
The Impact of Immigrants in Maryland

Commission Status Report

Commission to Study the Impact of Immigrants in Maryland

January 2011

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January 21, 2011

The Honorable Martin J. O'Malley
Governor, State of Maryland

The Honorable Thomas V. Mike Miller, Jr.
President of the State of Maryland

The Honorable Michael E. Busch
Speaker of the House of Delegates

Gentlemen:

Pursuant to Chapter 553 of 2008, the Commission to Study the Impact of Immigrants in Maryland respectively submits a status report of its work.

The objective of this report is to provide a description of the Commission's research and deliberations to date. The Commission understands that its final report was due on January 1, 2011. However, it has met only since May of 2010, and it is now requesting an extension to continue its operations through the 2011 calendar year. More specifically, it would like to invite several experts to public meetings to be held through May of 2011. A final report will be prepared by January 1, 2012.

The subject areas originally outlined in the legislation included the demographic, economic and fiscal impacts of *immigration*. As part of the discussion, the Commission was to consider the benefits and costs of *unauthorized immigration*, including the impacts on income distribution, crime, education, and health care. Of related importance, the methods used to reduce the number of unauthorized immigrants also have economic, fiscal and social dimensions. The Commission believes its contribution would be diminished if it did not explicitly address these issues, especially concerning the presentation of factual evidence. It needs more time to consider these topics more thoroughly.

I would like to take this opportunity to thank the members of the Commission, its staff, and the guests that have already contributed to the Commission. The Commission also greatly appreciates your support for its work.

Sincerely,

Dr. Larry Shinagawa
Commission Chair

jfw/lis

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Commission to Study the Impact of Immigrants in Maryland

Status Report

January 20, 2011

Introduction

Immigration policy is increasingly becoming a topic of interest for many people in Maryland and throughout the nation. With comprehensive immigration reform stalled at the federal level, state and local officials are being asked to address various issues relating to immigration and, in particular, the perceived effects of unauthorized immigration. To gain a broader understanding of the economic and fiscal issues surrounding immigration, the General Assembly passed HB 1602 (The Act) in June 2008 authorizing the Commission to Study the Impact of Immigrants in Maryland (Chapter 553, Acts of 2008). The Commission was to provide its final report by January 1, 2011. Its authorization extends through May 31, 2011.

The Commission sees as its mission to provide fact-based and objective information concerning immigration to state delegates and senators. As also outlined in its authorizing act, the Commission intends to provide policy analysis and recommendations to the legislature. It began its deliberations in May 2010 and since then has held monthly meetings on May 3, June 7, July 12, August 9, September 20, October 12, November 8, December 6, and January 10. The minutes for each of these meetings are attached at Appendix A.

Given that the Commission was authorized in 2008, but only formed in 2010, it is now requesting to continue its deliberations through 2011. More specifically, it would like to invite several experts to public meetings to be held through May of 2011. Further, extending the Commission's work for another year will enable it to use more up-to-date and accurate demographic data, which will be made available by the U.S. Census Bureau in early 2011. A final report will be prepared by January 1, 2012. The objective of this status report is to provide a description of the Commission's research and deliberations to date.

The subject areas originally outlined in the legislation included the demographic, economic and fiscal impacts of *immigration*. As part of the discussion, the Commission was to consider the benefits and costs of *unauthorized immigration*, including the impacts on income distribution, crime, education, and health care. Of related importance, the methods used to reduce the number of unauthorized immigrants also have economic, fiscal and social dimensions. The Commission believes its contribution would be diminished if it did not explicitly address these issues, especially concerning the presentation of factual evidence.

So far, the Commission has analyzed the demographic and socioeconomic profile of the State's immigrant community. To varying degrees, it has also examined the economics of immigration including the education of immigrant children and youth, workforce development, federal and state immigration enforcement programs, local law enforcement policies, and compliance efforts with the federal REAL ID Act. Throughout its deliberations, the Commission has compiled an inventory of research reports and publications relating to immigrants at the national and State level. A list of these references, which is continuously updated, is contained in Appendix B.

This information, along with public presentations, will guide Commission members in presenting findings and recommendations to the Governor and General Assembly.

Policy Implications/Recommendations

The Commission acknowledges that its establishing statute called for the Commission to provide policy recommendations based on its findings. Though it intends to provide such recommendations in the final report, the Commission recognizes that the factors affecting immigration and its impact on the state of Maryland are complex and warrant thorough investigation. It is still in the process of finding information from a variety of stakeholders. The Commission has not come to conclusions as to the policy implications of immigration, and it has therefore no recommendations to express at this time.

Identification of Issues

The Commission has identified several specific issues for which it is conducting fact finding and intends to provide analysis in the final report. We provide some brief comments for each of these topics here, and further discussion in Appendices C through E.

1. Demographic and Socioeconomic Profiles

Demographic analysis is the quantification of different characteristics of specific human populations and population segments. Typical traits identified and quantified in demographic analysis include gender, age, race, and national origin. Socioeconomic analysis usually adds such characteristics as education, income, and consumer behavior. In 2008, both the Department of Legislative Services¹ and the Urban Institute² produced informative reports on the demographics and socioeconomics of Maryland's immigrants.

On behalf of the Commission, the Department of Legislative Services (DLS) has produced an updated and comprehensive report on the demographic and socioeconomic profiles of Maryland's foreign born residents.³ This work, distributed with this report, uses the most recent available data from the U.S. Census Bureau's American Community Survey (ACS) for 2006 through 2008.⁴ In addition to a presentation of facts for Maryland's foreign born, the demographic and socioeconomic profiles of these immigrants are compared to native born Maryland residents as well as to immigrants in other selected states and the United States as a whole. It also provides information on immigrants for several Maryland counties.

¹ Maryland Department of Legislative Services, Office of Policy Analysis, "International Immigration: The Impact on Maryland Communities" (January 2008), http://dlslibrary.state.md.us/publications/OPA/I/International_Immigration_2008.pdf.

² Randy Capps and Karina Fortuny, "The Integration of Immigrants and Their Families in Maryland: The Contributions of Immigrant Workers to the Economy" (The Urban Institute for the Annie E. Casey Foundation, August 2008), <http://www.urban.org/publications/411751.html>.

³ Maryland Department of Legislative Services, Office of Policy Analysis, "International Immigration to Maryland: Demographic Profile of the State's Immigrant Community" (January 2011.)

⁴ The ACS is a nationwide monthly sample survey that collects the socioeconomic characteristics of the population. Data is reported in one, three, or five-year periods depending on the population size of an area, and is refreshed annually. The ACS is designed to take the place of the information formerly collected by the decennial census long form. For more information, see http://www.census.gov/acs/www/about_the_survey/american_community_survey/

The report also presents some statistics on the demographics of unauthorized immigrants. Data on unauthorized immigration are sparse but acceptable estimates have been computed by the Pew Hispanic Center derived through a multistage estimation process principally using annual March Supplements to the Current Population Survey.⁵

2. Economic Impacts

The Commission intends to examine the economics of immigration in general, and immigration in Maryland in particular. Economists usually assess the economic costs and benefits of immigration within a long-term economy-wide perspective. Both theoretical and empirical work in this area suggest that, on average, immigration provides a small, though lasting, net economic benefit to native workers.⁶ The magnitude and distribution of these benefits depends on whether immigrant labor is a substitute or a complement to native labor. In Maryland immigrants tend to be particularly complementary to the native work force, at least relative to the situation in other states, perhaps providing a better than average contribution to the state's economic vitality. In particular, Maryland attracts a high proportion of the highest skilled immigrants.⁷

Nevertheless, there might be measurable negative economic impacts of immigration on certain persons or groups, especially those that compete with immigrant labor in certain occupations and industries. There are other economic drawbacks of rapid immigration that should be further studied carefully. For example, most analyses of the economic impacts of immigration do not distinguish between authorized and unauthorized immigrants. In theory, there should be little difference between the economic impacts of authorized and unauthorized labor. However, there are several factors that might modify this conclusion, and these should be further researched. Appendix C contains a further description of the issues surrounding the economic impacts of immigration.

3. Fiscal Impacts on State and Local Governments

Like native-born residents, immigrants consume government services such as education, public safety, transportation, and public health care. Considerable research has been conducted over the past two decades relating to the fiscal impact that immigration has on various units of government. Authorized immigrants pay for and receive (with some limitations) government services at roughly the same rates of natives with similar income levels, occupations and family status. The Congressional Budget Office released a report in

⁵ See, for example, Jeffrey S Passel and Paul Taylor. "Unauthorized Immigrants and Their U.S.-Born Children" (Pew Hispanic Center, August 11, 2010), <http://pewresearch.org/pubs/1696/unauthorized-immigrants-babies-born-united-states-citizens>, and Jeffrey S. Passel and D'Vera Cohn. "U.S. Unauthorized Immigration Flows Are Down Sharply Since Mid-Decade" (Pew Hispanic Center, September 1, 2010), <http://pewhispanic.org/reports/report.php?ReportID=126>.

⁶ See for example, Giovanni Peri, "The Impact of Immigrants in Recession and Economic Expansion, (Migration Policy Institute, June 2010) and Gianmarco Ottaviano and Giovanni Peri, "Immigration and National Wages: Clarifying the Theory and the Empirics" (NBER Working Paper No. 14188, July 2008).

⁷ Capps and Fortuny, "The Integration of Immigrants and Their Families in Maryland: The Contributions of Immigrant Workers to the Economy," pages 24 figures 10 and 11.

2007 concluding that, in aggregate and over the long term, immigrants pay more in taxes (federal, state, and local) than they use in government services.

Unfortunately, there are few data to provide a definitive picture of the net impact of unauthorized immigrants on federal, state, and local government accounts. Moreover, there is reason to believe that the effects vary greatly by level of government. Unauthorized immigrants are ineligible for most federal programs such as public cash assistance, food stamps, Medicaid (other than emergency services), and Social Security. State and local governments are limited in their ability to deny services to immigrants, including those who are unauthorized. State and local governments must provide certain services (i.e., public K-12 education, emergency health care, and law enforcement) to individuals regardless of their immigration status. Consequently, while the federal government receives a net revenue inflow from unauthorized immigrants, state and local governments usually realize a net revenue loss because unauthorized immigrants pay less in state and local taxes than the cost to provide services to that population. This is due partly to the fact that unauthorized immigrants typically earn less than native-born residents and thus pay a smaller portion of their income in taxes.

Research relating to the fiscal impact of immigrants on Maryland exists, but it is sparse. The Commission intends to assess further the potential fiscal implications that immigration, and particularly unauthorized immigration, pose at both the State and local levels. A brief summary of State and local government expenditures in Maryland and the types of services provided at each government level is provided in Appendix D.

4. Immigration Enforcement Policy

While the U.S. Constitution does not explicitly grant to the federal government the sole authority to regulate immigration matters, the federal government has retained broad and exclusive power to regulate immigration laws and foreign nationals residing in the United States. Courts consistently note that immigration constitutes a federal concern, not a state or local matter, and Congress has made clear its intent that federal law preempts state law in the area of immigration. Nonetheless, state legislatures, including the Maryland General Assembly, continue to tackle the issue of immigration, including the benefits and costs of both authorized and unauthorized immigration. With these concerns in mind, the Commission was presented with information on immigration enforcement measures adopted in other states, with a focus on the recently enacted legislation in Arizona. Appendix E contains a brief summary of the major findings from these presentations.

5. K-12 Education

Fundamental to the American way of life is the right to participate in a public system of education between grades K through 12. This right applies to all residents in the United States including those in Maryland. While most immigrants are beyond the ages usually considered attending grades K through 12, the children of immigrants must be considered in examining the impact of immigration on our community.

The cost of this public education is the most effective public investment made by our community. From a fiscal point of view, the education of immigrant children may require an extra investment for subsidized meals, extra language training, and more time in the classroom to cover materials. These extra costs are often covered by federal or state programs.

Nevertheless, this extra investment is extremely valuable because the generation of the children of recent immigrants will shortly be an integral part of our communities and workforce. There is extensive literature to show that education is a key factor in achieving better socioeconomic status and improved health. Education is especially helpful for immigrants and their children, not least because an effective education system will enhance the integration of the foreign born within the community at large.

Besides these favorable economic impacts of an educated resident immigrant population, the cultural and linguistic mix of immigrants in the public school systems provides a learning opportunity for non-immigrant children and their teachers. Exposure to other cultures and people from different geographies allows for more expansive thinking about concepts being considered in everyday courses taken in school. In a recent landmark book, Scott Page redefines the way people understand themselves in relation to one another.⁸ *The Difference: How the Power of Diversity Creates Better Groups, Firms, Schools, and Societies* is about how people think in groups--and how collective wisdom exceeds the sum of its parts. Such diversity not only enhances education, but the emotional and interpersonal intelligence of the students who are immersed within it.

6. Higher Education

College educated immigrants are also major contributors to the economic and social development of the communities where they settle. Again, it is well recognized that college educated persons earn more money than those persons with only a high school education. For example, the National Center for Education Statistics indicates that in 2008, the median annual earnings of a Hispanic male age 25 or older with less than a high school education was \$25,000. Those with a high school education realized \$30,000. Median earnings in 2008 for those Hispanic males with an Associate's degree were \$32,000, with a Bachelor's degree were \$50,000, and with a Master's degree or above it was \$68,000 or more. For female Hispanics, the comparable figures were \$18,200, \$25,000, \$32,500, \$40,000 and \$52,500.⁹

An important part of this economic role is that persons with higher degrees create substantial positive spill-over benefits for those that work and live with them. From the local communities' points of view, more educated populations create better quality jobs, a stronger and more stable tax-base, and a higher standard of living for everyone in the community.

⁸ Scott Page, *The Difference: How the Power of Diversity Creates Better Groups, Firms, Schools, and Societies* (Princeton University Press, 2007).

⁹ http://nces.ed.gov/pubs2010/2010015/tables/table_29.asp.

Moreover, higher education is not a zero-sum game. Affording all qualified community residents, natives and immigrants alike, the opportunity to attend and participate in a college education serves everyone's goal of establishing their community as a strong, vibrant and nice place to live. This is why measures such as the federal DREAM Act (i.e. The Development, Relief, and Education for Alien Minors Act of 2009) are important. Currently, in the State of Maryland, a law with the same intent as the federal DREAM Act, is being considered for the 2011 session of the Maryland General Assembly. Appendix F contains brief summaries of the federal and Maryland DREAM Acts. It is interesting to note that this focus on the education rights of immigrants is actually part of the impact of immigration in the State. That is, it is stirring a more general public policy debate on the importance of an educated populace to the future of the community. Once the importance of education is appreciated, it is readily evident how vital it is that everyone shares in education.

7. Investment in Foreign-Trained Professionals

Consistent with the educational support for K through 12 and higher education, a comprehensive support program for foreign-trained immigrants is a good investment. Due to a lack of recognized or certifiable credentials and/or language barriers for re-entry into professional jobs in the U.S., immigrants in this category are often under-employed and likely to be in unskilled occupations. With adequate support to re-establish career paths, either through formal education, refresher courses or credentialing of prior experience, the potential of economic contribution of foreign-trained professionals would be greatly increased at relatively low costs. With the recent emphasis on cost-savings in higher education, a partnership with community colleges can play a major role in helping new immigrants to re-establish their careers.

One of the charges of the Commission is to consider the potential for increased productivity and revenue from the immigrant workforce. Data from a recently released report by the Maryland Department of Labor, Licensing and Regulation (DLLR) indicate that there is substantial untapped professional talent among Maryland's foreign born.¹⁰ This potential is especially important for the healthcare sector. By matching information and facilitating licensing, we can selectively target the needs of the workforce with the talents of Maryland's immigrant population. This investment in the human capital of the foreign born is not only highly beneficial in enhancing productivity and integration; but also has a stabilizing effect on the family structure and on the society as a whole.

Finally, there is recent evidence that restrictions on legal immigration may hamper the economy and operations of the federal government. In the critical area of cyber security, for example, there is a growing demand for skilled workers eligible for security clearance and a severe shortage of qualified workers to fill these jobs. The gap is fueled by the strong federal technical and research presence and the high number of federal workers retiring or expected to retire in the near future. Because most security clearances require citizenship, highly

¹⁰ Angela Lagdameo and Adam Ortiz. August 2009. "A Fresh Start: Renewing Immigrant Integration For A Stronger Maryland, The Report Of The Maryland Council For New Americans." Maryland Department of Labor, Licensing, and Regulation. Submitted to: Governor Martin O'Malley August 2009. <http://www.newamericans.maryland.gov/documentsNA/2009Report.pdf> .

educated green card holders, who are capable of contributing so much to our country, are not eligible for these positions.

Of the 30 fastest-growing occupations projected through 2016, the U.S. Bureau of Labor Statistics' Occupational Outlook Handbook concludes that 16 require substantial mathematics or science preparation. Yet America is not producing sufficient talent to fill these positions. A 2007 National Academies report, *Rising Above the Gathering Storm*, argued that the U.S. is in a perilous position with regard to its future competitiveness and standard of living.¹¹ Thirty-eight percent of the scientists and engineers in America holding doctorates were born abroad. At a time when the world's nations are clamoring to obtain science and engineering talent, U.S. law will grant a visa for outstanding foreign students to attend U.S. universities only if they promise they will go home when they graduate. The number of legal visas set-aside annually for "highly qualified foreign workers" dropped from 195,000 per year down to 65,000.

¹¹ Committee on Prospering in the Global Economy of the 21st Century: An Agenda for American Science and Technology, National Academy of Sciences, National Academy of Engineering, Institute of Medicine "Rising Above the Gathering Storm: Energizing and Employing America for a Brighter Economic Future" (National Academies of Science, 2007). http://www.nap.edu/catalog.php?record_id=11463

Appendix A
Minutes of the Meetings of the Commission

Minutes of the Meeting of
The Commission to Study the Impact of Immigrants in Maryland

Monday May 3, 2010
University of Maryland, College Park
10:00 AM – 12:00 PM
Pyon Su Room
Adele H. Stamp Student Union
University of Maryland
College Park, MD 20742

Attendees:

Commission Members:

James E. Malone	House of Delegates Member
Susan L.M. Aumann	House of Delegates Member
Elizabeth Embry	Special Assistant to the Secretary, Labor, Licensing and Regulation
Nancy McCrea	Research & Information Director, Business & Economic Development
Mark Shmueli	Attorney, Maryland Bar Association
J. Henry Montes	Consultant, JHM Consultation
Kien S. Lee	Community Psychologist, Community Science
Naima Said , Esq.	Attorney, Naima Said & Associates, PC
Theresa A. Daytner	President, Daytner Corporation

Staff/Facilitators:

Angela Lagdameo	Director, Governor's Office of Community Initiatives
Mark Goldstein	Economist, Maryland Department of Planning
Jeff Werling	Executive Director, Inforum / University of Maryland
Xiaojie Zhang	Research Assistant, Inforum / University of Maryland

The meeting was called to order at 10:15 a.m.

1. Introductions

Staff Director, Jeff Werling, welcomed attendees to the Commission meeting and attendees introduced themselves, their experiences, and interests in the immigration issue.

2. Review of the Bill Creating the Commission

Staff Director Jeff Werling provided a presentation on the House Bill which created the Commissions. He reviewed each of the provisions. The bill lists issues to address under two headings: Demographic profile and Economic and fiscal impact. He also mentioned several reports that have addressed some of these issues.

3. Discussion: Defining the Scope of the Project

- a. One issue the Commission discussed was the semantics of distinguishing between persons in “lawful immigration status” and those “not in lawful immigration status.” It was the sentiment of many on the group that the terms authorized and unauthorized were most appropriate.
- b. The commission held a wide ranging discussion concerning the scope and scale of the Commissions mission. Delegate Malone provided the perspective of Annapolis and felt that the Commission’s report needed to contain some recommendations of how the State should address the immigration issues.
- c. Ms. McCrea suggested that the Commission needed an inventory of existing studies and how they covered the subject matter.
- d. There was discussion concerning how some of the issues would be difficult to quantify, including the net cost to local communities of immigrants health care and education.
- e. Ms. Daytner suggested that the commission might survey delegates or county officials to assess their perceptions of the issues. Other members felt that this might be outside the mandate of the Commission. Many felt that the initial task would be to establish facts according to the outline of the bill.

4. Assignment of Action Items

- a. Mr. Werling agreed to create a synthesis of the published resources containing the factual material addressing the immigration issue before the next meeting.
- b. The members agreed that, in general, meetings would be held on the first Monday of the month. The next meeting would be held Monday, June 7, from 9:00 AM to 12:00 PM at the University of Maryland, College Park.

The meeting was adjourned at 12:15 p.m.

Respectfully submitted,

Jeffrey F. Werling
Commission Staff Director

**Minutes of the Meeting of
The Commission to Study the Impact of Immigrants in Maryland**

**Monday June 7, 2010
University of Maryland, College Park
10:00 AM – 12:00 PM
Pyon Su Room
Adele H. Stamp Student Union
University of Maryland
College Park, MD 20742**

Attendees:

<u>Members</u>	<u>Affiliation</u>
Commission Chair	
Larry Shinagawa Ph.D.	Professor, University of Maryland
Appointed by President of Senate	
Richard Madaleno	Senator
Appointed by Speaker of the House	
James E. Malone	House of Delegates Member
Susan L.M. Aumann	House of Delegates Member
Ex Officio	
Elizabeth Embry	Department of Labor, Licensing and Regulation
Jim Palma	Maryland Department of Planning
Martin Ford	Department of Human Resources
Appointed by the Governor	
Mark Shmueli	Attorney, Maryland Bar Association
J. Henry Montes	Consultant, JHM Consultation
Kien S. Lee	Community Psychologist, Community Science
Michael C.Lin, Ph.D.	Volunteer, Organization of Chinese Americans
Sylvia Ontaneda-Bernales	Attorney, Law Office of Ontaneda-Bernales
Theresa Alfaro Daytner	President, Daytner Corporation
Staff	
Hiram Burch	Manager, Department of Legislative Services
Tina Huang	Research Assistant, Asian American Studies/UMCP
Erin McMullen	Policy Analyst, Dept of Legislative Services
Jim Palma	Maryland Department of Planning
Jeffrey Werling	Executive Director, Inforum / UMCP
Xiaojie Zhang	Research Assistant, Inforum / UMCP

The meeting was called to order at 9:00 a.m.

1. Introductions

Commission Chair Larry Shinagawa, welcomed attendees to the Commission meeting and attendees introduced themselves, their experiences, and interests in the immigration issue.

2. Chairperon's Remarks

Dr. Shinagawa reviewed the mandate for the Commission including points on the mission, scope, and terminology. Members discussed several aspects of the project including data requirements, the current political and social environment given the newly authorized Arizona immigration law, and the fiscal and economic impacts of immigration. Members agreed to adopt the terminology used by Department of Homeland Security (DHS), that is "authorized"/"unauthorized" immigrants and "persons in lawful status"/"persons in unlawful status" will be used interchangeable.

3. Timeline

Dr. Shinagawa provided general comments concerning the report and its timeline: we should keep the report accessible and simple; a draft need to be done by mid-November 2010 with an end-year target for the finals draft as the Commission will be adjourned May 2011.

4. Review of Resources Available for Report

- a. Staff Director Jeff Werling provided the current list of resources (data and reports) available to the Commission.
- b. Dr. Shinagawa provided a list of available data sources including the American Community Survey (ACS). He initiated a data-analysis group. Ideally, the sub-commission will meet every 2 weeks.

5. An Economist's Take on Immigration

Jeff Werling provided a presentation concerning the demographics and the economic and fiscal impacts of immigration on Maryland. This presentation was designed as a starting point for framing the outline and content of the report. Members actively discussed these issues.

6. Assignment of Action Items

- a. Dr. Shinagawa asked Dr. Werling to develop an outline of the overall report for the next meeting.
- b. The Data task force will meet before the next meeting and work to update several of the demographic charts contained in other publications.

The next meeting would be held Monday, July 12, from 9:00 AM to 12:00 PM at the University of Maryland, College Park. **The meeting was adjourned at 12:00 p.m.**

Respectfully submitted,
Jeffrey F. Werling
Commission Staff Director

**Minutes of the Meeting of
The Commission to Study the Impact of Immigrants in Maryland**

**Monday July 12th, 2010
University of Maryland, College Park
9:00 AM – 12:00 PM
Maryland Room, Marie Mount Hall
University of Maryland
College Park, MD 20742**

The meeting was called to order at 9:15 a.m.

Attendees:

Members	Affiliation
Commission Chair	
Larry Shinagawa Ph.D.	Professor, University of Maryland
Appointed by Speaker of the House	
Susan L.M. Aumann	House of Delegates Member
Ex Officio	
Nancy McCrea	Department of Business & Economic Development
Martin Ford	Department of Human Resources
Scott Tsiakerdanos	Senator Richard Madaleno's Office
Appointed by the Governor	
Mark Shmueli	Attorney, Maryland Bar Association
Kien S. Lee	Community Psychologist, Community Science
Michael C.Lin, Ph.D.	Volunteer, Organization of Chinese Americans
Naima Said , Esq.	Attorney, Naima Said & Associates, PC
Sylvia Ontaneda-Bernales	Attorney, Law Office of Ontaneda-Bernales
Staff/Guests	
Hiram Burch	Manager, Department of Legislative Services
Erin McMullen	Policy Analyst, Dept of Legislative Services
Jim Palma	Planner, Maryland Department of Planning
Jeffrey Werling	Executive Director, Inforum / UMCP
Xiaojie Zhang	Research Assistant, Inforum / UMCP
David Lee	Executive Director of Governor's Ethnic Commission
Jessy Mejia	Administrator, Governor's Commission on Hispanic Affairs

1. Introductions

Commission Director, Dr. Larry Shinagawa, welcomed attendees to the Commission meeting and attendees introduced themselves and their experiences and interests in the immigration issue.

2. Draft Report Outline

Staff Director Jeff Werling provided a presentation on draft report outline. He suggested that the report consist of six sections: Introduction, Demographics, Economic impacts, Fiscal impacts, Legal/social/fiscal issues surrounding new policies concerning unauthorized immigration, and Policy implications/recommendations. He also provided key points and references for each section. The rest of the meeting would be devoted to consideration of these issues.

The task force for demographic data (Hiram Burch, Jim Palma and Larry Shinagawa) had made progress on the demographic section and would report at the current meeting. The Economic and Fiscal impact sections would be reviewed by Werling.

Werling commented that analysis for each of these topics was complicated by the lack of information concerning the distinction of immigrants among authorized and unauthorized persons. While there is substantial demographic and socioeconomic information on immigrants in general, there is little information on unauthorized immigrants. But much of the current controversy concerns unauthorized immigrants in, for example, the labor force, schools, and emergency rooms. Therefore, current estimates of the economic fiscal impacts of unauthorized immigrants were considered to be imprecise at best.

The final section on the legal, social and fiscal implications of adopting new Arizona-style laws concerning unauthorized immigrants would be provided by Mark Shmueli.

Members discussed the report outline and made comments on the contents and scope of the report.

- a. Martin Ford commented that the fiscal benefits of unauthorized workers accrue mainly to Federal government in the form of unrefunded income and social security taxes, while state and local governments benefit little at least on net.
- b. Sylvia Ontaneda-Bernales pointed out that since the cost of public schools are mainly covered by property taxes, the rich and the childless subsidize the education of everyone, native and immigrant alike.
- c. Michael Lin pointed out that the report should address the current negative sentiment toward immigrants, and it should provide clarifying facts that might ameliorate these sentiments.

3. Immigration Demographics in Maryland

Hiram Burch provided the presentation “Maryland 2020: A State in Transition Demographics in Maryland,” with focuses on African American, Hispanic, and Asian American

communities. The objective of the presentation was to give the Commission an idea of what kind of information and information display could be provided by the American Community Survey (ACS) and the Integrated Public Use Microdata Sample (IPUMS). Striking in the results is the diversity of Maryland's population and the rapid growth of its minority populations. This growth is expected to continue over the next decade.

Jim Palma provided an introduction to the American Community Survey (ACS) and IPUMS data sets, which is the most important data source for immigration demographics for states and localities. Palma provided detail concerning the questions and geographic breakdowns of the survey, pointing out that the power of the data was limited by the sample size, especially for smaller localities. For this reason, the Commission's analysis will probably aggregate several counties.

Through the ACS web site and publications, the Census Department provides information for many predetermined demographic and socioeconomic variables across communities. However, for questions not compiled in the ACS, we will use the IPUMS data. Palma supplied several examples of how relevant data can be compiled across Maryland counties.

4. Arizona's Immigration Law

Due to time constraints, the presentation on Arizona's Immigration Law is postponed to the next meeting. Mark Shmueli provided some brief comments and distributed information on the issue.

Members agreed on holding next meeting on Monday of August 9th, 2010.

The meeting was adjourned at 12:15 p.m.

Respectfully submitted,

Jeffrey F. Werling
Commission Staff Director

**Minutes of the Meeting of
The Commission to Study the Impact of Immigrants in Maryland**

**Monday August 9th, 2010
University of Maryland, College Park
9:00 AM – 12:00 PM
Juan Ramon Jiménez Room
Adele H. Stamp Student Union
University of Maryland
College Park, MD 20742**

Members	Affiliation
Commission Chair	
Larry Shinagawa Ph.D.	Professor, University of Maryland
Appointed by President of Senate	
Richard Madaleno	Senator
Appointed by Speaker of the House	
James E. Malone	House of Delegates Member
Susan L.M. Aumann	House of Delegates Member
Ex Officio	
Rodrigue Vital	Department of Labor, Licensing and Regulation
Mark Goldstein	Maryland Department of Planning
Nancy McCrea	Department of Business & Economic Development
Martin Ford	Department of Human Resources
Appointed by the Governor	
Mark Shmueli	Attorney, Maryland Bar Association
J. Henry Montes	Consultant, JHM Consultation
Sylvia Ontaneda-Bernales	Attorney, Law Office of Ontaneda-Bernales
Staff	
Hiram Burch	Manager, Department of Legislative Services
Paulina Tran	Research Assistant, Asian Studies / UMCP
Jeffrey Werling	Executive Director, Inforum / UMCP
Xiaojie Zhang	Research Assistant, Inforum / UMCP

The meeting was called to order at 9:15 a.m.

1. Introductions

Commission Director, Larry Shinagawa, welcomed attendees to the Commission meeting. Attendees introduced themselves and their experiences and interests in the immigration issue.

2. Arizona's Immigration Law

Mr. Mark Shmueli gave a presentation on Arizona's Immigration Law SB1070. His presentation is summarized by the attached presentation. He stressed that the law had an explicit purpose: "To make (immigrant) attrition through enforcement of the public policy." That is, to create new state immigration crimes and expand power of state police to enforce immigration law – thus making it more desirable for unauthorized immigrants to flee Arizona than stay. He contrasted the provisions of the Arizona law with the 287(g) agreements between local governments and the Department of Homeland Security. He also discussed the Secure Communities initiative which many local governments have adopted in order to reduce the presence of unauthorized immigrants.

Given federal inaction in the face of an immigration "crisis", a key question confronting policymakers at all levels is the appropriate role of state and local governments in the enforcement of federal laws. Shmueli noted that there are several estimates of enforcement costs of SB1070 for local governments, and that these costs were relatively high.

3. Highly Educated Immigrants

Though it has recently concentrated on unauthorized immigration policies, Dr. Larry Shinagawa pointed out that that the commission needs also to consider policies concerning the authorized immigration. For instance, there is evidence that restrictions on legal immigration are hampering the economy and operations of the federal government. For example, because intelligence community contractors are required to be citizens, highly educated green card holders, who are capable of contributing so much to our country, are prohibited from participating. Federal government has not done anything to fix this problem; we need to draw public attention to this issue.

4. Update: Immigration Demographics in Maryland

Mr. Hiram Burch briefly talked about the progress in Immigration Demography in Maryland. At the September meeting, he and his associates in the Department of Legislative Services plan to prepare reports and presentations concerning the following issues: (1) demographics update, (2) review on immigration policy in Maryland, such as 287(g) agreements, and (3) a comparison of the economic impacts of immigration on Maryland and Arizona.

5. An Economist's Take on Immigration

Jeff Werling provided a presentation concerning the economics of immigration (attached).

Members agreed on holding next meeting on Monday of September 20th, 2010.

The meeting was adjourned at 12:45 p.m.

Respectfully submitted,
Jeffrey F. Werling, Commission Staff Director

**Minutes of the Meeting of
The Commission to Study the Impact of Immigrants in Maryland**

**Monday September 20, 2010
University of Maryland, College Park
9:00 AM – 12:00 PM
Juan Ramon Jiménez Room
Adele H. Stamp Student Union
University of Maryland
College Park, MD 20742**

The meeting was called to order at 9:15 a.m.

Attendees:

<u>Members</u>	<u>Affiliation</u>
Appointed by President of Senate	
Richard Madaleno	Senator
Appointed by Speaker of the House	
James E. Malone	House of Delegates Member
Susan L.M. Aumann	House of Delegates Member
Ex Officio	
Mark Goldstein	Principal Planner
Nancy McCrea	Research and Information Director
Appointed by the Governor	
Mark Shmueli	Attorney, Maryland Bar Association
J. Henry Montes	Consultant, JHM Consultation
Kien S. Lee	Community Psychologist, Community Science
Michael C.Lin, Ph.D.	Volunteer, Organization of Chinese Americans
Naima Said, Esq.	Attorney, Naima Said & Associates, PC
Staff	
Hiram Burch	Manager, Department of Legislative Services
Erin McMullen	Policy Analyst, Dept of Legislative Services
Jim Palma	Maryland Department of Planning
Jeffrey Werling	Executive Director, Inforum / UMCP

1. Introductions

Commission Staff Director, Jeff Werling, welcomed attendees to the Commission meeting. He also reviewed the current report outline proposal:

1. Executive Summary
2. Introduction
3. Demographics
4. Economic Impact
5. Fiscal Impact
6. Legal/Social/Fiscal issues of new policies concerning unauthorized immigration
 - a. The Arizona Law and other considerations
7. Policy Implications/Recommendations

2. Arizona's Immigration Law

Ms. Erin McMullen provided the Commission a presentation she prepared entitled Arizona's Immigration Enforcement Laws (Senate Bill 1070 as amended by House Bill 2162). The presentation is attached.

Ms. McMullen described the history and the background the bill, explained the demographic context to unauthorized immigration in the nation and the state, provided a detailed explanation of the bill and discussed the fiscal and small business impacts of implementing the bill. Ms. McMullen drew comparisons between Arizona and Maryland especially in terms of demographics. The Commission also noted the importance of the secular trends in immigrant demographic data.

Several important questions arose in subsequent discussion. These include:

- a. Do punitive restrictions provide a net plus or minus to the state economy and fiscal situation?
- b. What is their effect on crime and how immigrants interact with community officials?
- c. What is the impact on long-standing, authorized immigrants? Are traffic and other detentions more common?
- d. Whatever happens to their parents, the second generation of these immigrants will shortly be an integral part of our economy. Do we want to short change them in terms of health, education, and parents? To a significant extent, the current education system is failing the children of immigrants (tracking graduation rates at least). This failure shows why the health and effectiveness of our education system is even more vital.
- e. Once we account for the balance of benefits, costs, fairness and equity, is DREAM act legislation (which allows state high school students, regardless of immigration status, to attend state universities at a resident's tuition rate) an appropriate policy? Maryland has considered passing a DREAM Act.

The Commission members agreed that these issues must be addressed in the policy chapter of the report, though an explicit endorsement of the DREAM Act was not proposed.

3. Overview on the Federal 287(g) and Secure Communities Programs

Hiram Burch presented the commission with two reports on the two Federal-Local cooperation programs. These are attached to the minutes. Concerning 287(g) programs, the report stated:

Currently, ICE has 71 active agreements in 26 states and more than 1,120 law enforcement officers have been trained and certified under the program. As of July 2010, a total of 115,841 unauthorized immigrants have been deported since 2006 as a result of this program. About a quarter of that total (over 26,000) were initiated by local law enforcement efforts in Maricopa County, Arizona. ICE statistics also show that all deportations of unauthorized aliens have increased dramatically from 189,000 in 2001 to 387,000 in 2009.

Secure Communities is a much larger and comprehensive program. It is a comprehensive DHS initiative to modernize the criminal alien enforcement process, by increasing and strengthening efforts to identify and remove criminal aliens deemed as “most dangerous” from the United States. The U.S. Congress appropriated \$1.4 billion in fiscal 2009 to ICE for these criminal alien enforcement efforts.

These reports will both be useful if included in the report.

4. Update: Immigration Demographics in Maryland

Mr. Hiram Burch briefly talked about new progress in compiling the Demography of immigration in Maryland. It was suggested that some data be compiled to examine the immigrant and immigrant status of families in order to measure and communicate the diversity of the situations.

5. General Discussion

The Commission members discussed a strategy for inviting guest speakers to the Commission. It agreed to ask Chief Thomas Manger of Montgomery County for a discussion at the next meeting. Other possible speakers for future meetings include John Quo of the MVA, Sheriff Charles Jenkins of Frederick County, and representatives from the Pew Center, the Urban Institute, the Center for Immigration Studies and other think tanks.

The Commission also agreed to discuss the overall “outside speaker” strategy at the next meeting. Relevant questions include whether to convene private, individual discussions, open panel discussions among several participants, and/or whether such meetings should be open to the public or not.

Members agreed on holding next meeting on Monday of October 11th, 2010.

The meeting was adjourned at 12:00 p.m.

Respectfully submitted,
Jeffrey F. Werling, Commission Staff Director

Commission to Study the Impact of Immigrants in Maryland

**Monday October 11, 2010
University of Maryland, College Park
9:00 AM – 12:00 PM
Morrill Hall Conference Room
University of Maryland
College Park, MD 20742**

The meeting was called to order at 9:30 a.m.

Attendees:

Members	Affiliation
Commission Chair	
Larry Shinagawa Ph.D.	Professor, University of Maryland
Appointed by President of Senate	
Richard Madaleno	Senator
Appointed by Speaker of the House	
James E. Malone	House of Delegates Member
Susan L.M. Aumann	House of Delegates Member
Ex Officio	
Mark Goldstein	Planner, Maryland Department of Planning
Appointed by the Governor	
Mark Shmueli	Attorney, Maryland Bar Association
J. Henry Montes	Consultant, JHM Consultation
Kien S. Lee	Community Psychologist, Community Science
Michael C.Lin, Ph.D.	Volunteer, Organization of Chinese Americans
Naima Said , Esq.	Attorney, Naima Said & Associates, PC
Staff	
Hiram Burch	Manager, Department of Legislative Services
Tina Huang	Research Assistant, Asian American Studies/UMCP
Jim Palma	Planner, Maryland Department of Planning
Jeffrey Werling	Executive Director, Inforum / UMCP
Guest	
Chief Thomas Manger	Montgomery County Policie Department

1. Introductions

Commission Chair Larry Shinagawa welcomed attendees to the Commission meeting.

2. Discussion with Chief Manger of the Montgomery County Police Department

Chief Manger stated that close to one third of the population in Montgomery County is foreign born. Therefore, communication and understanding between immigrant communities and the police force were integral to policing the county. Therefore, police in Montgomery County were trained for language and cultural skills.

Concerning the problems posed by unauthorized immigration Chief Manger noted that:

- i. Comprehensive immigration reform at the Federal level would go a long way toward helping local law enforcement stay out of the immigration enforcement business. Especially important for such reform would be an effective data base and secure identification for checking employment eligibility.
- ii. The federal government must secure its borders, especially in terms of excluding criminal behavior from the United States.
- iii. There are real tradeoffs that state and local law enforcement must balance between its duties towards the local community and its cooperation with federal authorities for immigration law.

Chief Manger stated that in his opinion, a Section 287(g) program was not appropriate for Montgomery County. Citing the opinion of the Major Cities Police Chiefs Association and his Congressional Testimony as the Chairman of the Legislative Committee for that Association, he provided the following points:

- i. Local enforcement of federal immigration laws undermines the trust and cooperation of immigrant communities.
- ii. Local law enforcement usually does not have the resources to expand its mission to this area.
- iii. Federal immigration laws are complex and full of traps for local law enforcement officials.
- iv. Local law enforcement lacks authority under federal immigration laws and its activities are often restricted in its authority by state law.
- v. Local law enforcement officers and agencies risk civil liability from the improper application of federal immigration law.

The Commission had several questions for Chief Manger. He explained how “sanctuary” communities operated and clarified the differences between Secure Communities and section

287(g) programs. He stated that the State of Maryland had made a great stride forward by reducing fraudulent documentation through its implementation of the Real ID Act.

3. Discussion on the Need for More Guest Speakers and /or Public Hearing

Staff Director Jeff Werling reported that Maryland MVA Director John Kuo was scheduled to speak at the next meeting, scheduled for Monday November 8.

Chair Larry Shinagawa then advanced the discussion of the Commissions future plans. The current plan was to develop, by the end of the year, a report covering the following topics:

1. Executive Summary
2. Introduction
3. Immigration Demographics
4. Economic Impacts of Immigration
5. Fiscal Impacts of Immigration
6. Legal/Social/Fiscal issues surrounding new policies concerning unauthorized immigration
 - a. The Arizona Law and other considerations
7. Policy Implications/Recommendations

However, several Commissioners have expressed concern that in order to establish credibility, the Commission needs more time to develop perspectives on various issues. In particular, they are interested in inviting more experts to sessions for testimony and discussion. If such meetings were to be held, however, the Commission would need to ask for an extension of its reporting deadline of December 31, 2010 and its termination date of May 2011.

The specifications, logistics and potential number of holding meetings were discussed. The meetings could open to the public but with discussion limited to commissioners and guests, or guided by the commission, but open to the public for comments and questions. The general feeling was that the sessions should be open to the public, but that it might be most effective to limit participation. There are several possibilities for guests, including experts from public and private organizations for education and economics, and more official from law enforcement.

A small variety of meeting venues were discussed. Hiram Burch suggested that legislative hearing rooms in Annapolis would be readily available and the Department of Legislative Services would be able to arrange host and publicize meetings held there. The Commission discussed holding one to three such meetings.

The Commission approved the following plan:

1. The Commission would seek to extend its report deadline and mandate at least another six months to a year. This request would go through Delegate James Malone.

2. Submit to the legislature a “status report” of the Commission by January 1, 2011. This report could include some of the analytical work conducted for the demographic, economic and fiscal impacts of immigration. It would also describe the Commission’s interest in the issues of unauthorized immigration. Finally, it would provide a plan and timetable for the rest of the Commission’s tenure.
3. At the next meeting, the Commission would make plans for open public sessions including the selection of dates and guests.

Members were reminded that the next meeting was scheduled for Monday November 8th, 2010.

The meeting was adjourned at 12:00 p.m.

Respectfully submitted,
Jeffrey F. Werling
Commission Staff Director

**Minutes of the Meeting of
The Commission to Study the Impact of Immigrants in Maryland**

**Monday November 8, 2010
University of Maryland, College Park
9:00 AM – 12:00 PM
Morrill Hall Conference Room
University of Maryland
College Park, MD 20742**

The meeting was called to order at 9:30 a.m.

Attendees:

Members	Affiliation
Commission Chair	
Larry Shinagawa Ph.D.	Professor, University of Maryland
Ex Officio	
Martin Ford	Associate Director, Department of Human Resources
Mark Goldstein	Planner, Maryland Department of Planning
Nancy McCrea	Department of Business & Economic Development
Appointed by the Governor	
Mark Shmueli, Esq	Attorney, Maryland Bar Association
Michael C.Lin, Ph.D.	Volunteer, Organization of Chinese Americans
Sylvia Ontaneda-Bernales, Esq	Attorney, Law Office of Ontaneda-Bernales
Naima Said, Esq	Attorney, Naima Said & Associates, PC
Staff	
Hiram Burch	Manager, Department of Legislative Services
Tina Huang	Research Assistant, Asian American Studies/UMCP
David Lee	Executive Director of Governor's Ethnic Commission
Erin McMullen	Policy Analyst, Dept of Legislative Services
Jim Palma	Maryland Department of Planning
Jeffrey Werling	Executive Director, Inforum / UMCP

1. Introductions

Commission Chair Larry Shinagawa welcomed attendees to the Commission meeting.

2. A Discussion with John T. Kuo, Administrator Maryland Motor Vehicle Administration

Mr. Kuo provided a presentation containing background information concerning the MVA and its mission, and he added more specific information concerning the Real ID Act. The Act emerged from a key recommendation of the 9/11 Commission. It mandates minimum standards for driver's licenses (DL) and other official identity cards (ID) issued by state authorities. Among other purposes, Real ID compliant identification will be needed to board planes, enter federal facilities and nuclear power plants. The alternative to state-issued identification is a passport. One of the Real ID requirements is the verification of lawful presence. There are several documents that aliens can use to verify lawful presence.

House Bill 387, passed in 2009 enabled MVA to come into compliance with the Real ID Act. Proof of lawful presence has been verified for new DL/ID applicants starting from June 1, 2009. Proof of lawful presence is not required for DL/ID renewals until July 1, 2015. Licenses are issued for a set time period and they will not expire if a person's immigration status changes.

In the year from June 2009, new DL applications fell by 20 percent and new ID transactions also fell substantially. The incidents of customers presenting fraudulent or altered documents or otherwise misrepresenting their identity have also fallen.

3. Planning for Open Meeting Sessions

Chair Larry Shinagawa initiated the discussion of the Commission's format of future sessions. The Commission approved the following plan for these sessions:

- a. The purpose of the meetings would be to gather information which would be included in the final report.
- b. The meetings would be open to the public and advertised through the official channels, but discussion would be limited to guests, commission members and staff.
- c. The first several meetings would be held in the legislative hearing rooms in Annapolis. Alternative venues might be considered next year.

To the extent possible, meetings would be arranged by subject area. The commission will use the legislation establishing it to select the session topics and the specific questions to be addressed. Issues which should be considered in this framework include:

- a. Local education, especially K-12 funding and effectiveness issues.
- b. Higher education, including the DREAM Act.
- c. Other State Services

- d. Economic and Fiscal Impacts with invited guests from Pew Hispanic Center, CIS, Urban Institute, etc.
- e. Law Enforcement
- f. Business leaders, including perspectives from individual business sectors such as tourism, construction, agriculture, health care and defense, especially in the context of immigration rules for IT professionals.

Commission members were encouraged to send recommendations for topics and guest to Jeff Werling and Larry Shinagawa.

The Tentative Schedule for these meetings (all Mondays) is:

January 10
February 14
March 14
April 18
May 9

Hiram Burch will look into what need to be done to publicize the meetings through the DLS web site.

4. Next Steps on Report Preparation

The commission reiterated its intention to produce a status report for the legislature by the end of the year. This report would cover the activities of the Commission since the first meeting in May. In terms of findings, the commission was not yet sure if any finding should be included with the report.

As appendices it may include some of the demographic reports already completed. It was noted, however, that the release of the 2009 data from the American Community Survey (ACS) was scheduled for December 2010. This means that some of the demographic data would be dated by early next year. However, in the past analysts had found that most of the demographic statistics abstracted from the ACS did not change significantly with the addition of an additional year. Furthermore, 2009 was a bit of an anomaly for all data because it was the time for the biggest impacts of the Great Recession.

Members were reminded that the next meeting was scheduled for Monday December 6, 2010.

The meeting was adjourned at 12:00 p.m.

Respectfully submitted,
Jeffrey F. Werling
Commission Staff Director

**Minutes of the Meeting of
The Commission to Study the Impact of Immigrants in Maryland**

**Monday December 6, 2010
9:00 AM – 12:00 PM
Margaret Brent Room, Stamp Student Union
University of Maryland, College Park, MD 20742**

The meeting was called to order at 9:32 a.m.

Attendees:

Commission Chair

1 Larry Shinagawa Ph.D. Professor, University of Maryland

Ex Officio

2 Adam Fogel Office of Senator Richard Madaleno
3 Mark Goldstein Planner, Maryland Department of Planning
4 Nancy McCrea Department of Business & Economic Development

Appointed by the Governor

5 Michael C.Lin, Ph.D. Volunteer, Organization of Chinese Americans
6 J. Henry Montes Consultant, JHM Consultation
7 Sylvia Ontaneda-Bernales, Esq Attorney, Law Office of Ontaneda-Bernales
8 Naima Said, Esq Attorney, Naima Said & Associates, PC
9 Mark Shmueli, Esq Attorney, Maryland Bar Association

Staff

10 Hiram Burch Manager, Department of Legislative Services
11 Jeffrey Werling Executive Director, Inforum / UMCP

1. Introductions

Commission Chair Larry Shinagawa welcomed attendees to the Commission meeting. He reviewed the meeting agenda with members and staff. The following points were discussed:

- a. In order to extend the term of the Commission past its May 2011 termination date, it will be necessary for a Maryland Delegate or Senator to introduce an amendment in session and get it approved. The new legislation session will start in mid-January.
- b. Through the status report now being drafted, the Commission would make an explicit request for extension.

2. Review of Draft Status Report and Plan for Completion

Commission members and staff reviewed the current draft of the status report which was prepared by Hiram Burch and Jeff Werling. Several substantive suggestions were made to the draft. Specifically:

- a. The status report must contain the explicit request to extend the Commission's term by one year. (Changing the report deadline to December 31, 2011 verse the current deadline of December 31, 2010. The completion of commission term would be extended to May 31, 2012 compared to May 31, 2011.)
- b. The status report should contain the current reference list of all documents compiled by the commission.
- c. Teams were identified to help draft short sections on education, work force policy and immigration enforcement.

3. Planning for Open Meeting Sessions

Chair Larry Shinagawa initiated the discussion of topics and possible speakers for future sessions. Jeff Werling reviewed the following points:

- a. The purpose of the meetings would be to gather information which would be included in the final report.
- b. The meetings would be open to the public and advertised through the official channels, but discussion would be limited to guests, commission members and staff.
- c. The first several meetings would be held in the legislative hearing rooms in Annapolis.

To the extent possible, meetings would be arranged by subject area. The following preliminary schedule was suggested by Jeff Werling and Hiram Burch:

January 10, 2011: Private Sector: Business and Labor experts
February 14: Law Enforcement, Demographic and Economic experts
March 14: Education (Primary and Secondary)
April 18: Higher Education and the DREAM Act
May 9: Health Care

January's meeting would be dedicated to gathering testimony from business and labor representatives. Several ideas for speakers were solicited from Commission Members.

Members were reminded that the next meeting was scheduled for Monday January 10, 2011.

The meeting was adjourned at 12:00 p.m.

Respectfully submitted,
Jeffrey F. Werling
Commission Staff Director

Appendix B
Commission to Study the Impact of Immigrants in Maryland
List of References/Resources
January 20, 2010

Maryland and Washington Metro Area - Specific Publications

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Unauthorized Immigrants

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Passel, Jeffrey S., Paul Taylor, and Pew Hispanic Center. August 2010. Unauthorized Immigrants and Their U.S. Born. Washington, DC: Pew Research Center. <http://pewresearch.org/pubs/1696/unauthorized-immigrants-babies-born-united-states-citizens>.

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Fiscal/Business Impact

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Appendix C

The Economics of Immigration

Measuring the Net Economic Benefits of Immigration

Most enquiries into the purely economic aspects of an issue take a “cost-benefit” approach. That is, any economic phenomena should be allowed or promoted if the benefits outweigh the costs. Of course, in practice the computation of benefits and costs can be technically complex and such evaluations are often controversial. In many cases, we find that someone’s benefits are at least partly another’s cost so these should be somehow “balanced out” in order to detect the net benefit. In other cases, different people may have different views of whether a particular outcome is a net benefit or a net cost to society.

In the case of immigration, one economic question most normally posed is: Does immigration enhance the real income per native person in the destination economy?¹² While this question is germane from the standpoint of public policy, finding an answer to it is complicated. There is empirical evidence to support economic theory that immigration does raise the real incomes of natives, at least by a little and on average.

We can distinguish several different types of economic impacts from immigration. One distinction is between the short term and long term. Over the short run, say 1 to 4 years, immigration can have direct impacts in product and service markets by expanding the labor capacity. Indeed, if a regional economy is growing briskly and labor demand is high, immigration may be an important ingredient of that growth. On the other hand, if the economy is growing slowly or is in recession, immigration may contribute to downward pressure on wages and the displacement of native workers, at least for occupations regularly worked by immigrants.

Over the longer term, say 4 years or more, a permanent expansion of labor supply through immigration should induce new investments in capital equipment and structures to produce a durable and balanced expansion of productive capacity. Moreover, if immigrant labor is particularly complementary to the existing regional labor force, a more efficient allocation of labor and capital can add to the dynamic growth of the economy.

For instance, the Maryland economy holds competitive advantages in industries that use highly educated workers such as medical and other scientific research, information technology, public administration agencies and consultants, and higher education. Maryland ranks first among states in the concentration of doctoral scientists and engineers, computer specialists and astronomers in the workforce. Maryland ranks second in the concentration of network systems and data communications analysts, third in physicists and atmospheric, and space scientists, fourth in aerospace engineers, and fifth in computer software engineers and systems software specialists.

¹² We might ask at least two other questions. First, does immigration increased the per capita income of the sending country? The answer to this question is ambiguous, and depends on many factors. Studies have shown that on balance, outward migration is positive for more countries than it is negative. We might also ask whether immigration is beneficial to global income per capita? The answer to this question is an unambiguous yes. Anytime that labor is free to move to where it is most productive, then global income per capita is enhanced. This analysis still ignores important issues of adjustment costs, income distribution, and local resource availability. Nevertheless, these questions are still important because U.S. prosperity is intertwined with global prosperity.

Foreign born workers fill substantial roles in all of these industries and occupations. According to the work of Randy Capps and Karina Fortuny:

“In 2006, 27 percent of Maryland’s scientists, 21 percent of health care practitioners, and 19 percent of mathematicians and computer specialists were foreign-born. In Montgomery County, immigrants were over 40 percent of scientists, over a third of architects, engineers, computer specialists, and mathematicians, and about a quarter of business and financial officers and managers. Immigrants were over a third of doctors and other healthcare practitioners in Montgomery, Prince George’s and Howard Counties. They were almost a quarter of scientists and healthcare practitioners in Baltimore County.”¹³

In addition, immigration can encourage several other changes to the economy which enhance the overall productivity of labor, physical capital, and other factors like land and human capital. For example, immigration can be an important source of increased competition, erosion of monopoly power, and increases in economies of scale. These factors enhance economic growth and flexibility. For example, we often see these competitive forces through lower relative prices for certain goods and services that we purchase. In responses, capital and labor will flow to sectors where they will be more productive. Such relative price changes often occur because of technological changes, international trade, or improved market mechanisms. Immigration can have similar impacts.

Since the act of immigration itself requires both initiative and risk taking, it is often claimed that immigrants themselves tend to be more motivated and entrepreneurial than the population on average. While these factors are hard to measure, it cannot be denied that the rate of immigrant innovators and business owners is greater than the average population both in the destination and the sending country.¹⁴ This phenomenon seems especially true in the United States where the environment is especially friendly to entrepreneurial and innovative initiatives.

A recent paper for the Migration Policy Institute by Giovanni Peri of University of California at Davis provides a useful overview of recent studies on these issues.¹⁵ Research findings support the propositions that foreign born workers 1) have skills are most complementary to those of native workers,¹⁶ 2) decreases the costs for industries where they are concentrated,¹⁷ 3) contribute to entrepreneurship and innovation,¹⁸ 4) and, through competition and growth, spur efficiency and investment gains.¹⁹

¹³ Randy Capps and Karina Fortuny, “The Integration of Immigrants in Maryland’s Growing Economy” (The Urban Institute, March 2008). http://www.urban.org/UploadedPDF/411624_immigrants_in_MD.pdf

¹⁴ Stuart Anderson and Michaela Platzer, “The Impact of Immigrant Entrepreneurs and Professionals on U.S. Competitiveness” (National Venture Capital Association).

¹⁵ Giovanni Peri, “The Impact of Immigrants in Recession and Economic Expansion” (Migration Policy Institute, June 2010).

¹⁶ See, for example, Gianmarco Ottaviano and Giovanni Peri, “Immigration and National Wages: Clarifying the Theory and the Empirics” (National Bureau of Economic Research Working Paper No. 14188, July 2008).

¹⁷ Patricia Cortes, “The Effect of Low-Skilled Immigration on U.S. Prices: Evidence from CPI Data,” *Journal of Political Economy* 116, no. 3 (2008): 381-422.

¹⁸ William R. Kerr and William F. Lincoln, “The Supply Side of Innovation: H-1B Visa Reforms and U.S. Ethnic Invention,” *Journal of Labor Economics* (forthcoming), www.people.hbs.edu/wkerr/Kerr_Lincoln_JOLE3_H1B

Peri's own model shows that an increase of immigration equal to 1 percent of the labor force tends to create an equivalent increase in jobs. He finds that Gross Domestic Product (GDP) per worker increases up to 0.83 percent over four years, which dissipates to about 0.26 percent after 10 years. Other studies place this amount at 0.1 and 0.6 percent for an increase in immigration equal to one percent of the labor force. Over time, these numbers can add up. Peri concludes that since immigration increased the size of the labor force by 11 percent from 1990 through 2006, that the average real (inflation adjusted) wage of U.S. workers was higher by at least 2.86 percent at the end of the period (0.26 x 11).²⁰

Complicating Factors

Importantly, we emphasize above that the net benefits to U.S. workers are realized on average. Like any economic change, an inflow of immigrants can produce losers as well as winners among the existing population. There are at least three complicating issues which should be considered in this context: adjustment costs, income distribution, and local resource availability. Adjustment costs are those, mainly temporary in nature, which are borne by individuals who might be dislocated by immigration. Immigration might change income distribution in several ways, but the most common is that it suppresses the growth of wages in the industries and occupations where it is most prevalent. Finally, surges in immigration to already crowded cities or regions may sometimes contribute to the degradation and shortages of local resources such as land, water, infrastructure, or schools.

These factors can and should be estimated. In particular, adjustment costs and resource stress, to the extent that they are quantifiable, can often be included as negatives for the computation of net economic benefits. On the other hand, whether any particular change in the income distribution is positive or negative is largely a political judgment. In any case, these complications rarely alter the conclusion that immigration is a net positive for the native population on average. Nonetheless, because these factors can be very important to certain segments of the community, governments have found it desirable to regulate both the magnitude and composition of immigrant labor, much as it regulates foreign trade for similar reasons.

[Paper.pdf](#) ; See also Robert W. Fairlie, "Kauffman Index of Entrepreneurial Activity, National Report 1996-2005" (Ewing Marion Kauffman Foundation, 2006.)

¹⁹ Giovanni Peri and Chad Sparbar, "Task Specialization, Immigration and Wages," American Economic Journal: Applied Economics 1 no 3 (2009): 135-169.

²⁰ See Peri, June 2010, page 10.

Appendix D

State and Local Government Expenditures in Maryland

In Maryland, over \$49 billion was spent through State and local budgets on government services in fiscal 2009. Education-related services accounted for the largest share of spending, at 39 percent, followed by health and human services at 22 percent, transportation and public works at 15 percent, and public safety and courts at 11 percent. As illustrated in Exhibit 1, State spending accounted for the greatest share of that total, at 40 percent. The State is the primary source of funding for judicial functions, transportation services, and business regulation, in particular. On the other hand, local governments are the primary financiers of public safety, public libraries, and natural resources management. The costs of public education are nearly evenly shared between the State and county governments. The federal government is the primary source of funding for health services in Maryland, largely due to its support of the Medicare and Medicaid programs, as well as for housing and community development activities, workforce training programs, and human services programs. In higher education, tuition and fees, as well as other nongovernmental revenues, provide almost one-half of all funding.

Exhibit 1
State, Local, and Federal Spending on Government Services in Maryland
As a Percentage of Total Spending on the Service
Fiscal 2009
(\$ in Millions)

	<u>Total</u>	<u>State</u>	<u>Local</u> ¹	<u>Federal</u>	<u>Other</u> ²
Legislative/Executive/General Government	\$1,695	18%	82%	0%	0%
Financial Administration	434	60%	40%	0%	0%
Courts and Related Offices	826	69%	30%	1%	0%
Public Safety	4,678	32%	66%	2%	0%
Public Education	13,305	44%	49%	6%	0%
Higher Education	5,861	28%	6%	15%	52%
Public Libraries/Television	314	24%	62%	2%	12%
Transportation	5,334	69%	15%	16%	0%
Health Services ³	8,316	47%	2%	49%	2%
Human Services	2,634	37%	10%	53%	0%
Housing and Community Development	871	9%	27%	64%	0%
Economic Development and Business Regulation	300	66%	32%	2%	0%
Labor and Workforce Development	453	29%	9%	62%	0%
Natural and Historic Resources Management	1,457	38%	54%	8%	0%
Public Works	2,070	0%	100%	0%	0%
Miscellaneous/Unallocated ⁴	825	15%	85%	0%	0%
Total	\$49,372	40%	35%	18%	7%

¹Local funding represents own-source spending rather than the total spending reported by local governments. Federal and State grants were assumed to have been expended in the year they were received. Moreover, State grants reported by local governments were assumed to have been accounted for in the State budget. Likewise, most federal grants reported by local governments were assumed to have been passed through the State budget rather than provided directly to the local government; consequently, federal funding may be underestimated.

²Other includes tuition and fees collected by higher education institutions; higher education revenues from private gifts, grants, and contracts; endowment income at higher education institutions; sales and services revenues at higher education institutions; gifts, grants, and fees for public libraries and public television; and certain fees used to finance health programs.

³Excludes \$10.8 billion in federal Medicare spending which does not pass through State or local budgets.

⁴Miscellaneous spending includes State disparity grant payments and local personnel expenditures such as pension, health insurance, and Social Security payments.

Source: *Fiscal 2011 State Budget Books*; Uniform Financial Reports; Department of Legislative Services

Appendix E

Immigration Enforcement Policy

While the U.S. Constitution does not explicitly grant to the federal government the sole authority to regulate immigration matters, the federal government has retained broad and exclusive power to regulate immigration laws and foreign nationals residing in the United States. Courts consistently note that immigration constitutes a federal concern, not a state or local matter, and Congress has made clear its intent that federal law preempts state law in the area of immigration. Nonetheless, state legislatures, including the Maryland General Assembly, continue to tackle the issue of immigration, most recently with a focus on the issue of unauthorized immigrants. With these concerns in mind, the Commission was presented with information on immigration enforcement measures adopted in other states, with a focus on the recently enacted legislation in Arizona. The following is a brief summary of the major findings from these presentations.

Arizona's Experience

The U.S. Department of Homeland Security (DHS) estimates that Arizona has one of the fastest growing unauthorized immigrant populations in the United States, increasing from 330,000 in 2000 to 560,000 by 2008. As a result, Arizona has been at the forefront of state efforts to curb unauthorized immigration. In 2007, Arizona enacted the Legal Arizona Workers Act prohibiting employers from knowingly employing unauthorized immigrants, imposing penalties for violations, and requiring employers to use the federal E-Verify system to verify employment eligibility of new hires. Most recently, Arizona passed a controversial omnibus law addressing unauthorized immigration.

In April 2010, Arizona's legislature passed, and the governor signed, the "Support our Law Enforcement and Safe Neighborhoods Act," commonly referred to as SB 1070. Among other provisions, SB 1070 (1) creates a state trespassing misdemeanor for unlawful presence; (2) adds penalties for harboring and transporting unauthorized immigrants; (3) requires law enforcement to check the legal residency of persons stopped for other offenses; and (4) authorizes an officer to make a warrantless arrest if probable cause exists to believe the person has committed a deportable offense. SB 1070 also creates or amends crimes for the smuggling of persons, failure of an alien to apply for or carry registration papers, and the performance of work by unauthorized aliens. In the civil arena, SB 1070 authorizes legal residents to sue a state official or agency for adopting a policy restricting enforcement of federal immigration laws to less than the full extent permitted by federal law, and prohibits state officials from limiting the enforcement of federal immigration laws.

In the last week of its 2010 session, Arizona's legislature amended SB 1070 to address racial profiling concerns expressed about the original language. The amendments specified that a law enforcement officer may not consider race, color, or national origin when implementing the law, except as permitted by the U.S. or state constitution. The amendments also clarified the original language regarding "reasonable suspicion" by requiring law enforcement to reasonably attempt to determine the immigration status of a person only while in the process of a lawful stop, detention, or arrest made in the enforcement of any other state or local law.

In advance of the July 29, 2010 effective date of SB 1070, citizens and organizations filed legal challenges to the Act based on equal protection and due process rights and federal preemption of immigration law. In early July, the U.S. Department of Justice filed a lawsuit stating that SB 1070 was preempted by federal law and U.S. foreign policy, and that the state law violated the Supremacy Clause and the Commerce Clause of the U.S. Constitution. On July 28, 2010, a federal district judge issued a partial preliminary injunction enjoining the enforcement of sections relating to (1) determining immigration status during a lawful stop; (2) the crime of failing to carry federally issued registration documents; (3) warrantless arrest on probable cause that a person has committed an offense for which the person could be deported; and (4) the crime of an unauthorized immigrant knowingly applying for work.

The enjoined sections of SB 1070 are now under appeal before the Ninth Circuit Court of Appeals; oral arguments were scheduled for November 1, 2010.

Immigration Enforcement by Local Law Enforcement Agencies

Section 287(g) of the Immigration and Nationality Act (INA) authorizes the federal government to enter into agreements with state and local law enforcement agencies, permitting designated officers to perform immigration law enforcement functions. Under this program, U.S. Immigration and Customs Enforcement (ICE) officers provide state and local law enforcement officers with the training and subsequent authorization to identify, process, and detain immigration offenders they encounter during their normal law enforcement activities.

ICE has 71 active agreements in 26 states, and more than 1,120 law enforcement officers have been trained and certified under the program. As of July 2010, 115,841 unauthorized immigrants had been deported as a result of this program since 2006. Over 26,000 of these deportations were initiated by local law enforcement efforts in Maricopa County, Arizona. In Maryland, only the Frederick County Sheriff's Office has participated in this program.

“Secure Communities” is a DHS initiative to modernize the criminal alien enforcement process by increasing and strengthening efforts to identify and remove from the United States criminal aliens deemed “most dangerous.” The program provides the technology to help local law enforcement agencies complete an integrated records check to determine both the criminal history and immigration status of individuals in their custody. There are 617 jurisdictions in 31 states using this system, including four counties in Maryland: Frederick, Prince George's, Queen Anne's, and St. Mary's counties.

The Montgomery County Police Department has implemented a policy of notifying ICE of every person who has committed 1 of 24 violent crimes listed in statute or a handgun violation, regardless of race or ethnicity. Montgomery County Corrections sends a weekly list of every foreign-born inmate to ICE, based on the inmate's self-reported status. This reporting is not required and is unique to Montgomery County. Under a program recently expanded by President Obama and expected to be implemented in nearly all local jails by the end of 2012, immigration checks at the local level will be automatic – fingerprints that are run through the FBI's criminal history database will also be matched against immigration databases maintained by DHS. This initiative, however, would not identify people who have never been fingerprinted by U.S. authorities.

Appendix F DREAM Act Overview

Federal DREAM Act -- The Development, Relief, and Education for Alien Minors Act of 2009 (DREAM Act) (S. 729)

- Repeals current law to authorize states to offer in-state tuition to undocumented residents who graduate from high school in the state
- Sets criteria for conditional status for certain undocumented long-term residents who entered the United States as children
- Sets jurisdiction to determine application eligibility with the DHS Secretary in most circumstances; in cases where the undocumented resident is in deportation, exclusion or removal proceedings, the Attorney General has temporary jurisdiction
- Makes permanent residents under the Act eligible for federal loans, federal work study programs services under the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).
- Requires GAO to submit a report on the program after 7 years

Maryland “DREAM Act” HB 253/SB 520 (2003)—vetoed by Governor Ehrlich

Exempts an individual, other than a “non-immigrant alien” (within the meaning of Title 8, § 1101(A)(15) OF THE UNITED STATES CODE), from paying nonresident tuition to a public institution of higher education if the individual:

- Attended a public or private secondary school in Maryland for at least 3 years;
- Graduated from or received the equivalent of a high school diploma in Maryland;
- Registers as an entering student in a public institution of higher education in Maryland not earlier than the 2003 Fall Semester
- Provides an affidavit to the institution stating that the individual will file an application to become a permanent resident within 30 days after the individual becomes eligible to do so; and
- Applies to the institution no later than 5 years after graduating from secondary school or receiving the high school equivalent

Public institutions of higher education may not award a degree to an individual who qualifies for resident tuition in this fashion until the student files the required affidavit or pays the difference between nonresident and resident tuition charges.

The bill also exempts active duty members of the U.S. armed forces and honorably discharged veterans of the U.S. armed forces from paying nonresident tuition rates if they meet certain eligibility requirements.

Other Versions:

- HB 43 (2006)—Died in Ways & Means; no Senate version
- HB 6 (2007)—Passed House; died in Senate EHE
- HB 1236 (2008)—Died in Ways & Means; no Senate version
 - These bills include an additional requirement that the student’s parent or guardian provide documentation that they paid state income tax withholdings during the year prior to receiving high school diploma or equivalent. They may include other variations as well. For example, the 2008 version lowers the high school attendance requirement to 2 years and the time an individual can be out of high school before applying to 3 years.

What has been proposed/passed in other states?

Ten states have passed laws to allow undocumented students to pay in-state tuition. Those states are: California, Illinois, Kansas, Nebraska, New Mexico, New York, Texas, Utah, Washington, and Wisconsin. These states represent the majority of the immigrant population in the United States. States have proceeded with extreme caution in recent years in the absence of clarification about this issue from the federal government.

Some states have recently moved in the opposite direction by banning undocumented students from attending public universities (regardless of tuition rate). South Carolina’s law places a blanket ban on undocumented students enrolling to public universities, while Georgia’s law only applies to the state’s most selective universities.

Sources:

http://www.usccb.org/mrs/SectionbySection_of_DREAMAct2009.pdf

http://www.aascu.org/policy_matters/pdf/in-state_tuition07.pdf

<http://www.nilc.org/immlawpolicy/DREAM/instate-tuition-basicfacts-2010-03-10.pdf>

<http://www.insidehighered.com/news/2010/10/14/georgia>

“Non-immigrant alien” defined:

http://www.law.cornell.edu/uscode/html/uscode08/usc_sec_08_00001101000.html

Appendix G
Commission Description and List of Commissioners and Staff

Commission to Study the Impact of Immigrants in Maryland

Report to Governor & General Assembly due Jan. 1, 2011.

In June 2008, the Commission to Study the Impact of Immigrants in Maryland was authorized (Chapter 553, Acts of 2008). The Commission is to study the demographic profile of immigrants and their impact on Maryland. The study will consider the growth rate and national origins of Maryland's immigrant population; its geographic, size and age distribution; and whether Maryland's immigrants are similar in demographic profile to the national immigrant profile. It also will determine the impact of immigrants on the State's population growth, birth rate, and public school enrollment; the impact, growth rate and participation rate of immigrants relative to the State workforce; and the socioeconomic profile of the immigrant population.

Further, the Commission will examine the economic and fiscal impact of immigrants on the State, including immigrant contributions to the economy and tax base; immigrant consumer spending; and public expenses incurred by the State on their behalf. The Commission also will consider direct and indirect tax contributions of immigrants; net benefit or cost of immigrants on the State budget; their importance to State economic output; the potential for increased revenue from immigrant workforce availability and spending for local businesses; the projected economic impact of immigrants, the constraints on immigrants and their businesses in the State; and how to expand trade with immigrants' countries of origin.

Authorization for the Commission extends through May 31, 2011.

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Commission to Study the Impact of Immigrants in Maryland

Members	Affiliation	Commission Slot
Commission Chair		
1 Larry Shinagawa Ph.D.	Professor, University of Maryland	Education expert
Appointed by President of Senate		
2 Joan Carter Conway	Senator	Senator
3 Richard Madaleno	Senator	Senator
Appointed by Speaker of the House		
4 James E. Malone	House of Delegates Member	Delegate
5 Susan L.M. Aumann	House of Delegates Member	Delegate
Ex Officio		
6 Peter Franchot	Comptroller of Maryland	Comptroller
7 Alex Sanchez	Secretary of Labor, Licensing and Regulation	Secty, DLLR
Daniel Savary	Special Assistant to the Secretary	Representative
8 Richard Hall	Secretary of Maryland Department of Planning	Secty, MDP
Mark Goldstein	Principal Planner	Representative
9 Christian S. Johansson	Secretary of Business & Economic Development	Secty, DBED
Nancy McCrea	Research and Information Director	Representative
10 John M. Colmers	Secretary of Health & Mental Hygiene	Secty, HMH
11 Brenda Donald	Secretary of Human Resources	Secty, HR
Martin Ford	Associate Director	Representative
Appointed by the Governor		
12 Mark Shmueli	Attorney, Maryland Bar Association	MD Bar, Immig
13 J. Henry Montes	Consultant, JHM Consultation	Member
14 Kien S. Lee	Community Psychologist, Community Science	Education expert
15 Michael C.Lin, Ph.D.	Volunteer, Organization of Chinese Americans	Member
16 Naima Said, Esq.	Attorney, Naima Said & Associates, PC	Immigration expert
17 Sylvia Ontaneda-Bernaies	Attorney, Law Office of Ontaneda-Bernaies	Immigration expert
18 Theresa Alfaro Daytner	President, Daytner Corporation	Business community
19 Margaret Lebherz	Owner, Lebherz Oil & Vinegar Emporium	Business community
Staff		
Hiram Burch	Manager, Department of Legislative Services	
Tina Huang	Research Assistant, Asian American Studies/UMCP	
Adam Fogel	Sen. Richard Madaleno's Office	
Angela Lagdameo	Director, Office of Community Initiatives	
David Lee	Director, Office of Community Initiatives	
Jesse Mejia	Special Assistant, Office of Community Initiatives	
Jim Palma	Maryland Department of Planning	
Jeffrey Werling	Executive Director, Inforum / UMCP	
Xiaojie Zhang	Research Assistant, Inforum / UMCP	