

National Conversation: Still an Immigrant
Nation? How Immigration Is Shaping America's
Character in the 21st Century

JANE HARMAN:

-- I'm Jane Harman, the director, president, and CEO of the Woodrow Wilson International Center for Scholars, and I am honored to at least having the -- to have the opportunity to welcome Donna Shalala's Politics class and a few other folks including the Mexican Ambassador to the U.S., Arturo Sarukhan, the many members of the University of Miami Board of Trustees, many members of the Wilson Center Board of Trustees, and members of our Latin America Board, Mexico Institute Advisory Board, and our Brazil Institute Advisory Council.

This timely panel that we are about to have showcases what the Wilson Center does best, and that is the blending of scholarship and policy to tackle urgent complex issues in what we call a safe political space. Let me mention that again because a lot of people have asked, what is the Wilson Center? It is the living memorial to our 28th president the only one who ever -- whom we've had yet with a Ph.D., Woodrow Wilson. But what we do best is the blending of scholarship and policy to tackle urgent complex issues in a safe political space, and surely immigration is one such issue.

The title of today's national, so-called National Conversation is: "Still an Immigrant Nation? How Immigration Is Shaping America's Character in the 21st Century." And that title should signal that this conversation will be more than -- about more than just thorny issues on America's southern border. I, like many of you, am the daughter of immigrants. In my case, my immigrant father came from Nazi Germany and my mother was a first generation American. Both of them were the first in their families to go to college. As an immigrant, my father translated his very difficult experience as one of the last Jewish graduates from Cologne, Germany's medical school in 1934, into a thriving medical practice in Los Angeles, California, where I grew up. He used to say that growing up behind the store in Cologne, he was an only child with a widowed mother, he dreamed of escaping to France, but never in his wildest imagination did he think he would make it to the United States of America and have two children, one who is a successful medical doctor and the other who served for nine terms in the United States Congress.

So that kind of dream I am confident is the dream of your parents and some of you and in fact I want to ask a question to the student audience, and that is, how many of you would consider in some lifetime -- in

some part of your lifetime running for public office and even running for president of the United States? It's pretty terrific, huh? What about the rest of you, hey? It's a dream that's achievable and I, you know didn't come here to pitch that in particular, but I have lived part of that and it's a dream that's achievable.

So, as I said, my parents' experience in America mirrors that of millions of other immigrant families, stories of hard, hard work and sacrifice, a focus on the value of education and of making things better for the next generation. Nationally, growth in the immigrant population has primarily been driven by high levels of legal immigration. Roughly three-fourths of immigrants in the country are here legally. In fact, according to the Center for Immigration Studies, some 19 percent of Florida's population consists of legal immigrants. That translates to roughly nine percent of the national total. In my view, immigration is one of our country's greatest sources of strength. Every one of us could come up in short order with a list of immigrants whose achievements have made American stronger for everyone.

As a recovering politician, that would be my name for myself, having left Congress voluntarily last year to take this enormous challenge of heading the Wilson

Center, I understand well how polarizing the issue of illegal immigration is and there is no question that concerns over illegal immigration color Americans' views of immigration generally, but this conversation today is not focused on old fights. It is not about dividing the audience or dividing us between the political parties or dividing the country for that matter. It's an exciting opportunity to hear from and interact with a distinguished panel and moderator where differing or converging points of view can be aired in a civil and respectful manner.

So, before turning this over to a very old friend, Mack McLarty, who will be introduced by someone else, let me introduce someone else. And that is a very old friend of mine. She said at lunch that we were little squirts together in the Carter administration. That was her language. Donna, as I think everyone knows, is the daughter of immigrants. Her Lebanese mother was supposed to be here today but I don't think is here. She's only a hundred years old. I can't imagine why she couldn't make it to this event, Donna, but I know she attends so many things at the university and I bet many of you have met her. What an example of immigration. Donna and I, as I said, met during the Carter Administration and after meeting me she went on to chair, to be president of three major universities: Hunter College, the

University of Wisconsin, and now the number one university in all of Florida. Applause.

[applause]

She also held a Cabinet position in the Clinton Administration as the secretary of Health and Human Services. I forgot that, what that was, the secretary of Health and Human Services. She was one of the people who recruited me to the job at the Wilson Center. Please welcome your professor and my friend, Donna Shalala.

[applause]

DONNA SHALALA:

Thank you. Thank you, Jane. Congressman Harman has herself had a very distinguished public career and, as she said, we met each other in the 1970s. In the 1970s, my mother took my grandmother to register for Social Security and when they were on their way my grandmother burst into tears and explained to my mother that she was not a citizen of the United States and she told this story that when she had gotten to Ellis Island at the beginning of the 20th century, her -- it turned out that she had some kind of eye disease, probably glaucoma or conjunctivitis, and they turned her away at Ellis Island. So her mother, who had gold bracelets up her arm, used those

gold bracelets to take her all the way around and she snuck across the Mexican border.

So here was my Lebanese grandmother who came across the Lebanese -- came across the Mexican border, Mr. Ambassador, because she could not enter the United States legally. That required a lot of energy on the part of the family and actually her college age grandchildren flew down to prep her for the exam which she passed with flying colors and became a citizen at 66, I guess it was. So that this subject has a great deal of interest to me personally, as well as to my family.

Our moderator today is a very good friend. I first met him in the -- in 2000 -- in December of 2000, in the dining room of the governor's mansion in Little Rock, Arkansas, and I had heard about the great Mack McLarty who was a close friend of President Clinton, but I had not met him, and Mrs. Clinton took me over to introduce me to Mack McLarty and that became a very long friendship. He is a very special human being. At the time he was the CEO of a Fortune 500 company, a natural gas company which was the largest natural gas distributor in the United States. A close friend of the president, he was born in Hope, Arkansas, had gone to the University of Arkansas. He went on in the administration, the beginning of the administration to be Chief of Staff to President

Clinton, was counselor to the President, and held a variety of posts including his special envoy to Latin America.

Mack McLarty distinguished himself in Washington and was beloved in the Washington community as not only a very good advisor to presidents and to Cabinet officers but a thoughtful bipartisan leader who could put different groups of people together to make very good policy. I value his friendship and he has since gone on to be president of an international advisory firm, McLarty Associates. He also sits on public boards as well as continues his longtime interest in Latin America and in the great public issues of our day. And I can't tell you how important I feel it is after working with Mack for people to have private sector experience who come into the highest levels of government. It just makes a difference in the quality of public decisions and, more importantly, in their coaching of senior executives. He served the president well, but more importantly, he served the country well. Please welcome my very good friend, Mack McLarty.

[applause]

MACK MCLARTY:

Madame Secretary, thank you very much, as great as always. I think we all go now, I think yes, I think

we all go now, [inaudible]. Well, good afternoon to each and every one of you. Thank you for joining us for this session, this National Conversation on Immigration. President Shalala, thank you for a particularly warm and personal and generous introduction. I'll have just a little more to say about you later but first of all it's great to be on the University of Miami Campus, particularly after that basketball game last night.

[applause]

I have a number of connecting points with this great institution, one of which our younger son Franklin worked here at the Biltmore Hotel and got his Executive Master's degree here at the University of Miami and we're grateful for the education he got here. So it's good to be with all of you.

[applause]

Now I must tell you, I must tell you that I am delighted and indeed honored to be here as part of this discussion and program in conjunction with the Wilson Center, which is truly one of the most venerable, respected organizations in Washington and indeed our country and more broadly. But when Congresswoman Jane Harman, President Harman calls, there's usually only one answer to give her, and that

is an immediate yes, where would you like me to be and when would you like me to be there? And that is even before she invokes the name of Donna Shalala right behind her request. So I had no choice but to be here today and I am very pleased to do so.

Let me just make a couple of comments not only about the Wilson Center but about Jane Harman. Jane said it just right. The Wilson Center I think is unique in terms of its policy outreach. Chairman Joe Gildenhorn and Alma Gildenhorn, great friends, great people, are here today, many of the board members. In really developing the serious policy issues of the day, and it's very few organizations that can find, Andrés, a safe place to have a political discussion and discourse. That is quite an accomplishment.

But the real point I want to make is Jane Harman has had a distinguished career in public service. She will build this organization to the next level after Lee Hamilton's great tenure here and she and her late husband, Sidney, when they get involved in something they always left it better than they found it. So Jane it's great to be with you.

[applause]

Now, in terms of Secretary Shalala, President

Shalala, she is a force, as all of you know. A force

of energy, of intellect, of getting things done in the right way, always punctuated, underlined with integrity. She lifts people up. She lifts students up. She lifted all of us up at times we needed it in the White House. And even today I just was with the President of Time Magazine, very impressive woman, Kimberly Kelleher, who is a graduate of the University of Wisconsin, and she talked about Donna Shalala's tenure at the University of Wisconsin there. So she leaves a rich legacy wherever she's been. So it's good to be here, Madame President, on your campus.

[applause]

Today we have a subject that is a particularly, I think, relevant and important one. It's a complicated one. It's a subject that we need to have a serious discussion about and get the policies and all of the elements surrounding immigration just as right as we can possibly get them. It's obviously one that's on a lot of people's minds. President Obama talked about it in his most recent State of the Union. I think you heard a little bit about immigration reform and policy here in the Florida Republican Primary if I'm not mistaken. So it's a very, very critical topical subject. Can be a lightning rod, but today we hope to add a little more light than heat to the subject. There'll be some

differing point of views on this distinguished group of panelists but I think you'll find a large measure of convergence as well.

We do have, I think, in the subject of immigration, a cross-cutting issue of our economy, of security, as Senator Rubio talked about today at our luncheon, the very fabric of our society. How do we view ourselves in this country, in this great gateway city of Miami? Totally unique, vibrant city. And how do we view ourselves in an increasingly interconnected world? So hopefully we'll cover that today and then leave some time for questions from the audience. Although the questions from students, President Shalala, I'm confident will be very pointed, very direct, and will require the best of our thoughts here to respond to as best we can. So let me quickly introduce our panelists. We've got a very, very outstanding group and I'm really honored to be here with them.

First of all, Secretary Michael Chertoff, whom I'm sure many of you know. Secretary of Homeland Security; had over 200,000 people, I think, and a \$50 billion budget in that position in government to administer. And I can tell you firsthand that he is the kind of person who had the experience, the education, the judgment, and the temperament to handle this critical position. He is a cum laude graduate of both Harvard and Harvard Law School. He

served as assistant attorney general for the Criminal Justice Department, where he was responsible for prosecuting the 9/11 terrorists among other broad activities. Immediately before serving as secretary of Homeland Security, he was a Court of Appeals judge for the 3rd Circuit, I believe. He's received numerous awards including the Petersen Memorial Award, Department of Justice Marshall Award, the NAACP Benjamin Hooks Distinguished Service Award, and the European Union Transatlantic Leadership Award. He currently is principal in the Chertoff Group and a senior counsel to Covington & Burling Law Firm. And I must say on a personal note or would be remiss, he and Meryl his wife, they always do their part in anything that they are involved in and more. And that's a pretty redeeming and a pretty telling characteristic and quality.

Secretary Carlos Gutierrez was the 35th Secretary of Commerce appointed by President Bush, 43. He has had a distinguished career in both the public and the private sector, as Donna so graciously noted about some of my background. As secretary of Commerce he had a broad responsibility on many issues, of course including being a member of the president's Cabinet, advocating and representing businesses both large and small. Certainly was a champion of exports, a leader on trade negotiations and policies including the passage of the important Central American, the CAFTA,

the trade agreement. And Mr. Secretary, we finally got those trade agreements with Panama, Colombia, and South Korea passed.

[applause]

It took two administrations to do it. He and Secretary Chertoff were both, I think, point people, if you will, on the immigration reform efforts under President Bush, which we are all grateful for and I think that sets the marker, so to speak, going forward. Prior to his service in government, he was chief executive officer of the Kellogg's Company. I think at the time he was the only Latino CEO in Fortune 100 companies. He was the youngest president of Kellogg's. He moved the company from a volume strategy to a value strategy, and in a Fortune Magazine article that captured his tenure there, it was entitled, "The Man Who Fixed Kellogg's." He had a very successful tenure there and I think served him well as he went into government. I also would be remiss if I did not note that this is a homecoming of sorts for Carlos Gutierrez. He came to Miami at the age of six years old when his family's properties had been taken by the Castro government. He came here, educated in Mexico, and then joined Kellogg's. So Mr. Secretary we're glad to have you here at this homecoming. Currently Carlos Gutierrez serves as vice chairman of Citigroup.

Antonia Hernandez is a person I have known for a number of years. She is currently president and chief executive of the California Community Foundation. She is a force and her organization is a force in California more broadly, and a force for good. The real mission of the Community Foundation is to strengthen the capacity for non-profit sector in L.A. County and to help all Angelinos. Prior to her current position she was president and general counsel of MALDEF. That's where I first met her. I had worked for Senator Kennedy as well. And of course MALDEF, as you know, is the Mexican Legal Defense Fund protecting the rights of our nation's Latino through legal education and other policy initiatives. She's a graduate of UCLA, both undergraduate and law school. She's a board member of the Kennedy School Institute of Politics, trustee at the Rockefeller Institute, and serves as a senior advisor to the UCLA Law School. So Antonia, we're glad to have you here. Thank you for joining us.

And finally, Andrés Oppenheimer needs little introduction in Florida or Latin America. Andrés of course is a noted journalist here for The Miami Herald. His column appears in over 60 newspapers in the United States, broadly throughout Latin America and Spain and other countries as well. He won the Pulitzer Prize in 1987 I believe. And I have

followed Andrés' career for many years working in Latin America. He got his Master's Degree from University of Columbia. And this is a particular highlight for me because for once I get to ask the questions of Andrés rather than the other way around. Although, knowing Andrés, he will probably turn the tables before the evening is over.

So let's get right into our questions because I think the topic, as I said, is a cross-cutting one, but a couple of points to pick up on what President Harman noted. Right now if you look at the patents that are registered in our country, a third of those patents will be registered to people who were immigrants to this country. A fourth of the Nobel Prize winners from the United States in the last 50 years were not born in this country originally; they were immigrants. Half, President Shalala, of the Ph.D.s currently working in science and technology were foreign born. And 25 percent of the high tech heads of companies or founders of high tech companies are immigrants. At the very time where we're looking to have safe, predictable, orderly, regular, legal immigration we're also looking to make our economy more competitive, and frankly to replace and rebuild the economy in terms of jobs.

So with that opening comments, let's get right into the subjects. And Secretary Chertoff I'd like to

start with you, if I may, and I think it is proper, I think, to start with the border security, an area that obviously you know well. The discussion of immigration is much broader than border security but I think the vast majority of our citizens want to feel like that our borders both to the south and the north are not porous, that they're being again managed in a way that's safe and proper. So let me ask you directly, and I've got my own views about this, but I'm anxious to hear yours. Where do you think we currently stand in terms of our border security, a subject you worked on, and what do you think we need to concentrate on going forward?

MICHAEL CHERTOFF:

Well first, Mack, thank you for presiding over this and thank you President Shalala and President Harman for inviting me. It's great to be here. Let me begin by saying, as you observed earlier, because you have to emphasize this, the issue of immigration is much broader than illegal immigration or border security. And the issue of border security involves much more than illegal immigration: it also involves human trafficking, it involves narcotics trafficking, and things of that sort. So while there's some overlap, it's perhaps all too often regrettably the case that the issue seems to focus only on the question of people illegally crossing the border.

By way of underscoring the importance of immigrants, you know, one of the most memorable privileges I had as secretary was swearing in new citizens, and on a number of occasions I went overseas. I went to Iraq and I went to Afghanistan to meet with groups of our servicemen and women who were -- had green cards, had enlisted, were serving overseas and had reached the point of being able to be sworn in as citizens, and that was a really inspiring exercise to go through. So where are we on the border? Well, the good news is that we have actually made significant strides in controlling the border. Now remember controlling the border doesn't mean hermetically sealing the border.

[laughter]

That's probably not possible to do and even if it were possible to approach that you would wind up paying an astronomical amount of money. That being said, if you look at the technology, the border patrol recruitment, and the tactical infrastructure in place on the border, through a process that began in 2006 and has continued through the current administration, what you'll see is that since basically 2007 the flow of illegal immigrants across the border has decreased every single year and it's probably lower now than it's been for the past 20 or 30 years. So that's a sign that what the border patrol calls operational control of the border has

really taken root in many of the sectors across the border, although there's still some more work to be done.

Now a couple of points to make on this before I conclude: many, maybe about 40 percent, of people who are in the country illegally do not cross the southern or northern border. They come in through the airports, they have visas or they're legally present and then they overstay. So that's not a border control issue, that has to do with visas and how we admit people and how able we are to make sure they don't stay beyond their term of admission. So that's one critical thing to be mindful of. The second issue is, again, if you have greater legal immigration or you give people greater legal permission to come in and work, that helps to control the illegal migration. There are some people who cross the border illegally not because they want work, but because they want to traffic in drugs or they want to literally engage in human trafficking for slavery purposes and there's sexual slavery and things of that sort. But that's really a minority and I used to say that if we could find a way to address the labor needs in a fair and efficient way through a legal channel of immigration, it would allow us to focus on that much smaller group of people who actually are coming in for bad purposes.

MACK MCLARTY:

That's a great way to start our conversation, our discussion. Thank you. Antonia, you have spent a good part of your life, your career, representing and trying to improve the lives of Latinos in Mexico and other parts of South America. In terms of the immigration issue, give us your perspective, if you will, following up on Secretary Chertoff's comments about the border.

ANTONIA HERNANDEZ:

Well I think, you know, to start with, one has to understand the dynamics of the border, and I think the secretary stated properly that about 40 percent of the people coming in illegally come through other ports of entry other than Mexico. You wouldn't know it by going to the Mexican border.

I traverse that border at least once a month and I think that the American public has to some degree been misled by the perception that the borders have been secured. What has happened is that trade has been made much more difficult. The perceptions that there's a bunch of, you know, unsavory types crossing the border have made it all the worse. I really do think that as we talk about immigration and border enforcement and don't get me wrong, every country has the right to control its borders, but we have to recognize the ebb and flow. And it is true that the

number of folks that have been coming through the southern border, because when we talk about the border we're not talking about Canada, we're talking about the southern border, that the number of folks coming in from the southern border has decreased dramatically, but it partially to some of the enforcement. You know, Homeland Security has tripled in its resources. They've built a wall that hasn't kept anybody out.

But the main reason that there has been a decrease in the flow of migration has been economics. Because if you really look at the reason, the push and the pull, it's economics; and if you look at what people come to the United States, it's to work, to start a better life. I myself, as I said, I have a home in Baja, California, you know, Secretary Chertoff said he comes to Florida, I go to Baja, California. And so I see the border. And actually, I just sort of had a tour of the border of Tijuana San Ysidro.

And, you know, what's interesting to me, it's only recently that the United States started thinking about the fact that a lot of the money and resources that fund the drugs, that fund the guns, come from laundered money from the United States. And you see that at the border. When you talk about, you know, the number of guns, most of the guns that are used south of the border are bought in the United States

and taken into Mexico. And in understanding what has happened with the border is, it's not just Mexico. If you look at the -- you know, instability in Guatemala, in El Salvador, and other countries south of Mexico, you know, put aside the issue of people who want to come and work. And if you work with the other elements, is it's the drug trade. We're the consumers, and we're not dealing with that issue. So I think as we talk about immigration, we have to talk about it from a perspective of what are the causes and what are we doing, and instead of just sort of trying to just close the border, which it cannot be done, it just cannot be done. So how you do regulate it and how do you deal with the causes of it?

And I will say one other thing, too. When we talk about immigration, legal or illegal, we have to have a safe place to have a conversation about the fact, the perception of the changing of the character, quote-unquote, of this country. And what we're talking about is the discomfort level about the type of immigrants that are coming in. And if you talk about Silicon Valley, those are they right type of immigrants. But if you talk about the fields in California or in Arizona or in Georgia, you're talking about the influence of the change in demographics. And I think that in order to really deal with the policy issues, we do have to have a safe place to talk about this because underlying all

these conversations, that's an issue we need to address.

MACK MCLARTY:

Antonia, thank you. I think those are two very important beginning perspectives as we talk about this issue. I do think just from personal observation, that the issue of immigration is not just a border or a border states issue. It is one, as all of you know, that affects so many, almost every state in our union. You certainly see it through the heartland and south and so forth. And I'm not sure in some ways, why there've been loud, vocal voices, that the public is not a little ahead of some of the elected officials on this issue. Because where you have seen some measure of assimilation, even in the heartland in my home state of Arkansas, and other states, you see a trend that is encouraging on balance. Still a lot of work to be done, for sure, a lot of difficult issues to be worked through.

Secretary Gutierrez, it was a number of references both by Secretary Chertoff and by Antonia Hernandez, about jobs. Let's talk about the jobs perspective here in the U.S., and perhaps as Senator Rubio talked about the jobs perspective in Mexico and South America. That's something that you spent a few good

years working on in a very diligent and effective manner.

CARLOS GUTIERREZ:

Thank you. Well, the -- I think one of the misperceptions -- one of the myths is that it's a zero-sum game.

MACK MCLARTY:

Yeah.

CARLOS GUTIERREZ:

So if you have more immigration, you have fewer jobs for Americans and, you know, you have to make that choice. Actually, what many have seen is that the types of jobs that immigrants do are usually additive. They usually add value. The fact that someone comes in and creates a supermarket in their -- you know, an entrepreneur creates a little business, that business isn't taking away from anyone. In fact, they're actually supplying -- they're creating jobs. We have to grow our economy about three percent, two and a half, three -- at least three percent, let's say.

MACK MCLARTY:

To have employment, we --

CARLOS GUTIERREZ:

Right, right. And there are two ways to do that. It's actually a very simple formula. You grow the number of people in your workforce, and you improve productivity. Right now, our working age population is growing -- I mean, the best estimates are that it's growing at perhaps, over the next 10, 15 years, 0.3, 0.4 percent. In order to hit the three, three and a half percent, you need, you know, one and a half percent growth in the working age population. And, unfortunately, we're not producing enough American-born citizens to hit that number. So we need immigration.

So the first thing I would -- I would start out by just saying immigration is good for the country. Immigration is necessary to keep the economy growing. And, just one example of -- I remember, you know, 10 or 15 years ago, being in Germany and talking to someone about you cannot find a plumber in Germany. And if you do find a plumber, you better get ready to, you know, pay nuclear science kind of wages. Why? Because they didn't allow immigration. Immigrants come in, they start plumbing companies. You know, it just gives a vitality to the economy. So, I would actually say immigrants push the economy and push jobs. They're actually good for jobs, which is counterconventional wisdom, I know.

MACK MCLARTY:

You've got a sound argument or at least, I think, one that's persuasive and I think would win the day, at least in this audience and hopefully will broadly. Andrés, you've been patient at the end there. This is a policy issue discussion, which the Wilson Center is very, very good at developing and at a particular focus on Latin America, both at your Mexico Institute, more broadly, your Brazil Institute and other parts of the region. But it's also a political subject and to have immigration reform, you'll have to get some measure -- not only the majority but I think a bipartisan consensus to do that. So Andrés, talk a little about the politics, and I think it'd be helpful to this audience, and more broadly, about the immigration issue in Florida, which has just been discussed in the -- and hotly debated -- in the Republican primary, but then how that varies, perhaps, in other parts of the country, because you've written about both.

ANDRÉS OPPENHEIMER:

Sure, Mack. Before I do it, I'd like to add a little bit to the very fine comments that both secretaries and Antonia Hernandez have made. I agree with much of, if not everything that was said. Bt my skepticism about all this talk about border security and securing the border and all these terms that have come up in recent years, I found them a little bit ridiculous because the main problem we have is our

income disparity with Mexico. Our per capita income in this country is what, \$48,000 a year? Mexico is, at best, 18, 14, around there. So our per capita income is three times higher than Mexico's. How on earth are we going to stop people from coming? We can build a fence, you know, as tall as we want without -- as much electronic devices as we want. We are not going to stop them. They're going to parachute in, they're going to build tunnels, they're going to come through Canada. I mean, you and I would do the same thing.

So, to me, it's all a big political -- you know, it is a political thing. It is very overblown and, I mean, I remember when I came to this country 30 years ago, I was an immigrant from Argentina. My English was worse than it is now.

[laughter]

And, actually, I went -- I got a scholarship in St. Paul, Minnesota, of all places, where there were no immigrants, and my first problem was, there was my name. People asked me, "What's your name?" And I said, "Andrés." They said, "What? Undress? As in take your clothes off?"

[laughter]

So, anyway, I've overcome that. But the point I'm making is, number one, we are focusing too much on all these politically crafted words that obscure the main issue, and now, even this administration, which is more sensitive to immigration than others, is planning to build this huge trade initiative with Asia, which is great -- the Trans-Pacific Partnership. And I'm sure Secretary Gutierrez would agree, it's a great idea. It's fantastic. We should do it. But what about creating a Trans-American partnership? Unless we do something to build a NAFTA, which is what, 1994 -- almost 20 years old -- we're not going to narrow that disparity, and if we don't narrow that disparity, we are not going to stop the flow of people to this country.

Quickly, back to Mack's question. Florida and the U.S. As you know, the Republican hopeful Mitt Romney won Florida last week. He won big. And the thing that caught a lot of attention nationwide was that he won Florida with 53 percent of the Hispanic vote. That was more than what he won the state with. If I remember what he won the state with -- it was 46, 47 --

MACK MCLARTY:

It was under 50.

ANDRÉS OPPENHEIMER:

So, a lot of people nationwide said, "Wow, Romney really has a connection with Hispanics." So, what I'm saying is, wait a second. I mean, don't extrapolate. Florida is unique. Fifty percent, more or less, of the voters in this state are Cuban American and Puerto Rican. Cuban American voters make up about five percent of the Hispanic vote nationwide. Very little. Most Hispanic voters in this country are Mexican American, Central American, et cetera, et cetera. So, I think it's going to be very, very, very hard for the Republicans, unless they change the rhetoric on immigration, to win the Hispanic vote in this country.

And just as a reminder, President Bush in 2004 won the election with 40 percent of the Hispanic vote. Four years later, Senator McCain got 31 percent of the Hispanic vote and didn't win the election. Today, Mitt Romney or whoever it is -- looks like it's going to be Mitt Romney, with a position that is far further to the right than McCain, unless he makes some changes, I doubt that he'll get even the 31 percent that McCain got. And without that, I think it's going to be very hard for him to win the White House. Of course, if he changes his position on immigration, he's going to be accused of being a flip-flopper. But if he doesn't, I don't see how he can win the Hispanic vote, and I don't see how he can get to the White House.

MACK MCLARTY:

Andrés, thank you. You have made a prophet out of me, as I thought you might. I had told President Harman that you would be an articulate, strongly opinionated member of our panel, and that you would be a provocateur -- that you would provoke some discussion here, and indeed you have, in all likelihood, done that. But I think you made the basic points that I had hoped you would make in terms of the broader issue, but also the difference in each of the states regarding immigration. This is not just one debate. It may be a national conversation that we indeed need to have, but each state will be looking at this through their own prism.

Secretary Gutierrez, let me go back from an employer standpoint, or business standpoint, if I may, because you hear it from businesspeople all the time in terms of making really our immigration system work and be enforceable. And Secretary Chertoff, you can come in on this as well, because you certainly are very knowledgeable on some of the specific initiatives that have been put forth. But in terms of workplace enforcement, Carlos, here's a small business particularly, may not have quite the level of resources of a large business. It's hiring people. They want productive people, engaged people in their workforce. How is that done currently? What are the

issues there in terms of an employer feeling comfortable hiring people legally to get the job done in his or her business?

CARLOS GUTIERREZ:

I'll answer that, and I want Michael to add because that is a very legal -- I mean, it's clouded with a lot of legalities. So, without E-Verify, without any of the technology that people talk about, I mean, if today, a worker comes into your company and has a Social Security number or some kind of identification that validates that he or she could work here, my understanding is that if you start probing and if you start -- you say, "Wait a minute, you don't look like you were born here. You don't look like it," that you're actually breaking the law.

I mean, the problem with illegal immigration -- I believe -- I'm coming more and more to think this way, is the problem with our legal immigration system. It's almost like the reason we have an illegal immigration system is because our legal immigration system is almost impossible to abide by. You know, if you have a farm in California, chances are, today you're looking at either I keep on trying to hire illegally or I close down or I move to Mexico. Because the legal system for bringing in agricultural workers will put me out of business. So I don't know, Mike, do you want to?

MICHAEL CHERTOFF:

No, I think that that's right. One of the interesting features of the experience we had when we worked on comprehensive immigration reform in 2007 is, you know, we got a bunch of Republican and Democratic senators together. We spent literally months. You know, we came up with a proposal that everybody agreed with. And that's that we had a pretty broad group of people. Everybody from Ted Kennedy to John Kyl. So, it got a lot of consensus. And what it really does is it boils down to a couple of things. First, I think Carlos is right. You've got to have an efficient legal system for working, for admitting workers, for tracking them, for making sure they're not victimized. And that takes a lot of the problem and resolves it.

The second feature from the employer's standpoint is how do you enforce that? And, you know, we went around and around about different ways to identify people. It actually boils down to something very simple, which, by the way, is not limited to work or immigration. It's a more general issue in our society, which is, increasingly, everything you do and what you own, where you can go, and what your assets and reputation are, are based on your identity. And when you identify yourself, that opens the door to a lot of different things. It is the way

you get access to your money online through the bank, it's your credit, all those kinds of things.

The problem is we do not have a secure and universal system for identification. And that really creates problems all along the line. It means that employers can verify whether someone is legal or not. It means that your credit card company, you know, you periodically get a call about someone pretending to be you and charging things and, you know, in another part of the world. It means you may have difficulties in other respects.

So, to me, again, that's a -- it's a pretty actually straightforward solution. If we have the will to do this -- and by the way there are countries in the world that do do this. In India right now, they're embarked on a massive program to give every single Indian a number, a unique number in some kind of biometric identifier, which will then be used in all kinds of social services and things of that sort. So that would be one way to solve a lot of that problem.

MACK MCLARTY:

Great. Antonia, you have any additional comments there that you'd like to make?

ANTONIA HERNANDEZ:

Well, you know, I think, you know, we no longer have a sense of privacy. And we all know that. And most often, particularly young people give it up freely, in Facebook, you name it. So the sense of, you know, privacy -- but as Americans we do have a real built-in sense of, you know, sort of having the government not being involved in our business. And it's psychological. It's part of the American mindset. Having said that, we already have a number, and it's called a Social Security number. And every employee has to submit to the Social Security number. I am an employer. I employ 63 people. I have to go through the process of verification.

And the issue is not, you know, whether it's, you know, techie, you know, Social Security number or whatever, the issue is that if you present it in Boston and you happen to look Irish, nobody's going to give you a second look. They just take it as given. And the largest concentration of undocumented in Boston are Irish. Hmm? But if you happen to look a certain way, it's the underlying questioning of who you are. Granted, I am an immigrant. I came to this country when I was a small person. I've been here most of my life. And when people look at me, the first question they ask is, "Where are you from?" "I'm from Pasadena, California." "No, where are you from?" And so that's what we're dealing with. Once again, going to

that very issue of the questioning. So I can have -- my father was born in Dallas in 1926. His family was deported during the '30s. And by the way, this administration has deported more people than the '30s and the '50s combined. He is dark. To this day, 86 years old, he still carries his birth certificate in his wallet.

[laughter]

So that's what we're dealing with. And that's what we need to talk about. We can have all of these documents. We can have all of these papers, but if we don't go beyond that, we're not dealing with the issue and having the conversation that we need to have. Being an American is a state of mind, and until I fit that state of mind, we're going to be having this conversation.

MACK MCLARTY:

Strongly and clearly stated, Antonia. Secretary, did you have a comment back?

CARLOS GUTIERREZ:

Well, I just wanted to add -- it's interesting, you said your father was deported in 1930? We had -- I mean, Ellis Island was the -- '05, at the beginning of the century, we had a restrictive immigration policy in the mid-'20s. And that's when we really

started to cut off and it was just, you know, a time of xenophobia, a time of no immigrants. And ironically, that was right before the Great Depression. Any time you see a recession, you see the economy downturn. You can point to immigration policy, and it's usually tied to a period of time when we've become xenophobes. And I hate to say it, but there's a little bit of that today, at work today.

MACK MCLARTY:

Let's go to our final subject we'll take as a panel, then open it up for questions. But it's a major subject. We've talked about border enforcement, we've talked about the view from the workplace and from business, we've talked about a view from the Latino or immigrants -- how they see the landscape. So we've covered a pretty broad range of subjects here. But we would be remiss as a panel if we did not talk about the existing number of people who are living here today, that have come to this country, many cases have been here for many years, whether it's eight million, 10 million, 12 million. But illegal immigrants who are living here in many cases have had families who are part of the fabric of the society here.

If we can keep our answers pretty tight here.

Andrés, let's start with you, because this issue of

either earned legalization, or how do we deal with the illegal immigrants that are here? Something that Antonia and others have dealt with in many cases. Obviously, Mike, you and Secretary Gutierrez talked about this at length during your time in the Bush administration. I do think it's noteworthy that both President Bush 43 and President Obama, both have been very strong and positive about immigration reform. I think that's noteworthy, despite the current political landscape. But let's just stick on the amnesty or earned legalization. Andrés, let's start with you and go right down the row here, and then we'll open up for questions.

ANDRÉS OPPENHEIMER:

Just a small word of agreement with Secretary Gutierrez. I couldn't have said it better and I wish more people in the Republican party would think that way and say that way -- describe it that way.

On the -- I think "amnesty" is a loaded word. I mean, amnesty. Whenever I write a column about undocumented workers, and people -- a lot of people -- a lot of hate mail -- a lot of people from all over the country write, saying, you don't get it. You're [laughs] x, y and z. We're not against immigration; we're against illegal immigration. But as Secretary Chertoff very well said, and secretary over there, and as Antonia very well remarked, the problem is

that we don't have a legal immigration system. If you're a Mexican wanting to immigrate into this country, you have a sister in this country, it takes you 18 years to get in. If you're an Indian Ph.D. -- and I'm sure University of Miami has a lot of them and I'm sure President Shalala knows this case, according to the National Immigration Center, it can take up to 70 years for an Indian Ph.D. to get a visa in this country. That's crazy. So, talking about amnesty, to me is, again, a loaded word.

What should we do? Anything between what Newt Gingrich proposed, which is given there are people who have been here for 25 years, have ties to the community, speak English, are willing to pay a penalty, blah blah blah, some kind of paper saying you are allowed to stay in this country. And something wider, allowing people who have been less than 25 years but are a positive force to this country to stay here. Now, President Reagan did it. The country didn't fall apart. I think we should agree to admit those people who deserve to be here. And if you want them to pay a penalty, fine. Have them pay a penalty.

But the whole issue of legal and illegal, again, illegal -- what is an illegal person? There are illegal acts. There are no illegal persons. We all broke the law when we came here today, when we drove

through a street that has a speed limit of 30 miles an hour, and none of us in this room, me included, drove at 30 miles an hour. Does that turn us into an illegal person? No. It turns it into a person that committed an illegal act. That's different. So I hate -- there are a lot of loaded words here. "Illegal" is one of them.

MACK MCLARTY:

A great start to a very, very complicated, difficult but serious and fundamental issue in immigration. Antonia, would you please go next.

ANTONIA HERNANDEZ:

Well, there are approximately 11 million undocumented workers in the United States. I come from the state of California, from the county of L.A. There are one million undocumented individuals in L.A. County. There are 800,000 legal residents eligible for citizenship. My job, as the head of the California Community Foundation, is to integrate those individuals into the fabric of American life. If they are law-abiding individuals, hardworking individuals, I'm not going to wait for the federal government to decide whether they're documented or undocumented, whether the Republicans want -- you know, want them here or not.

These people are living in communities, and I would be very surprised, whether it's a Republican or otherwise, if this country was willing to deport and divide 11 million families. The majority of undocumented individuals lived in a mixed household. And I'm not talking about ethnicity. There is a citizen, there is a legal resident and then there's an undocumented person in that household. And controversial as that might be, we have to face that reality and deal with it. They are here. In L.A. County, the vast majority of undocumented individuals buy homes and have been in the county for over 10 years. They are in the fabric of L.A. County, so call me unpractical, but I think we need to deal with the fact of making these people part of our society and move on.

MACK MCLARTY:

Two key points. I think we stressed first, Andrés, in terms of amnesty being a loaded word. Governor Jeb Bush and I had the privilege and opportunity to share a council on foreign relations commission task force on immigration. We were able to achieve consensus in that report. Very few dissenting opinions, about a 16-member group, including Labor, the Chamber of Commerce, Republicans and Democrats. The head of the Southern Baptist Convention actually talked eloquently and thoughtfully about amnesty and a way to change that debate in conversation --

exactly what Andrés noted. I'm sure none of the students broke that speed law, by the way, Andrés, in their coming here today.

Antonia, I think, hit another very important point. That's assimilation, integration into our society. That's the only way you're going to have successful immigration here as we hopefully work to make legal immigration much more effective. Mr. Secretary, you're next.

CARLOS GUTIERREZ:

You know, from the very beginning, I know when Michael and I were working with the Senate on this bill --

MACK MCLARTY:

Yeah. I know you spent long hours.

CARLOS GUTIERREZ:

-- we came to kind of a big picture conclusion. We're not going to round up 12 million people, you know, in buses, in 747s and kick them out of the country. The other extreme is, we're not going to give 12 million people a passport. I think they're both pretty reasonable. So, the solution is in the middle. And that's easy to say. We found a 700-page solution in the middle.

[laughter]

And it's just -- it's incredible how many things you can disagree with and in our desire to come up with the perfect, we probably lost a lot of good. But once you start there, you say, we're not going to do those two, then, you know, as John Kyl said, a conservation Republican, the reason I'm here every single day working on this issue, is because my constituents said, "Would you do something to fix it?" So he was working to fix it to find that middle ground.

MACK MCLARTY:

I think you went to a central point. We really, at the end of the day, at the end of the day here, don't really have an option. We certainly don't have a good choice, other than to find the common ground here to deal with immigration. I mean, it's just absolutely fundamental, not only in terms of who we are, but in terms of having a workable system to make us a competitive, productive country, and speaking to values that we all hold dear, we've not found that middle ground yet. We're pretty close to it on this panel. We did find it on a couple other commissions. Not quite as easy in some of our political system. Secretary Chertoff?

MICHAEL CHERTOFF:

You know, I guess I would say two things; I agree with pretty much everything that's been said up here but, and we thought a lot about this when we were putting together the bill, and to be honest we spent a lot of time talking to people who had very strong views on either side of this. And you need to respect the fact that there are strong views, you can't, you can't just dismiss it.

MACK MCLARTY:

Yeah. Correct. Yeah.

MICHAEL CHERTOFF:

I would say there were two objections that were, you know, good faith objections that were raised on the issue of legalizing the status, or regularizing the status of illegals. One was the concern that you're letting people get away with having violated the law. And here I kind of agree with Andrés, which is, you know, we concluded, if you haven't paid a fine or a penalty, that acknowledges that there was a violation of the law. On the other hand, yeah, people do violate the law and we grade punishment. So if you, you know, run a stop sign or something you're going to pay a fine, you're not going to go to jail for 40 years or lose your citizenship. So we kind of figured that building a process that said, if you want to become regularized you have to pay a fine, was kind of a reasonable combination of the rule of

law and practicality. The other objection which is a little harder to deal with is the, if you, goes back to Reagan in '86. And it's the argument that if you grant people, either what's called amnesty or legalization, you're just going to encourage the next wave to come.

MACK MCLARTY:

Yeah. [unintelligible]

MICHAEL CHERTOFF:

And I think, you know, that's a harder argument to deal with. And there are two solutions, I think. One is you do have to give people a legal channel that addresses their desire to economically better themselves, and I think, as Carlos points out, that is good for the country. Part of the problem is we just have not adequately explained the economic fact that as a country we do better if we have a reasonable degree of growth of immigration. Now in Russia they're having the huge problem demographically, because you got a lot of old people and a relatively small number of young people, and that is a big economic problem.

So part of it is to build a kind of a more open portal. And then you probably do have to have a set of procedures in place that say, you know, if we're going to open and regularize and then change the

system, if you're not registered as of now you're not getting the benefit of this going forward. So, you know, you do have to recognize that a critical piece of the credibility of having legalization or regularization is, no kidding, we are going to enforce the law. And that was the complaint about Reagan. That Reagan did the, you know, the amnesty but they didn't do the enforcement piece. So I think there's a way to do this, but I do think we've got to lower the temperature on a lot of this.

MACK MCLARTY:

[affirmative] I agree with that. Thoughtful and serious discussion on probably the most -- the most hot button issue of the immigration landscape. Okay, with that, let me take a deep breath and open up the floor to questions, both from the distinguished and learned students of the University of Miami, and other interested and distinguished parties that have joined us. I think we've got microphones here. Please raise your hand and we'll recognize you quickly. Keep your questions short if you will, we'd like no long public statements from the floor. Let's start over here, let's start with a student. I think that's the right thing to do on University of Miami campus, start with a student over here to my left. Yes, sir.

MALE SPEAKER:

Hi. My question is, one of the things you were talking about is what to do while illegal immigrants are here. So I want to factor in education.

MACK MCLARTY:

Yeah.

MALE SPEAKER:

Should public education be open while they're here, while whether we're deciding deport, --

MACK MCLARTY:

Yeah.

MALE SPEAKER:

Keep, amnesty? Do we educate the children?

MACK MCLARTY:

Yeah. Both at a primary level and then at a secondary university level, well, Antonia let's start with you, we'll let you just jump right in here.

ANTONIA HERNANDEZ:

Yes, you should, for the simple reason that the majority of those children are U.S. citizens. It is their parents that are undocumented. And keep in mind also that when we talk about undocumented people, and your question goes to the issue of the public burden, when you go into a store to buy

something, they don't ask you whether you're documented or undocumented. Undocumented pay the same taxes you and I pay, and, in fact, because a lot of the undocumented individuals use fake Social Security cards, they are putting in, more into the Social Security system than they're getting out of it because they're not applying for it. So when you think in terms of, you know, whether these undocumented individuals are a burden to society, just keep in mind, they pay the same taxes. The difference, though, and I will tell you the difference is they don't pay as much taxes as a middle class person, or an upper middle class person because most of them are lower class working people, and as a general rule lower class workers pay less into the system.

MACK MCLARTY:

Very good first question. Any other comments on that subject? Okay, let's go to the second, let's go right here, right up here front, we'll alternate in between students and --

CARLOS DE LA CRUZ:

Hello, I'm Carlos de la Cruz. I was a student, long time ago.

[laughter]

But there's nothing that I heard tonight that really could be considered objectionable from my point of view. But the difference between an illegal immigran, and an undocumented person who has lived here 20 years is really a political sound bite.

MACK MCLARTY:

[affirmative]

CARLOS DE LA CRUZ:

And the question is, how do you translate that difference, and how do you break the barrier so that people can talk about these things? In my opinion they need cover.

MACK MCLARTY:

Yeah.

CARLOS DE LA CRUZ:

The politicians need cover from people that are willing to be much more open about these thorny subjects, that are not going to win them, perhaps, applause in their own groups but that eventually will bring this country back together again on this thorny issue. Thank you.

MACK MCLARTY:

That's both a question and a statement.

MALE SPEAKER:

It is.

MACK MCLARTY:

And, well, and a most appropriate one. And I think it goes to the very, really, essence of this discussion is truly how do you talk about the facts, talk about the realities, but how do you do that in a safe, serious, constructive, civil manner. You can do that with the rubric of the Wilson Center, you can do that in other forums. It's a lot harder, as Andrés and all of us know, in a political setting, particularly where you've got immediate coverage of the event whether it be, you know. CNN or, YouTube, or whatever. It's, communication's instant, but I think we've got to make the argument in such a serious and compelling manner to push back, and have the vital center if you will, kind of block out those extremes to build that political cover and consensus. Carlos, you have a comment on that, because you and -

-

CARLOS GUTIERREZ:

You know, I --

MACK MCLARTY:

You and Michael got very close. I know you worked so long and hard --

CARLOS GUTIERREZ:

You -- we did.

MACK MCLARTY:

Very close.

CARLOS GUTIERREZ:

Spent a lot of time.

MACK MCLARTY:

Yep.

CARLOS GUTIERREZ:

I think you're absolutely right. It's -- it actually does the whole debate an injustice because it boils it down to just a few words.

MACK MCLARTY:

Yeah.

CARLOS GUTIERREZ:

I think we probably lost the 2006 bill because of one word, "amnesty".

MACK MCLARTY:

Yeah.

CARLOS GUTIERREZ:

Now that's amnesty.

MACK MCLARTY:

[inaudible]

CARLOS GUTIERREZ:

That's it, the argument is over.

MACK MCLARTY:

Andrés is -- yeah.

CARLOS GUTIERREZ:

Or, you know, for some people, border security is code language for, "I don't like immigrants." And I'm not saying it's always that way, but we're not debating the real issues because once you get into this thing there are issues, I mean I remember we were saying, you know, if you cross the border illegally that's a misdemeanor. But what if you have false identification? That's a different story. So you start getting into how you're going to deal with that, and that's how you end up with 700 pages. And you need that kind of clarity and that kind of specificity, but we're not allowing ourselves to get there because we, you know, we just stop at one word. Which is kind of crazy.

ANTONIA HERNANDEZ:

Can I, on that one? You know, the one group of people who have not been in the forefront of the

debate that I think would bring the temperature down
is the business community.

MALE SPEAKER:

[affirmative] Yeah, true.

ANTONIA HERNANDEZ:

You know, they are so critical to this debate --

MALE SPEAKER:

Yeah, I agree with that.

ANTONIA HERNANDEZ:

And if the business community were to come in and
start talking about the need for workers in the
various industries, I think that the politicians
would begin to listen to them because in many ways
that's where they get their money from.

[laughter]

You need sort of, a new player in. And it's got to
be beyond the U.S. Chamber Of Commerce in --

MALE SPEAKER:

Yeah.

ANTONIA HERNANDEZ:

-- Washington D.C. You've got to get the chambers involved. In fact, in California, when we wanted to pass the California DREAM Act, we had the chambers there testifying in favor of the DREAM Act. So I would say that for me, who has been in this discussion for 30 years --

[laughter]

-- I really think that the business community has to step up.

MACK MCLARTY:

Yeah, Mike, Mike go ahead. You, Carlos, you provoked some discussion here.

MICHAEL CHERTOFF:

On the business community, and I wish I agreed with you on this, but the fact is the business community did get out when we did the 2007 bill. And the reaction that opponents the bill had was, these are just a bunch of rich businessmen who are trying to help themselves economically at the expense of the American worker. In other words, some of the same populist arguments that you hear now immediately were deployed against the business community and it was, you know, the people who didn't like the bill said, they want cheap labor and they want to deny our children jobs.

So unfortunately I think the problem is a lot deeper and more fundamental than immigration. I think it runs across a huge amount of political debate in this country in which you don't get the time to fully lay out arguments because everything has to be done in a very short sound bite. And the only cure for that is, frankly, for public officials or politicians to decide they're going to do what they think is right.

And, you know, my favorite thing I always cite to is Edmund Burke's letters to the Electors of Bristol, where he said, look, you've elected me your member parliament, not to be your mouth piece, but to exercise my best judgment. If you don't like it you can throw me out at the next election but don't expect me, and he wrote it better than I'm saying it, don't expect me just to go back and parrot your views." And that's a real fundamental issue.

MACK MCLARTY:

Next question. Let's go right here in the middle and then we'll go back here in the, --

FEMALE SPEAKER:

Hi.

MACK MCLARTY:

To the student in the back there. Yep.

FEMALE SPEAKER:

My name is Myra, and what I want to ask you is, how do you feel where just recently students here in Miami or in Florida were denied in state tuition because their parents were illegal. But the student was raised, born and raised here, but many other states, I think Virginia, California has that. How do you feel about that? Because I feel like you're not giving the students the correct opportunity to go to school even though they were born here.

MALE SPEAKER:

They were born here in the state?

FEMALE SPEAKER:

Yes.

MACK MCLARTY:

Yeah.

FEMALE SPEAKER:

In the United States.

MACK MCLARTY:

This is a, the parents, at least one of the parents was not a legal citizen.

FEMALE SPEAKER:

The parents, yeah, correct.

MACK MCLARTY:

Is that right? Is that, --

FEMALE SPEAKER:

Yes.

MACK MCLARTY:

Carlos, you --

CARLOS GUTIERREZ:

I don't understand that. I don't, I'm agreeing with you.

FEMALE SPEAKER:

Oh --

CARLOS GUTIERREZ:

I don't understand --

[laughter]

MACK MCLARTY:

You understand the question, you don't understand the policy.

[laughter]

CARLOS GUTIERREZ:

I don't understand why somebody who was born here would not be, would not be a U.S. citizen. I mean, isn't that the law?

MICHAEL CHERTOFF:

Yeah I think it is, yeah. Yeah, I'm surprised at that actually because I would think if you were --

MACK MCLARTY:

Yeah. It's a follow-up, it's the same line of questioning --

MICHAEL CHERTOFF:

I would think if you're born here, and you're a U.S. citizen, as a matter of law you can't be denied what others born here are, that would, you know...

MACK MCLARTY:

Antonia, you've got to sit in your chair. You can't come out of your chair here. I have a feeling that -

-

ANDRÉS OPPENHEIMER:

I've seen, I'm not aware of that I mean I would find it strange that a U.S. citizen is denied that, but I'd had in my TV show, kids from --

MACK MCLARTY:

You know what, I think you're right.

ANDRÉS OPPENHEIMER:

-- from the Miami Dade community college.

MACK MCLARTY:

Yeah.

ANDRÉS OPPENHEIMER:

Two kids who came to this country when they were one or two years old, they don't speak one word of Spanish. One was brought in from Mexico, the other one I think from Brazil. And they were as American as apple pie, they don't speak Spanish.

[laughter]

They've never been to their native countries because they can't travel. They're as American as they come.

MACK MCLARTY:

Yeah.

ANDRÉS OPPENHEIMER:

And now they are about to graduate and they don't know what to do. Their life is a mess.

MACK MCLARTY:

Antonia, you want to add on to Andrés' comments there?

ANTONIA HERNANDEZ:

Well, actually the states have done some really irrational things. Alabama, Arizona --

MACK MCLARTY:

You mean the state laws, [inaudible] untrue.

ANTONIA HERNANDEZ:

Okay, so, but the fact of the matter is, you know, there have been proposals to deny citizenship to children born of undocumented, but the law is very, you know specific. The problem is that, of course, a lot of these laws are being appealed at the court and that takes time. But if you are a U.S. citizen you're entitled to all the benefits that the Constitution provides for you.

MACK MCLARTY:

Good. In the back here, yes.

MALE SPEAKER:

Hi, my name is Hisham [spelled phonetically]. I'm a student of President Shalala's class and I kind of want to shift gears a little bit. We've talked about the business aspect of illegal immigration, public education, and I want to talk about the health care

aspect now. I want to get your guys' opinion on illegal immigrants pretty much going into hospitals and receiving free health care at the expense of taxpayers and pretty much running up a bill, and not having to pay for it at the end. So I want to get your guys' opinion on that.

ANDRÉS OPPENHEIMER:

Yeah that's a --

MACK MCLARTY:

Andrés.

ANDRÉS OPPENHEIMER:

I don't want to stand here as the most, although [inaudible] on the extreme --

MACK MCLARTY:

No, we're not going to let you fall off there, Andrés.

ANDRÉS OPPENHEIMER:

[laughs] I don't want to sound as the most extremist here, and let me just say that I agree with Secretary Chertoff and Secretary Gutierrez, in that we can't allow everybody in and give everybody a piece of paper and a pencil, I'm in total agreement with that. But I just saw the ambassador of Mexico sort of, you know of twisting himself in the chair --

[laughter]

-- when you asked that question because I remember in northern Mexico in Sonora, not too long ago. The governor in Sonora was telling me, "You know what my biggest problem is? American AIDS patients coming to Mexico to get free treatment. Costs us millions of dollars." So, it's an issue that deserves a close look, because it's happening, you know it's not just a one-way stream.

MACK MCLARTY:

Carlos, you have a --

CARLOS GUTIERREZ:

It's one of the arguments --

MACK MCLARTY:

I assume you [inaudible].

CARLOS GUTIERREZ:

-- we used to use in favor of reforming the system. If that worries you then one way to really get at those costs --

MACK MCLARTY:

Yeah.

CARLOS GUTIERREZ:

-- and understand them is to reform the system so that we know who's here, we know who's working legally.

MACK MCLARTY:

Yeah, I think the basic premise, if we can get our immigration system working in a much more efficient, orderly, and predictable manner, legal immigration. And since Rubio made this point today in his comments, that at least then begins to narrow the perspective here of these other difficult problems and hopefully gives some more flexibility to them. That's part of the real challenge here.

Next question. We've got a lot of hands here, we're not going to have time to get, let's go to this side. I think, since I've kind of had my, been turned away from that side. Yes, sir.

MALE SPEAKER:

Hi. My name's Trevor, student here at University of Miami. Mr. Chertoff, you had briefly mentioned how in India they're now instituting a program where all the citizens are given IDs to make it easier for the government. I was wondering what type of specific policy reforms for the Social Security program and Social Security numbers would make it easier for the Department of Homeland Security to identify the

difference between immigrants who want to come in and work, and those who are trafficking drugs?

MACK MCLARTY:

Verification, yeah.

MICHAEL CHERTOFF:

That's a good question, and let me say, you know, that first of all as was said earlier, we do have a system of identification now which is your Social Security number. The problem is it's really easy to phony up, or fake your ID. And that always struck me as the least rational approach to identification. You know, you might say people shouldn't have to identify themselves and you can argue about when they do and when they don't. But it makes no sense to say you should have to identify yourself but we're going to make it really easy to phony up identification. I understand that when you're in college there are certain reasons some of you do want phony identification.

[laughter]

But let's put that to one side.

MACK MCLARTY:

Be careful, Mr. Secretary.

[laughter]

MICHAEL CHERTOFF:

So what would I do? I mean I think basically what you need to do is, you know, biometric. Basically, you fingerprint. And if you build a document that has a fingerprint on it as well as the number whatever it is, it allows people to have a high degree of confidence that you are who you say you are, and then we can debate about when you have to show ID, what you need it for. But at least it gives you a confidence that when you have to show identification you have something that can be validated.

MACK MCLARTY:

Okay, let's take one more question here, I think, before, one or two, we may have time for two depending on the length of answers. Right here, in the middle. Donna, your students, as anticipated, are engaged and knowledgeable with their questions.

FEMALE SPEAKER:

Hello, my name's Danielle. So I have a question regarding first what Dr. Chertoff mention, temporary worker program. And just regarding the history of the temporary worker program, we have [unintelligible] program that was eliminated because violation of rights, and then we have the H-2A

program now which is not working. So what would be the details of a new program, you know, outlining what would make a program work if, as of right now, it hasn't worked?

I actually have a second question that could be addressed afterwards, regarding, I haven't heard the issue about unaccompanied minors, I think nobody has talked about that subject. And so unaccompanied minors in the sense of minors who come from Guatemala or Honduras and they cross the border because their families are working in the United States. So if you can please comment on that, about the unaccompanied minors who are in detention centers right here at the United States. What should be done, what can be done regarding that issue?

MACK MCLARTY:

Michael, you can go ahead and take that.

MICHAEL CHERTOFF:

The issue of temporary worker, I mean again, you know, part of the challenge when you come up with a proposal is to recognize that while there may have been flaws in implementation in the past, it doesn't mean you can't do it, it just means you have to learn the lessons of the past in terms of the flaws.

So, I mean, clearly if you want to have a temporary worker program you've got to build in protection, make sure the workers aren't exploited. I would argue actually, it's easier to do that than with undocumented workers who have to worry about whether they're going to be victimized. And, you know, you have to have, again, you know, you give them a secure visa and identification and then they're perfectly legal to work, and it forces the employer to treat them the same way you would treat anybody else who's documented. The problem with the H-2A program is it gets extremely cumbersome. One of the things we learned, once you get by the policy discussion is, there's an unbelievable amount of complication in implementation and not making it too complicated, not making it too cumbersome.

So I don't want to bore everybody and take a lot of time talking about the implementation issues, but suffice it to say you could design a program that would be relatively easy to police in terms of exploitation, and would also work relatively flexibly. But it probably requires you to increase the number of people you bring in so it's not such a narrow portal that you wind up having to put in all kinds of almost arbitrary rules and regulations to keep the flow very small.

MACK MCLARTY:

Next question. Let's go to the back here, yeah let's go to the back. Yellow shirt, yeah, stand up there and they'll get you a mic.

MALE SPEAKER:

Sorry, I have a broken foot here. But I'm Andrés. I'm a student here at the University of Miami. I'm studying pre-med and I'm in President Shalala's class. As a Cuban American -- for you, Secretary Gutierrez, I'm sure you understand and you've gone through the hardship of immigrating to the United States. I, my family, my parents and my entire family are Cuban Americans as well. My question to you is, as a touchy subject, with Fidel Castro's future passing, I'm sure one can anticipate a boom in immigrants, I mean migrators from Cuba coming to the United States, do you expect any amendments or changes to the Wet Foot, Dry Foot policy and what's your take on that boom that in my opinion I think might happen?

CARLOS GUTIERREZ:

Well, there's been a discussion because, I mean, that's a great question. And you're right, you'd probably expect some kind of a mass migration. The policy options that were talked about where one is, you know, you have to deal with it. And the other policy option is, don't accept it, because typically it's been a relief valve for Castro. You know,

you're having a problem, let go of 50,000 people that's 50,000 fewer problems you have.

And so it's not straightforward that the U.S. government would say, boy we have an immigration problem the way we did in 1980. And there is a likelihood depending who's making policy that the policy would be sorry, go back. Which sounds very cold and very cruel and I'm, you know, coming from Cuba and we know what that is. But it's been an escape valve for Castro, and at this point in time there's one point of view, one line of thought that if you kept the pressure inside of Cuba, that that would force change quicker especially now that you're having Fidel pass away at some point and Raul and you know.

[laughter]

So I mean it's a great question and there are ways to deal with both options.

MACK MCLARTY:

Great question and the right person to respond to it. Right here on front row.

MALE SPEAKER:

Hi, I'm Ian, I'm also a student in Donna Shalala's class. My question slash comment, I guess first is

for Ms. Hernandez. You mentioned kind of the situation where you're being asked, where are you from. And the only thing that really eventually, long term would change this kind of problem is a phase shift, and I guess the in general population of America -- and I just thought of this now, but we mentioned in Donna's class last week that a baby that's born today is actually when they are an adult, going to be, if they're white American, going to be no longer the majority, which is kind of interesting.

And I thought maybe Mr. Oppenheimer could also comment, then what happens when that, when I guess the Hispanic is the majority in the United States? If that really does kind of help in this situation, or make a phase shift where we see no longer a minority, like the general population being all white and then politically where does that take presidential candidates I guess?

MACK MCLARTY:

Good question. Antonia, why don't you start, and Andrés we'll give you the last work down there.

ANTONIA HERNANDEZ:

Actual, you know, we're already experiencing that in California and in Florida.

MACK MCLARTY:

Yeah.

ANTONIA HERNANDEZ:

And in the younger generation. It's -- the challenge is the time gap between, you know, what is happening in the younger generation and those that have the money and the votes. And as you know even today the vast majority of the voters are older. California and Florida, you name it, it's really a different reality, and it's also a different reality based on the age that you're in. You know, to me, as a Latina, as a Mexican American, you know, people say well you're going to be the majority. Well it doesn't mean a darn thing --

[laughter]

-- if you're poor, uneducated, and out of the main stream. And it's not good for America. I mean, the best thing for America is for us to be entrepreneurial, to work, you know, to vote to participate in the life of this country and to make this country great regardless of what you look like. So I'm leaving and I'm very optimistic and hopeful that you folks will be a little bit different than my generation.

MACK MCLARTY:

Andrés, that's going to be hard to top.

[laughter]

ANDRES OPPENHEIMER:

Tough act to follow. I think that diversity is the strength of this country and Latinos are not going to be the majority, we're going to be the biggest minority, not the majority. But in the end, I mean, that's going to be good for this country because I don't believe in those cultural theories. Remember Sam Huntington at Harvard, he wrote a book shortly before he died saying that this country is going to be taken over by funny people with funny faces, and funny accents.

[laughter]

And God forsake when they go to a soccer match everybody's rooting for the other team and not for the American team, and that's terrible, and this country is going to fall apart, et cetera, et cetera. I think that's bull.

[laughter]

Why? Why? Why? Because that's true for the first generation of immigrants, but it's not true for the second and the third. My son was born in this country, and, you know, he roots for the American

team, he doesn't root for the Argentine team. And his grandchildren, you know, and so much more. So I think the Internet and communications have sort of turned us into a more, has sort of delayed the acculturation process. When I go to the drycleaners here in Miami, he's listening to Honduran radio on the internet. Our big problem at the Miami Herald, Joan Atoli [spelled phonetically] may know this, is that a lot of people, immigrants, rather than reading a Miami Herald, they're reading La Nacion of Argentina, El Comercio Perú, those are our competitors. But again, that happens in the first generation. The second generation and the third generation, they assimilate. The melting pot still works.

MACK MCLARTY:

Andrés, thank you. I think that's the proper note to conclude our discussion today. I would certainly like to thank each of our distinguished panelists. You have added a very, very --

[applause]

-- serious and unique perspective. So thank you for joining us, for making the effort. I also would like to thank the Wilson Center for hosting this, President Harman I think you're going to dismiss us, was the --

JANE HARMAN:

Oh.

MACK MCLARTY:

I think that -- but before you do, let me thank
President Shalala for --

JANE HARMAN:

Absolutely.

MACK MCLARTY:

-- hosting us here as expected.

[applause]

As expected. Well, I hope we've added some light and
not heat and some information, but as expected the
students' questions were well prepared, serious,
thoughtful, so thank all of you for joining us as
well.

JANE HARMAN:

That was where I wanted to --

MACK MCLARTY:

Yeah.

JANE HARMAN:

-- end. I think that the panelists were wonderful, but the student questions nailed it. You obviously live these issues, and it's your future, after all. And one of the things I would comment on based on all of this is, how many of you who are able to are registered to vote?

MACK MCLARTY:

[laughs] Boy.

[applause]

JANE HARMAN:

That is wonderful.

MACK MCLARTY:

Yeah.

JANE HARMAN:

That's the way we're going to fix this, and thank you to the panel and especially to Doctor, President, Professor Shalala for bringing her class.

[applause]

MACK MCLARTY:

Yeah. Yeah, you did, you all did great. Yeah, you all did great.

[end of transcript]