threat may be self-defeating. This occurs if attacker’s response to the Threat estimate (or to defender’s actions based on it) invalidates the estimate. In general, any threat estimate that does not model how attackers respond to the threat estimate (and resulting defender actions) may be unreliable. This holds no matter how the threat estimates are arrived at, e.g., whether by Bayesian, frequentist, or other (e.g., game-theoretic) threat assessment. 5.1.1. Example: Self-Defeating Threat Predictions Suppose that two players, Attacker and Defender, engage in the following game. Stage 1: Defender estimates the Threat (=attack probability), Vulnerability, and Consequence values for each of M facilities. Defender identiﬁes the N top-ranked (highest Threat × Vulnerability × Consequence values) facilities, where N < M reﬂects Defender’s resource constraints. Stage 2: Attacker randomly selects K > 0 of the other (M – N) facilities to attack, with probabilities proportional to their Vulnerability × Consequence values (and independent of their estimated Threat probability numbers). (K reﬂects Attacker’s resource constraints.) In this setting, assigning a high enough Threat value to a facility to place it in the top N facilities guarantees that it will not be attacked (true Threat and Risk = 0, conditioned on estimated Threat and Risk being sufﬁciently high). Thus, estimating a threat as high makes the true threat low. The concept of a threat as a static probability number that is “out there” to be estimated is fundamentally inadequate for protecting against informed, intelligent attackers if the threat estimate itself affects the threat being estimated. Although this example has used a deliberately simple pair of decision rules for Defender and Attacker, it illustrates that Attacker’s strategy may exploit Defender’s own threat estimates and ranking, thus undermining their predictive validity.

#### Large impacts should always outweigh small ones—their argument is an example of illogical scope neglect

**YUDKOWSKY 6** (Eliezer, Singularity Institute for Artificial Intelligence, “Cognitive biases potentially affecting judgment of global risks,” forthcoming in *Global Catastrophic Risks*, August 31)

Three groups of subjects considered three versions of the above question, asking them how high a tax increase they would accept to save 2,000, 20,000, or 200,000 birds. The response - known as Stated Willingness-To-Pay, or SWTP - had a mean of $80 for the 2,000-bird group, $78 for 20,000 birds, and $88 for 200,000 birds. (Desvousges et. al. 1993.) This phenomenon is known as scope insensitivity or scope neglect. Similar studies have shown that Toronto residents would pay little more to clean up all polluted lakes in Ontario than polluted lakes in a particular region of Ontario (Kahneman 1986); and that residents of four western US states would pay only 28% more to protect all 57 wilderness areas in those states than to protect a single area (McFadden and Leonard, 1995). The most widely accepted explanation for scope neglect appeals to the affect heuristic. Kahneman et. al. (1999) write: "The story constructed by Desvouges et. al. probably evokes for many readers a mental representation of a prototypical incident, perhaps an image of an exhausted bird, its feathers soaked in black oil, unable to escape. The hypothesis of valuation by prototype asserts that the affective value of this image will dominate expressions of the attitute to the problem - including the willingness to pay for a solution. Valuation by prototype implies extension neglect." Two other hypotheses accounting for scope neglect include purchase of moral satisfaction (Kahneman and Knetsch, 1992) and good cause dump (Harrison 1992). Purchase of moral satisfaction suggests that people spend enough money to create a 'warm glow' in themselves, and the amount required is a property of the person's psychology, having nothing to do with birds. Good cause dump suggests that people have some amount of money they are willing to pay for "the environment", and any question about environmental goods elicits this amount. Scope neglect has been shown to apply to human lives. Carson and Mitchell (1995) report that increasing the alleged risk associated with chlorinated drinking water from 0.004 to 2.43 annual deaths per 1,000 (a factor of 600) increased SWTP from $3.78 to $15.23 (a factor of 4). Baron and Greene (1996) found no effect from varying lives saved by a factor of ten. Fetherstonhaugh et. al. (1997), in a paper entitled "Insensitivity to the Value of Human Life: A Study of Psychophysical Numbing", found evidence that our perception of human deaths, and valuation of human lives, obeys Weber's Law - meaning that we use a logarithmic scale. And indeed, studies of scope neglect in which the quantitative variations are huge enough to elicit any sensitivity at all, show small linear increases in Willingness-To-Pay corresponding to exponential increases in scope. Kahneman et. al. (1999) interpret this as an additive effect of scope affect and prototype affect - the prototype image elicits most of the emotion, and the scope elicits a smaller amount of emotion which is added (not multiplied) with the first amount. Albert Szent-Györgyi said: "I am deeply moved if I see one man suffering and would risk my life for him. Then I talk impersonally about the possible pulverization of our big cities, with a hundred million dead. I am unable to multiply one man's suffering by a hundred million." Human emotions take place within an analog brain. The human brain cannot release enough neurotransmitters to feel emotion a thousand times as strong as the grief of one funeral. A prospective risk going from 10,000,000 deaths to 100,000,000 deaths does not multiply by ten the strength of our determination to stop it. It adds one more zero on paper for our eyes to glaze over, an effect so small that one must usually jump several orders of magnitude to detect the difference experimentally.

### Util Good

#### Utilitarianism is the only ethical way to evaluate action because it is indifferent to temporal distance.

Davidson 15 (Marc D. Davidson, researcher and lecturer, University of Amsterdam environmental ethics and economics “Climate change and the ethics of discounting” WIREs Clim Change 2015, 6:401–412. doi: 10.1002/wcc.347 *.nt)*

Welfarist Consequentialism Utilitarianism The most common approach to discounting in the climate debate is (classical) utilitarianism. According to utilitarianism, the right act is the one that maximizes utility (or happiness, well-being, or some other comparable measure) for all concerned. The utilitarian approach has two consequences for discounting. The first of these is that time as such is irrelevant. Sidgwick,61 one of the founding fathers of utilitarianism, already observed that ‘the interests of posterity must concern a Utilitarian as much as those of his [their] contemporaries.’ In other words: changes in future utility count as much as changes in present utility.c The second consequence is that, given the diminishing marginal utility of consumption, discounting is indeed required if future generations are expected to be wealthier than we are today.d According to Marshall,64 ‘a pound’s worth of satisfaction to an ordinary poor man is a much greater thing than a pound’s worth of satisfaction to an ordinary rich man.’ According to utilitarianism, we should therefore discount future climate damage at a rate equal to the expected growth rate of consumption times the absolute value of the elasticity of marginal utility: the Ramsey formula with the pure rate of time preference set to zero. This is the approach followed by e.g., Ramsey,20 Pigou,56, and Harrod65 in the general discounting debate and by e.g., Cline,32 Schelling,53 Azar & Sterner,66 Broome,67,68, and Stern6 in the climate debate.

#### Utilitarianism should be applied to politics

Goodin 95 – professor of government at the University of Essex, and professor of philosophy and social and political theory at Australian National University (Robert E., “Utilitarianism as a Public Philosophy,” Cambridge University Press, Print)BC

Utilitarianism is an ethical theory with political consequences. It is an ethical theory, in the sense that it tells us what is right and wrong, good and bad. It is political, in that some of its most central pro­nouncements touch upon the conduct of public life. Indeed, it pur­ports to provide a complete political theory, a complete normative guide for the conduct of public affairs. An "ethic" is, strictly speaking, a theory of the good and bad, right and wrong quite generally. The term has, however, come primarily to connote more narrowly a theory of right conduct at the level of per­sonal conduct. Ethics has come to be seen, quintessentially, as an an­swer to the question of "what should I do?" What is central to ethics thus understood is our intimate, individual affairs. What it is that is right for us to do jointly, in the conduct of our public lives, is seen to be basically derivative from that. Of course this line of thought is quite right, in one sense. From most modern perspectives, if not from certain more ancient ones, The Politics always has to be parasitic upon The Ethics. Any political the­ory that purports to tell us what we should do (in more than a crassly prudential or pragmatic sense of "should") needs an ethical theory of some sort or another to provide its normative bite. What I shall here be disputing is whether that normative theory necessarily has to be parasitic upon - to be rooted in, to have its primary application to, to be tested first and foremost against its implications for - personal conduct. ''The thesis of this book is that at least one normative theory, utili­tarianism, can be a good normative guide to public affairs without its necessarily being the best practical guide to personal conduct. It is right there, too, after a fashion. But special circumstances confound the direct application of utilitarianism to personal affairs, and in such circumstances utilitarianism itself recommends that people's conduct be guided by more indirectly utilitarian mechanisms - obeying rules of conduct or developing traits of character, themselves chosen on utilitarian bases, rather than trying to apply the utilitarian calculus directly in each instance. There are special circumstances governing public life, too, however, just as the special circumstances of private life are such as to drive us away from utilitarianism in any direct form, so too are the special circumstances of public life such as to drive us toward it. Those special circumstances make public life particularly conducive to the forthright application of utilitarian doctrine. Indeed, in my view, they make it almost indecent to apply any other.

#### Utilitarianism encompasses separateness of persons

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Anti-utilitarians complain loudly and often that utilitarianism dis­regards the morally crucial fact of the "separateness" of persons.67 That complaint, fair enough in a way, is however untrue in two crucial respects. First, utilitarians regard each person as a distinct locus of value. In generating the utilities that end up being aggregated, "each counts for one and no one counts for more than one," in Bentham's famous phrase. Of course, in the process of aggregating, the bound­aries between you and me, your utilities and mine, get lost. But, sec­ond, empirical assumptions of broad similarity among people and generally diminishing marginal utility across all resources lead utili­tarians to embrace policies and practices and institutions that are broadly egalitarian in form. That ensures that there will be a strong utilitarian presumption against exploiting some people for the benefit of others.VI

#### Util is superior to deontological rights approaches

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Utilitarians, and consequentialists more generally, are outcome- oriented. In sharp contrast to Ten Commandment-style deontological approaches, which specify certain actions to be done as a matter of duty, utilitarian theories assign people responsibility for producing certain results, leaving the individuals concerned broad discretion in how to achieve those results. The same basic difference in the two theories' approaches to assigning moral jobs reappears across all levels of moral agency, from private individuals to collective (especially state) actors. The distinctively utilitarian approach, thus conceived, to international protection of the ozone layer is to assign states respon­sibilities for producing certain effects, leaving them broad discretion in how they accomplish it (Chapter 18). The distinctively utilitarian approach, thus conceived, to the ethical defense of nationalism is couched in terms of delimiting state boundaries in such a way as to assign particular responsibility for every particular person to some particular organization (Chapter 16). And, at a more domestic level of analysis, the distinctively utilitarian approach to the allocation of legal liabilities is to assign them to whomsoever can best discharge them (Chapters 5 through 7). The great advantage of utilitarianism as a guide to public conduct is that it avoids gratuitous sacrifices, it ensures as best we are able to ensure in the uncertain world of public policy-making that policies are sensitive to people's interests or desires or preferences. The great failing of more deontological theories, applied to those realms, is that they fixate upon duties done for the sake of duty rather than for the sake of any good that is done by doing one's duty. Perhaps it is per­missible (perhaps it is even proper) for private individuals in the course of their personal affairs to fetishize duties done for their own sake. It would be a mistake for public officials to do likewise, not least because it is impossible. The fixation on motives makes absolutely no sense in the public realm, and might make precious little sense in the private one even, as Chapter 3 shows. The reason public action is required at all arises from the inability of uncoordinated Individual action to achieve certain morally desir­able ends. Individuals are rightly excused from pursuing those ends. The inability is real; the excuses, perfectly valid. But libertarians are right in their diagnosis, wrong in their prescription. That is the mes­sage of Chapter 2. The same thing that makes those excuses valid at the individual level - the same thing that relieves individuals of re­sponsibility - makes it morally incumbent upon individuals to organ­ize themselves into collective units that are capable of acting where they as isolated individuals are not. When they organize themselves into these collective units, those collective deliberations inevitably take place under very different cir­cumstances, and their conclusions inevitably take very different forms. Individuals are morally required to operate in that collective manner, in certain crucial respects. But they are practically circumscribed in how they can operate, in their collective mode. And those special con­straints characterizing the public sphere of decision-making give rise to the special circumstances that make utilitarianism peculiarly apt for public policy-making, in ways set out more fully in Chapter 4. Government house utilitarianism thus understood is, I would argue, a uniquely defensible public philosophy.72

#### Criticisms of utilitarianism apply to personal conduct not public policy

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That, I submit, is a fallacy. It does matter who is using the utilitar­ian calculus, in what circumstances and for what purposes. Using the felicific calculus for micro-level purposes of guiding individuals' choices of personal conduct is altogether different from using it for macro-level purposes of guiding public officials' choices of general social policy. A different menu of options - in some respects greater, in others, less, but in any case different - is available to public and private choosers. Those differences are such as to neutralize, in the public sphere, most of the objections standardly lodged against utilitarianism in the private sphere. True though such complaints may be as applied to utilitarianism as a standard of personal conduct, they are irrelevant (or anyway much less problematic) as applied to utilitarianism as a standard of public policy. Or so I shall argue.

#### Utilitarianism is necessary in public policy-making

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Consider, first, the argument from necessity. Public officials are obliged to make their choices under uncertainty, and uncertainty of a very special sort at that. All choices public and private alike - are made under some degree of uncertainty, of course. But in the nature of things, private individuals will usually have more complete infor­mation on the peculiarities of their own circumstances and on the ramifications that alternative possible choices might have for them. Public officials, in contrast, are relatively poorly informed as to the effects that their choices will have on individuals, one by one. What they typically do know are generalities: averages and aggregates. They know what will happen most often to most people as a result of their various possible choices. But that is all. That is enough to allow public policy-makers to use the utilitarian calculus - if they want to use it at all - to choose general rules of conduct. Knowing aggregates and averages, they can proceed to cal­culate the utility payoffs from adopting each alternative possible gen­eral rule. But they cannot be sure what the payoff will be to any given individual or on any particular occasion. Their knowledge of gener­alities, aggregates and averages is just not sufficiently fine-grained for that. For an example, consider the case of compulsory seat belt legislation. Policy-makers can say with some confidence that, on aggregate, more lives would be saved than lost if all automobile drivers and passengers were required to wear seat belts. As always, that aggregate conceals the fact that some gain while others lose. Some people would be trapped by seat belts in fiery crashes who would otherwise have been thrown to safety by the force of the impact, after all. The point is that policy-makers, contemplating seat belt legislation, have no way of knowing who those individuals are, exactly, or on what occasions, exactly, that might occur. All they can know is that, on aggregate, far fewer people would be saved than killed by being thrown clear of their cars upon impact. Furthermore, the argument from necessity would continue, the in­struments available to public policy-makers are relatively blunt. They can influence general tendencies, making rather more people behave in certain sorts of ways rather more often. But perfect compliance is unrealistic. And (building on the previous point) not knowing partic­ular circumstances of particular individuals, rules and regulations must necessarily be relatively general in form. They must treat more people more nearly alike than ideally they should, had we perfect information. The combined effect of these two factors is to preclude public pol­icy-makers from fine-tuning policies very well at all. They must, of necessity, deal with people in aggregate, imposing upon them rules that are general in form. Nothing in any of this necessarily forces them to be utilitarian in their public policy-making, of course. What it does do, however, is force them – if they are inclined to be utilitarian at all – away from direct (act) utilitarianism and toward something more indirect, like rule-utilitarianism.[[4]](#footnote-4) The circumstances surrounding the selection and implementation of public policies simply do not permit the more precise calculations required by any decision rule more tai­lored to peculiarities of individuals or situations.

#### Utilitarianism is the most desirable political framework – it allows for the use of general rules

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The argument from desirability picks up where the argument from necessity leaves off. It is a familiar principle of natural justice that people ought to be governed according to laws that are general in form, rather than through particularized edicts applying to small sub­sets of the population alone (the limiting case of which is the much maligned "bill of attainder"). Of course, a utilitarian is in no position to help himself to principles of justice willy-nilly, without offering some broadly utilitarian account of the wisdom of those principles.[[5]](#footnote-5)However, such an account can, I think, be given. The more high-minded version is this. If laws have to be general in form, and apply to everyone alike, then we can make some pretty shrewd guesses as to what sorts of future laws might be enacted; and we can plan our own affairs accordingly. If particularized rules (or substantial discretions in applying the rules) are permitted, then an­yone and everyone might be made an exception to the general rule. Under such circumstances, no one can know for sure what will be required of him in the future.[[6]](#footnote-6) Yet there are substantial utilitarian gains - both to the individuals themselves, and to others whose own plans depend for their success upon the actions of those individuals from being able to enter into long-term commitments in some con­fidence that they will indeed be carried out.[[7]](#footnote-7) From all that, it follows that there are substantial utility gains from requiring that laws be relatively general in their form and hence relatively predictable in their content. Another way of arguing for the desirability of that practice, still thoroughly utilitarian in form, is this. Enforcement costs are in utili­tarian terms a deadweight loss to be minimized insofar as possible. One way to minimize such costs is through the self-regulation of peo­ple's conduct. If people can be brought to internalize social norms, adopting them as their own and shaping their conduct accordingly, there would be no need for expensive enforcement measures, with obvious utilitarian advantages. But for principles of conduct to be eas­ily internalized in this way, they must be few in number and general in form. If the idea is to let people govern their own conduct in line with rules, then they must be able, first, to learn and recall all the relevant rules when the occasion demands; and, second, to apply the rules to particular situations for themselves, without the aid of au­thoritative guidance in each instance.11 All of that is easier, and hence the utilitarian payoffs higher, the less numerous and less complex the rules are. Whereas the classic argument from justice is that it is "only fair" that people be governed according to general rules, the utilitarian ar­gument from desirability is that it is "only prudent" to do so. In that way, people can largely anticipate what the rules will require of them, and apply the rules for themselves without expensive social enforce­ment.

#### Util doesn’t ensure atrocities

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Again, I would like to leave it as an open question what is the right thing to do in those circumstances. If the circumstances were really as described, then they are very different indeed from those around which our ordinary intuitions of right and wrong have been framed; and, counterintuitive as it seems, it may well be right for us to do precisely what utilitarians recommend in such strange cases.22 There is, after all, a certain moral preciousness involved in arguments about people's "integrity" and "clean hands." To paraphrase Brian Barry, if I were one of the nineteen Indians Jim could have saved, I would not think much of this moral dandy who prates on about his integrity while people die needlessly.23 So even at the personal level, it may not be so obviously wrong to do as utilitarians recommend. My main argument, though, is that at the level of social policy the problem usually does not even arise. When promulgating policies, public officials must respond to typical conditions and common cir­cumstances. Policies, by their nature, cannot be case-by-case affairs. In choosing general rules to govern a wide range of circumstances, it is extraordinarily unlikely that the greatest happiness can ever be realized by systematically violating people's rights, liberties or integ­rity - or even, come to that, by systematically contravening the Ten Commandments. The rules that maximize utility over the long haul and over the broad range of applications art1 also rules that broadly conform to the deontologists' demands. This point is as old as the original utilitarian fathers who, while denying received moral rules any ultimate authority, nonetheless con­ceded that they might have derivative force insofar as they (or some­thing very much like them) are sanctioned by the utility principle. In our own day, Richard Brandt has plausibly argued that the rules of war that we have inherited from the fundamentally deontological "just war" tradition are all broadly in line with what rule- utilitarianism would recommend.24 Note carefully what I am arguing here. It is not that public officials will never experience utilitarian temptations to violate people's rights. The standard example for showing that concerns the case in which the only way to prevent a race riot that would kill dozens is by hang­ing someone whom we know to be innocent of any crime. My point is not that public officials will never face such situations, nor is it that they do not experience utilitarian temptations to violate people's rights (hanging innocent people, etc.) in such situations. My point is instead that public officials cannot systematically violate people's rights, as a matter of policy, and expect that policy to continue yielding the same utility payoffs time and again. Take the case of punishing criminal offenders, for example. The criminal sanction deters crime only in so far as it is imposed on the guilty and only the guilty. In­troducing any probability that the innocent will be punished along with the guilty narrows the expected utility gap between criminal and noncriminal conduct, and increases the temptation for everyone to commit a crime. Thus, if we were as a matter of policy to punish people whether or not they were guilty, just according to some utili­tarian calculation of public convenience on a case-by-case basis, then the utilitarian advantages of punishing the occasional innocent person would quickly diminish, and probably soon vanish altogether.[[8]](#footnote-8) The reason utilitarian policy-makers are precluded from violating the rights of the innocent, as a matter of policy, is that policies soon become public knowledge. If nothing else, they are easily inferred from past practices. Once news of such a policy gets out, people revise their expectations in the light of it - in the case of criminal punish­ment, their expectations of being punished even if not guilty. There are major utilitarian payoffs to be had from sustaining certain sorts of expectations and from avoiding others. Settled policies of one sort or another are characteristically required to produce socially optimal ef­fects in both directions.26 That is one reason for utilitarian policy­makers to abide by settled policies, even when greater utility gains might be achieved in any given instance by deviating from them. Another, more pragmatic reason derives from "the argument from necessity." Policy-makers, by reason of the circumstances under which they have to make their choices and the mechanisms they have avail­able to implement them, are of necessity precluded from making any very fine-grained calculations. At most, they might make some very broad distinctions between different classes of cases; but picking out one particular case for special treatment is usually just not feasible. I Policy-makers treat all cases according to some general rules because, in practice, they have little choice but to do so. In response to the challenge that utilitarianism asks too little of us, then, it can be said that - at least as regards public policy-makers - utilitarianism demands not only about as much but also virtually the same things as deontologists would require. If they are going to decide cases according to general rules, rather than on a case-by-case basis, then the rules that utilitarians would adopt are virtually identical to those that deontologists recommend. And public policy-makers will indeed decide matters according to rules rather than on a case-by-case basis, either because the utility costs of doing otherwise are too high or else because as a purely practical matter more fine-grained assess­ments are impossible to make or to act upon.

### Deontology Bad

#### Deontologists have a misunderstanding of intrinsic properties – this undermines deontological theory

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For the reasons given above, deontological theories seem to me preferable to narrow consequentialist views. The problem, however, is that their proponents do not clarify what properties make actions right or wrong. Deontologists tend to claim that these properties are not only the causal consequences of actions but also (or only) their intrinsic properties. This, however, raises two problems. First, the notion of intrinsic properties is quite unclear. I think it is fair to say that when deontologists hold that the right-making property can be intrinsic, they mean that the action has this property by virtue of itself, depending on no other thing. But this is not much more than a platitude. The distinction between intrinsic and extrinsic properties, even though it is popular in ethics, becomes quite unclear when we look more closely at it. For example, deontologists hardly ever make the distinction between whether a property is intrinsic or whether an action that has a property has it intrinsically, which are different issues. A thing can have an extrinsic property intrinsically. Some deontoiogists seem to have used 'intrinsic' to mean 'essential' which is a misuse of the term; others tend to use 'intrinsic' as the opposite of 'relational', which is also incorrect. Properties can be both, relational and intrinsic. The second problem is that even if we concede that deontologists can sufficiently clarify the notion of an intrinsic property, what they claim to be intrinsic properties, are often clearly extrinsic qualities. W. Frankena (1973), for instance, holds that the fact that I keep a promise or that an action is commanded by God are intrinsic properties. But on any reasonable account of 'intrinsic', they are not. In what follows, I will attempt to show that deontologists do not need the elusive notion of intrinsic properties by arguing that what they mean by this concept are implications of actions.

#### Paradoxes undermine deontology – consequences will inevitably be considered

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Although this paper isn't a defense of deontology, I have argued the following: If deontology contains a special paradox, one distinct from prohibiting some optimific actions, then preventing moral evil would be a proper goal of action in addition to preventing harm. That may well be true, and if so, would be an important result. In fact, such a result would undermine deontology itself, since general commitments to constraints would entail permission to violate them simply to minimize the number of identical violations. However, if, to get a total measure of an act's badness, we must sum the moral evil and harm of constraint violations, then there should be some account of how to do that. Why again shouldn't the badness of one murder equal the badness of ten or fifteen accidental deaths? Why not save one triplet from murder rather than her two sisters threatened by an avalanche? We wish to know, even roughly, how much moral evil trumps prospective harm in rescue decisions.24

#### The deontological focus on motivation undermines deontology

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Utilitarian schemes for state intervention to promote the common good are opposed not only by libertarians opposed to state interven­tion as a matter of principle but also by deontologists opposed to the utilitarian fixation with good outcomes. What matters much more to them are individuals' motives and intentions. It is not enough, for them, that the right thing be done. They also insist that it be done, and be seen to be done, for the right reasons. Thus, for example, deontological moralists and social critics under I their sway are anxious to know whether we are sending food to starv­ing Africans out of genuinely altruistic concern or merely to clear domestic commodity markets, for one particularly topical example. Or, for another example, critics of the Brandt Commission's plea for increased foreign aid more generally say, in stinging rebuke: "Many of those who support the proposal. ...do so out of genuine humanitarian concern about... poverty. But it is doubtful whether this is the main concern of its authors, and it certainly is not their only concern. They are, instead, primarily concerned with the preservation of the existing world economic order."2 What is common to all such cases is an attempt at motive differ­entiation. Any particular piece of behavior might have sprung from any of a number of different underlying motives; commentators (mor­alists, social critics) want to know which was the real motive. Here I shall show that this characteristic quest for motive differentiation is misguided. In most of the standard social situations, it makes no ma­terial difference to agents' actions whether they act from one sort of motive or another. And in such circumstances, pressing the motivational issue will usually lead only to mischief, of both a pragmatic and a moral sort.

## Economy

### SQ solves

#### College graduation rates prove – immigrants are getting educated now

Weissmann 15 (Jordan is Slate’s senior business and economics correspondent, “Cool Fact: Immigrants Are Way More Likely to Have a College Degree Than People Born in the U.S.”, Slate, 9/29/15, <http://www.slate.com/blogs/moneybox/2015/09/29/how_educated_are_immigrants_they_re_way_more_likely_to_have_a_college_degree.html)KJR>

America’s immigration system is often criticized for being geared toward uniting families rather than bringing in talented workers, especially by companies that would like to see more temporary guest visas for highly skilled employees. That, combined with the fact that so much of the immigration debate focuses on the undocumented, about half of whom have less than a high school degree, might have given you the impression that immigrants as a whole aren’t a particularly well-educated group. But that would be incorrect. A great new Pew Research Center report this week reminds us that when it comes to education, immigrants are a sort of bifurcated group—less likely to have graduated high school than people born in the U.S., but also much more likely to have graduated college. Here's the breakdown in two graphs, which are based on census data for immigrants over the age of 25 who arrived within the past five years, and don't distinguish between documented and undocumented individuals. First, high school graduation. Notice that the percentage point gap between natives and new arrivals widened during the ’80s and ’90s, but started narrowing after 2000. pew\_immig\_1 Now take a look at college and advanced degrees, where immigrants have consistently had an edge. After closing a bit in recent decades, that gap is now widening again. Get Slate in your inbox. pew\_immig\_2 Why is the educational profile of recent immigrants improving? In part, Pew reports, it’s because Asian immigrants are now the largest group of new arrivals, and are much more likely to have finished high school or college than the Latin Americans who dominated in the past. But educational attainment has also been rising for immigrants from south of the border—for instance, 13 percent of recent Mexican immigrants had a college degree in 2013, up from 6 percent in 2000. So immigration does bring more low-skill labor into the country, which itself isn’t necessarily a bad thing. But it also brings a lot more educated talent than some appreciate.

#### No impact to immigrant education – high proportion are already college educated

The Economist 17 (The Economist is an internationally renowned magazine oriented towards foreign policy and the economy, “Six degrees and separation: Immigrants to America are better educated than ever before”, The Economist, 6/8/17, http://www.economist.com/news/united-states/21723108-far-being-low-skilled-half-all-legal-migrants-have-college-degrees-immigrants)KJR

JOSÉ ROMMEL UMANO, who is originally from the Philippines, moved to New York last autumn. He came on a family-reunification visa and joined his wife, who had been living in America for some time. This is a typical tale: America gives more weight to close family members when considering immigration applications than some other rich countries do. More surprising is that Mr Rommel Umano arrived with a master’s degree from the University of Tokyo and 20 years of experience as an architect in Japan. Yet this, it turns out, is typical too. Nearly half of all immigrants who arrived between 2011 and 2015 were college-educated. This is a level “unheard of” in America, says Jeanne Batalova, co-author of the paper containing the finding published by the Migration Policy Institute (MPI), a think-tank. One of Donald Trump’s many executive orders instructed the Departments of Labour, Justice and Homeland Security to examine immigration rules. The president, whose hostility to illegal migrants is well-known, has also said that he would like to change the criteria for choosing legal ones, pointing to Canada or Australia as models for America to copy. In 1967 Canada became the first country to introduce a points system for immigration; Canada and Australia now both give priority to would-be migrants with degrees, work experience and fluent English (and, in Canada, French). Some of the president’s advisers think this more hard-headed system is better than America’s family-centred approach. The doomed immigration bill from 2013 that died in the House of Representatives also reflected widespread enthusiasm for a points-based system. Latest updates The search for spiritual meaning in Harry Potter ERASMUS 14 HOURS AGO Expect the unexpected at Wimbledon this year GAME THEORY A DAY AGO Xi Jinping talks tough to Hong Kong ASIA A DAY AGO The travel order rules face a court challenge DEMOCRACY IN AMERICA 2 DAYS AGO Mystery solved: it was the ball after all GAME THEORY 2 DAYS AGO Sofia Coppola on being a pioneer for women directors PROSPERO 2 DAYS AGO See all updates Two things ought to temper this enthusiasm. First, Canada and Australia have concluded that pure points systems do not work well. A surprisingly high share of the people admitted this way ended up unemployed. Both countries have since changed their immigration criteria so that applicants who have job offers in their pockets may jump the queue. Second, migrants who move to America to join family members have become much better educated. Of the more than 1m new green-card holders (or permanent residents) in 2015, the most recent year with numbers available, almost half were immediate relatives of citizens. A further 20% entered through preferences given to other family members. That left just 14% who were sponsored by companies, about the same share who first entered the country as refugees or asylum-seekers (a further 5% were lottery winners). Despite this bias towards families, the share of immigrants who arrived with degrees has risen from 27%, for those who arrived between and 1986 and 1990, to almost half now. America is not the only rich country to have seen such an increase. According to the OECD (a club of mostly wealthy countries), the number of college-educated migrants heading to member countries grew by 70% between 2001 and 2011. Recent migrants to America are as likely to be highly educated as those who move to Europe are. They still lag some way behind Australia and Canada, though. The result is that America has switched from importing people who are, on average, less educated than the natives to people who are better schooled. Most states gained in college-educated immigrant populations between 2010 and 2015 (see map). Immigrants were more educated than Americans in 26 states. “This shift has gone unnoticed by the broader population and policymakers,” says Ms Batalova of the MPI. Many people have an outdated notion of who immigrants are, conflating them with the undocumented. The number of undocumented migrants has been falling, but even they are more likely to have a degree these days: the MPI reckons that a fifth of graduate immigrants are undocumented. Nearly a third of refugees have at least one degree. One difficulty even educated migrants face on arrival is that employers do not always recognise foreign degrees and experience abroad. Antiquated licensing requirements and regulations also hurt. Upwardly Global, a charity which helps skilled immigrants translate their CVs into American, cites the example of a former Médecins Sans Frontières doctor from Botswana who worked as a waiter until he got help to navigate the system. As for Mr Rommel Umano, despite his years as an architect and two degrees, he had a hard time getting work in his profession in America. Needing money, he took a job loading boxes in a New Jersey warehouse two hours away from his home in the Bronx. The charity polished his CV and put him through mock interviews and in touch with his current employer, a construction firm. There, he says the work is pretty similar to what he was doing in Japan.

#### Squo solves, immigrants are receiving support now regardless of status

Brown 16 (Emma, writes about national education and about people with a stake in schools for the Washington Post, “As immigration resurges, U.S. public schools help children find their footing”, Washington Post, 2/7/16, https://www.washingtonpost.com/local/education/as-immigration-resurges-us-public-schools-help-children-find-their-footing/2016/02/07/6855f652-cb55-11e5-ae11-57b6aeab993f\_story.html?utm\_term=.5b7dad9508d6)KJR

As U.S. presidential candidates fight over the best way to address the influx of Central Americans across the Southwest border — with debate about building walls and deporting immigrants — the nation’s public schools have opened their doors, taking responsibility for helping tens of thousands of children find their footing here. It’s not an easy task. Many of the new arrivals don’t speak much English and are behind academically. They often come with scars, having fled desperate poverty or violence or both. Many endured difficult journeys, sometimes leaving their families behind or rejoining parents in the United States after years of separation. And U.S. schools, already strapped for resources, are trying to provide special services, including ­English-language instruction and mental-health care. The schools have to, because it’s the law: Children who are living in this country have a right to a public education, regardless of their immigration status. But for many educators it’s also more than a legal obligation, it’s the moral thing to do. “The United States is founded on human rights,” said Sandra Jimenez, the principal of High Point High School in Prince George’s County, Md., a Washington suburb where the immigrant population has grown rapidly. “The only reason these people are here is because they are desperate. These people are coming to survive.” Immigrant students at High Point High School share personal experiences in a circle practice meant to provide a safe place for students to process their feelings and form a community. (Astrid Riecken/For The Washington Post) There were more than 630,000 immigrant students nationwide in the 2013-2014 school year, according to the latest federal education data available, which defines immigrants as children born outside the country and enrolled in U.S. schools for less than three years. That figure has grown since immigration across the southern border surged two years ago: Between Oct. 1, 2013 and Dec. 31, 2015, federal officials released more than 95,000 unaccompanied minors into U.S. communities, virtually all of them entitled to enroll in public school. [U.S. plans raids to deport families who surged across border] High Point, like many other schools flooded with foreign students, has had to adjust. A school with an enrollment of 2,400, it has registered 282 new immigrants so far this school year. Last year, it took on 396 new immigrants; the year before that, 307. Some of them immigrated legally, and others did not. Many arrived from December to March — a time of natural transition, because the Central American school year ends in December, Jimenez said. “This is normal for us,” Jimenez said. “We plan for the influx from the beginning of the year.” Newcomers are enrolled in classes with other newcomers, and Jimenez changed staffing so that some teachers had room in their schedules to add classes as more children arrived. She hired bilingual staff members in key positions, including administrators, secretaries and security guards. There are evening workshops on family reunification. When students need housing or health care, counselors work to connect them with community groups that can help. She can speak at length about language acquisition, the pedagogy of teaching English as a second language and the importance of children learning grade-appropriate vocabulary in math, science and social studies — such as “commutative property,” which new arrivals were practicing in a math class on a recent weekday morning. Maura Salguero, sitting, center, processes her daughter Yenifer Garcia Salguero, 12, left, at the International Student Counseling Office in Prince George’s County. (Astrid Riecken/For The Washington Post) But Jimenez said that the most powerful thing that the school has done is to show its new immigrant students that they have support and that they are safe. “We have built an oasis. School is the place where people have your back,” she said. “If you don’t feel safe, you can’t learn.” Advocates agree that schools play a key role in shaping the path that students take after they arrive. Many students are not only poor, struggling with English and navigating without a lot of support at home, they say, but also often are under pressure from gangs seeking new recruits. “They have all these other factors and pressures going on. It’s critical for schools to provide a holistic, comprehensive support system,” said Zorayda ­Moreira-Smith of CASA of Maryland, an advocacy group. She said Prince George’s County, and High Point in particular, have gone to unusual lengths to let students know they are welcome, including by issuing public statements opposing immigration raids in recent weeks. “I am deeply troubled by the fear and uncertainty that exists in so many of our school communities as a result of the actions of the Department of Homeland Security,” Superintendent Kevin Maxwell said in a statement in January, when officials said that the raids had caused a drop in attendance. “To our PGCPS students and families: We stand with you.” [Principals named for two high schools focusing on immigrants] Not everyone believes that the nation’s tax dollars should be used to educate immigrants who arrive in the country illegally, and others argue that forcing school districts to take on the challenge isn’t fair when resources already are stretched too thin. “Congress should not allow the Obama administration to incentivize illegal immigration and human smuggling by rewarding those who participate,” Jessica M. Vaughan, of the Center for Immigration Studies, told a House Judiciary subcommittee Thursday, arguing that youths and other immigrants should be detained near the border. In an email to The Washington Post, she bemoaned the effects: “The cost of meeting the educational needs for the kids who are arriving illegally as part of the surge is the main way that the administration’s policy is burdensome to state and local governments.” Services for immigrant students have caused tension in Prince George’s County. In 2014, school system officials announced that they planned to create two high schools for ­English-language learners; the NAACP objected, arguing that other students also have academic needs that deserve attention. Daniel Domenech, executive director of AASA, the school superintendents’ association, said that in many cases of immigrant influxes, class sizes rise and school districts are faced with providing additional services without more funding. “It’s a problem,” he said. “Having said that, I have to tell you that just about in all cases, districts will bend over backward to accommodate and provide for these students whatever services they need.” About 8,000 international students enrolled in Prince George’s County schools last school year, and half of them were new to the United States, coming not just from Central America but also from nations as varied as Cameroon, Ethi­o­pia, the Philippines and Jamaica. They all registered through an intake center meant to evaluate their English skills and place them in a suitable school. On a recent morning at the center, 12-year-old Yenifer Garcia Salguero and her mother, ­stepfather and two younger half-brothers crowded into a small room where she received her assignment to a county middle school. Yenifer had just arrived from Guatemala and hadn’t seen her mother for a decade. How was she feeling about school, about being in the United States? “Nerviosa,” she said. Nervous. High Point began confronting those nerves two years ago by hosting “talking circles” with its new immigrant students — a chance for them to share where they are from, what they are afraid of and what they want to achieve. Suzanne Tchouomtseu Tochie, 19, a senior who arrived from Cameroon in 2014, said that the circles helped her feel connected at a disorienting time. “People tell their story. They talk about what they’re going through,” she said. “You get to know the real person.” Social worker Beth Hood and counselor Jessica Jackson held a talking circle one recent morning, inviting a dozen students to scoot their desks into a circle inside a High Point science classroom. The students were new immigrants from Honduras, Guatemala and El Salvador, and most had been at the school for a few months. One girl said it was her second day. They listened quietly as one after the other answered the teacher’s questions: What did you imagine about the United States before you arrived? How do you feel now that you are here? One thought he would be living at the beach, he said in Spanish, and here he was in suburban Maryland. But then the conversation deepened, with some saying they were worried about their immigration cases. Others said they had come to the United States to earn money and hadn’t expected to go to school until immigration officials told them it was required. Many said they had expected that they would finally be able to spend time with their parents after years apart but that they hardly saw their parents, who were always working. The girl on her second day at High Point said she had been crying because she missed her mom, who was still in El Salvador. “You have our respect,” Hood told the students in Spanish. “You are not alone in your experiences. This stage of getting used to everything is not forever.” Must Reads 5 stories you can't afford to miss, every Saturday. Sign up Hood had invited a 20-year-old junior, Wilson Santos, to offer hope and advice. He had worked on a farm in Guatemala in grinding poverty until three years ago, when he saw no other option than to come to the United States. He walked across the desert, he said, and was stopped by immigration officials while trying to cross the U.S. border. He never expected to go to school, he said, and yet school became his anchor. He now is a legal resident, he said, and is working a construction job on weekends. He expects to graduate from High Point next year and hopes to own a business someday. “I feel more than anything proud of myself,” he told his fellow students, speaking in Spanish. Many students drop out before they get a diploma, and High Point’s on-time graduation rate — though it has climbed in recent years— is 64 percent, far lower than the national average of 82 percent. Hood, the social worker, said that the figure masks the important progress that students are making in school — including those who drop out. She said they are learning English, learning how to access services and advocate for themselves, and learning how to survive.

#### Children of immigrants are already highly educated, especially in STEM

Anderson 17 (Stuart, writer on globalization and business for Forbes, “83% Of America's Top High School Science Students Are The Children Of Immigrants”, Forbes, 3/11/17, https://www.forbes.com/sites/stuartanderson/2017/03/11/83-of-americas-top-high-school-science-students-are-the-children-of-immigrants/#3256b8e2200f)KJR

What would we lose if immigrants could no longer come to America? Surprisingly, one of the most important things America would lose is the contributions made by their children. A new study from the National Foundation for American Policy found a remarkable 83% (33 of 40) of the finalists of the 2016 Intel Science Talent Search were the children of immigrants. The competition organized each year by the Society for Science & the Public is the leading science competition for U.S. high school students. In 2017, the talent search competition was renamed the Regeneron Science Talent Search, after its new sponsor Regeneron Pharmaceuticals,and a new group of 40 finalists – America's next generation of scientists, engineers and mathematicians – are competing in Washington, D.C., from March 9 to 15, 2017. Both family-based and employment-based immigrants were parents of finalists in 2016. In fact, 75% – 30 out of 40 – of the finalists had parents who worked in America on H-1B visas and later became green card holders and U.S. citizens. That compares to seven children who had both parents born in the United States. Watch on Forbes: Play Video To put that in perspective, even though former H-1B visa holders represent less than 1% of the U.S. population, they were four times more likely to have a child as a finalist in the 2016 Intel Science Talent Search than were parents who were both born in the United States. Parents who were international students were more likely to have a child as a finalist than native-born parents. A total of 27 of the 40 children – 68% – had a parent who came to America as an international student. That means if international students cannot remain in America after graduation (through Optional Practical Training and improved visa policies) it will also deprive America of the potentially substantial contributions of their children. Three of the finalists, or 7.5%, had parents who came to America as family-sponsored immigrants (although the number is four parents, or 10%, if one counts the family-sponsored immigrant who married an H-1B visa holder). Among the 40 finalists of the 2016 Intel Science Talent Search, 14 had parents both born in India, 11 had parents both born in China, and seven had parents both born in the United States. People of Indian and Chinese birth represent only about 1% of the U.S. population each, according to the Pew Research Center. In addition to China, India and the United States, the countries of origin for the parents of 2016 Intel Science Talent Search finalists represent a diverse set of countries, including Canada, Cyprus, Iran, Japan, Nigeria, Singapore, South Korea and Taiwan. The evidence indicates that the children of immigrants are increasing their influence on science in America. Sixty percent (24 of 40) of the finalists of the 2004 Intel Science Talent Search had at least one immigrant parent. In 2011, that proportion rose to 70% (28 of 40) who had at least one immigrant. And in 2016, the number rose again to 83% (33 of 40) of the finalists of the Intel Science Talent Search who had at least one immigrant parent. The science competition has been called the “Junior Nobel Prize” and more than 95% of winners of the Intel Science Talent Search (STS) traditionally have pursued science as a career, with 70% earning Ph.D.’s or M.D.’s. Many of the students I interviewed hope to start their own companies. In 2016, seven of the nine top awards were earned by the children of immigrants, including first place prizes for innovation and basic research. Amol Punjabi won the First Place Medal of Distinction for Basic Research for developing software that could be used by pharmaceutical companies to combat cancer and heart disease. The children of immigrants among the finalists I interviewed understood the sacrifices their parents made to ensure them a better life. And, it is important to remember, all of these children, whether born here or naturalized, are as American as you and me. Augusta Uwamanzu-Nna appreciates all her Nigerian-born parents have done to give her the best education possible. “They sacrificed so much for me,” said Augusta, who experimented with ways to improve the properties of cement, which has practical applications that include helping to prevent oil spills. “My father grew up during the civil war in Nigeria and couldn’t afford an education.” Despite the obstacles, Augusta’s father, Tobias Nna, overcame the odds and was trained as a physical therapist. He came to the United States on an H-1B visa. “Our goal in coming to America was to provide an opportunity for our children to study, have access to journals and computers,” Tobias Nna told me. “I’m very happy they have taken advantage of these opportunities.” “Seeing what my parents did to make a better life for their children has inspired me to do everything I can to succeed,” said Augusta. “This is the land of opportunity.”

## Solvency

### Alt causes

#### ICE uses alternative deceptive practices, schools won’t end deportations

Hoffman 16 [Meredith Hoffman, February 17 2016, "US Immigration Sting on Church Breaks with Policy on 'Sensitive Locations'", https://news.vice.com/article/us-immigration-sting-on-church-breaks-with-policy-on-sensitive-locations]

Reynold Garcia was attending church services in suburban Illinois last month when agents with US Immigration and Customs Enforcement tricked him into exiting the building so that they could arrest and deport him. The agents reportedly pretended to be Garcia's cousin, sending text messages from her cellphone indicating that she had been in a car accident. Then an agent pretending to be a police officer called Garcia to ask that he come help file an incident report, so he stepped outside. When Garcia went outside, the agents — attired in vests that read "POLICE" — led him to an unmarked vehicle and then revealed that they were with ICE. "The very last moment, you know, is when we realized what was happening," Garcia's best friend Haggar Gutierrez told the Chicago radio station WBEZ. "I go, 'No, no, no… this is not police, this is ICE.' But it was too late, because he was already in the car." Garcia had already been deported once before. He was swiftly taken to a detention center in Texas, where he found his wife and children, who had been taken into custody hours earlier, and the family was then deported to Mexico. The episode left members of his Christian Pentecostal Church community in the town of Schaumburg terrified of enforcement actions to follow. "There's people who are going out less," said Gerson Moreno, the church's pastor. "They're avoiding certain areas. If they have to go to work, they're taking different routes to go back home." But ICE's deceptive raid on Garcia's congregation might have violated the US Constitution, immigration experts told VICE News, and appeared to contradict government policy. Denise Gilman, director of the Immigration Clinic at the University of Texas Law School, said that the action was likely unlawful, noting that it seemed to violate the Fourth Amendment ensuring reasonable search and seizure as well as the Fifth Amendment, which protects due process for individuals. "There's a real possibility that it wasn't lawful. ICE has to have a warrant or consent to enter private spaces and to engage in certain types of questioning, and it seems they intended to arrest him but they did not have a warrant that would allow them to enter the church and did not have a permit," Gilman said. "So they engaged in deceptive practices so he could be in a public space when they arrested him."

#### ICE crackdowns in nonprofit areas and sanctuary cities already losing funding

Hamilton 17 [Matt Hamilton, Contact Reporter for the Los Angelos Times, January 26 2017, "ICE agents arrive at San Francisco nonprofit, rattling staff; agents were seeking sex offender nearby", www.latimes.com/local/lanow/la-me-ln-ice-agents-nonprofit-20170126-story.html] vv

ICE agents arrived Thursday morning at a San Francisco nonprofit serving mostly low-income Latino immigrant families, rattling staffers and stoking fears about illegal immigration crackdowns under President Trump. But though agents with U.S. Immigration and Customs Enforcement agents did descend on the Good Samaritan Family Resource Center in the Mission District, immigration officials said it was not a raid but a targeted effort to find a convicted sex offender wanted for deportation. The agents — many with “ICE” in large letters on the back of their clothes — arrived about 9:20 a.m. at the center and lingered outside the building, according to Jaime Aragon, the organization’s service coordination manager. After a few minutes, they entered and asked Aragon about people who lived there. “I told them this is a family resource center. No one lives here — I can’t help them,” said Aragon, who directed the agents to a housing complex next door. The officer “thanked me and left.” Virginia Kice, an ICE spokeswoman, said that after learning the suspect’s last address was actually next door, the agents promptly walked out. At the housing complex, the agents didn’t find the man, whose identity was not released, and left the area without making an arrest, Kice said. The arrival of ICE was first reported by the San Francisco Examiner. ICE described the action by agents as routine — part of typical operations to track down specific individuals in the country illegally who pose a threat to public safety or national security. “ICE deportation officers and special agents conduct operations every day in locations around the country,” Kice said in a statement. An ICE policy memorandum from 2011 calls on officers to avoid conducting actions at “sensitive locations,” including schools, hospitals, churches and public demonstrations, and to use extra caution at organizations that help children and pregnant women. To Aragon, who has worked at the nonprofit for seven years, the presence of federal immigration agents put him on edge. “Nothing like this ever happened close to home. It was very jarring,” Aragon said. “It took us by surprise. We know what to do and we are equipped to respond in an appropriate way, but it was still very disturbing.” The brief presence of ICE agents came just a day after Trump signed two executive orders designed to begin building a wall along the border with Mexico, add lockups for detaining immigrants who cross the border illegally, enhance enforcement powers for border agents and strip federal funding to cities that refuse to cooperate with immigration enforcement. According to a draft document reviewed by The Times, under the new order, the federal government would threaten to withhold funds from so-called sanctuary cities that limit cooperation with immigration officials. San Francisco, like Los Angeles, is a sanctuary city, a broad policy aimed at welcoming those here illegally. Staffers at Good Samaritan Family Resource Center hoped that the brief visit by ICE agents does not frighten away those who utilize their services: primarily low-income immigrant families. The organization provides child care, English classes, parenting groups and after-school programs. Aragon said it was a small relief that the federal agents came at 9:20 a.m. The group has a large wave of English as a second language students who arrive at 9 a.m., usually with their children in tow. “Everyone missed these officers by a hair,” he said.

#### ICE also attacks hospitals and Trump has expanded ICE’s range of targets

Bernal 17 [Rafael Bernal, February 22 2017, "Lawyers: ICE detainee with brain tumor removed from hospital", thehill.com/latino/ice-immigration-detainee-brain-tumor-taken-from-hospital] vv

An undocumented immigrant diagnosed with a brain tumor while in Immigrations and Customs Enforcement (ICE) custody was returned to a detention center from a Texas hospital, her lawyers said. The woman, a Salvadoran national identified only as Sara, was released from Huguley Hospital in Fort Worth, Texas, and taken to Prairieland Detention Center against her will, according to her lawyers. "She told us they tied her hands and ankles in her condition," Melissa Zuniga, a member of Sara's legal team, told The Hill. "She's complaining of a lot of pain." Zuniga said Sara, 26, was cut off from communication with her family and lawyers, even after the hospital and ICE had cleared Sara's mother for unrestricted phone access. "Requests by family members to visit detainees who have been hospitalized are permitted but must be approved in advance with ICE and the appropriate consulate. ICE reached out to the family to explain the process," said Gillian Christensen, an ICE spokeswoman. Zuniga also said the Salvadoran consulate had been unresponsive and a team of volunteers was heading to the detention center to demand Sara's immediate release. Sara's exact condition wasn't immediately available, but according to previous reports she was transferred from Prairieland to Huguley after complaining of severe headaches and collapsing on Feb. 10. Doctors at the hospital diagnosed Sara with a tumor and told the Daily Beast they would soon perform surgery. Zuniga said Sara complained of profuse nosebleeds and of long-term memory loss, while not receiving treatment at the hospital. "Huguley no longer wants to be in charge of her case because they’re getting hounded by calls and a potential lawsuit," said Zuniga. Sara's family is threatening to sue the hospital because they claim her condition deteriorated in the 12 days she spent there. Sara's sister and legal team, all based in New Jersey, were flying to Texas Wednesday night to make the case for her release. Sara told Zuniga she was given a CD with her medical records at the hospital and instructed by doctors not to turn them over to ICE. The CD was taken from Sara upon her return to the detention center, Zuniga said. In the first month of the Trump administration, several cases of immigration detention have drawn national attention, as pro-immigration activists decry what they consider heavy-handed tactics by immigration enforcement agents. This week the Trump administration laid out a plan to step up deportations, broadly expanding those targeted for deportation.

#### Admin are considered law enforcement by undocumented students – that’s an alt cause

**Von Hoffmann 4-11** (Emily, writer based in Durham, North Carolina, 4-11-2016, "Does ICE Pressure Schools for Student Info?," Atlantic, https://www.theatlantic.com/education/archive/2016/04/does-ice-pressure-schools-for-student-info/477600/) KEN

“There is a fear about schools no longer [being] a safe haven for undocumented students,” Jose Hernandez Paris, the executive director of the Latin American Coalition in Charlotte, said. It makes some sense that in places like North Carolina with a history of making life difficult for undocumented immigrants, families might not trust school officials, even equate them with law enforcement. Raids in January led to the arrest of 121 undocumented migrants in Georgia, North Carolina, and Texas. Recent immigrants, many of whom were unaccompanied minors and families among those who entered in 2014 during the so-called border crisis, are now first in line for deportation next to gang members, terrorists, and felons. In practice, this means that undocumented youths who attend public schools become targets when they turn 18. While minors are protected from detainment, those over 18 are not. This is why many young people intercepted at the border were released into the general population.

#### 4 Alt causes – plan doesn’t solve [Possible counterplan material too]

Lee 16 [Esther, Immigrant reporter for ThinkProgress, “4 Shady Ways That Immigration Agents Are Arresting Moms And Kids”; 2/18/16; https://thinkprogress.org/4-shady-ways-that-immigration-agents-are-arresting-moms-and-kids-384b99bf38fd]/MR

Phoenix Police officers aide federal agents in deporting a group of undocumented immigrants from a drop house officials say was operated by smugglers, Feb. 24, 2004, in Phoenix. Law enforcement officials in the Phoenix area are using new tactics to cut off illegal immigration; They are going after used-car salesmen who sell vehicles to smugglers, and arresting operators of safe houses where immigrants stay after crossing the border. CREDIT: AP PHOTO/PAUL CONNORS, FILE Since early January, the Immigration and Customs Enforcement (ICE) agency has been conducting a series of deportation raids to apprehend immigrant women and children and send them back to Central America. The raids have left Latinos across the country afraid to leave their homes, sometimes forgoing doctor’s appointments and skipping classes at school. Department of Homeland Security Secretary Jeh Johnson said this month that ICE agents will continue those immigration operations. But he also reiterated an ICE policy to avoid arresting immigrants in sensitive locations, like churches, hospitals, and schools. However, there’s some evidence that ICE agents may be trying to work around these policies. Immigrants affected by the raids have echoed similar stories of ICE agents who entered their homes under less-than-legal circumstances. Here are just a few dubious ways in which ICE agents have tried to apprehend immigrants in recent weeks: 1. Pretending to look for a wanted person. ICE agents intercepted Rene — who requested for his last name to be withheld — in early January at his home. They said that they were looking for a wanted man and needed to take a look in his house to see if anyone there matched their photo. Agents then entered his home to take his sister, a recent Central American border crosser, and two of her children. They were detained and flown to a family detention center in Texas. 2. Pretending to look for a woman’s partner, then arresting her in front of her children. According to Al Punto, a Spanish-language news program, immigration agents stopped a woman and said they were looking for her partner, who may have been involved in trafficking undocumented immigrants. But they ended up reaching into her car and dragging her out of the driver’s seat as her children screamed and cried in the backseat. One of her children recorded footage of the exchange. In the last scene, the woman was seen being held to the ground, handcuffed by two officials. Two of her three underage children were also handcuffed, then later released to their grandmother. 3. Luring an immigrant out of a church using fake text messages. Reynold Garcia, an undocumented Mexican immigrant, had his home raided by ICE agents, who took away his wife and two children. The next day, which Garcia was sitting in church services, he received chilling text messages that appeared to be from his cousin Noel. The texts said that Noel had been involved in a car accident and that he need Garcia’s help. An officer called to confirm the accident, and after Garcia exited the church, people who appeared to be local police waved him over to a nearby restaurant. It was only after Garcia entered the unmarked car that witnesses said they realized the men were actually ICE agents. 4. Arresting children off school property. Nineteen-year-old Wildin David Guillén-Acosta was arrested in front of his North Carolina home as he was leaving for class in late January. In response, the Durham Public Schools Board of Education passed a resolution asking ICE to stop detaining students. “We’ve had a very large drop in attendance,” Ellen Holmes, a Spanish and ESL teacher, said in the press release. “Students are no longer coming to school because they no longer feel it’s safe.” Kimberly Chavez Pineda, 18, was also pulled over by a car with flashing lights on her way to school with a friend in Georgia, according to a Southern Poverty Law Center (SPLC) press release. Chavez Pineda was taken into custody and is now awaiting court proceedings at the Irwin County Detention Center in Ocilla, Georgia, facing deportation despite her pending asylum petition. As the SPLC indicated in its press release, ICE agents have recently “focused on young people who arrived in the United States as unaccompanied minors but have recently turned 18 and no longer have the special protections of this immigration status.” “ICE must stop these latest raids,” said Eunice Cho, SPLC staff attorney. “They raise serious questions over whether ICE is even following their own guidelines. Instead of targeting young people and families in these senseless raids, including those with valid claims to immigration relief, the United States must adopt a humanitarian approach to the refugee crisis in Central America that has sparked this migration.”

#### Alt causes: ICE officials arrest students on their WAY to school at bus stops and on sidewalks

Lee 16 [Esther, Immigration reporter for ThinkProgress, “ICE Agents Are Arresting Teens On Their Way To School”, 4/14/16; https://thinkprogress.org/ice-agents-are-arresting-teens-on-their-way-to-school-4853613160]/MR

Eighteen-year-old Yefri Sorto-Hernandez was waiting at a school bus stop at 6:20 a.m. when an unmarked white Ford pulled up. Two U.S. Immigration and Customs Enforcement (ICE) agents got out of the car. They were wearing jeans, vests, and guns. The agents asked Yefri, who is from El Salvador, about his identity. Yefri’s school bus arrived while he was being handcuffed. The agents led him to their car as other students on the bus watched the scene unfold. They took Yefri to an immigration detention center, where he continues to await his deportation proceedings. Yefri is just one of hundreds of teenagers arrested by Immigration and Customs Enforcement (ICE) agents so far this year, as the Obama administration has carried out extensive immigration raids focused on targeting Central Americans who crossed the border after January 2014. Yefri was swept up in a raid known as Operation Border Guardian that took 336 people into custody. Stories like Yefri’s have recently made national headlines in part because they appear to contradict ICE’s own policies. Immigration agents have typically agreed to avoid arresting teens at “sensitive locations” such as churches, hospitals, and schools. Field officers are supposed to exercise discretion in these cases to avoid causing “significant disruption to the normal operations of the sensitive location,” according to a 2011 policy memo. 4 Shady Ways That Immigration Agents Are Arresting Moms And Kids Immigration by CREDIT: AP Photo/Paul Connors, File Since early January, the Immigration and Customs Enforcement (ICE… thinkprogress.org Nonetheless, there are plenty of recent examples of immigration authorities arresting kids on their way to school. Just as ICE’s own policy memo outlines, these disruptions have immediate effects. Panicked students who saw what happened to Yefri from the bus quickly spread the word about his detention at their high school in Charlotte, North Carolina. And teachers in the area began seeing a noticeable change in students’ attitude and attendance. The same month as Yefri was picked up by immigration officials, 19-year-old Wildin David Guillen Acosta — who came to North Carolina from Honduras after gang members threatened his life — was arrested outside his home as he was leaving for high school. The day after Wildin was detained, one-third of students in his English as a Second Language class were absent. According to a document pulled together by numerous Durham- and Charlotte-area teachers and obtained by ThinkProgress, otherwise stellar immigrant students have taken numerous absences, have dropped out of school completely, or have been suspended from school for having their cell phones out during class because they wanted to make sure that their family and friends were safe. I’m afraid my mother will be deported — I’m afraid she won’t be home when I get there. At least ten percent of freshman students told their teachers that they were afraid that they would come home to family members who had been detained. Even some legal immigrant students have stopped attending school, concerned about the safety of their family members or friends. “We lost two students in the past month,” Rebecca Costas, an English Language Learner teacher at Myers Park High School in Charlotte, told ThinkProgress. One student at Costa’s school refused to go home after agents stopped him at a bus stop, afraid that he would lead agents to his undocumented parents. Another student dropped out because, since he has a final deportation order, he’s too nervous about coming into contact with ICE agents who will send him back to his home country. “That’s a huge deal with students who have been doing really well in school, really improving, and now feel like they can’t come to school,” Costas said. “This has a lot of impact on student behavior. Their experiences in their native countries were bad enough, and the journey over was very traumatic. A lot of kids coming over here are clearly exhibiting signs of PTSD, depression, mental health issues — these current raids have just exacerbated that.” Obama's Immigration Raids Are Turning Latino Communities Into Ghost Towns Immigration by CREDIT: Esther Yu Hsi Lee WHEATON, MD - Around the Christmas holiday, the small businesses in downtown… thinkprogress.org Some students have complained about phantom illnesses so that they can go home to be with loved ones, Holly Hardin, a teacher at Lakewood Montessori Middle School and a member of the Durham Association of Educators, wrote in an email to ThinkProgress. “I talked with a 3rd grade teacher this week who has a student with lots of stomach pains every afternoon,” Hardin said. “In inquiring about why her stomach hurt, she said, ‘I’m afraid my mother will be deported — I’m afraid she won’t be home when I get there.’ Teachers throughout our district are seeing and hearing this.” The raids have ignited controversy over the Obama administration’s longstanding struggle between enforcing border security and allowing undocumented immigrants with roots in the country to continue living without the fear of deportation. The president has promised to finesse his immigration policies based on a “felons, not families” approach — saying that ICE is focused on going after criminals rather than targeting mothers and children. But advocates have criticized the way that raids in states like North Carolina have actually targeted students as they made their way to and from safe spaces. ICE denies that it’s been targeting students at schools or bus stops, according to the Charlotte Observer. But the agency has also defended the recent arrests, saying that the teens taken into custody all already received final deportation orders or lost their court cases. Riverside High School students distributed white strips of cloth as armbands to show solidarity after their schoolmate Wildin Acosta was detained. CREDIT: Ellen Holmes Immigrants and community members have been reeling since the raids took place, but they have also been inspired to become active on behalf of each other. The Durham Public Schools system passed a resolution calling on the administration to stem the raids, noting that “school attendance should be encouraged” and that schools “must be safe sanctuaries.” And teachers and unions began standing up and speaking out on behalf of students. Those students who were picked up and detained are not a threat to public schools. “Those students who were picked up and detained are not a threat to public schools or the citizens of North Carolina,” Rodney Ellis, President of the North Carolina Teacher’s Association, told ThinkProgress. “We feel they should have an opportunity to pursue their education and so we’re definitely opposed to any process that would involve snatching kids on their way to school and detaining them.” In Charlotte, Costas said that parents talked about doing carpools for children who felt scared or unsafe going to their bus stops. The school has also planned to do a “know your rights” presentation with immigration lawyers to help people know that they have a right to have legal representation. And some allies have offered to go to the bus stop to “stand there with the kids as a symbol of solidarity,” Costas said. In Durham, Riverside High School students distributed white strips of cloth for students to show support for Wildin after his detention. And students also organized a rally at Butterfield’s office. “They cut 500 armbands and handed them out at school,” Allison Swaim, a Riverside High School ESL American history teacher in Durham, told ThinkProgress. “All the bands were gone by lunch time.”

#### Under the Trump administration there is likely to be an increase in workplace raids – these are net worse than school raids

IDP & CCR 17 (Immigrant Defense Project and the Center for Constitutional Rights, (IDP) non-profit that works to secure fairness and justice for immigrants in the United States, (CCR) The Center for Constitutional Rights is a progressive non-profit legal advocacy organization, 2017, " Defend Against ICE Raids and Community Arrests”, Immigrant Defense Project and the Center for Constitutional Rights 17, http://www.nnirr.org/drupal/sites/default/files/ice-raid-toolkit-011117-w\_o-appendices.pdf

What we may see under the Trump administration: — More workplace enforcement: ICE may return to the workplace raids common under the G.W. Bush administration (see page 23 in toolkit), particularly the raiding of factories or other locations with a high number of immigrant employees. — More jail and local law enforcement cooperation: In some jurisdictions, jail and local law enforcement cooperation have been hallmarks of enforcement under President Obama. It is likely that the federal government will put more pressure on local jurisdictions to cooperate with ICE in providing information and turning over non-citizens to them. — More agents conducting raids throughout the country: Fugitive Operations’ budget is anticipated to increase with the new administration, meaning that there will be more enforcement and more raids throughout the US. — Expanding the use of databases (e.g. gang membership lists): ICE already relies on databases for information and this is only likely to increase. The federal government will probably pressure local law enforcement to grant more access to local database information, including inaccurate gang membership lists 33 that undergo little vetting by the public or the courts. ICE Arrest Tactics IDP and CCR has compiled our collective knowledge of ICE arrest tactics under the G.W. Bush and Obama administrations, which are laid out below, as well as what we anticipate under the new administration. What were the hallmark raids under G.W. Bush? From DHS’ inception in 2003 under the G.W. Bush administration, the government rapidly expanded the National Fugitive Operations Program (NFOP), the ICE program founded a year earlier, to conduct home raids with the purpose of arresting “fugitive aliens.” 34 The Fugitive Operations Teams (FOTs) were trained to use aggressive tactics similar to SWAT teams and mainly conducted two types of raids: — Home Raids: ICE conducted home raids on a mass scale, claiming that these raids were important mechanisms to apprehend “fugitives” and “criminals,” often labeling them “gang operations” or criminal “cross-check” operations. DHS heavily relied on a SWAT-like approach, where groups of armed officers appeared at residences early in the morning or late at night searching for people. 34 Workplace Raids: Although workplace raids had been a feature of immigration enforcement for decades, many of the ICE workplace raids under President G.W. Bush were large-scale and also resulted in federal criminal charges for use of false documents such as social security cards or other identity information. Workers arrested in large factory round-ups with little access to legal counsel, limited proficiency in the English language and/or no familiarity with the judicial system suddenly faced significant time in federal prison before being deported.

### Resistance

#### The perception ICE might raid leads to mass resistance which results in tangible change.

Keierleber 3-23 (Mark, Writer for the LA School Report, 3-23-2017, "Claiming sanctuary: Inside the schools now actively resisting Trump’s immigration crackdown ," LA School Report, http://laschoolreport.com/claiming-sanctuary-inside-the-schools-now-actively-resisting-trumps-immigration-crackdown/) KEN

Rómulo Avelica-González had just dropped off his 12-year-old daughter, Yuleni, at a Los Angeles charter school — as he did every morning — and was heading next to the school of his 13-year-old daughter, Fatima. That’s when U.S. Immigration and Customs Enforcement agents surrounded the undocumented Mexican immigrant’s Dodge Durango. Avelica-González, a 48-year-old father of four who has lived illegally in the U.S. for more than 25 years, had been convicted of drunken driving nearly a decade ago, and there was a deportation order against him. Now, in the middle of a morning routine with Avelica-González’s wife and children, federal agents were enforcing that order. “They approached the car quickly and they asked him what was his name, and my dad had asked them what he had done wrong for them to stop him, and they told him to be quiet and to get out of the car,” Fatima said. “I recognized what was happening but I didn’t start crying until I saw them handcuff him and how they were screaming at him to get out of the car.” As agents patted her father down, Fatima recorded the Feb. 28 arrest from the back seat, posting a video online that has reverberated across the country and the world — reinforcing fears that school leaders and activists say are now part of everyday life for undocumented students and children with undocumented parents. These fears may deter illegal immigration. But they’ve also contributed to massive resistance, said Ricardo Mireles, founder and executive director of Academia Avance, a Los Angeles charter school with three campuses. Of its 400 students in grades 6 to 12, 98 percent are Latino, 90 percent qualify for free or reduced-price lunch, and up to 20 percent are not U.S. citizens. About half live with undocumented parents, Mireles said. When Fatima told school leaders what had happened to her father, they sprung into action. After notifying local immigrant rights organizations about Avelica-González’s arrest, school officials held an assembly to calm students’ fears, scheduled protests to garner public support, launched a fundraising campaign, and began to develop an emergency plan in case another student or family member is next. “The way we’re trying to pitch it is, ‘Yes, fear is a natural part of living, but don’t be paralyzed. Don’t be in panic. Let’s use that fear to act. Let’s use that fear to change our situation and be better prepared, and to emphasize the urgency of it,” Mireles said.

#### Empirics prove – immigrant communities become mobilized by raids in schools

**Kuipers 5-2** (Dean, writer, a former editor at the L.A. Times, Capital and Main, "How California is resisting Trump's immigration policies," Newsweek, http://www.newsweek.com/california-resisting-trump-immigration-policies-593379) KEN

This policy has taken on special urgency after 48-year-old father of four Romulo Avelica-Gonzalez was arrested under a deportation order February 28 by ICE agents who staked out the drop-off lane of his daughter’s school in the Los Angeles neighborhood of Highland Park. “I have been organizing around immigration issues and housing for the last 17 years and never have I seen it like this,” said Loren Melgarejo, coordinator for human life and dignity at the Catholic Archdiocese of San Francisco. She said at least 2,500 American citizens have shown up for what she calls “community defense” training since the inauguration. “We’ve been working around the clock to try to capture all this energy!”

### Fear-mongering turns

#### Turn - ICE raids in schools are media hype and fake news, the AFF’s fear-mongering only benefits those who try to raise fears among immigrants

Harris 17 (Danielle, Staff Writer, “Fake reports of ICE raids spread fear”, The DePaula, http://depauliaonline.com/2017/02/20/fake-reports-ice-raids-spread-fear/) //AVR

False reports of immigration raids on Chicago schools and churches and identification checks at the Addison Red Line stop were widely shared on social media Feb. 14, increasing fears among undocumented immigrants. The Chicago Police Department (CPD) confirmed that they did administer “random bag checks” at the Addison stop alongside Department of Homeland Security (DHS) agents Feb. 14, but these checks were part of anti-terrorism bag screenings that began in 2014. The fake reports were so widely spread that the Chicago Transit Authority (CTA) released a statement debunking the rumors. “We are aware of rumors on social media about immigration status-related ID checks on CTA,” the statement said. “We want to be very clear that there have been NO incidences of ID checkpoints for purposes of verifying immigration status anywhere on CTA by the Immigrations and Customs Enforcement (ICE) service (nor any other agency) on our system. We do not participate in or support this activity.” DePaul senior Jack Klein lives near the Addison Red Line stop and said he didn’t see “a stronger police presence than usual on the day these fake reports happened. He did, however, see a number of posts on social media warning about the fake immigration raids. “I probably saw 10 to 15 Facebook posts saying the same stuff about ICE at train stops,” Klein said. “I thought they were real at first but people started posting skepticism in the comments and I realized that the people that were sharing them probably weren’t fact checking (the reports) but rather sharing them to do their own part. But it’s actually hindering a cause, most likely.” Professor Kathleen Arnold quickly realized that the reports circulating social media Feb. 14 were untrue. “I was listening to NPR that morning and they had the same sort of report in New York City. And it sent out reporters and found out that it wasn’t true. So when they started spreading the same rumors in Chicago I thought, ‘Oh, this is the same thing.’” Chicago is a sanctuary city, meaning CPD is one of the 38 law enforcement agencies in the United States that does actively cooperate with ICE on immigration enforcement. Despite this, 48 Chicago residents were arrested in the first week of February in immigration raids according to WGN News. More than a dozen protestors gathered outside ICE headquarters downtown in response to the arrests Feb. 13. Arnold explained such immigration raids can and do occur regardless of Chicago’s status as a sanctuary city. “Sanctuary just means a separation between the police and ICE,” she said. “ICE could have gone to Addison, they just don’t operate that way. It’s not efficient. But they regularly wouldn’t go into Chicago, they just wouldn’t do that. So being a sanctuary city is better than not being a sanctuary city.” According to VOX, the arrests made in these recent immigration raids differ from those made under the administration in that they made “collateral arrests,” or arrested “unauthorized immigrants who happened to be in the place they were raiding, even if they didn’t have a warrant for them.” The raids were also coordinated nationwide, “scooping up more people in less time than ICE raids typically do.” Similar immigration raids are likely to persist across the nation as Homeland Security Secretary John Kelly signed two memos Feb. 18 that will “empower federal authorities to more aggressively detain and deport immigrants at the border and those who are living in the U.S. illegally,” according to the Chicago Tribune. However, those familiar with United States immigration enforcement policies questioned the validity of the social media posts due to the claim that ICE was targeting Chicago schools and churches. “People need to know that they could seek sanctuary in a church,” Arnold said. “Even if the church doesn’t offer it, they could run into a church and they should be protected by running into a church. So that is an actual sanctuary space (but) only because ICE won’t go in, not because it’s (against the law for ICE to enter a church).” Going forward, Klein and Arnold both said people should be sure claims of immigration raids are verified before sharing them on social media. “I think if they were correct information they would be really good but the fact that they were fake can hinder the cause and I do definitely think people have the responsibility to fact check before sharing them,” Klein said. Arnold mirrored this sentiment, saying even those with the best of intentions are only benefitting those trying to raise fears among undocumented immigrants. “Even though they’re well intentioned, they’re actually doing the job of whoever is trying to spread this stuff,” Arnold said. “And so they really need to check their facts. We’re going to be doing this for the next four years if (President Trump) isn’t impeached.”

### Local Businesses Module

#### Here you can have a case turn impact scenario where the aff’s fearmongering about ICE raids that have never happened in schools creates mass panic – that leads to local businesses losing money.

#### Turn - Fearmongering about ICE raids hurts small businesses

Conybeare 17 (Brian, Staff Writer, “False Stories About ICE Sweeps & Checkpoints Spark Fear In New York’s Immigrant Communities”, New York.CBSlocal, http://newyork.cbslocal.com/2017/02/23/bogus-ice-reports/) //AVR

President Donald Trump’s tough talk on immigration is reverberating in New York’s melting pot. As CBS2’s Brian Conybeare reports, false stories about widespread immigration sweeps are going viral across social media and creating a climate of fear. It looked like a ghost town inside the Mexican restaurant run by Cesar Rodriguez along Port Richmond Avenue on Staten Island. “It has been very slow,” he said. Rodriguez said his business is down more than 50 percent since bogus reports of widespread Immigration and Customs Enforcement checkpoints at places like subway stations started popping up on social media. One warned people they could even be stopped on the 6 train. “Because everybody’s afraid to come, everybody’s afraid to walk on Port Richmond, where there’s been fake news about raids,” he said. ICE has been targeting criminal, illegal aliens in New York City and around the country, but a spokesperson told CBS2, “reports of ICE checkpoints and sweeps are false, dangerous and irresponsible.” “There’s people that are afraid to leave their homes. There’s people that stopped going to work,” said immigration advocate Fahd Ahmed, of Queens. Ahmed is trying to stop the misinformation. “A lot of people are putting up reports about suspected ICE raids online and they just proliferate and spread like wildfire,” he said. With so much confusion and fear on the streets, scam artists posing as ICE officers are targeting immigrants in Woodside, Queens, demanding cash and threatening deportation. “First and foremost, no ICE officer, no police officer, no officer, would ever seek money in exchange for not being detained,” said City Councilman Jimmy Van Bramer. The councilman said four suspects dressed like ICE agents conned $250 from a terrified immigrant. “We don’t want any immigrants in our community to be so fearful that they have to give their money, as this man did,” Van Bramer said. “They have to be more informed about what’s going on around them,” Rodriguez said, hoping his customers will come out of hiding.

#### Turn - Just fears of possible ICE raids strike devastating blows to the economy

Sherman 16 (Natalie, Contact reporter, “Baltimore businesses hurt amid fear of immigration crackdown?”, The Baltimore Sun, 1/15/16 http://www.baltimoresun.com/business/bs-bz-raids-business-20160115-story.html) // AVR

Two weeks after the Obama administration announced a new immigration crackdown, businesses in Baltimore said they are still feeling the aftershocks, as customers stay home amid spiking fear about the threat of further roundups. "Look," said Jesus Pena, gesturing Thursday evening at the lack of customers in Elizabeth Fashion, the Colombian clothing store he has owned in Baltimore for more than 10 years. "Nobody. Nobody has come in all day. Yesterday, one person came in." The Department of Homeland Security said this month that it is planning arrests focused on families — many of them women and children — who have entered the United States illegally since 2014. Officials said they are responding to a new surge of immigrants apprehended crossing the U.S.-Mexico border and trying to deter others from attempting the trip. As word of those plans spread, sales slumped between 30 percent and 80 percent this month, more than half a dozen merchants in East Baltimore said this week. In some cases, even employees stayed home. Such merchants have transformed the commercial core of Baltimore's historically blue-collar Highlandtown neighborhood as longtime European immigrants are supplanted by those from Central and South America. Commercial signs in Spanish are growing as common as those in English along Eastern Avenue. The slowdown coincides with what is typically a quiet season, as cold weather sets in and people cut back on spending after the holidays. Still, many said, this decline is unusually dramatic. "It's the slowest time of the year … but now it is really slow," said Mario Diaz, the owner of Sneaky Feet, a store near Patterson Park that sells athletic apparel. "Right now it is almost nothing." Immigration and Customs Enforcement agents arrested more than 120 people over the first weekend in January, mostly in Georgia, North Carolina and Texas. The arrests are focused on those who have been ordered to leave the country by an immigration court and have exhausted any appeal for asylum. Baltimore school officials try to reassure Latino parents that school system does not support illegal immigrant raids In Maryland, immigrant advocates said they have not confirmed any instances of apprehensions of recently arrived families. ICE authorities have not released a state breakdown of the January arrests. The flood of reports indicating an increased ICE presence in the Baltimore region has also started to subside, said Elizabeth Alex, regional director for CASA, a leading immigrant advocacy group in Maryland, which operates a hotline. But worries persist, she said. "People are scared, and it's not good for our city, it's not good for the economy, if people's normal lives are disrupted in that way," Alex said. Without any indication of mass arrests in Maryland, merchants said shoppers have started to return. At Los Compadres on Eastern Avenue, customers typically pop in and out at a steady clip, sending money transfers or browsing the children's clothes, shoes and cookware. Ana Barrera, who has worked at the store for about 10 years, said business fell "a lot" the first week of January and she's had to reassure clients that immigration agents have not visited the shop. People remain hesitant to linger. "I can tell you that many people is scared to go out, even to go to work," she said. "It's getting better … but the first week, it was really bad." The unease generated by the crackdown dealt a blow to a growing part of Baltimore's economy. The number of Hispanic-owned businesses in Baltimore increased more than 70 percent between 2007 and 2012, topping 1,500, according to estimates from the Survey of Business Owners, released by the U.S. Census last month. Those businesses generate more than $250 million in sales, receipts and shipment values, the survey found. Business has expanded as the Hispanic population has grown, said Evaristo Guzman, 48, the owner of Mercado Cinco de Mayo, a grocery store near Patterson Park where the signs are in Spanish, pinatas dangle from the ceiling and the many different tortilla types take up two long shelves. Guzman entered the country illegally himself about 20 years ago, starting work as a dishwasher and eventually gaining legal status. He and his eight siblings now own three grocery stores, three restaurants and a produce business in Maryland, employing about 60 people. "Each year, [business] grows a little," he said. Baltimore's Hispanic population increased nearly 22 percent from 2010 to 2014, to more than 27,750, according to the most recent American Community Survey estimates. Those gains paralleled those in Maryland, where the Hispanic population grew about 20 percent, to nearly 516,000 Hispanic residents. The city has welcomed the newcomers and encouraged their entrepreneurial activity, starting a micro-loan program and offering technical assistance to Spanish speakers regardless of status, said Catalina Rodriguez Lima, director of the Mayor's Office of Immigrant and Multicultural Affairs. The presence of new residents has strengthened city neighborhoods, she said. "We certainly see immigrants and refugees as economic engines and therefore want to make sure we have the tools needed for them to succeed," Rodriguez Lima said. "While this is disruptive at the moment, the bigger picture for us is we need to continue investing in opportunities for immigrants." But Baltimore merchants said it's been a tumultuous 12 months, with rioting shaking the city in April, only to be followed by this contraction. "It was improving a little bit and then this happened," said Jose Molina, manager of Five Star Wireless in Fells Point, where he said sales are down about 50 percent. "People are afraid to leave the house. They don't go out to walk. … We don't know how this will end." Sales at Mercado Cinco de Mayo declined about 30 percent in the first few days of January, but customers have come back, Guzman said. "Thank goodness it's returning to normal," he said. "If they do something, we will see." Maryland is home to about 233,000 unauthorized residents, just over half from Mexico and Central America, according to estimates from the Migration Policy Institute. The state also has about 4,000 "priority immigration" cases of the sort targeted in the new ICE crackdown — the fourth-highest in the U.S., behind Texas, California and Florida, according to the Transactional Records Access Clearinghouse at Syracuse University. More than 100,000 families with adults and children have crossed the border since 2014. "I see in my friends, it's affecting them a lot," said Melissa Mejia, 36, of Baltimore, who works in housekeeping. "People are losing their jobs because they're afraid to go out." Last week, Mayor Stephanie Rawlings-Blake sent a letter to the Department of Homeland Security asking agents to avoid public places, such as schools and grocery stores, in their enforcement. Baltimore's public schools sent letters to parents with a similar message. The city has also worked with community groups to try to provide information and reassure the local population that city agencies are not working with immigration officials, Rodriguez Lima said. But people have not forgotten a 2007 incident in Baltimore when the ICE apprehended about two dozen people near a 7-Eleven in Fells Point, where would-be day laborers congregate looking for work, she said. "It's hard to give them some sort of assurance," she said. "It is much easier to go out and say we haven't learned of any arrests pertaining to this particular target." A 2011 policy memo requires ICE agents to get special permission to take action in sensitive locations, such as schools and hospitals. The ICE does not discuss details of pending enforcement actions to preserve officer safety. In a statement, ICE spokeswoman Sarah Rodriguez said that agents can only detain people "in order for ICE to remove them from the country."

#### Small businesses are key to the economy

Exploring Business 16 (Exploring Business, “The Importance of Small Business to the U.S. Economy”, Exploring Business v.2.0,http://open.lib.umn.edu/exploringbusiness/chapter/5-2-the-importance-of-small-business-to-the-u-s-economy/

Small business constitutes a major force in the U.S. economy. There are more than twenty-seven million small businesses in this country, and they generate about 50 percent of our gross domestic product (GDP) (Office of Advocacy, 2010). The millions of individuals who have started businesses in the United States have shaped the business world as we know it today. Some small business founders like Henry Ford and Thomas Edison have even gained places in history. Others, including Bill Gates (Microsoft), Sam Walton (Wal-Mart), Steve Jobs (Apple Computer), Michael Dell (Dell, Inc.), Steve Case (AOL), Pierre Omidyar (eBay), and Larry Page and Sergey Brin (Google), have changed the way business is done today. Still millions of others have collectively contributed to our standard of living. Aside from contributions to our general economic well-being, founders of small businesses also contribute to growth and vitality in specific areas of economic and socioeconomic development. In particular, small businesses do the following: Create jobs Spark innovation Provide opportunities for many people, including women and minorities, to achieve financial success and independence In addition, they complement the economic activity of large organizations by providing them with components, services, and distribution of their products. The majority of U.S. workers first entered the business world working for small businesses. Today, half of all U.S. adults either are self-employed or work for businesses with fewer than five hundred employees (U.S. Small Business Administration, 2011). Although the split between those working in small companies and those working in big companies is about even, small firms hire more frequently and fire more frequently than do big companies (Headd, 2011). Why is this true? At any given point in time, lots of small companies are started and some expand. These small companies need workers and so hiring takes place. But the survival and expansion rates for small firms is poor, and so, again at any given point in time, many small businesses close or contract and workers lose their jobs. Fortunately, over time more jobs are added by small firms than are taken away, which results in a net increase in the number of workers. Table 5.1 “Small Firm Job Gains and Losses, 1993–2008 (in millions of jobs)” reports the net increase in jobs generated by small firms for the fifteen-year period of 1993 to 2008 and breaks it down into job gains from openings and expansions and job losses from closings and contractions. The size of the net increase in the number of workers for any given year depends on a number of factors, with the economy being at the top of the list. A strong economy encourages individuals to start small businesses and expand existing small companies, which adds to the workforce. A weak economy does just the opposite: discourages start-ups and expansions, which decreases the workforce through layoffs. Table 5.1 “Small Firm Job Gains and Losses, 1993–2008 (in millions of jobs)” reports the job gains from start-ups and expansions and job losses from business closings and contractions. Given the financial resources available to large businesses, you’d expect them to introduce virtually all the new products that hit the market. According to the SBA, small companies develop more patents per employee than do larger companies. During a recent four-year period, large firms generated 1.7 patents per hundred employees, whereas small firms generated an impressive 26.5 patents per employee (Breitzman & Hicks, 2011). Over the years, the list of important innovations by small firms has included the airplane and air-conditioning, the defibrillator and DNA fingerprinting, oral contraceptives and overnight national delivery, the safety razor, strobe lights, and the zipper (Baumol, 2005). Small business owners are also particularly adept at finding new ways of doing old things. In 1994, for example, a young computer-science graduate working on Wall Street came up with the novel idea of selling books over the Internet. During the first year of operations, sales at Jeff Bezos’s new company—Amazon.com—reached half a million dollars. In less than twenty years, annual sales had topped $34 billion (Yahoo.com, 2011). Not only did his innovative approach to online retailing make Bezos enormously rich, but it also established a viable model for the e-commerce industry. Why are small businesses so innovative? For one thing, they tend to offer environments that appeal to individuals with the talent to invent new products or improve the way things are done. Fast decision making is encouraged, their research programs tend to be focused, and their compensation structures typically reward top performers. According to one SBA study, the supportive environments of small firms are roughly thirteen times more innovative per employee than the less innovation-friendly environments in which large firms traditionally operate (Baumol, 2005). The success of small businesses in fostering creativity has not gone unnoticed by big businesses. In fact, many large companies have responded by downsizing to act more like small companies. Some large organizations now have separate work units whose purpose is to spark innovation. Individuals working in these units can focus their attention on creating new products that can then be developed by the company. Small business is the portal through which many people enter the economic mainstream. Business ownership allows individuals, including women and minorities, to achieve financial success, as well as pride in their accomplishments. While the majority of small businesses are still owned by white males, the past two decades have seen a substantial increase in the number of businesses owned by women and minorities. Figure 5.3 “Businesses Owned by Women and Minorities” gives you an idea of how many American businesses are owned by women and minorities, and indicates how much the numbers grew between 1982 and 2007 (U.S. Census Bureau, 2011). Small firms complement large firms in a number of ways. They supply many of the components needed by big companies. For example, the U.S. automakers depend on more than 1,700 suppliers to provide them with the parts needed to make their cars. While many of the suppliers are large, there are hundreds of smaller companies that provide a substantial portion of the 8,000 to 12,000 parts that go into each vehicle (Canis & Yacobucci, 2011). Small firms also provide large ones with such services as accounting, legal, and insurance. Many small firms provide outsourcing services to large firms—that is, they hire themselves out to help with special projects or handle certain business functions. A large firm, for example, might hire a small one to handle its billing or collection services or to manage its health care benefits. A large company might contract with a small information technology firm to manage its Web site or oversee software upgrades. Small companies provide another valuable service to large companies by acting as sales agents for their products. For example, automobile dealerships, which are generally small businesses, sell vehicles for the big car makers. Local sporting goods stores sell athletic shoes made by industry giants, such as Adidas and Nike. Your corner deli sells products made by large companies, such as Coca-Cola and Frito-Lay.

#### Insert generic econ decline leads to war/extinction scenario

# CPs

## Courts

\*\*This possibly means there is some solvency for a courts CP

#### Courts have restricted ICE detaining practices, can stop school practices

NIJC 16 [National Immigrant Jictice Center, October 3 2016, "Immigration Detainers Are Unlawful, Federal Court Rules", https://www.immigrantjustice.org/press\_releases/immigration-detainers-are-unlawful-federal-court-rules] vv

The federal district court of the Northern District of Illinois has invalidated the federal government’s practice of issuing detainers against people in law enforcement custody, ruling that the practice exceeds the government’s limited warrantless arrest authority under federal immigration laws. The decision, issued Friday evening, will nullify thousands of detainers issued out of the U.S. Immigration and Customs Enforcement (ICE) Chicago Field Office to law enforcement in Illinois, Indiana, Kansas, Kentucky, Missouri, Wisconsin, as well as some detainers sent to law enforcement in 24 other states. Immigration detainers are written requests sent by ICE that ask local police to detain individuals beyond the time when they otherwise should be released, ostensibly so the immigration agency may take the individuals into custody. Detainers have formed the foundation for many immigration enforcement policies, most recently the Obama administration’s Priority Enforcement Program. These policies have relied on local law enforcement agencies to assist in the detention of more than one million immigrants – including some U.S. citizens. The resulting blurred lines between local police and immigration enforcement undermine community safety because immigrant communities often fear that reporting a crime will lead to deportation. While the ruling in the class-action lawsuit Jimenez Moreno et al v. Napolitano only invalidates detainers issued out of the Chicago Field Office’s area of responsibility, its legal reasoning means that nearly all of the millions of detainers issued by ICE over the past decade have been unlawful. The detainer program, the court ruled, violates federal law because it exceeds ICE’s limited warrantless arrest authority. The court’s ruling leaves open the question whether the detainer program also violates the Fourth and Fifth Amendments to the U.S. Constitution, as the plaintiffs had argued. “The court has affirmed what advocates and communities have been trying to tell the federal government for years--ICE’s detainer program is built on a foundation of illegality,” said Mark Fleming of the National Immigrant Justice Center and co-counsel in the case. “If I were a sheriff or police chief, I would be extremely wary to entangle my local agency in the program. ICE has, in effect, requested law enforcement to make hundreds of thousands of illegal arrests.” Co-counsel Linda Coberly of Winston & Strawn LLP remarked, “Under this decision, if a person in custody is really subject to deportation, the federal government can still detain them; but it needs to get a warrant first, like any other law enforcement agency.” Jose Jimenez Moreno was subject to an immigration detainer in Winnebago County, Illinois, despite being a U.S. citizen and thus not amenable to deportation. Maria Jose Lopez, another lead plaintiff in the case, is a lawful permanent resident whose jail time at a Florida correctional facility was extended as a result of an unlawful detainer. Ms. Lopez’s criminal conviction was not grounds for deportation under U.S. immigration law. Detainers issued out of the Chicago Field Office will become invalid on October 7, 2016 at 5 p.m. Central Standard Time, unless the federal government informs the court that it will seek a stay pending appeal. A public hearing will be held in the case on October 7 at 2 p.m.

## Schools CP

#### Counterplan text: All school districts in the United States will

#### -Forbid Immigration Enforcement Agents from going on campus without prior approval from the superintendent

#### -Provides staff with immigration training

#### Requires the superintendent to provide assistance for students and families faced with fear related to immigration enforcement

**NILC 16** (National Immigration Law Center, "Immigrant and Refugee Children,", https://www.nilc.org/wp-content/uploads/2016/06/ICE-Raids-Educators-Guide-2016-06.pdf) KEN

School districts are responsible for ensuring the safety and well-being of all their students while they are in school. One way to create a welcoming school environment and protect undocumented students while in class and on school grounds is to pass a resolution that restricts ICE agents’ access to school property, similar to the one the Los Angeles Unified School District passed in February 2016. The LAUSD resolution: • Forbids immigration enforcement agents from going on campus without approval from the superintendent and the LAUSD law office. • Forbids school staff from asking about a student’s immigration status or that of family members. • Provides teachers, administrators and other staff with training on how to deal with immigration issues and how to notify families in multiple languages of issues. • Asks all schools to treat students equitably, including those receiving free and reducedprice meals, transportation and other services. • Requires the superintendent to come up with a plan to provide assistance and information for students and families “if faced with fear and anxiety related to immigration enforcement efforts.” As of May 2016, school boards and municipalities in the following cities and counties have taken similar actions: San Francisco; Prince George’s County and Montgomery County, Md.; Durham, N.C.; and Arlington, Va.

## Dismantle ICE CP

#### The United States Federal Government should mandate that the Immigration and Naturalization Services, Immigration and Customs Enforcement agency, and Border Patrol must be disarmed and dismantled

#### Tear down the entire racist immigration enforcement regime – this solves all immigration raids

Platt 17 (2/17,Brian, aerospace machinist and writer, “Don’t Just Oppose ICE Raids, Tear Down the Whole Racist Immigration Enforcement Regime”, Counterpunch, https://www.counterpunch.org/2017/02/17/dont-just-oppose-ice-raids-tear-down-the-whole-racist-immigration-enforcement-regime) //AVR

On March 11th, 2010, the raid came just before the lunch rush. Police and Immigration and Customs Enforcement (ICE) officers came busting through the back door of Timbuktu Restaurant in Hanover, Maryland—a suburb situated between Baltimore and Washington DC. Workers at the restaurant scrambled to flee the agents, one even sliding under a shelf in the freezer where he hid for seven hours—he was so cold after the agents left that his coworkers had to carry him out. The Timbuktu raid was one of several happening simultaneously in the area that day. Ultimately 29 people were detained and left to await deportation. Mass immigration raids like the one in Hanover were nothing unique under the Administration of Barack Obama. Recent news of Donald Trump’s raids that rounded up 600 people for deportation last week has been met with appropriate shock and horror, but it does not even approach the audacity of the Obama years, during which ICE averaged 941 deportations per day. At the height of Obama’s deportation regime in 2012, ICE deported 409,849 people, more than 1,100 per day. Deportations have been increasing dramatically for 30 years, reaching a fever pitch under President Obama. They are the natural outgrowth of an escalating war against immigration that sought to play on nativist and racist sentiment by invoking the “illegal alien” as folk devil, a scapegoat for the problems of a deeply unequal society. Ever since the rightward turn of the 1970s when business organized as a class to shift the balance of economic and political power decisively into the hands of the capitalist class, the condition of the working class (or the 99% to use the vivid imagery of the Occupy Movement) has deteriorated, leading to massive growth in wealth and income inequality. With growing inequality has come the re-segregation of communities and schools, the gutting of social programs, and a host of other social ills. Seeing a need to channel social unrest, politicians and the media provided people with a litany of folk devils to take out their anger and frustration on. For suburban whites, the deterioration of cities was a product of black criminality, of “super-predators,” not disinvestment and structural unemployment. For men, the problem was liberated women who emasculated them, not the destruction of traditionally male—and therefore higher paying—working class jobs through de-unionization, technological change, and offshoring. And for Americans generally, the fact that their paychecks didn’t stretch as far as they used to had nothing to do with employers taking a bigger share of profits, rather, it was the product of illegal immigration. While a declining rate of profit in the 1970s led the business community to attack unions, wages, and benefits—leading to Fed Chair Paul Volker’s famous declaration that “the standard of living of the average American has to decline”—politicians like President Gerald Ford told the public, “The main problem is how to get rid of those 6 to 8 million aliens who are interfering with our economic prosperity.” Ford’s head of the Immigration and Naturalization Service (INS), Leonard Chapman, even cynically told Reader’s Digest that mass deportations would reduce unemployment by half. Former head of the CIA under Nixon and Ford, William Colby, took an explicitly neo-Malthusian position, warning that the “most obvious threat” to the United States was explosive population growth in Mexico, “[the Border Patrol] will not have enough bullets to stop them.” Even while presidents Jimmy Carter and Ronald Reagan used the Federal Reserve’s monetary policy to induce recession and raise unemployment, they cynically struck out at immigration as the source of economic woe in the country. Promising more enforcement and more deportations, INS resources were re-oriented from the interior to the US-Mexico border. Budgets were more than doubled, weapons flowed in, and border policing became simultaneously more militarized and racialized. The letters section in the June 4th, 1986 issue of the LA Times shows the degree to which this smear campaign against migrants worked to shift blame for economic decline down the social ladder. As the reader claims, “They [Border Patrol agents] report illegals arrive with food stamps in their pockets, Social Security cards and stubs of unemployment checks… they take good jobs in factories, construction, services, and numerous other trades from legal Mexican-Americans, blacks, whites and Orientals.” His image of the “immigrant loafer” (not coincidentally) matched perfectly to Ronald Reagan’s myth of the “welfare queen,” the ultimate embodiment and justification of the need to roll back the social safety net and workers’ rights. The racist pile-on of immigrants was a bipartisan affair with Clinton Democrats going hard against immigration in the 1990s. California Senator Barbara Boxer called for the deployment of the National Guard on the US-Mexico border to stop what was increasingly called an “invasion” of immigrants into the United States. Her fellow senator, Dianne Feinstein, in a move that would presage Trump’s promises to build a border wall, demanded that the size of the Border Patrol be doubled and came up with a plan to make Mexicans pay for it. In 1996 the Democratic Party made securing the border a major plank in their platform, describing the US-Mexico border as a place where “drugs flowed freely. Illegal immigration was rampant. Criminal immigrants, deported after committing crimes in America, returned the very next day to commit crimes again.” President Clinton was praised for “making our border a place where the law is respected and drugs and illegal immigrants are turned away” and upgrading re-entry into the country to a felony offense. They went on to “applaud the wisdom of Republicans like Mayor [Rudy] Giuliani” for opposing “welfare benefits for illegal immigrants.” The hysteria whipped up around immigration from Latin America allowed more money and resources to flow into INS coffers, eventually turning the Border Patrol into the country’s largest police force equipped with assault rifles, Stryker armored personnel carriers, Blackhawk helicopters, and drones. Every president from Gerald Ford on made immigration enforcement a major part of their platform, increasing budgets and increasing deportations. Bill Clinton was the first president in history to deport 100,000 people in a single year, George W Bush was the first to deport 200,000, and Barack Obama was the first to deport 400,000. Such escalation would have been impossible without normalizing mass raids. What set the immigration raid in Hanover in 2010 apart from a normal raid, however, was the timing. The raid was scheduled to occur ten days before March for America, a major protest in which more than 200,000 people marched in Washington DC to demand immigration reform. In fact, President Obama was meeting with Gustavo Torres, executive director of CASA de Maryland, an immigrants’ rights organization that worked in Hanover, when the raids occurred. Obama was promising to work with Groups like CASA to reform the broken immigration system while Torres’ phone was being bombarded with calls and texts about the raid. It was deeply cynical politics. While Obama saved face by meeting with Torres, his ICE agents were smashing down the doors of people’s houses with battering rams in an effort to intimidate march organizers (an effort that did not work as Hanover’s Latino community still showed up in force, some even showing their newly acquired ankle monitors to Washington Post reporters at the march). None of this is to excuse the actions of the Trump Administration which seems dead-set on continuing the shameful practice of scapegoating immigrant workers. Rather, it is to condemn both parties who have provided political cover for the redistribution of wealth upwards by blaming immigrant workers, black youth, single mothers, etc. for the declining fortunes of the American working class. With the rise of Trump and the colossal failure of the Democratic Party to oppose his neo-fascist politics in any meaningful way, history has provided the American Left with an important opportunity to break out of the stranglehold of reform politics. The mass actions that shut down airports to stop deportations, the physical opposition to the presence of racists like Milo Yiannopoulos on college campuses along the west coast, and the rise of the Black Lives Matter movement should be the blueprint for a new Left politics, unburdened by the cynical betrayals of the Democratic Party. The struggle against racist immigration policies provides us with another opportunity to chart a new path. Let us not just oppose Trump’s border wall, let’s demand that the 700 miles of wall already in existence be torn down! Let’s not just oppose ICE raids, let’s demand the complete disarming and dismantling of INS, ICE, and the Border Patrol!

## States CP

#### States work out immigration issues while Congress argues

Grovum 14 (Jake, Staff Writer for Stateline, 8-25-2014, "With No Federal Fix, States Are Addressing Immigration on Their Own," Governing.com, <http://www.governing.com/news/headlines/with-no-federal-fix-states-are-addressing-immigration.html>) EV

With Congress at a standstill on immigration issues, states have pursued their own solutions, with some offering in-state tuition and financial aid to unauthorized students and others approving more spending to enforce immigration laws. "While Congress cannot seem to take action on immigration issues, states remain engaged in debating and solving immigration challenges, whether we are discussing services or enforcement," state Sen. John Watkins, a Virginia Republican and co-chair of the National Conference of State Legislatures' immigration task force, said in releasing an immigration report during NCSL's annual meeting last week. States have enacted 132 immigration-related laws this year, according to the report. The number is only slightly down from last year, even though some states, including immigration hot spot Texas, held no legislative session this year. Seven states approved resolutions calling on Congress or the White House to act on a immigration issues like deportation policy and a general overhaul of federal laws. In many cases, the laws enacted in the states continued a trend of opening the door to recent immigrants, authorized and unauthorized, to be more engaged in civic life and the community. The measures include employment and labor regulations, education policies and health-care access. Among the notable examples: Florida and Tennessee joined 15 other states that offer in-state tuition by law for unauthorized immigrants. Four states offer it through their higher education systems' boards of regents. Washington state went further this year, joining California, New Mexico and Texas in offering financial aid to unauthorized students. Florida also made it possible for unauthorized immigrants to be members of the state bar association. In New York and Oregon, lawmakers approved measures to expand health care access to immigrants, including those who are unauthorized and in general excluded from federal safety-net programs like Medicaid, the federal-state health care program for the poor. New York's measure aims to make medical assistance available to those who might be otherwise ineligible because of their immigration status under federal law. Oregon will spend $60,000 to study creating a basic health plan that could serve legal resident immigrants who are excluded from other programs. California, meanwhile, continued to be a leader in pushing for more immigrant-friendly laws. Lawmakers approved a measure that would bar employers from pursuing punitive immigration enforcement actions against their workers for any reason. Other states went in the opposite direction. Missouri, for example, approved a law blocking any in-state tuition benefit for unauthorized immigrants. Six other states have also moved to block in-state tuition for those immigrants. Arizona lawmakers approved a change to make it a felony to assume someone else's identity to be declared eligible to work. In South Carolina, notaries public must now read and write English and be registered to vote. Utah repealed a law that urged its Commission on Immigration and Migration to coordinate with local, state and federal officials to help integrate immigrants into the state. Despite the flurry of state activity, however, few of the measures approved in 2014 generated the sort of controversy that engulfed states such as Arizona and Alabama in recent years. According to the NCSL report, no states moved to offer driver's licenses to unauthorized immigrants this year (11 states and the District of Columbia already offer them), a step that has ignited strong opposition in some states. There were no broad-based immigration omnibus measures passed in the states this year either, according to the report. Much of the legislative action covered in the NCSL report, however, predated the national focus on the flood of unaccompanied child immigrants flooding across the U.S.-Mexico border. In just the early weeks of that crisis, many states moved to respond to the situation. Some states, such as Maryland, led by Democratic Gov. Martin O'Malley, took steps to welcome child immigrants, calling on religious and other private groups to provide shelter for them. Other governors, such as Dave Heineman of Nebraska and Terry Branstad of Iowa, both Republicans, criticized federal officials for considering their states as potential landing zones for immigrant children. Massachusetts Democratic Gov. Deval Patrick saw a backlash from his initial openness to house immigrant children, and the state ended up not sheltering any children. The child immigrant situation could lead to more action in general, but also to a further divide among the states in how they treat immigration in general. Already, Republican Gov. Rick Perry of Texas has led the way in strong reactions to the immigrant crisis, sending his state's National Guard to the border for extra security. Washington state Rep. Sharon Tomiko Santos, a Democrat who also co-chairs the NCSL immigration task force, said action in the states might have been down a bit this year because people had hoped Congress might do something. Because it didn't, "states are going to try to fill that vacuum," she said. "Our motto is that the federal government has the responsibility to address the immigration policy," she said, "but states have the responsibility to address immigrant integration."

#### States solve immigration issues better than the federal government

Nowrasteh 16 (Alex, immigration policy analyst at the Cato Institute, 6-16-2015, "Immigration reform: Let the states lead the way," latimes, <http://www.latimes.com/nation/la-oe-nowratseh-let-states-issue-guest-worker-visas-20150613-story.html>) EV

Texas and California are trying to reform legal migration on their own. The politics in these two states couldn't be more different, but legislators in both states recently proposed running their own guest-worker visa programs to get around the federal immigration reform gridlock. Relying on states to create their own migration systems may well be the solution to America's immigration woes. One-size-fits-all national immigration laws aren't working. Federal reform efforts have repeatedly failed, so why not let states take a crack at it? States experiment with education, welfare and drug policies — immigration should be next. A state-based guest-worker visa seems like a radical idea because immigration rules generally fall under federal jurisdiction in the United States. However, Canada and Australia — which like the U.S. are continent-spanning, economically diverse countries with traditions of federalism — each have such programs. In a recent report, Canada called its Provincial Nominee Program a success; 96% of the program's immigrants to Manitoba, British Columbia, Alberta and Saskatchewan were employed within a year, many filling niche rolls in the labor market. If the U.S. government followed that example and relinquished some migration powers to state governments, we'd see a proliferation of different visas regulated in various ways. California might create a state visa for high-tech workers and agricultural laborers, while Texas might create visas for agriculture, construction and high tech. Michigan could create one for real estate investors in Detroit. There could be hundreds of different visas all tuned to local economic demands rather than just one or two temporary federal visas forced to fit the needs of the entire U.S. economy Texas and California could be the first to succeed with pilot programs. Texas' brief legislative session saw three bipartisan bills introduced to create a state-based guest-worker visa program. The California Assembly just passed a guest-worker visa bill authored by Assemblyman Luis Alejo (D-Salinas). After noting the failure of federal immigration reform, Alejo said, "If California wants change in immigration policy, we as state officials must stand up and lead." His bill would create a guest visa work permit for unauthorized farmworkers already working in the state. None of the Texas bills would have legalized any current unlawful migrants, but they would have provided for the future entry of legal migrant workers to Texas. In both states, the bills require that the federal government grant a waiver or permission to run their own programs. That has been a stumbling block for Kansas, Utah and Colorado, which have also tried to establish their own guest-worker programs in recent years. The waivers weren't forthcoming, but Washington would have a much harder time ignoring politically powerful California and Texas, which have the two largest economies in the United States. State-based guest-worker programs admittedly bring up some potentially thorny issues. One is that migrants who enter the U.S. in one state could simply leave and work in another illegally. That problem would probably be a minor one. Only about 2% of current visa "overstays" involve guest workers, while 87% are tourists and vacationers. Guest workers are more closely regulated than tourists, and they have much more to fear from deportation, so fewer of them overstay. If, however, state guest workers do disappear, states have more flexibility to experiment with responses and prevention measures. They might make guest workers pay a bond that they forfeit if they violated the program, or levy fines against employers when their workers leave, or deduct some amount of wages to be returned when the worker leaves the U.S. as agreed. Another concern is abuse of guest workers, as has happened in the past. Allowing guest workers' visas to be tied to employment in a state rather than to specific employers would go a long way toward preventing such abuses. States are in a better position than the federal government to discover, appropriately punish and design programs to prevent worker abuse. State guest workers would not be eligible for citizenship. The Constitution unambiguously assigns naturalization — the process of becoming a U.S. citizen — to the federal government. A decentralized guest-worker visa would merely allow states to create narrow and enforceable migrant worker programs tailored to local needs. With immigration reform deadlocked on the federal level, Washington should get out of the way and let the states devise their own migration policies.

#### Local enforcement has power over ICE detainer requests

Linthicum 15 (Kate Linthicum, reporter on immigration and local/national policies, 8-15-2015, "Spurned by local law enforcement, ICE stages elaborate immigration raids," latimes, <http://www.latimes.com/local/politics/la-me-immigrant-arrests-20150815-story.html>)

It used to be simpler for Immigration and Customs Enforcement agents to locate and deport immigrants who had been convicted of crimes. The agency would contact local jails and ask that such inmates be held until an [ICE](http://www.latimes.com/topic/social-issues/u.s.-immigration-customs-enforcement-ORGOV0000136156-topic.html) van could pick them up. Originally formed to locate immigrants who had failed to comply with a judge’s deportation order, the Immigration and Customs Enforcement program is increasingly being used to find immigrants with criminal convictions who have recently been let out of jail. But last year a federal judge found that practice illegal, prompting hundreds of counties to stop honoring the detainer requests. As a result, ICE officials say they have to rely on costly and dangerous manhunts like the one conducted Wednesday in Riverside. The agency's Fugitive Operation teams carry out raids across the country every morning. Originally formed to locate immigrants who had failed to comply with a judge's deportation order, the program is increasingly being used to find immigrants with criminal convictions who have recently been let out of jail. Of the more than 27,000 people whom authorities arrested last fiscal year, which ended Sept. 30, 2014, about 78% had criminal convictions, according to ICE data. "It would be so much safer for the community if we took custody of this individual in the jail," said David Marin, deputy director of ICE's Los Angeles field office. "It would have taken us two officers to do that, as opposed to the eight or nine that we have out here now." ICE officials have held up the agency's new Priority Enforcement Program as a cheaper and safer alternative to dramatic neighborhood raids. Under the new program, ICE asks jails to notify the agency when potentially deportable inmates are being released from custody, and occasionally asks jails to hold detainees it considers especially dangerous. Immigrant advocates don't buy that argument. "It's a form of blackmail," said Chris Newman, legal director for the National Day Laborer Organizing Network, an immigrant rights group. "They're saying, 'Acquiesce to this bad program or we'll do something worse.'" Newman and others say the agency's new jail program is simply a rebranding of a controversial earlier initiative, Secure Communities, the post-release detainer program that the federal judge found unconstitutional. Advocates say thousands of U.S. citizens were wrongfully detained and many immigrants with little or no criminal record were deported as a result of the program. Since counties stopped honoring ICE detainer requests last year, the number of deportations has plummeted, along with the number of people held in immigrant detention, according to ICE data. The relationship between local police and federal immigration officials has been under scrutiny this summer after several high-profile crimes committed by immigrants with criminal histories. Immigration agents had sought custody of a Mexican immigrant charged in the shooting death of a woman on a San Francisco pier in July. They had also sought custody of a Mexican immigrant charged this month in the rape and killing of a Santa Maria woman. In both cases, the local jails had refused to hold the men for ICE because of state and local policies limiting collaboration with the agency.

#### States are better to shape immigration policy

LaCorte 14 [Matthew, Advocate with Young Voices, writing for dailycaller 4/24/14; http://dailycaller.com/2014/04/24/states-should-take-the-lead-on-immigration-reform/]/MR

State governments are better positioned than bureaucrats in Washington to design systems that meet local economic demands for new immigrants. With state-based visas, state and local governments would work with employers to tailor their jurisdiction’s immigration strategy to meet economic demands. Under the plan, the federal government would waive federal control over visa decisions. Michigan Governor Rick Snyder has come out in support of regionally based visa programs to inject new economic opportunities into cities like Detroit. Some states may choose not to issue any new state-based visas, and they have every right to do so. The point is that this regionalized decision allows for states to compete economically. If one state allows high levels of new immigration and sees soaring economic growth, it would incentivize other states to follow suit. This decentralized reform allows each state to determine their immigration fate. Some geographically similar states, such as New Jersey, New York, and Connecticut, could form a partnership to allow local visa holders to look for employment within their three borders. Other state partnerships could form for agricultural seasons. For example, guest workers could farm in California during the spring and summer and then head to Washington for the fall season to assist with different crops. Some question the economic benefits of immigration. However, the evidence overwhelmingly shows that that immigrants are a benefit to the economy. Immigrants are 30 percent more likely to start a business than natives. Immigrants or second generation immigrants founded 40 percent of the Fortune 500 companies in the U.S. Immigrant college graduates are also more likely to file for a patent than similarly educated natives. Finally, immigrants help facilitate trade and investment links with their home countries. All of this benefits both regional areas, as well as the U.S. economy as a whole. Some may fear implementing such a state-based system because of potential adverse effects or unintended consequences. But consider that Canada and Australia currently have regional immigration visas. The report notes the Canadian program accepted 38,000 new immigrants in 2011. An independent evaluation of the program found that it was “successful at regionalizing the benefits of immigration” and that there is a “continuing need” for the program. In Australia, the program accepted more than 15,000 immigrants, and 80 percent of employers rated the program an 8 or above out of 10, according to the Australian Department of Immigration and Border Protection. Both Republicans and Democrats support legal immigration. State-based visas give states the opportunity to attract new residents and boost economic growth while increasing opportunities for legal immigration. This plan promotes labor supply flexibility as visa holders would be able to work for any employer in a given state. State-based visas would allow state governments to regulate the control and flow of immigration. An immigration system rooted in federalism is better suited to handle today’s complex immigration and economic issues, especially with an idle Congress.

#### Federal overreach in Immigration Reform programs is real bad

Kim 11 [Mallie Jane, contributing reporter for US News and World Report, “Controversial Immigration Program Spurs Federal-State Spat”; 6/27/11 [https://www.usnews.com/news/articles/2011/06/27/controversial-immigration-program-spurs-federal-state-spat]/MR](https://www.usnews.com/news/articles/2011/06/27/controversial-immigration-program-spurs-federal-state-spat%5d/MR)

States trying to opt out of the immigration-status checking program Secure Communities may be in for a rude surprise: Immigration and Customs Enforcement says opting out is technically not possible. The position is a reversal from what states—and members of Congress—originally understood when signing on to Secure Communities, a program that checks the immigration status of individuals fingerprinted at local law enforcement agencies. The Department of Homeland Security's Immigration and Customs Enforcement, or ICE, over the past few years asked states and local jurisdictions to sign a memorandum of agreement explaining the responsibilities of the jurisdiction and those of the agency, but those documents have turned out to be less agreements as such than informational missives. A spokesman for ICE, who declined to be quoted for this story, pointed to a website explanation that clearly says states cannot opt out. The site concedes the initial confusion: "Unfortunately, some of ICE's past public statements led to confusion about whether state and local jurisdictions can opt out of the program," it reads. But because of this earlier "confusion" and the fact that ICE now says it isn't possible to opt out, a battle is brewing between some states and the agency. "ICE is lying about this," says Chris Newman, legal director for the National Day Laborer Organizing Network. "If they persist, likely it will result in inevitable litigation" with the states. Newman's group has been compiling information on Secure Communities through a Freedom of Information Act lawsuit, including an internal DHS E-mail that sounds suspiciously as though the program would be voluntary only until states try to opt out: "The SC initiative will remain voluntary at both the State and Local level. ... Until such time as localities begin to push back on participation, we will continue with this current line of thinking." Due to the frustration over an apparent bait and switch, the former chair of the House Immigration Subcommittee, California Democratic Rep. Zoe Lofgren, sent a letter to DHS calling for an investigation of the program and "any false and misleading statements that may have been made in connection with the deployment" of it. The agency's Office of Inspector General is set to start a review later this summer. Meanwhile, California lawmakers are pressing for the state to become the fourth in two months to try to opt out, following Illinois, Massachusetts, and New York. Washington State, Pennsylvania, and Washington, D.C., all refused the program last year. The states opting out and other critics say the program casts too wide a net, too often entangling people in deportation proceedings who were fingerprinted for traffic violations, like driving without a license, or other low-level crimes, therefore fracturing trust between local law enforcement officers and residents. Also, says Marshall Fitz, director of immigration policy at the left-leaning Center for American Progress, "it empowers local police to engage in profiling and pretextual arrests," or detaining a person suspected of being an illegal immigrant under the pretext of a minor crime, like trespassing or an illegal left turn, with the true purpose of running them through the system. "When that happens, it ends up not achieving the goal of the program, which is a neutrally applied enforcement initiative that helps identify the most serious criminals." [Check out a roundup of political cartoons on immigration.] Secure Communities, which was rolled out in 2008 as a way to prioritize deportations, is an information-sharing program at the federal level: When state or local law enforcement agencies submit fingerprints to run through the FBI database, a standard procedure to check for outstanding warrants or a criminal record, the prints now also go through a Department of Homeland Security database to check immigration status. It is ICE agents, not local police, who then decide whether or not to take action. Since ICE does not have the funds or resources to engage in mass deportations of all of the estimated 11 million undocumented immigrants in the nation, the agency's goal is to prioritize removal of people who are a threat to public safety. According to ICE data, the program has resulted in 115,396 deportations, including those of 82,465 convicted criminals. Since Secure Communities is, in effect, two federal agencies sharing data, ICE says the only way for states to prevent it is to not send fingerprints through the FBI, something they routinely do to accurately identify who they have in custody. [Read about Obama's four roadblocks to immigration reform.] San Francisco's Sheriff Michael Hennessy may have found a loophole to give his department some say in the issue: When ICE requests that a law enforcement agency put a detainer on a person, or keep that person in jail for ICE to process, that is simply a request, not a mandate. Under a new policy Hennessy implemented starting June 1, says his chief of staff Eileen Hirst, the San Francisco sheriff's department is not honoring ICE detainer requests for certain people, including those who aren't being charged with a crime and those who were brought in after reporting a domestic violence incident, as long as they don't have a criminal history. Under the new policy, Hirst says, the department let four people under detainer requests go, and released 54 people to ICE under Secure Communities from June 1 to June 23. ICE spokeswoman Gillian Christensen confirms compliance with detainers are not required legally but warns, "Jurisdictions who ignore detainers bear the risk of possible dangers to public safety." In light of the mounting negative public sentiment, ICE Director John Morton announced changes to the program earlier this month, including more guidance for how ICE agents, officers, and attorneys should use discretion on who to send through deportation proceedings and who to let go. The changes also included additional training for states, and the formation of an advisory board to help the agency figure out how to best use Secure Communities to focus on serious criminals rather than those who commit minor traffic violations. This didn't ease concerns. "It amounted to just lipstick on Frankenstein," Newman says. He suggested that the reforms simply restate the existing law rather than addressing the real issues. Newman worked closely with California lawmakers on their bill, which would opt the state out of the program and allow local governments to opt back in, if they so choose. The act passed the state Assembly and is currently working its way through the state Senate and appears likely to pass, though it is unclear whether or not Gov. Jerry Brown will sign it. [Read four ways Obama can move forward on immigration.]

#### States can’t handle the pressure from the federal government to educate immigrants – bad for their budgets and increases federal frustrations

English 15 [Elizabeth, journalist and major in domestic policy studies writing for American Enterprise Institute, 02/25/15; http://www.aei.org/publication/illegal-immigration-k-12-education/]/MR

Last week, a federal judge in Texas temporarily blocked President Obama’s executive actions on immigration, bringing the question of illegal immigration back to the headlines. Since November, there have been impassioned debates about what tax credits and social services would be made available to those covered by the directives, but debate over their effect on K-12 education has been conspicuous by its absence. This is partly because most politicians would prefer to politely sidestep the issue, but it’s also due to the fact that Obama’s actions change virtually nothing for K-12 schools, and reliable data on the question is difficult to come by. The Supreme Court’s 1982 Plyer v. Doe ruling requires schools to educate every student living in the United States. It also prohibits them from inquiring into a student’s immigration status, making undocumented students’ impact on American schools a relatively untouched topic. So what do we know? According to the Pew Research Center, from 1995 to 2012, the percentage of K-12 students with at least one undocumented immigrant parent rose from 3.2 to 6.9%. In California, this figure was 13.2%, and 17.7% in Nevada—the highest in the country. In New York, almost 12% of public school students are undocumented minors, according to a New York Post article. A report by the Federation for American Immigration Reform (FAIR) estimates the state will spend over $147 million in the 2014-2015 school year educating undocumented minors from the border crisis in 2014, a cost of $35,520 per pupil. California enrolls the highest amount of the nation’s 5 million English Language Learners (ELL) with nearly 1.5 million, and spends an estimated $12.3 billion annually educating children of undocumented immigrants. In 2013, just 26% of the state’s eight-graders scored “proficient” on the NAEP in reading, while just 21% of 4th graders did so. Fourth grade Hispanic students had an average reading score that was 31 points below that of their white counterparts. Even still, it’s impossible to tell the breakdown in performance between unlawfully present youth and second generation immigrants. As the immigration debate lingers on, what should we keep in mind for K-12 education? Two things. First, it’s easy to make sense of why over half of states have taken Obama’s executive actions to court. States and localities account for almost 88% of K-12 funding, and the growing number of undocumented immigrant students represents a significant burden on layers of government that have no control over the influx of illegal immigration. In 2011, Alabama’s HB 56— regarded as the most restrictive state immigration law to date—received criticism from the mainstream media, but it’s difficult not to sympathize with a state’s desire “to forecast and plan for any impact that the presence such population may have on publicly funded education,” as the bill’s text outlines. Obama’s actions wouldn’t add an immediate cost for schools, but the prospect of increased illegal immigration leaves state policymakers and budget forecasters with a whole lot of guesswork. State lawmakers are feeling this pressure, and they’re beginning to fight ferociously against it. Obama’s executive actions won’t mean anything new for K-12 education. Thus far, they haven’t even sparked a public conversation on the strain that illegal immigration places on American schools. That’s a shame, because no matter where you come down on the merits, it’s clear that there’s a lot to be discussed

#### Federalism relating to immigration policy is key to international perception, policy experimentalism, and individual rights -- prevents states from enacting racist policies

**Huntington 08** [Clare, Associate Professor, University of Colorado Law School; J.D. Columbia Law School; “The Constitutional Dimension of Immigration Federalism”, [http://ir.lawnet.fordham.edu/cgi/viewcontent.cgi?article=1181&context=faculty\_scholarship]/MR](http://ir.lawnet.fordham.edu/cgi/viewcontent.cgi?article=1181&context=faculty_scholarship%5d/MR)

B. Immigration through a Federalism Lens The federalism debate, raging for more than two centuries, provides a rich vocabulary and nuanced landscape against which to examine questions of the division of power. To date, this debate has not been applied in a systematic way in the immigration context. To be sure, some commentators have singled out certain federalism values, but the selection tends to be both outcome determinative and dependent on the substantive commitments of the commentator. Thus, commentators who believe that state and local enforcement of immigration law enhances national security identify decentralization values in immigration regulation-the importance of drawing on a wider array of law enforcement resources than those in the federal government. 172 By contrast, commentators concerned about discrimination against non-citizens identify national uniformity as a goal that precludes a state role in immigration regulation. 173 In this Section, I do not take sides on the substantive issues, but rather demonstrate the relevance and robustness of traditional federalism debates to the novel questions raised by immigration federalism. Uniformity versus experimentalism. Of all the competing values in the immigration context, uniformity and experimentalism are most clearly in tension. There are strong practical arguments for a uniform rule of pure immigration law. For example, although I argued above that the concern about a state embroiling the United States in an international conflict should not lead to a rule of structural preemption, 174 the concern is important. There are good reasons for preventing states from asserting themselves in the international arena, but this concern can be accounted for by weighing the interest in a uniform rule of pure immigration law more heavily than the interest in experimental immigration laws. The federal government, through statutory preemption, already has precluded a role for states and localities in pure immigration law. 175 Therefore, the federalism argument is simply a backstop. Moving beyond pure immigration law and looking at immigration regulation more generally, a decentralized system has some advantages. In a world where some states are offering in-state tuition to unauthorized migrants 176 while the federal government is seeking to construct a wall along the southern border, 177 it is by no means clear that the national government will better protect the interests of non-citizens. At other points in history, however, the roles have been reversed. Indeed, all levels of government can and have expressed both hostility and openness to non-citizens. In short, there is no structural reason to believe that one level of government will be more or less welcoming to non-citizens and therefore, on this basis, to favor uniformity over experimentalism. Decentralizing and devolving decisionmaking regarding noncitizens may accommodate, and reflect a greater variety of views on, non-citizens and perhaps even mitigate pressure on the federal government to enact legislation that reflects ardently held views of a small but vocal portion of the population. 178 Decentralization and devolution might ensure, for better or worse, that the national government does not enact legislation reflecting extremes at either end of the political spectrum. A system that allows states and localities to express divergent views on the benefits and costs of immigration would permit the development of a variety of policies, rather than a single, national policy, creating the proverbial laboratories from which the national government (or states and localities) can learn. This devolution also would allow for greater tailoring of immigration policy. For example, giving senators from Alaska a voice in determining the demographic make-up of the work force in the agricultural southwest dilutes the ability of those states and localities to shape immigration regulation to reflect their needs and interests. State and local experiments in immigration regulation can lead to quick lessons. There is mounting evidence that the divergent state and local laws are affecting the movement of non-citizens. For example, after Colorado passed a spate of laws in 2006 making life more difficult for unauthorized migrants by requiring certain forms of identification and curtailing many public benefits, 179 the state saw a dramatic decrease in the number of migrant workers available to work on farms, to the great dismay of potential employers.180 Riverside, New Jersey, had a similar experience, leading the town to repeal its anti-immigrant ordinance.181 Further, permitting states and localities to have a role in determining levels of immigration law enforcement would acknowledge the important economic and social stake that subnational governments have in immigration. To the extent that the national policy does not address these concerns, the subnational governments should be able to do so. If state and local governments discourage the presence of non-citizens to their economic and social detriment, this experimentalism should correct itself quickly. On the other hand, emphasizing uniformity might lead to the conclusion that the federal government-and not Farmers Branch, Texas, or Escondido, California-should determine the appropriate level of enforcement of the country's immigration laws. If, for a variety of political, social, and economic reasons, the United States chooses not to remove all unauthorized migrants and not to seal the border completely, then this determination arguably should bind states and localities. Efficiency and effectiveness. The experimentalism that would be fostered under devolution and decentralization might promote the values of efficiency and effectiveness. If one state determined that welcoming non-citizens was to its economic and social advantage, and this prediction held true, then that state would be rewarded by its immigrant-friendly policies. A state drawing a different conclusion might be rewarded when its prediction came true. Conversely, if the predictions were inaccurate, then the states would lose out economically and socially. Allowing states and localities to encourage or discourage the presence of non-citizens also would allow these subnational governments to tailor their laws to their labor needs. For example, one state might want to encourage non-citizens to work in agriculture while another state might prefer to bolster the workforce in the technology industry. Indeed, the relationship between immigration law and the demands for labor has deep roots,18 2 and permitting experimentation simply would bring this connection to a local level, allowing for a more finely tuned supply and demand of labor. On the other hand, these localized results and the potential efficiencies might run afoul of national interests. For example, if every state passed laws discouraging non-citizens' presence, admittance into the country from the national government might have little practical effect. A non-citizen could cross the border but would not be welcomed by any state. In this way, states and localities could thwart national immigration policy. Setting aside the constitutional aspect of unencumbered interstate travel,18 3 the free movement of people may be essential to a robust economy. Permitting state and local governments to express varying degrees of welcome and hostility to non-citizens could discourage non-citizens from moving where they wish to go, perhaps in search of better economic opportunities. For these reasons, a uniform rule may be more efficient and may ward off state and local parochialism that could threaten national interests. This latter argument often is advanced in favor of structural preemption. My point is that we need not set immigration law apart from mainstream constitutional law with a rule of structural preemption. Instead, we can account for these concerns through a federalism lens. Protection of individual rights.18 4 Although some commentators contend that non-citizens are at greater risk when the states take a more active role in the regulation of immigration,18 5 this hypothesis has not always proven true as an empirical matter. 8 6 In light of the explicitly race-based federal immigration laws in effect as late as 1952, there is no particular reason to think that the federal government is better at protecting individual rights. 8 7 Some recent state and local laws explicitly have sought to protect non-citizens' individual rights: many major cities have "sanctuary laws" that prohibit law enforcement officers from specified conduct, such as inquiring into a person's immigration status.188 Although one of the goals of such policies is to encourage unauthorized migrants to report crimes without fear of detection, the policies also protect non-citizens from racial discrimination in the enforcement of laws.18 9 Increased political participation and political accountability. A traditional argument is that political participation increases with the localization of government1 90 but that such decisionmaking likely will be parochial, increasing the chance that negative externalities will be imposed on communities that cannot participate in the decisionmaking process. 191 In the context of immigration, however, this traditional trade-off is complicated by the fact that non-citizens cannot vote at any level of government. 92 To be sure, other forms of participation are available,1 93 but direct participation is elusive, and therefore, the benefit of decentralization and devolution is not obvious. By contrast, the potential for imposing externalities on other communities remains strong. Through its regulation, a state or locality could affect patterns of immigration beyond its borders. Whether, in each case, the effect was a negative or positive externality would be a matter of debate, but the potential to affect others exists. Federalism in the context of immigration will have to account for these peculiarities. With regard to political accountability, there is no reason to believe that either the federal government or states and localities will be more accountable to non-citizens. 194 Again, non-citizens cannot vote at any level of government. The interests of non-citizens may be asserted by former non-citizens who have naturalized and thus can now vote. In light of the uneven distribution of former non-citizens around the country, some states and localities arguably will be more responsive to current non-citizens. Where former non-citizens make up a greater proportion of the population, they may have greater influence. 195 Further, the divergent standards set under the authority delegated by the PRWORA-with some states providing more generous benefits than those given by the federal government-is evidence that subnational levels of government are capable of responsiveness to the interests of non-citizens. Indeed, permitting states and localities to determine their own level of welcome to noncitizens might open the door for non-citizens to reward the more welcoming states and localities with their presence. Permitting states and localities to express their preferences also would help to inform non-citizens what to expect in a given location. Check on federal power. The power sharing envisioned by the federal system was intended to ensure that the states were seen as legitimate sources of power and therefore would retain their citizens' loyalty, which would translate into the ability to check federal excesses in any field of regulation. 196 If authority over an important area like immigration were shared, it would make states and localities more important in the eyes of their citizens, thus serving a legitimating function. Sharing immigration authority means that states and localities also will be able to counteract federal immigration regulation. Although the federal government could preempt state and local laws, to the extent it has not done so, states and localities would remain free to enact laws that run counter to federal policies. 197 In the international context, allowing for a range of immigration regulation would let other countries know that there is a diversity of opinion among U.S. citizens with regard to non-citizens. Although this would mean that a state could send an anti-immigrant message to other countries, contrary to the views of the U.S. government, it also would mean that, in the face of a national antiimmigrant policy, a state could send a more positive message. The need of the United States to speak with one voice would be served by the national government's ability to preempt state and local action.1 98 In this way, the preemption function would serve as an important test of the strength of national policy: if the national government truly believes that a particular policy is essential for international relations, it can preempt contrary state and local legislation. The tolerance of divergent views by states and localities would be telling evidence of the strength of the national commitment to the policy.199 In sum, once we recognize that federal exclusivity is not constitutionally mandated, classic federalism arguments work well in determining the appropriate allocation of authority among levels of government. Moreover, if the federal government wishes to prevent state and local governments from undertaking particular immigration regulations, it always can statutorily preempt specified conduct.

# DA’s

\*\*quick politics note: you can probably use some of these cards to answer the disad they aren’t reading, if you’re careful about it. Don’t risk it if you can’t explain each part / don’t understand the difference between the I/L of the disads

## Politics

### Plan Popular – Public

#### ICE raids unpopular and politically costly

Campbell 4/18 (2017, Monica, Global Nation Editor, focuses on immigration, Nieman Fellow at Harvard University, “Immigration law experts say workplace raids don't really work”, <https://www.pri.org/stories/2017-04-11/immigration-law-experts-say-workplace-raids-dont-really-work>, Public Radio International) MBE

So far, the Trump administration's crackdown on illegal immigration and people living in the US without proper authorization has mostly targeted individuals, not employers or groups of laborers. CHAOS IN NEW BEDFORD Ten years ago, New Bedford, Mass. was the site of a large worksite raid during President George W. Bush's second term. The operation was part of a string of raids across the country. They caused terror in the immigrant community, but it doesn't seem they did much else. Read the full story here. But it wasn’t long ago that the US saw large-scale worksite raids, particularly under presidents Bill Clinton and George W. Bush. Some advocates wonder whether large worksite raids could happen again today, given the expansion of deportation forces under President Donald Trump. Raids are a politically potent tactic. But are they effective? To learn more, PRI's Global Nation spoke with immigration law experts Kevin Johnson, dean of the University of California Davis School of Law, and Michael Wishnie, a professor at Yale Law School, to discuss the recent history of immigration raids in the US and what they expect next. Global Nation: Is there a recent pivotal moment in the US government's approach to people who hire unauthorized workers? Michael Wishnie: Worksite enforcement really accelerated after the adoption of employer sanctions after 1986, when Congress passed the Immigration Reform and Control Act. Congress made employers into immigration agents, in a way, and that was something that had not occurred before. Before 1986, employers did not check whether a new employee was a citizen or an immigrant. After 1986, employers were obligated to check that information and retain paperwork, I-9 forms, in their personnel files. Employers had to suddenly screen workers and keep files on workers, which was intended to make government enforcement easier and more tempting. You could go to a worksite, and ask employers to see the paperwork, and then use that as a way to try and identify unauthorized workers. By the 1990s, during Clinton, there was criticism from the right for failing to vigorously enforce immigration laws. That resulted in stepped-up worksite enforcement [raids], which provoked a backlash from employer and business associations, and community and faith leaders because the effects of this enforcement are so adverse to our economy, our communities, our families. So there was a growth in worksite enforcement under Clinton in response to criticism for being soft, but then an ebbing in the end because of the backlash pressures. We saw this same dynamic during [George W.] Bush’s administration. There were several large, high-profile worksite raids during Bush’s second term, especially around 2006. What do you think motivated these raids? Kevin Johnson: I think what the Bush administration was trying to do at the time was to show some willingness to enforce the employment sanction provisions of the immigration laws. It’s illegal and unlawful to employ undocumented immigrants, and we know that undocumented immigrants do in fact work in society. The Bush administration, feeling pressured to do something on the issue, decided that some workplace raids might discourage employers from hiring undocumented immigrants. MW: Some people at the administration probably hoped that drawing attention to the raids would scare people and prompt them to “self-deport” — that life would become so miserable that they would leave. But I don’t think that’s the motivation that everyone in the Bush administration had. I think that some were just doing the next big enforcement action. But there, I think, you saw the same dynamic — the kind of back and forth swing of the pendulum — that Clinton experienced, that Obama experienced and, I suspect, the current president will experience. There is a reaction. These raids are not costless. Often, Democratic and Republican presidents have learned to their peril that these high-profile, police helicopter, handcuffs, TV cameras-style raids have real costs that ultimately come back to haunt them politically. Do you think raids are effective? KJ: I think [they] may have made some employers think twice, but we have still seen little change in the undocumented population in the United States from 2007 to the current times, with still about 11 million undocumented people. Most of them work. So, I don’t see any evidence at all of workplace raids having a deterrent effect on employers hiring undocumented immigrants, or undocumented immigrants coming to this country. This also tells you a bit about the economics of undocumented immigration. You see that employers in highly competitive industries want relatively inexpensive labor and are willing to violate the laws to get that labor. And the truth of the matter is that the enforcement of employer sanctions by the US government is not very extensive. So among competitive businesses, particularly in construction, the service industries and farm labor, you see very little change in undocumented immigration despite raids. MW: I think they are quite ineffective. Also, the dynamic that leads some employers to hire unauthorized workers already involves a risk tolerance for the possibility that they may be raided. Most of the time, the employers are not vigorously punished.

### Plan Unpopular – Public

#### Trump’s base wants strong anti-immigration policy – reversing immigration crackdown efforts makes him seem like a flipflop, turns his base against him

Doeherty 16 [Carroll, director of political research at Pew Research Center; 08/25/16 http://www.pewresearch.org/fact-tank/2016/08/25/5-facts-about-trump-supporters-views-of-immigration/]/MR

Immigration policy has been a focal point of Donald Trump’s campaign since he announced he was running for president 14 months ago. Today, amid signs he may be preparing to modify some of his hard-line positions on illegal immigration, here is a review of where Trump supporters stand on the issue: 1Most Trump supporters view immigration as a “very big problem” in the U.S. In a survey released last week, 66% of registered voters who support Trump in the general election call immigration a “very big problem” in the country. Just 17% of Hillary Clinton backers say the same. Terrorism is the only other issue, among seven included, that is viewed by about as many Trump supporters as a major problem (65%). 2Trump’s proposed border wall gets overwhelming support from his backers. Perhaps no Trump proposal has resonated more strongly with his supporters than his plan to build a wall along the U.S. border with Mexico. Fully 79% of Trump supporters favor building a wall along the entire U.S.-Mexico border; just 18% are opposed. Among Clinton supporters, 88% oppose a border wall, compared with 10% who favor it. 3Trump supporters have mixed views of undocumented immigrants. Just 35% of Trump supporters say undocumented immigrants take jobs U.S. citizens would like to have, and a third say that they are less hard-working and honest than citizens. However, a greater share of Trump supporters (50%) think undocumented immigrants in the U.S. “are more likely than American citizens to commit serious crimes”; 43% say they are not. And among voters who support Trump strongly, 59% associate unauthorized immigrants with serious criminal behavior. Fewer (42%) of those who support him less strongly say the same.

#### Trump can’t spin out of weak immigration enforcement

Nguyen 5-3 (Tina, reporter for The Hive, covering politics and the media, "Spicer Blows Up at a Reporter for Pointing Out that Trump’s Wall Is Actually a Fence," Vanity Fair, <http://www.vanityfair.com/news/2017/05/sean-spicer-wall-versus-fence>) KEN

It seems that White House press secretary Sean Spicer cannot make anyone happy—not journalists, liberals, or establishment Republicans, not to mention Jewish advocacy groups. Even Breitbart, the increasingly mainstream avatar of the movement formerly known as the alt-right, is upset with Spicer’s efforts to spin the Trump administration’s colossal border wall failure as a big, beautiful win for his nationalist-populist base. During his daily press briefing on Wednesday, Spicer got into a heated back-and-forth with Breitbart’s White House correspondent, Charlie Spiering, after he asked whether the Trump administration had lied to the public when he promised to build a concrete wall along the southern border, only to downgrade his proposal to a series of fence-like boundaries. It was an issue gaining traction on Breitbart’s front page, where political editor Matthew Boyle had published a story the day before complaining about the porous-looking fences, and blasting the White House for seemingly caving to Democrats on last week’s negotiations over the budget, which ultimately did not include funding for the president’s wall. “This is what exists right now throughout our country,” Spicer practically shouted, his face turning red as he fired up a slide show of current, insufficient-looking border fences. He then switched to a slide of the proposed walls that would be funded by the spending bill’s appropriations—which, Spiering pointed out, did not look like walls. “Are those photos of fences or walls?” asked Spiering. “There are various types of walls that can be built under the legislation that was just passed,” Spicer responded. “That is a fence,” Spiering said. “That is called a levee wall,” Spicer replied. And thus commenced several minutes of Spicer and Spiering yelling at each other about fences versus walls, with Spiering at one point accusing Spicer of trying to sell the public on an “existing tough-guy fencing thing” instead of a real wall. At issue is the definition of whether a “levee wall” or a “bollard wall” is more of a fence than a wall. These alternative walls, the press secretary’s office had explained to Breitbart the day before, were not specifically meant to keep out people but would have the same effect. The levee wall, placed along the Rio Grande, would prevent flooding and illegal migration, said deputy press secretary Lindsay Walters. (Neither Walters nor Spicer explained what a “bollard wall” is, but it certainly sounds imposing.) After the spat, neither Spiering nor the Breitbart appeared satisfied with Spicer’s answer. “Spicer refused to describe his fence photos as Trump’s promised wall to supporters but assured them that it would be effective in protecting the border,” Spiering reported, adding that Trump had specifically promised a concrete wall built with rebar and steel, and mocking the “little toy walls” currently lining the border.

#### Detentions and deportations are perceived as an economic burden – this is perceptually bad to the fiscally conservative base

Pedraza 2/13 (Gilda, Duke University - The Fuqua School of Business, “Guest Column: ICE Raids in Georgia, Why Should You Care?” <https://brookhavenpost.co/2017/02/13/guest-column-ice-raids-in-georgia-why-should-you-care/>) mlm

It is not that existing laws are being enforced, but rather that the current practices are suggesting: (1) discrimination towards one specific segment of the immigrant community, (2) disregard for the social and long-term impact of these actions in our community and (3) double standards in the application of our rights. While Canadians almost double the number of Mexicans overstaying their visas and therefore staying in the country unlawfully, we have not heard any reports of Canadians being detained or deported for breaking federal law. The fact is that most of the incursions have taken place in areas predominantly Latino/Hispanic or Pan-Asian. The economic and social consequences of these detentions and deportations are long-lasting and will be a burden to the entire state and country. Consider for a moment that in Georgia over 80% of all Hispanic youth under 18 years old ARE American citizens. When parents are detained, children are often left without a support network as Georgia is a transitional state and many immigrants do not have extended family in the area. Children go to foster care, single parents can’t afford rent or to keep full-time jobs if they have to care for children at home which can lead to an increase in food stamp applications, emergency healthcare visits, homelessness and a reduction in educational attainment. A lack of workers (and clients) lead to business loses and stagnant economic development.. Consider that there is no state that has seen more growth in its number of Latina-owned firms than Georgia and that Georgia already loses over $140 million dollars in rotten crops due to the lack of labor in the fields. To those fiscally conservative; remember that detentions and deportations have a massive cost to tax payers, $1.80+ billion in 2014 and 92% of that cost is paid by the states. Immigrants are valuable to our closest family members but we are also a key part of the movement fueling Georgia’s economic growth and last time I checked, this was something that benefited us all. Finally, International law (ratified by the US congress), and The Constitution afford specific rights, freedoms and protections to all individuals in the US, regardless of their immigration or citizenship status, for example equal protection, due process, the right to remain silent, protection from discrimination, to be innocent until proven guilty, etc.

#### Trump is pushing immigration enforcement now – plan is a flip flop.

Colvin 6-28 (Jill, Graduate School of Journalism from Columbia, Reporter @ the Associated Press, 6-28-2017, "President Trump urges passage of House immigration bills," PBS NewsHour, <http://www.pbs.org/newshour/rundown/president-trump-urges-passage-house-immigration-bills/>) KEN

WASHINGTON — President Donald Trump is urging the House to pass legislation that would stiffen punishments on people who re-enter the U.S. illegally and for “sanctuary” jurisdictions that refuse to cooperate with federal deportation forces. To highlight the bills up for vote Thursday, the president met with more than a dozen people whose loved ones were killed by people in the country illegally. They included Jamiel Shaw Sr., whose 17-year-old son was shot and killed in California in 2008 by a man in the country illegally. Shaw was a frequent speaker at Trump’s campaign events, where the president often railed against illegal immigration — a key issue for his voting base. Trump is pushing for passage of two pieces of legislation. “Kate’s Law” would impose harsher mandatory minimum prison sentences on deportees who re-enter the United States, with stronger penalty increases for those who have been convicted of non-immigration crimes. The bill was named after 32-year old Kathryn Steinle, who also was shot and killed in California in 2015 by a man who was in the country illegally. Juan Francisco Lopez-Sanchez, who pleaded not guilty to the crime, had been released by sheriff’s officials months earlier despite a request by immigration officials to keep him behind bars. A second bill, “No Sanctuary for Criminals Act,” would bar states and localities that refuse to cooperate with immigration authorities from receiving certain Department of Justice and Department of Homeland Security grants, including some related to law enforcement and terrorism. Trump argued the bills would close “dangerous loopholes exploited by criminals, gang members, drug dealers, killers, terrorists,” and told the family members gathered that they’d “lost the people that you love because our government refused to enforce our nation’s immigration laws.”

### Plan Popular – Congress

#### ICE raids in schools are unpopular in Congress – the plan makes Trump look sympathetic and willing to compromise [popular]

Shoichet & Burnside 17 [Catherine, senior writer and political analyst on immigration policy and Latin America for CNN; Tina, overnight news editor for CNN; 5/13/17; http://www.cnn.com/2017/05/12/us/oklahoma-lawmaker-immigrants-schools/index.html]/MR

(CNN)Fellow Republicans are distancing themselves from an Oklahoma lawmaker's proposed solution to state budget problems: turning kids who are learning English over to immigration authorities. An idea that state Rep. Mike Ritze floated this week in an interview with a local news station drew swift rebukes from members of his own party. It spurred sharp criticism from immigrant rights advocates. And it inspired a flurry of negative comments on his Facebook page. The state's top school official, who's also a Republican, quickly decried the idea. "We shouldn't try to fix the budget hole by threatening children," Oklahoma state schools Superintendent Joy Hofmeister said on Twitter. "We are better than that." Follow Joy Hofmeister ✔ @joy4ok We shouldn't try to fix the budget hole by threatening children. We are better than that. #oklaed https://twitter.com/tulsaworld/status/862746663118659585 … 2:59 PM - 11 May 2017 · Oklahoma City, OK 181 181 Retweets 363 363 likes Twitter Ads info and privacy Rep. Jon Echols, the state House majority leader, told CNN on Friday that targeting students taking English as a Second Language (ESL) classes isn't the right approach. "It's a bad idea," he said. The proposal Ritze, a doctor from the Tulsa suburb of Broken Arrow, Oklahoma, told KWTV this week that he and a group of Republican lawmakers had come up with a number of ways to fill a hole in their state's budget without raising taxes. One way to save $60 million, he said, would be looking at the tens of thousands of students in the state who don't speak English. "Identify them and then turn them over to ICE to see if they truly are citizens," Ritze said. "Do we really have to educate non-citizens?" The short answer: yes. Why it won't happen A 1982 Supreme Court decision makes it clear that public schools must serve all students equally, regardless of immigration status. Plyler v. Doe struck down a Texas statute denying public education funds for children who were in the United States illegally. The court ruled that Texas' statute violated the 14th Amendment, which says no state should deny anyone in its territory "the equal protection of the laws." The Department of Homeland Security also has a policy stating that operations at schools and other designated sensitive locations "should generally be avoided." The response Several Republican lawmakers reached by CNN said they're not backing the proposal that Ritze floated. "I absolutely DO NOT support this idea," Rep. Chuck Strohm said in an email. Echols, the state House majority leader, cited the Supreme Court ruling and said officials are "required to offer an education to all students." And he noted that students who are learning English could be citizens. "Just because you're an ESL student doesn't mean you're automatically a non-citizen," he said. Oklahoma's branch of the ACLU was quick to condemn Ritze's comments. "This proposal might be laughable," executive director Ryan Kiesel said, "if it weren't made at the expense of real human beings, common decency, and the United States Constitution." Ritze's office didn't immediately respond to a request for comment. A steady stream of negative posts have been appearing on the state lawmaker's Facebook page as word of the proposal spreads. On Friday, critics responded to Ritze's post wishing friends a "beautiful and blessed" Mother's Day. "So many mothers out there who have struggled to give their children a better life are going to spend this Sunday wondering if ICE will be coming for their child," one post said. Not the first time The cost of education isn't a new flashpoint in the immigration debate. Immigrant and civil rights organizations, like the American Civil Liberties Union, say education is a fundamental right that officials can't take away. Organizations that advocate for stricter immigration enforcement, like the Federation for American Immigration Reform, say programs for students with limited English proficiency are a burden that taxpayers shouldn't be forced to shoulder. US public schools take steps to protect undocumented students US public schools take steps to protect undocumented students This isn't the first time a lawmaker has suggested using schools as a way to crack down on illegal immigration. Alabama legislators passed a controversial law in 2011 that required officials to check the immigration status of children in public schools. Courts blocked that portion of the law. But the measure still fueled widespread fear and caused a spike in absences and withdrawals among Hispanic students. In recent months, with threats of increased immigration enforcement looming, school districts around the country have pledged to protect undocumented students. About 50,000 children enrolled in Oklahoma's schools are designated as "English learners," according to state officials. English learners make up nearly 10% of the student population nationwide, according to the U.S. Department of Education. More than 4.8 million students enrolled in grades K-12 in the United States during the 2014-2015 school year were were identified as "English learners." In 2014, about 725,000 students enrolled in grades K-12 in the United States -- 1.3% of all students enrolled -- were unauthorized immigrants, according to Pew Research Center estimates based on government data.

#### Boosting productivity through immigrant education and reform is perceived as a win for Trump

MORICI 17 [Peter, senior columnist with MarketWatch; 03/28/17 http://www.marketwatch.com/story/immigration-reform-could-be-the-win-that-trump-and-the-economy-need-2017-03-27]/MR

President Donald Trump needs a win, and immigration reform is a good candidate that could help rev up the economy. Economists estimate potential growth by forecasting the sum of labor-force growth and productivity. Both have been declining in recent decades causing the profession to doubt the economy can expand at much more than the 2.1% annual pace accomplished during the recent recovery. Immigration reform could help on both fronts. The United States has about 43 million immigrants and adds about 1.5 million each year but unlike Canada and several other industrialized countries, the United States places a much larger emphasis on family reunification in granting visas. The net number of illegal immigrants has remained unchanged in recent years, owing mostly to declining birth rates and strong economic growth in developing countries. The United States grants green cards fairly automatically to spouses, children under 21 and parents of U.S. citizens. Subject to limits set by Congress and the president, it grants preferences to other relatives of citizens and legal immigrants, refugees, and those with job offers or who would make significant investments or contribute to economic growth. The rules are complex but the upshot is that about 65% of immigrant visas are granted based on family ties, 15% on the basis of employment, and the remainder are mostly refugees or applicants who qualify for a provision for an underrepresented country. The immigrant population tends to be considerably older than the native-born population, places a disproportionate burden on entitlements programs — about half qualify for means-tested programs such as free school lunches — and have less education, on average, than the native-born population. According to an authoritative National Academy of Sciences study, immigrants in the workforce tend to be concentrated among two groups: those with less than a high school education — folks who often do the jobs Americans won’t take — and those with more than a four-year college education — new arrivals doing jobs that not enough Americans are not trained to do in information technology, science and engineering or requiring other advanced degrees. The negative impact on wages of lower skilled workers is not profound. One likely reason is that the economy already has a considerable surplus of able-bodied adults not participating in the labor force, who could be encouraged to seek employment, if wages for “unattractive jobs” were not already hammered down to the barest levels for workers to subsist when supplemented by benefits like food stamps, Medicaid and the like. However, the overall impact on growth is positive—after all the potential of the information technology, medical, university and other R&D-intensive sectors is enhanced by the influx of high-skilled foreign workers—and creates a net benefit by overwhelming the costs imposed by lower wages to unskilled workers. Also, immigration stresses social cohesion. This tends to be concentrated in blue-collar communities who voted for Trump. However, visits to the office towers housing Manhattan’s financial industries or technology parks in California—and the communities where their workers live—attests to the notion that cultural affinities binding together professional groups tend to overwhelm ethnic differences among highly-skilled immigrant and native workers. New technologies in robots and artificial intelligence await to dramatically boost productivity but those require more skilled workers than we have—our native population simply does not train for the skills needed in sufficient number—and the IT, manufacturing and several other sectors face a constant challenge to find enough skilled workers. Hence, a better mix of immigrants could boost productivity and growth Sen. Tom Cotton from Arkansas has introduced a bill that would limit family reunification visas to children and spouses but leave the employment quota unchanged. That’s a good start, but granting a visa to anyone with a college degree or technical skill, has a solid job offer and would not displace an incumbent legal worker would most positively boost the U.S. labor force as baby boomers retire. A better balance of immigrants would accelerate the development and deployment of new technologies, reduce social stress associated with new arrivals and keep the Golden Door open to those it has always welcomed—the ambitious who can make the most of America.

#### Democrats hate ICE raids – they’ll back the plan

Kopan 17 [Tal, political reporter for CNN Politics, “Democrats, advocates question ICE raids after hundreds of arrests”; http://www.cnn.com/2017/02/10/politics/democrats-question-ice-enforcement-raids/index.html]/MR

Washington (CNN)Immigrant rights activists and Democrats are raising concerns this weekend about recent immigration enforcement actions -- though immigration officials maintain that only routine actions targeting criminals were underway. Fear is running high among immigrant communities since President Donald Trump's inauguration -- and after the recent publicized deportation of an undocumented Arizona mother of two after a routine visit with immigration officials, reports have been spreading of Immigration and Customs Enforcement stepping up its actions nationwide. The actions are the first concerted effort by ICE under the Trump administration to arrest targeted undocumented immigrants for deportation proceedings. It's unclear at this point in the nascent administration whether it was a sign of things to come, or whether the actions were conducted under any different procedures than could have been in place under the Obama administration. Trump claimed credit for the raids Sunday, tweeting: "The crackdown on illegal criminals is merely the keeping of my campaign promise. Gang members, drug dealers & others are being removed!" Follow Donald J. Trump ✔ @realDonaldTrump The crackdown on illegal criminals is merely the keeping of my campaign promise. Gang members, drug dealers & others are being removed! 3:34 AM - 12 Feb 2017 29,479 29,479 Retweets 148,739 148,739 likes Twitter Ads info and privacy It was the uncertainty, the publicity of the raids and the high tensions raised by public comments on immigration by Trump administration officials that had Democrats asking for more information. California Rep. Lou Correaf sent a letter to immigration officials, outlining the unanswered questions related to the latest immigration enforcement actions. "These activities have caused fear and uncertainty for many of constituents," Correa wrote, and listed 10 questions for ICE, among them "What are the agency's priorities for removal? and "How far in advance were these enforcement activities planned?" David Marin, Los Angeles field office director for Immigration and Customs Enforcement, said planning for the immigration operation carried out this week began during the Obama administration. "This operation was in the planning stages before the current administration issued its executive order," Marin told reporters Friday. Trump signed an executive order regarding detention of undocumented immigrants on January 25. Marin said generally it takes weeks of planning before an operation is carried out because the agency needs the time to develop case targets and leads. Officials are trying to stress that these actions are consistent with regular enforcement. "We do these operations two to three times a year," Marin said. "This is on par with past operations." Immigration activists are concerned, however, that these raids may have targeted a wider scope of individuals than had been common in the Obama administration. Separately, a former Obama administration ICE official said that administration "targeted felons," and noted that under the Trump administration, the enforcement priorities laid out in his interior executive order were much broader and could include a wider range of targets than the Obama administration's enforcement priorities. The official also questioned the Trump administration including in its general targets individuals with previous deportation orders. These are undocumented immigrants who went through court proceedings before and had a final order of removal, but had not been deported by the previous administration. The Los Angeles ICE office confirmed among its arrests five had no criminal histories but prior orders of removal. "We ultimately decided those people were not a priority as there are literally millions of them and most have never committed any crime," the official said referring to violent crimes or felonies. The official said that one appeal of targeting individuals with removal orders is that they can be deported "quickly," because no further court action would be necessary. Operation leads to nationwide arrests ICE in Los Angeles said it had conducted a five-day operation targeting criminals and fugitives, and said that the vast majority of those arrested had criminal histories. Seeking to push back on reports of indiscriminate raids, ICE released the results of the operation from its Los Angeles office, saying about 160 foreign nationals were arrested during the week. Of those, 150 had criminal histories, and of the remaining arrests, five had final orders of removal or were previously deported. Ninety-five percent were male, they said. A Homeland Security official told CNN on Saturday that 37 of those detained by Immigration and Customs Enforcement in California this week as part of the enforcement crackdown have now been deported to Mexico. The official said they had already been deported and had come back to the country illegally or had deportation orders against them. This group did not have to go through the adjudication process because they had already received deportation orders, the official said. Mexico warns citizens after mother's deportation While specific numbers weren't available, ICE said "many" of the arrested individuals had prior felony convictions including violent charges like child sex crimes, weapons or assault charges. An ICE official confirmed Atlanta had conducted a similar surge this week, and roughly 200 arrests were made in Georgia, North Carolina and South Carolina in a similar routine enforcement action. Texas Democratic Rep. Joaquin Castro said in a statement that he had confirmed with ICE's San Antonio field office that similar actions were conducted across Texas, calling the action "Operation Cross Check." He said he would be following up to make sure the actions were targeting the worst offenders. The Chicago ICE office said similar actions in the Midwest netted more than 200 arrests in the states of Illinois, Indiana, Wisconsin, Kentucky, Kansas and Missouri. While Chicago said the targets were fugitives and criminals, the only data available about the individuals arrested was that the "majority" had prior criminal convictions. Some arrested during the Midwest sweep "will face criminal prosecutions by the US attorney's office for illegal entry and illegal re-entry after deportation," the office said. Trump's orders expand powers of immigration officers Democrats, immigrant activists react Still, as Trump continues to talk about cracking down on illegal immigration, advocates remain concerned that the new administration could be stepping up enforcement against otherwise peaceful undocumented immigrants. On Thursday, protests sprang up at the deportation of Guadalupe Garcia de Rayos, a 35-year-old mother of two, who had checked in with ICE at an office in Phoenix the day before, as she had regularly since a 2008 conviction of using a fake Social Security number. Friday, Democrats decried the actions nationwide as needlessly causing fear for immigrant communities. "These reports show the serious consequences of the president's executive order, which allows all undocumented immigrants to be categorized as criminals and requires increased enforcement in communities, rather than prioritizing dangerous criminals," California Sen. Dianne Feinstein said in a statement responding to media reports of the stepped up enforcement, including some accounts that the actions were targeting low-priority undocumented immigrants, including family men and women. "The President wants to show off and it appears he has unleashed the Department of Homeland Security to kick-out large numbers of immigrants and anyone they encounter, without much oversight, review or due process," said Illinois Democratic Rep. Luis Gutierrez. "The goal of such policies is to inject fear into immigrant communities, frighten families and children, and drive immigrants farther underground. It damages public safety and the fabric of American communities while putting a burden on local social services and the foster-care system." Gutierrez's concerns were echoed by Rep. Lucille Roybal-Allard, a Democrat from California. "I am outraged to hear of the recent ICE arrests in southern California. If the Trump administration is genuinely concerned about threats to American security, it should prioritize violent felons and others who pose real danger," Roybal-Allard said in a statement. "My office has been working to get detailed information from ICE." And a city councilman from Austin, Texas, said he was concerned that ICE was making a public show of force in his city as retribution for being a sanctuary city. "ICE actions like these are beyond reprehensible," Greg Casar said in a statement. "They instill fear in the community, and they make everyday people fear for their lives." Trump's campaign promises on immigration Trump made cracking down on illegal immigration a central focus of his presidential campaign. While ICE characterized the actions as routine, fear remains that the Trump administration's recent executive order beefing up interior enforcement of immigration laws could mean a vast expansion of deportations of undocumented immigrants. While the Obama administration had clear guidance prioritizing deportation of high-level criminals, an executive order signed by Trump in his first week set up enforcement priorities that could include virtually any undocumented immigrant living in the US. On Saturday, the President defend another part of his campaign promise on immigration, vowing to keep costs down on a border wall that would span the US southern border with Mexico. "I am reading that the great border WALL will cost more than the government originally thought, but I have not gotten involved in the ... design or negotiations yet. When I do, just like with the F-35 FighterJet or the Air Force One Program, price will come WAY DOWN!" Trump wrote in two consecutive tweets. Here's how much Trump's border wall will cost A Department of Homeland Security spokeswoman said overall about the agency's actions that everything is "routine," and are not part of casting a widespread net. "ICE Fugitive Operations teams are out every day as part of routine, targeted enforcement operations," said acting press secretary Gillian Christensen. "These are existing, established fugitive operations teams. ICE does not conduct sweeps or raids that target aliens indiscriminately. ICE only conducts targeted enforcement of criminal aliens and other individuals who are in violation of our nation's immigration laws."

### Plan Unpopular – Congress

#### Republicans in Congress are harsh on immigration – new enforcement laws prove

Rapport 17 (Nolan, Opinion contributor to The Hill, “Republicans are preparing extreme immigration measures”, The Hill, <http://thehill.com/blogs/pundits-blog/immigration/334554-republicans-are-preparing-extreme-immigration-measures>) ALH

The Trump administration has found a way to deport millions of undocumented aliens without hearings, and the Republican-controlled congress is working on enforcement-only legislation. On May 16, Rep. Raul [Labrador](https://labrador.house.gov/#dialog) (R-Idaho), introduced the Davis-Oliver Act, [H.R. 2431](https://www.congress.gov/bill/115th-congress/house-bill/2431/text?q=%7B%22search%22%3A%5B%22hr+2431%22%5D%7D&r=1). Davis and Oliver were law enforcement officers [who were murdered](http://insider.foxnews.com/2015/06/24/cops-michael-davis-jr-and-danny-oliver-murdered-illegal-immigrant-honored-new-immigration) by an alien returning to the United States illegally after being deported twice. Highlights from Labrador’s [summary](https://judiciary.house.gov/wp-content/uploads/2017/05/051617-Davis-Oliver.pdf) of the Davis-Oliver Act. It provides states with congressional authorization to enact and enforce their own immigration laws to end the executive branch’s ability to unilaterally shut down immigration enforcement. It withholds certain federal grants from jurisdictions that refuse to honor immigration detainers or prohibit their law enforcement officers from giving immigration-related information to [U.S. Immigration and Customs Enforcement](https://www.ice.gov/) (ICE). Jurisdictions that refuse to honor detainer requests and release criminal aliens may be sued by the victims of crimes the aliens commit after they are released. It makes membership in a criminal gang grounds for deportation. It requires background checks to be completed before immigration benefits can be granted. Criminalization of undocumented aliens. Section 314 makes crimes out of illegal entry and unlawful presence. If an offender does not have three [misdemeanor](https://www.law.cornell.edu/uscode/text/18/3559) convictions or a felony conviction, a first offense can result in imprisonment for up to six months. Subsequent offenses can result in imprisonment for up to two years. If the alien has three misdemeanor convictions or a felony conviction, however, the term of imprisonment can be up to 20 years. This is not as harsh as some of the criminal provisions which are in the [Immigration and Nationality Act](https://www.uscis.gov/ilink/docView/SLB/HTML/SLB/act.html) (INA) already. Smuggling an alien into the country or helping one to remain here unlawfully (harboring) may [“be punished by death or imprisoned for any term of years or for life”](https://www.law.cornell.edu/uscode/text/8/1324) if it results in the death of any person. Home free magnet. [President Obama created what I call the “home free magnet”](http://thehill.com/blogs/pundits-blog/immigration/311994-thanks-to-obamas-immigration-legacy-trump-inherits-our-home), when he focused enforcement on undocumented aliens who had been convicted of serious crimes or had been caught near the border after making an illegal entry. Aliens wanting to enter the United States illegally knew that they would be safe from deportation once they had reached the interior of the country. This attracted undocumented aliens and became a powerful incentive for them to do whatever was necessary to enter the United States. [President Trump destroyed this magnet](http://thehill.com/blogs/pundits-blog/immigration/332110-on-illegal-immigration-trump-puts-an-end-to-obamas-home-free) with tough campaign rhetoric and his executive order, Enhancing Public Safety in the Interior of the United States, which greatly expands Obama’s enforcement priorities. Notwithstanding the enforcement priorities, the order states, “We cannot faithfully execute the immigration laws of the United States if we exempt classes or categories of removable aliens from potential enforcement.” The Davis-Oliver Act would make it possible for the states to take over the responsibility for immigration enforcement if a future president limits enforcement the way Obama did. Expedited removal proceedings. In a [memorandum](http://i2.cdn.turner.com/cnn/2017/images/02/18/border.security.memo.pdf) implementing Trump’s enforcement policies, [Department of Homeland Security Secretary John Kelly](https://www.dhs.gov/person/john-f-kelly) expanded the use of expedited removal proceedings to make it possible to deport millions of undocumented aliens without hearings before an immigration judge. In expedited removal proceedings, an alien who has not been admitted or paroled into the United States will be deported without a hearing unless he requests asylum and establishes [a credible fear of persecution](https://www.uscis.gov/humanitarian/refugees-asylum/asylum/questions-answers-credible-fear-screening). Previous administrations limited the use of expedited removal proceedings, but the [INA authorizes expedited removal proceedings](https://www.uscis.gov/ilink/docView/SLB/HTML/SLB/0-0-0-1/0-0-0-29/0-0-0-5389.html) for any alien “who has not been admitted or paroled into the United States, and who has not affirmatively shown, to the satisfaction of an immigration officer, that the alien has been physically present in the United States continuously for the 2-year period immediately prior to the date of the determination of inadmissibility under this subparagraph.” Stopping the Republicans. Perhaps the Democrats should consider supporting a modified version of the Davis-Oliver Act in return for Republican consideration of a modified legalization program and other measures that are important to the Democrats. [A similar agreement](http://discuss.ilw.com/content.php?3087-Article-It-is-time-to-try-a-different-approach-to-comprehensive-immigration-reform-By-Nolan-Rappaport) was the basis for the Immigration Reform and Control Act of 1986 (IRCA), which made legalization available to millions of undocumented aliens in return for interior enforcement measures and border security. The Republicans can deport most of the undocumented aliens in the country if they choose to do so, but it would take a long time and would be very expensive politically as well as financially. .

#### House republicans want to ramp up raids and crackdowns on immigration

AV Press Releases 17 (“At Thursday HJC Markup, House GOP Seeks to Enable and Expand Trump’s Mass Deportation Agenda”, America’s Voice, <http://americasvoice.org/press_releases/thursday-hjc-markup-house-gop-seeks-enable-expand-trumps-mass-deportation-agenda/>) ALH

House Republicans want to abet Trump’s mass deportations Hindering rather than helping public safety, ripping apart stable American families, and wreaking economic havoc, Trump’s mass deportation strategy undermines our values and sows chaos. Now, House Republicans are seeking to put that grim approach into overdrive. The bills set for markup on Thursday don’t offer any solutions to improve and reform our immigration system, but they do move Trump and House Republicans closer to their goals of sowing maximum fear among immigrants and deporting whomever they can get their hands on. According to Lynn Tramonte, Deputy Director of America’s Voice Education Fund: Congress should serve as a check, not a facilitator, for a Trump Administration that has zero credibility and is bent on carrying out a radical and un-American immigration crackdown. Instead, House Republicans are seeking to enable and expand this radical vision. The Trump deportation strategy doesn’t enhance community safety, it undermines public safety for all. Instead of focusing enforcement against those who are actual public safety threats, the Trump Administration is going afteranyone and everyone they come across, sending the message that all immigrants should live in fear. Now, House Republicans are advancing legislation that would mean more chaos, more families separated, and no benefit to public safety. Democrats, and Republicans who purport to want to live up to American values and reform immigration system, should not give one more ounce of authority or one more dollar to this Administration. HJC markup bills Specifically, the House Judiciary Committee is seeking to advance the following package of bills: the Davis-Oliver Act (formerly known as The SAFE Act); the U.S. Citizenship and Immigration Services Reauthorization Act (H.R. 2407); and the U.S. Immigration and Customs Enforcement Authorization Act (H.R. 2406). As Elise Foley of HuffPost characterized: The House Judiciary Committee is set to mark up multiple immigration bills on Thursday, including one from committee Chairman Bob Goodlatte (R-Va.) that would facilitate mass deportations. Borrowing from past legislation to bolster Immigration and Customs Enforcement, the bill would require Immigration and Customs Enforcement deportation officers to have access to not just standard-issue handguns and stun guns, but also M-4 rifles or equivalents. The little-noticed legislation is one of four immigration-related bills that the Judiciary Committee is scheduled to consider, two of them specifically focused on ICE, the third on U.S. Citizenship and Immigration Services, and the fourth on human trafficking. If passed, they would give the Trump administration more resources to deport immigrants and make it easier to do so. Among the devastating implications of these bills include provisions that would: Criminalize anyone unlawfully present and subject them to criminal prosecution and civil penalties. Create President Trump’s massive, militarized federal deportation force that will target even more families and people with longstanding ties to the United States. Mandate hiring of 2,500 more ICE agents with mandatory issuance of M-4 assault weapons for deportation officers Authorize 12,500 more detention or deportation officers and 60 immigration prosecutors Force local law enforcement to use their finite local resources for federal immigration enforcement. Attempt to authorize localities to detain people without probable cause contrary to binding federal court rulings. (Davis/Oliver Act; H.R. 2406, sec. 101(d)(7)). Authorize warrantless arrest for civil violations under all circumstances, thereby eliminating the administrative warrant requirement out of the statute. (H.R. 2406 sec. 201(b)). Overturn the Supreme Court’s Arizona v U.S. decision by authorizing states to create their own criminal penalty schemes for certain immigration-related offenses. Usher in chaos with no consistent law on immigration. Punish localities that are trying to keep communities safe by ensuring that victims and witnesses trust law enforcement and report crimes. Under the Davis Oliver Act no locality can in any way restrict their personnel from engaging in immigration enforcement. Deprive humanitarian protections, immigration status, and even citizenship, to refugees and other victims of violence. Greatly expand detention bed construction on the cheap by weakening detention standards. Mandate detention for far more people–many who have strong ties to this country and do not pose a threat to public safety. This is a boondoggle for the private prison industry. Exacerbate overcrowding in the federal prison system. Detain people without giving them fundamental due process like the opportunity to receive even the most basic custody hearing before a judge. USCIS – Permanently reauthorize the E-Verify program despite recognition of system errors that hurt thousands of U.S. workers and the need to improve

## Immigration DA

### Shell

#### **Illegal immigration is the lowest it’s been in years --- recent statistics**

BBC News 4/5 (British Broadcasting Corporation, responsible for the gathering and broadcasting of news and current affairs, “US-Mexico illegal border crossings fall to 17-year low,” BBC News US & Canada, <http://www.bbc.com/news/world-us-canada-39505999>) ip

The number of people arrested crossing the Mexico border into the US has fallen to the lowest level in 17 years. There were fewer than 17,000 arrests of undocumented migrants in March, the least since 2000, according to US Customs and Border Protection. Homeland Security Secretary John Kelly told Congress the decline was "no accident", crediting President Trump. The deadline for contractors to submit a design proposal for Mr Trump's planned border wall was on Tuesday. Mr Kelly, a retired Marine general, is testifying about the figures to the Senate Homeland Security Committee. "We've seen an absolutely amazing drop in the number of migrants coming out of Central America that are taking that terribly dangerous route from Central America to the United States," he told the panel. "March marks the fifth straight month of decline and is estimated to be approximately 71% lower than the December 2016 total - 58,478," Mr Kelly said. "But while this recent decline in illegal migration is good news, we must ensure that the security of our southern border remains a priority to protect the nation from terrorists and other criminals." In February, 23,589 immigrants were apprehended at the border, according to data by US Customs and Border Protection. Senator John McCain asked if Mr Kelly's agency was receiving help from Mexican officials. Mr Kelly said the US was receiving "a huge amount of co-operation from the Mexicans". He cited "very, very good relationships with the Mexicans, both on their southern border where they stopped 160,000 illegal immigrants from Central America last year". Mr Trump, a former real estate mogul, has pledged to build a "big, beautiful wall" along the 2,000 mile (3,200km) border. But Mr Kelly told the Senate committee: "It is unlikely that we will build a physical wall from sea to shining sea." He added that sensors, drones and other technology will fill in gaps where the wall will not be present, saying "physical barriers do work if they're put in the right places". The homeland security secretary also told lawmakers the number of families and children travelling alone had fallen, too. He has suggested separating parents and children in order to deter crossings by unaccompanied minors. Officials normally see a surge in crossings following the cold month of January, however, no such increase has been recorded this year. The number of people caught trying to enter the US usually goes up as the weather warms.

#### **The perception of ICE raids coupled with Trump’s rhetoric deters immigration**

La Jeuness 17 (William, Reporter at Fox News, “Illegal Immigration Down in the Rio Grande Valley”, FOX, http://www.myfoxzone.com/news/state/texas-news/illegal-immigration-down-in-the-rio-grande-valley/439220360)//JS

“Anyone who illegally crosses the border will be detained until they are removed,” President Trump said. President Trump’s rhetoric on the issue isn’t much different from President Obama. “If you get here, you’re likely to be turned back,” President Obama said. This time, however, immigrants appear to believe it. “Words matter. The rhetoric has mattered….The discourse now that is emanating from this attorney general and this administration is that they’ll be sent back and quickly deported.” The RGV is the busiest sector along the Mexican border, accounting for about half of all apprehensions. But since January, the surge has stopped. The question is, why? “The laws that have been on the books all this time are now being supported.” And the Border Patrol’s numbers tell that story. Since voters elected President Trump, apprehensions fell every month – from 15,000 in November to just over 1,000. The media may have inadvertently scared immigrants away with reporting about ICE raids, deportations and the wall. “The media has a big say in what happens. They put out that and people come or don’t come, depending on what they say.” From the air, pilots say the headlines appear to have a deterrent effect. “Six to eight months ago, we were averaging 150 to 130 apprehensions that we coordinated with the Border Patrol…Since January, that number has dwindled to 20 or less a day.” With numbers down, enforcement is up. Agents say smuggling costs for Central Americans has increased from $5,000 to $7,000 to $8,000 to $10,000. There is now also available detention space, allowing immigration officials to detain families until their asylum claim is resolved – rather than releasing them, pending a hearing years later.

“Tough” immigration enforcement correlates with lower immigration rates

Dorman 3/9(Sam, Media Analyst at the Washington Free Beacon, “DHS: Illegal Immigration Hits Five-Year Low After Trump’s Tough Immigration Policies,” The Washington Free Beacon, http://freebeacon.com/national-security/dhs-illegal-immigration-hit-five-year-low-after-trumps-tough-immigration-policies/)/JS

Authorities saw a 40 percent decline in apprehensions of illegal immigrants from January to February, a time period that historically holds a 10 to 20 percent increase in apprehensions, according to Customs and Border Protection. Kelly suggested in a DHS statement that Trump's executive orders related to immigration enforcement prompted the decrease of illegal immigrants coming into the country. "Since the Administration’s implementation of Executive Orders to enforce immigration laws, apprehensions and inadmissible activity is trending toward the lowest monthly total in at least the last five years," Kelly said. The number of apprehensions, an indicator for illegal immigration levels, dropped from 31,578 to 18,762 in February. The drop came after a 35 percent increase of illegal immigrants crossing the border between Oct. 1, 2016 and Trump's January inauguration. Kelly said the drop in apprehensions was "encouraging" because it meant "fewer people are putting themselves and their families at risk of exploitation, assault and injury by human traffickers and the physical dangers of the treacherous journey north." Trump signaled during his 2016 presidential campaign and shortly after he took office that his administration would increase immigration enforcement. Trump signed an executive order promising to build a wall along the southern border and enhance border security in January, according to The Washington Times. Trump's order requested 10,000 new Immigration and Customs Enforcement officers and 5,000 U.S. Border Patrol agents. The order also repealed Obama-era protections for many illegal immigrants and expanded border agents' powers to enforce immigration law.

#### Immigration is bad for the economy – laundry list

Hall 16 (Jamie, senior policy analyst in the Center for Data Analysis at The Heritage Foundation, 11/30/16, Does Current Immigration Economically Benefit Ordinary US Citizens?, <http://www.heritage.org/immigration/commentary/does-current-immigration-economically-benefit-ordinary-us-citizens>) MAM

Does current immigration economically benefit ordinary non-immigrants? A recent major report indicates that most immigration does not. In September, the National Academy of Sciences (NAS) published a major report on “The Economic and Fiscal Consequences of Immigration.” The report shows that, other than small number of scientifically educated immigrants, immigration produces little or no overall economic gain for non-immigrants but may cause a substantial shift in income from workers to business and capital owners. Also, immigrants overall produce a fiscal deficit due to the very large inflow of legal and illegal immigrants with low education levels in recent decades. So how did the researchers get to this conclusion? For starters, the report makes the perfectly obvious point that immigration increases the gross domestic product as it increases the number of workers. However, the pertinent question is not whether the GDP is larger but whether non-immigrant citizens are economically and financially better off because of immigration. Specifically, has immigration increased or decreased the post-tax per capita income of the non-immigrant population? The report shows that immigration impacts the post-tax income of non-immigrants in three ways: through an “immigration surplus,” technological change, and a fiscal impact on government finances. According to the report, an immigration surplus potentially exists because, as immigrants enter the labor force, wages decline and returns to capital (such as interest and profits) increase by a slightly larger amount. As the report puts it, “the more wages decline, the larger the surplus.” At its maximum value, the theory implies that the current stock of immigrant labor, at 16.5 percent of the total labor force, has “lowered wages by 5.2 percent,” or roughly $500 billion, for non-immigrants, while raising the incomes of owners of business and capital by as much as $554.2 billion. The difference between the reduced wages and increased profits is “an immigration surplus of $54.2 billion, representing a 0.31 percent overall increase in income that accrues to the native population.” Thus the model shows that the main impact of immigration is to redistribute income. In other words, since businesses can pay workers less, they make more of a profit. However, as the report notes, the supply of capital may increase and the rate of return on capital will fall. This would mean the wage losses, capital income increases, and immigration surplus gradually disappear, and, in the long run, the situation would return to the status quoante. The theory also predicts that a disproportionate inflow of immigrant laborers at a particular education or skill level will reduce the wage of workers in that group relative to others. For example, adult immigrants are almost four times as likely as non-immigrants to lack a high school diploma. This will result in persistently lower relative wages for less skilled workers, whether immigrant or not. The report also states that immigrants with high levels of technical and scientific education spur technological innovation which may “increase productivity of natives, very likely raising economic growth per capita.” The number of patents produced is used as a proxy for technological change. Immigrants with a college degree are twice as likely as U.S. born college graduates to obtain a patent. (This difference in patenting occurs because college educated immigrants are more likely to have degrees in science and technology than are college graduates born in the U.S.) However, only 12.4 percent of recent immigrants have a STEM (science, technology, engineering or math) degree, and only one third of those are employed in a STEM occupation. Overall, only one percent of immigrants produce patents. Thus the overwhelming majority of the one million immigrants arriving in the U.S. each year are irrelevant to the technological change described in the National Academy of Sciences report. Finally, the report examines the fiscal impact of immigration, considering eight different scenarios. In all scenarios, immigrants as a group are in fiscal deficit; the total federal, state, and local government benefits they receive are greater than the total taxes they pay, in both the first and second generations. The NAS report shatters any contention that immigration, as structured in recent decades, contributes to overall government solvency. The opposite is true. The report makes clear that immigrants without a high school diploma, on average, generate substantial fiscal deficits, paying less in taxes than they receive in benefits in every scenario examined. By contrast, across all scenarios, immigrants with a college degree or more create a fiscal surplus. Thus, the fiscal impact of immigration depends on the educational balance within the immigrant population. Based on the report’s findings, both the economic and fiscal impact of immigration can be improved in the future by reducing the number of low skill immigrants and increasing the number of high skill immigrants

### UQ – Immigration Down

#### Illegal border crossings are low now --- continued deterrence by the administration is needed to maintain low numbers

Dinan 4/4 (Stephen, staff writer at The Washington Times, “Illegal immigration plummets after Trump inauguration,” The Washington Times, <http://www.washingtontimes.com/news/2017/apr/4/illegal-immigration-down-67-percent-under-trump/>) ip

Illegal immigration across the southwest border is down more than 60 percent so far under President [Trump](http://www.washingtontimes.com/topics/trump/), officials revealed Tuesday, even before the first new agent is hired or the first mile of his promised border wall is constructed. [Mr. Trump](http://www.washingtontimes.com/topics/trump/) took a victory lap over the “record reductions” in illegal crossers, saying he is already saving Americans’ jobs by preventing them from having to compete with unauthorized workers. “Down 61 percent since inauguration. Gen. Kelly is doing a fantastic job,” [Mr. Trump](http://www.washingtontimes.com/topics/trump/) told a labor union gathering in Washington, praising Homeland Security Secretary John F. Kelly, a retired Marine Corps general. Mr. Kelly is scheduled to detail the numbers Wednesday to the Senate Homeland Security Committee, which is investigating the situation on the border. Testifying to the committee in a first hearing Tuesday, former Border Patrol Chief David V. Aguilar said the percentage may be even higher than Mr. Trump teases. Compared with 2016, he said, apprehensions on the southwest border were down 67 percent through March. Mr. Aguilar credits Mr. Trump, who has freed U.S. Immigration and Customs Enforcement agents to pursue illegal immigrants in the interior of the U.S. and vowed to tighten border controls. “This administration has said we’re going to address illegal immigration. ICE has started working in the interior, unlike other times. So that message resonates,” Mr. Aguilar said. The numbers were announced just hours before the deadline for the first round of proposals for prototypes of Mr. Trump’s border wall. Homeland Security is asking for a 30-foot fence that can withstand up to four hours of cutting, blowtorching or other attempts to break through the barrier. Concrete walls and fencing are being sought, and companies selected will build prototypes that will be tested in San Diego. The early successes of Mr. Trump’s get-tough approach, however, are sparking questions about whether a wall is really needed. Sen. Claire McCaskill, Missouri Democrat, said the Homeland Security Department has siphoned $20 million away from its technology fund to pay for the initial wall prototypes. She said early estimates from the department call for $2.6 billion to build less than 75 miles of the wall next year — an average of about $35 million per mile. That is seven times the average cost of existing parts of the wall. Sen. Heidi Heitkamp, North Dakota Democrat, said she has not found any border official who says a wall along the entire southwestern boundary with Mexico is needed. “No one, not one person, no matter what political persuasion,” she said. “I just wish we could get beyond that so we can actually talk about what we need to do on the border.” Mr. Aguilar and Ronald S. Colburn, a former deputy chief of the Border Patrol, said technology is the most important factor in securing the border — but both said barriers do help. Mr. Colburn, who headed the Border Patrol’s Yuma sector in southwestern Arizona and southeastern California, recounted the differences before and after barriers were built along the sector’s 125-mile border with Mexico. Before, he said, agents arrested 138,000 illegal immigrants, recorded more than 2,700 attempts to barrel across the border in vehicles and seized nearly 36,000 pounds of drugs. The year after the fence was completed, more agents were deployed and technology was added, they saw just six vehicle attempts — all of which were stopped. The number of apprehensions dropped to about 8,400. “Ask the Border Patrol agents in the field — they know,” Mr. Colburn said. “When I ask them about fence, every one of them responds yes, build new barriers where needed.” He said the barriers also made communities in Mexico safer. Before the fence was built, bandits roamed freely, preying on the migrants, often in collusion with human smugglers. Robberies, beatings, rapes and killings were common. Mr. Colburn said his agents recorded 200 attacks, with 1,800 victims, the year before the fence. That number dropped to zero after the fence. The number of assaults on Border Patrol agents also declined drastically, he said. Border officials have long tried to figure out ways to carry Yuma’s successes to the rest of the southwest border and appeared to have made progress through 2012. But a surge of illegal immigrants from Central America, pushed by rough conditions at home and enticed by law policies in the U.S., sent the totals soaring again. Now, Mr. Trump appears to have reduced those numbers, judging by Border Patrol apprehensions. Analysts say the number of people caught is a rough yardstick for how many people are trying and getting through — so fewer apprehensions means a lower level of illegal immigration. Mr. Aguilar said similar drops occurred during the Reagan administration after Congress passed a broad amnesty granting legal status to millions of illegal immigrants and promised to get tough on enforcement. The legalization followed, but not the tough enforcement. Illegal immigration soared in the ensuing 20 years. “It doesn’t hold for long unless those substantive actions continue,” Mr. Aguilar said.

#### **The Trump administration has deterred immigration --- illegal crossings are down**

Dorman 3/9 (Sam, Media Analyst at the Washington Free Beacon, “DHS: Illegal Immigration Hits Five-Year Low After Trump’s Tough Immigration Policies,” The Washington Free Beacon, http://freebeacon.com/national-security/dhs-illegal-immigration-hit-five-year-low-after-trumps-tough-immigration-policies/)

Department of Homeland Security (DHS) Secretary John Kelly indicated on Wednesday that President Donald Trump's immigration policies led to a five-year low in illegal, southern border crossings. Authorities saw a 40 percent decline in apprehensions of illegal immigrants from January to February, a time period that historically holds a 10 to 20 percent increase in apprehensions, according to Customs and Border Protection. Kelly suggested in a DHS statement that Trump's executive orders related to immigration enforcement prompted the decrease of illegal immigrants coming into the country. "Since the Administration’s implementation of Executive Orders to enforce immigration laws, apprehensions and inadmissible activity is trending toward the lowest monthly total in at least the last five years," Kelly said. The number of apprehensions, an indicator for illegal immigration levels, dropped from 31,578 to 18,762 in February. The drop came after a 35 percent increase of illegal immigrants crossing the border between Oct. 1, 2016 and Trump's January inauguration. Kelly said the drop in apprehensions was "encouraging" because it meant "fewer people are putting themselves and their families at risk of exploitation, assault and injury by human traffickers and the physical dangers of the treacherous journey north." Trump signaled during his 2016 presidential campaign and shortly after he took office that his administration would increase immigration enforcement. Trump signed an executive order promising to build a wall along the southern border and enhance border security in January, according to The Washington Times. Trump's order requested 10,000 new Immigration and Customs Enforcement officers and 5,000 U.S. Border Patrol agents. The order also repealed Obama-era protections for many illegal immigrants and expanded border agents' powers to enforce immigration law.

#### Illegal crossings are down in Texas

Weiber 4/6 (2017, Paul, AP writer, “Texas Spending Big on Border Security Despite Trump Promises,” US News, <https://www.usnews.com/news/best-states/texas/articles/2017-04-06/texas-still-spending-big-on-border-despite-trump-promises>, AP) ip

Illegal border crossings have plummeted in recent months. In March, authorities caught 12,193 people at the southern border — the lowest monthly figure in at least 17 years, and the second straight month that border arrests sharply dropped. Still, Republican officials from Texas Gov. Greg Abbott on down embrace Trump's plans to build a wall, and the state is committing more money to border security efforts.

### Links – ICE Checks Immigration

#### **Governments are warning against life in the US**

Kulish et al 17(Nicholas et al, investigative reporter covering immigration issues, “Reports of Raids Have Immigrants Bracing for Enforcement Surge”, The New York Times, https://www.nytimes.com/2017/02/10/us/immigration-raids-enforcement.html)//JS

School principals in Los Angeles have been sent a checklist of things to do in case immigration agents turn up. The Mexican government even warned “the entire Mexican community” in the United States “to take precautions and to keep in touch with their nearest consulate,” after the deportation of a woman who had previously been allowed to remain in the United States. Her case “illustrates the new reality” in the United States, said the message, from the foreign ministry. In an executive order Jan. 25, Mr. Trump greatly expanded the categories of undocumented immigrants who would now be priorities for deportation, in keeping with his campaign pledge to be tough on illegal immigration. But despite numerous reports of mass roundups, it was still unclear Friday whether the promised surge in enforcement had actually begun. Officials at Immigration and Customs Enforcement, or ICE, said the immigration roundups that people were seeing did not represent an increased tempo. The agency has about 100 fugitive teams constantly working to bring in those wanted on a variety of immigration offenses, and these teams have been just as active as they were during the Obama administration, officials said. In 2012, the most active year for deportations during Mr. Obama’s presidency, 409,849 people were deported.

#### ICE employs intimidation tactics in order to deter the immigrant community

Rhodan 17(Maya, reporter for Time politics, “After ICE arrests, fear spreads among undocumented immigrants”, TIME, http://time.com/4669317/donald-trump-deportations-advocates-fear/)//JS

Generally speaking, raids are not a new tactic. Both the Bush and Obama administrations conducted sweeping enforcement actions within immigrant communities. In response to the surge in Central Americans crossing the southern border in 2014, the Obama Administration conducted a series of raids last winter and again in the summer. Though President Obama said that hardened criminals would be the priority for deportation, minor and low-level offenders were often swept up in raids. But immigration advocates say that given the Trump Administration's rhetoric and a recent executive order that expanded the types of criminal acts that would make one a priority for deportation—including being convicted or charged of any criminal offense, and committing an act that could lead to a criminal charge—signal the last week's action's were not routine. Advocates also worry there will be increased and emboldened action taken by officials under the new administration. "Every administration, going back to the Bush Administration and the Obama Administration, has also had fugitive operations, but fugitive opps are supposed to focus exactly on that—fugitives," or people who were convicted of a crime or deemed a priority for deportation by the administration, said Marielena Hincapié, the executive director of the National Immigration Law Center."The big difference now is that there are no priorities. Everyone is a priority." Frank Sharry of America's Voice said, "we're back to the bad old days in which the term criminal means someone who is here without papers trying to survive." Fear and anxiety has already spread throughout immigrant communities. Leaders at United We Dream and the Coalition for Humane Immigrant Rights of Los Angeles said they have received hundreds of calls last week from concerned immigrants and community members. Advocates are working to ensure immigrants are aware of their rights and what steps they can take to protect themselves if ICE conducts a sweep on their home."This is causing great horror in our communities. It is not ordinary and it must stop," said the coalition's Angelica Salas.

#### The Trump administration deters immigrant’s social mobility

Nicholson 17(Michael, doctoral candidate in political science at the University of California San Diego, “The Facts on Immigration Today: 2017 Edition”, Center for American Progress, https://www.americanprogress.org/issues/immigration/reports/2017/04/20/430736/facts-immigration-today-2017-edition/)/JS

Immigration has long supported the growth and dynamism of the U.S. economy. Immigrants and refugees are entrepreneurs, job creators, taxpayers, and consumers.1 They add trillions of dollars to the U.S. gross domestic product, or GDP, and their economic importance will only increase in the coming decades as America’s largest generation—the baby boomers—retires en masse, spurring labor demand and placing an unprecedented burden on the social safety net.2 Still, additional benefits to the U.S. economy and society more broadly could be obtained through legislative reforms designed to modernize the U.S. immigration system and provide unauthorized immigrants in the country today with a path to citizenship.3 Nevertheless, despite the positive impacts of immigrants on the United States’ economy and society, the tenor of the new administration threatens to move the United States to a more restrictionist policy environment.4 Increased immigration enforcement—as well as potential restrictions on legal immigration and refugee resettlement—will impose fiscal costs on taxpayers and threaten immigrants, their families, and their communities across the country. Stepping up detentions and deportations will not only cost taxpayers billions of dollars but will also break apart families and place vulnerable individuals—such as survivors of domestic violence and sexual assault in the United States, as well as women and children fleeing violence in their homelands—in peril.5

#### ICE officials create a chilling effect within immigrant communites

Nicholson 17(Michael, doctoral candidate in political science at the University of California San Diego, “The Facts on Immigration Today: 2017 Edition”, Center for American Progress, https://www.americanprogress.org/issues/immigration/reports/2017/04/20/430736/facts-immigration-today-2017-edition/)/JS

When local law enforcement becomes entangled with immigration enforcement, it has a chilling effect on immigrant communities. Such cooperation may lead immigrant communities to fear the police, making them reluctant to report crimes.160 A 2013 study found that police involvement with ICE leads to a 70 percent decrease in the likelihood that unauthorized immigrants report crimes to the police.161 Further, state and local enforcement of federal immigration laws often leads to racial profiling.162 Local officials often have a better understanding of communities than their federal counterparts.

#### **Aggressive stance on immigration has deterred immigrant communities**

Theodore 13(Nik, at the Department of Urban Planning and Policy University of Illinois at Chicago “Insecure Communities:Latino Perceptions of Police Involvement in Immigration Enforcement”, Policy Link, http://www.policylink.org/sites/default/files/INSECURE\_COMMUNITIES\_REPORT\_FINAL.PDF)//JS

This report presents findings from a survey of Latinos regarding their perceptions of law enforcement authorities in light of the greater involvement of police in immigration enforcement. Lake Research Partners designed and administered a randomized telephone survey of 2,004 Latinos living in the counties of Cook (Chicago), Harris (Houston), Los Angeles, and Maricopa (Phoenix). The survey was designed to assess the impact of police involvement in immigration enforcement on Latinos’ perceptions of public safety and their willingness to contact the police when crimes have been committed. The survey was conducted in English and Spanish by professional interviewers during the period November 17 to December 10, 2012. Survey results indicate that the increased involvement of police in immigration enforcement has significantly heightened the fears many Latinos have of the police, contributing to their social isolation and exacerbating their mistrust of law enforcement authorities. Key findings include: • 44 percent of Latinos surveyed reported they are less likely to contact police officers if they have been the victim of a crime because they fear that police officers will use this interaction as an opportunity to inquire into their immigration status or that of people they know. • 45 percent of Latinos stated that they are less likely to voluntarily offer information about crimes, and 45 percent are less likely to report a crime because they are afraid the police will ask them or people they know about their immigration status. • 70 percent of undocumented immigrants reported they are less likely to contact law enforcement authorities if they were victims of a crime. • Fear of police contact is not confined to immigrants. For example, 28 percent of US-born Latinos said they are less likely to contact police officers if they have been the victim of a crime because they fear that police officers will use this interaction as an opportunity to inquire into their immigration status or that of people they know. • 38 percent of Latinos reported they feel like they are under more suspicion now that local law enforcement authorities have become involved in immigration enforcement. This figure includes 26 percent of US-born respondents, 40 percent of foreign-born respondents, and 58 percent of undocumented immigrant respondents. • When asked how often police officers stop Latinos without good reason or cause, 62 percent said very or somewhat often, including 58 percent of US-born respondents, 64 percent of foreign-born respondents, and 78 percent of undocumented immigrant respondents.

#### Raids are necessary to enforce laws and deter more illegal immigration and its negative impacts

Bloomberg Editorial Board 16 (Bloomberg is an internationally oriented newspaper with a specific focus on economic policy, “Obama's Deportation Raids Are Ugly -- and Right”, 1/14/16, https://www.bloomberg.com/view/articles/2016-01-14/obama-s-deportation-raids-are-ugly-and-right)KJR

Arresting and deporting women and children in the middle of the night is undoubtedly a nasty business. It's also sometimes necessary. Some Democrats are furious about the U.S. Department of Homeland Security's crackdown on immigrants from Central America whose requests for asylum have been denied. But the heavy-handedness of the raids -- which took place during the New Year's weekend -- is part of the point: With the future of U.S. immigration policy clouded by political uncertainty and legal challenges, both the emigrants and those who seek to exploit them need a clarifying reminder that the U.S. will enforce its immigration laws. The number of child migrants and families from El Salvador, Guatemala, and Honduras crossing the border is now nearing levels surpassed only during the height of the crisis in 2014. Many attribute this increase to escalating violence in Central America. Yet while El Salvador saw a nearly 70 percent jump in homicides last year, the number of homicides in Honduras and Guatemala has declined in recent years. And for all the horrors of violence, Central Americans have plenty of other reasons to come to the U.S.: family, jobs, a punishing drought back home. inRead invented by Teads Misinformation and confusion about U.S. immigration policy have also played a role. The surge in arrivals of children with and without a parent coincides with executive actions that President Barack Obama issued to shield children brought earlier to the U.S., and in some cases their parents, from deportation. Smuggling gangs have falsely used these moves, and the prospect of an amnesty, to encourage people to make the dangerous and expensive trek north. This flow of several hundred thousand Central American women and children has overwhelmed the U.S. immigration system. Sorting out those who have humanitarian claims to asylum from those coming to the U.S. for other reasons is time-consuming, and the U.S. lacks the courts, legal personnel, and detention facilities to handle them. So they have often been released until their cases can be heard -- in many cases not for two years. Such delays amount to a de facto policy of open admission for children and families. Clear thinking from leading voices in business, economics, politics, foreign affairs, culture, and more. Share the View Enter your email Sign Up Immigration authorities need to do better. One prerequisite is that families in the U.S. have adequate access to legal representation. Better yet, the U.S. should do more to keep those seeking protection from making a risky journey north. Secretary of State John Kerry's announcement Wednesday that the U.S. would work with the United Nations to process asylum claims in Central American countries will help. The U.S. also needs to accelerate its in-country processing, which has been pathetically slow. Its campaigns to inform Central Americans about U.S. immigration laws and policies have also been spotty and untested. None of these efforts precludes the stronger enforcement of the law in the U.S. The New Year's weekend raids targeted 121 adults and children that an immigration judge had already ordered removed from the U.S. As harsh as those measures may be, they are consistent with the law and send a strong deterrent signal. Despite the outcry, backing off now would reinforce the misperceptions in Central America that helped create this problem -- and undermine public support for legal immigration in the U.S.

### Impact – Econ

#### ICE raids give American jobs and is key to revitalizing the economy

Gomez 11 (Alan, an immigration reporter at USA Today, “Immigration raids yield jobs for legal workers”, <https://usatoday30.usatoday.com/money/workplace/2009-09-13-plants_n.htm>) mlm

When federal agents descended on six meatpacking plants owned by Swift & Co. in December 2006, they rounded up nearly 1,300 suspected illegal immigrants that made up about 10% of the labor force at the plants. But the raids by Immigration and Customs Enforcement (ICE) agents did not cripple the company or the plants. In fact, they were back up and running at full staff within months by replacing those removed with a significant number of native-born Americans, according to a report by the Center for Immigration Studies (CIS). That was the most extreme example of what has become an increasingly common result of the raids: "They were very beneficial to American workers," according to Vanderbilt University professor Carol Swain. "Whenever there's an immigration raid, you find white, black and legal immigrant labor lining up to do those jobs that Americans will supposedly not do," said Swain, who teaches law and political science. Exactly who is filling the jobs has varied, depending on the populations surrounding the plants: • Out West, one of the Swift plants raided by ICE, had a workforce that was about 90% Hispanic — both legal and illegal — before the raids. The lost workers were replaced mostly with white Americans and U.S.-born Hispanics, according to the CIS. • In the South, a House of Raeford Farms plant in North Carolina that was more than 80% Hispanic before a federal investigation is now about 70% African-American, according to a report by TheCharlotte Observer. • Throughout the Great Plains, a new wave of legal immigrants is filling the void, according to Jill Cashen, spokeswoman for the United Food and Commercial Workers union, which represents 1.3 million people who work in the food-processing industry. Plants are refilling positions with newly arrived immigrants from places such as Sudan, Somalia and Southeast Asia. Recession plays a factor in shift Steven Camarota of CIS said native-born Americans are not only willing to take on those jobs, but currently fill a majority of them. Native-born workers outnumber immigrants 3-to-1 in construction jobs and 2-to-1 in farming, fishing and forestry jobs, according to Camarota. T. Willard Fair, president and CEO of the Urban League of Greater Miami, said it has taken the greatest recession in a generation for poor Americans to line up to work in fields and factories. "We'll take anything now," Fair said. "We're willing to be exploited for a while." After ICE agents descend on poultry-processing plants, pork factories and meatpacking facilities across the USA, in some cases plant owners are forced to raise wages to get Americans to sign up, Swain said. Catherine Singley, a policy analyst for the National Council of La Raza (NCLR), the nation's largest Hispanic civil rights organization, said the post-raid increases in salaries were also necessary for Americans to accept the harsh, dangerous working environments. She said wages did not plummet in recent decades because of immigrants undercutting Americans, but because employers took advantage of the immigrant population fearful of seeking help from authorities. "If you've got a segment of the workforce that's afraid to speak out against violations of their labor rights, then that drags down wages and working conditions for all workers," Singley said. A report released last week by the NCLR found that the occupational fatality rate for Latinos remained the highest among ethnic groups in the country for the 15th straight year in 2007, when 937 Latinos died on the job. "That's something that native-born Americans and native-born Latino workers are dealing with for the first time," she said, referring to the general working conditions faced by workers in factories, plants and fields.

#### Illegal immigration drives down economic growth – job competitiveness and remittances

Morrison 17 (Spencer, Editor-In-Chief - National Economics Editorial. JD candidate, writer, and independent intellectual, “Illegal Immigration Must Be Stopped: The Comprehensive Case Against Illegal Immigration” <http://www.nationaleconomicseditorial.com/2017/03/02/why-illegal-immigration-must-be-stopped/>) mlm

Illegal Immigration Is Bad For The Economy As with most things in life, the debate over illegal immigration often boils down to money. As it turns out, this is an open-and-shut case: aliens hurt the economy—especially Americans without a college education. This section will break down the specific costs of migration, and then get into the macroeconomic arguments. How Much Do Illegal Immigrants Cost American Taxpayers? $110.1 Billion Per Year Illegal immigrants cost the American government, and therefore taxpayers, far more than they contribute in taxes. Here are the facts: The federal government spends $28.6 billion per year subsidizing illegal immigrants, according to a report from the Federation for American Immigration Reform. This money goes to services such as education ($2.1 billion), healthcare ($5.9 billion), policing etc. State and local governments cough up more, $93.3 billion a year on illegals. This goes to everything from education, healthcare, municipal services, court and policing costs etc. You can get a good sense of what this looks like in my cost analysis on California. Illegal immigrants do pay taxes to the tune of $14.9 billion at the federal, state, and local level. Adjusted for inflation, the US government spends a net $110.1 billion every year on illegal immigrants—that’s the sort of statistic they don’t tell you about. And it’s a lot of money. In fact, it’s enough to build a brand new house for every homeless American. But taxes aren’t the whole story—illegal immigrants also drain the economy vis-a-vis remittances. Undocumented Immigrants Send $38 Billion In Remittances Every Year Remittances are simply money transfers from someone working in the US, to their family back home. It’s tough to get a hard number on this, but for my calculations, I assume that remittances are only being sent by first generation immigrants (both legal and illegal), and that they are equally likely to remit funds. Yes, illegal immigrants make less than do legal immigrants, but they also remit larger portions of their income. According to Pew Research America lost $133.6 billion in remittances in 2015—$136.9 billion when adjusted for inflation. Given that there are 40 million foreign-born American citizens, and roughly 11.1 million illegal immigrants (again, according to Pew), this means there are 51.1 million people sending remittances. From this, we can guess that illegal immigrants send $38 billion from America every single year. Remittances are especially bad for the economy because the money literally disappears, never to be seen again by local consumers or businesses. This can completely destroy the economy in smaller towns. For you libertarians out there who don’t have a problem with remittances because they’re governed by the free market, look at it this way: remittances impact the economy like maximally inefficient taxes. Let me explain. Imagine the worst tax you could ever imagine. What would it look like? It would be a tax that gave you nothing of value in return—like if you’re a French cobbler from Rouen who’s forced to pay King Louis money so that he can live it up in Versailles. That money wasn’t reinvested into your community, on new roads or bridges, it was wasted on a pompous asshole who lives far away. This impoverishes you. Remittances are the same thing. Americans employ illegal immigrants, who then send the money abroad. Just like the tax, the money disappears—it’s not used to buy American goods, support American businesses, or build American roads. It buys Mexican goods. Supports Chinese businesses. Builds Filipino roads. If you want to see how these costs break down at the state level, read this article on illegal immigrants in Texas, and this one on California. Beyond that, illegal immigrants hurt the economy in other ways. Illegal Immigrants Lower Wages For US Citizens By Distorting The Labor Market I’m going to change tack here and move into some of the macroeconomic problems with illegal immigration (a dedicated article can be found in the embedded link). How do illegal immigrants lower wages for American workers? Two ways: I. More Illegal Aliens Means A Bigger Labor Supply, Lowering Wages You’ve heard of the law of supply and demand? It’s a tool we use to help us understand how prices are determined in a free market. All you need to know is that when demand goes up, prices go up (more people are bidding up the price); when supply goes up, prices go down (there’s lots to go around, so there’s no urgency); and vice versa. This holds true when it comes to the prices of apples, oil, or a person’s labor—if there’s lots of workers who can do a job, then employers don’t have to pay as much to get a qualified employee; if there’s a shortage of workers, then employers have to pay more to hire someone. Simple. real vs nominal US wages America’s labor market has been flooded with illegal immigrants looking for work. This increases the supply of labor, which decreases the price employers must pay for workers (wages). There’s no way around this logic: if you accept the law of supply and demand, then you must accept that illegal immigration decreases American wages. End of story. Of course, the facts bare this out. You can see in the above graph how real wages (adjusted for inflation) for American workers have stagnated for quite some time. Part of this is due to offshoring (which basically does the same thing as illegal immigration, but on a bigger scale), but part of it’s due to illegal immigration. II. Migrants Undercut American Workers, Reducing Wages Undocumented workers not only increase the labor supply, but they also work off-the-books, making less than minimum wage. Likewise, they don’t get the various benefits that citizen’s would get etc. Basically, illegals undercut the labor market’s mandated floor, pulling the rug out from American workers—there’s no way a minimum wage worker can compete against someone working for $2 a day. It’s not going to happen. Wages aside, employers like to hire illegals because they have leverage over them: if the illegal misbehaves they can fire them without recourse; they can force the illegal to work long hours or in unsafe conditions using the threat of deportation as their leverage etc. Aside from the obvious moral problems here (I’ll get to those later), this makes it impossible for American citizens to compete with illegal immigrants for the same jobs. This is why the black and youth unemployment rates are so high (because black, and young Americans filled the labor market niche that illegals are now filling)—fast food places used to be operated by teenagers, now they’re stuffed with illegals.

#### Immigration increases with better education – that drives the economy down

Valverde 16 (Miriam, staff writer for PolitiFact, “Donald Trump says illegal immigration costs $113 billion a year,” http://www.politifact.com/truth-o-meter/statements/2016/sep/01/donald-trump/donald-trump-says-illegal-immigration-costs-113-bi/)SDL

FAIR’s report says $113 billion represents the total cost at the federal, state and local levels for undocumented immigrants. The vast majority -- $84 billion -- is paid by state and local governments. The $113 billion is not a net cost. Taking into consideration federal, state and local tax payments made by the undocumented population, the net cost would be about $99 billion, according to the FAIR report. The report details federal expenses for education, medical treatment, law enforcement, public assistance and general expenditures covering people here illegally. General expenses include "non-enumerated functions of government," such as the cost of fire departments or of the legislature, the report said. FAIR based its estimates on a pool of 13 million people in the country illegally. It includes at least 3.4 million children who are U.S. citizens born to undocumented parents.

#### Illegal immigration hurts the economy – education/housing is expensive

Malanga 6 [Steven, a George M. Yeager Fellow at the Manhattan Institute the senior editor of City Journal; September 06; https://www.city-journal.org/html/how-unskilled-immigrants-hurt-our-economy-12946.html]/MR

Since the mid-1960s, America has welcomed nearly 30 million legal immigrants and received perhaps another 15 million illegals, numbers unprecedented in our history. These immigrants have picked our fruit, cleaned our homes, cut our grass, worked in our factories, and washed our cars. But they have also crowded into our hospital emergency rooms, schools, and government-subsidized aid programs, sparking a fierce debate about their contributions to our society and the costs they impose on it. Advocates of open immigration argue that welcoming the Librado Velasquezes of the world is essential for our American economy: our businesses need workers like him, because we have a shortage of people willing to do low-wage work. Moreover, the free movement of labor in a global economy pays off for the United States, because immigrants bring skills and capital that expand our economy and offset immigration’s costs. Like tax cuts, supporters argue, immigration pays for itself. But the tale of Librado Velasquez helps show why supporters are wrong about today’s immigration, as many Americans sense and so much research has demonstrated. America does not have a vast labor shortage that requires waves of low-wage immigrants to alleviate; in fact, unemployment among unskilled workers is high—about 30 percent. Moreover, many of the unskilled, uneducated workers now journeying here labor, like Velasquez, in shrinking industries, where they force out native workers, and many others work in industries where the availability of cheap workers has led businesses to suspend investment in new technologies that would make them less labor-intensive. Yet while these workers add little to our economy, they come at great cost, because they are not economic abstractions but human beings, with their own culture and ideas—often at odds with our own. Increasing numbers of them arrive with little education and none of the skills necessary to succeed in a modern economy. Many may wind up stuck on our lowest economic rungs, where they will rely on something that immigrants of other generations didn’t have: a vast U.S. welfare and social-services apparatus that has enormously amplified the cost of immigration. Just as welfare reform and other policies are helping to shrink America’s underclass by weaning people off such social programs, we are importing a new, foreign-born underclass. As famed free-market economist Milton Friedman puts it: “It’s just obvious that you can’t have free immigration and a welfare state.”

#### Immigration costs taxpayers and school districts money and important resources

Ferris and Raley 16 [Marc, M.A. in history from the University of Massachusetts at Amherst; Spencer, politically experience writer for FAIRUS --September <http://www.fairus.org/publications/the-elephant-in-the-classroom-mass-immigrations-impact-on-public-education>]

LEP students cost taxpayers approximately $59.2 billion annually. Almost the entirety of this cost, 98.9 percent, is borne by taxpayers at the local and state level. This fiscal impact is felt well beyond the southern border states—Texas, New Mexico, Arizona and California— where problems related to immigration are typically associated.8 In fact, 11 of the 13 states spending more than $1 billion on LEP programs in 2016 don’t border Mexico: Colorado, Illinois, Washington, Virginia, Georgia, Massachusetts, Michigan, Florida, New Jersey, New York and Maryland. In all but 14 states, the percentage of LEP students swelled between 2003 and 2013. Almost one in every 10 states serves more than 100,000 LEP students and 22 educate 50,000 or more. In urban areas, 14 percent of students are LEP. Though this demographic is the fastest-growing segment of the public school population in many areas, few districts are adequately dealing with this crisis as language programs eat up a growing share of local school budgets. In Boston, a sanctuary city where thousands of high school students walked out of classes in March 2016 to protest budget cuts, around a third of all students are enrolled in LEP programs. In Lexington, Nebraska, a meat-packing town in the western part of the state, the figure is almost 20 percent.9 8 The Elephant in the Clasroom: Mass Immigration’s Impact on Public Education The situation in Nashville is emblematic of the problem. With the number of ELL students in the city rising from 8,751 in 2011 to 12,329 in 2015, the district plans to boost funding and add 105 new positions to serve this population. In 2015, two new schools opened to accommodate 855 students. Spending on ELL programs represents the second highest percentage increase in the district’s 2016-2017 budget after the rise in the total number of students. To compensate, however, the district is slashing funds for new textbooks and science kits.

#### Resources used by immigrant education programs trade off with city budgets and resource allocation for other minority groups

Ferris & Raley 16 [Marc, M.A. in history from the University of Massachusetts at Amherst; Spencer, politically experience writer for FAIRUS --September <http://www.fairus.org/publications/the-elephant-in-the-classroom-mass-immigrations-impact-on-public-education>]

Driving LEP costs even higher, it takes at least $1.7 billion each year to educate the almost 119,000 UAMs who crossed the border from Mexico, Guatemala, Honduras and El Salvador. And they are still arriving: UAM numbers are up 78 percent in the first half of FY2016 compared with the first six months of FY2015. There is little indication that this trend will end any time soon. In fact, it appears that in 2016 about the same number of UAMs will arrive in the United States that entered in 2014, a record-shattering year. From January 2014 to June 2016, the federal government placed 118,929 UAMs with sponsors in the United States, typically a relative or acquaintance. This figure does not include UAMs who may have slipped past the Border Patrol. Though teenagers make up the majority of UAMs, the highest increase is with children age 12 and under. Several states balked at receiving UAMs, but the Obama administration squelched all attempts to refuse their resettlement. States that typically absorb large numbers of immigrants top the list of UAM recipients, including New York, California, Texas, Florida, Illinois and New Jersey. However, Maryland and Virginia are the fifth and sixth largest for UAM placement respectively.13 These developments illustrate the dramatic demographic transformation taking place in the Washington, D.C. area that is hitting taxpayers in the wallet. In Baltimore, Maryland (a sanctuary city), the school system announced at least 50 layoffs in 2016, including central office staff and school police officers. In 2015, Baltimore schools eliminated 202 positions to help tackle a $63 million budget shortfall, the first layoffs in a decade. Property taxes in Montgomery County, Maryland, will rise almost 9 percent in 2016, the largest spike in eight years. Also in 2016, Calvert County, Maryland, raised property taxes and income taxes for the first time since 1987 and 2004, respectively. As is the case nationally, the flood of new immigrants continues to devastate historically disadvantaged African-Americans, many of whom lag behind academically as resources are lavished on the newcomers, including those here illegally

#### Immigration does not benefit the economy – laundry list

Hall 16 (Jamie, senior policy analyst in the Center for Data Analysis at The Heritage Foundation, 11/30/16, Does Current Immigration Economically Benefit Ordinary US Citizens?, <http://www.heritage.org/immigration/commentary/does-current-immigration-economically-benefit-ordinary-us-citizens>) MAM

Does current immigration economically benefit ordinary non-immigrants? A recent major report indicates that most immigration does not. In September, the National Academy of Sciences (NAS) published a major report on “The Economic and Fiscal Consequences of Immigration.” The report shows that, other than small number of scientifically educated immigrants, immigration produces little or no overall economic gain for non-immigrants but may cause a substantial shift in income from workers to business and capital owners. Also, immigrants overall produce a fiscal deficit due to the very large inflow of legal and illegal immigrants with low education levels in recent decades. So how did the researchers get to this conclusion? For starters, the report makes the perfectly obvious point that immigration increases the gross domestic product as it increases the number of workers. However, the pertinent question is not whether the GDP is larger but whether non-immigrant citizens are economically and financially better off because of immigration. Specifically, has immigration increased or decreased the post-tax per capita income of the non-immigrant population? The report shows that immigration impacts the post-tax income of non-immigrants in three ways: through an “immigration surplus,” technological change, and a fiscal impact on government finances. According to the report, an immigration surplus potentially exists because, as immigrants enter the labor force, wages decline and returns to capital (such as interest and profits) increase by a slightly larger amount. As the report puts it, “the more wages decline, the larger the surplus.” At its maximum value, the theory implies that the current stock of immigrant labor, at 16.5 percent of the total labor force, has “lowered wages by 5.2 percent,” or roughly $500 billion, for non-immigrants, while raising the incomes of owners of business and capital by as much as $554.2 billion. The difference between the reduced wages and increased profits is “an immigration surplus of $54.2 billion, representing a 0.31 percent overall increase in income that accrues to the native population.” Thus the model shows that the main impact of immigration is to redistribute income. In other words, since businesses can pay workers less, they make more of a profit. However, as the report notes, the supply of capital may increase and the rate of return on capital will fall. This would mean the wage losses, capital income increases, and immigration surplus gradually disappear, and, in the long run, the situation would return to the status quoante. The theory also predicts that a disproportionate inflow of immigrant laborers at a particular education or skill level will reduce the wage of workers in that group relative to others. For example, adult immigrants are almost four times as likely as non-immigrants to lack a high school diploma. This will result in persistently lower relative wages for less skilled workers, whether immigrant or not. The report also states that immigrants with high levels of technical and scientific education spur technological innovation which may “increase productivity of natives, very likely raising economic growth per capita.” The number of patents produced is used as a proxy for technological change. Immigrants with a college degree are twice as likely as U.S. born college graduates to obtain a patent. (This difference in patenting occurs because college educated immigrants are more likely to have degrees in science and technology than are college graduates born in the U.S.) However, only 12.4 percent of recent immigrants have a STEM (science, technology, engineering or math) degree, and only one third of those are employed in a STEM occupation. Overall, only one percent of immigrants produce patents. Thus the overwhelming majority of the one million immigrants arriving in the U.S. each year are irrelevant to the technological change described in the National Academy of Sciences report. Finally, the report examines the fiscal impact of immigration, considering eight different scenarios. In all scenarios, immigrants as a group are in fiscal deficit; the total federal, state, and local government benefits they receive are greater than the total taxes they pay, in both the first and second generations. The NAS report shatters any contention that immigration, as structured in recent decades, contributes to overall government solvency. The opposite is true. The report makes clear that immigrants without a high school diploma, on average, generate substantial fiscal deficits, paying less in taxes than they receive in benefits in every scenario examined. By contrast, across all scenarios, immigrants with a college degree or more create a fiscal surplus. Thus, the fiscal impact of immigration depends on the educational balance within the immigrant population. Based on the report’s findings, both the economic and fiscal impact of immigration can be improved in the future by reducing the number of low skill immigrants and increasing the number of high skill immigrants.

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