

A Carrot, Not a Stick: Examining the Potential Role of Basic Income in US Immigration Policy

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Abstract: The relationship between basic income and migration is one which has received relatively little scholarly treatment thus far, largely limited to discussions of whether or not such a policy would *induce* migration and how this might be mitigated. This chapter takes a somewhat different approach, exploring the potential role for basic income *within* a comprehensive approach to migration policy. In order to effectively address this question the paper explores a number of related issues: whether such a basic income should be regional or national in scope, the relationship of basic income to the existing welfare regime, how and under what conditions basic income could impact migration flows, as well as the perceptions which shape immigration policy in the United States. Specifically, the paper focuses on whether core objectives of American immigration policy, such as controlling the flow of migration and ensuring migrants consistent with labor needs, could be more effectively pursued through the use of a regional basic income. Such a measure could potentially provide an alternative to the present enforcement-oriented paradigm of immigration policy via “border security.”

Introduction

At a recent conference, a scholar remarked on why a basic income guarantee (BIG), an unconditional individual income offered without means tests or work requirements, has faced a harder route to policy discussions than conditional cash assistance or other incentive-based forms of social welfare.¹ Invoking Popper, this scholar stated “...it is much easier to reach agreement on proposals aimed at addressing specific social problems than it is to find a common political agenda among people holding irreconcilable positive visions of what constitutes a good society.”² Perhaps, he suggested, the way to provoke meaningful policy debate lies in framing basic income relative to specific policy issues and priorities. In this vein, we aim to initiate a discussion about basic income and immigration policy in the US.

Overhauling the immigration system is one of the core legislative and policy priorities in the contemporary United States. There is widespread recognition that the present immigration system is “broken” with roughly 11 million irregular migrants in the country illegally, a decades-old visa system that strains against the realities of our contemporary economy, and uneven and ineffective immigration enforcement. As we write this chapter, the US Congress is trying to flesh out an immigration reform package that would address these issues, but its passage is far from certain.

In addition to its contemporary salience, immigration has important connections to proposals for a BIG. Yet surprisingly, the connections to immigration policy remain relatively underdeveloped within the growing literature on basic income.³ This has led prominent scholars to identify migration as the dimension of globalization that “...creates the most obvious threat to the sustainability of a significant unconditional basic income.”⁴

Examining the connections between BIG and immigration policy forces us to think about a number of important questions crucial to both domains: the geographic scope of such a BIG, the logistics of administering a BIG and what categories of persons would be eligible for benefits, the relation of BIG to the existing welfare regime, the causes of migration flows and how BIG would impact them, and utilization of BIG as a tool to achieve immigration policy objectives such as border security and ensuring an adequate labor supply.

We begin by addressing the contemporary state of immigration policy and ongoing efforts at immigration reform in the US. We then examine the preliminary considerations raised by considering immigration and BIG in tandem, moving to consider ways in which BIG could be part of a comprehensive strategy of immigration reform in the United States. We conclude by assessing the viability of BIG as a strategy for immigration reform, as well as thinking about the space in current policy debates for some consideration of basic income. We propose that many of the objectives currently being pursued via “enforcement-oriented” policy measures could potentially be rethought through the alternative lens of BIG.

The Contemporary State of Immigration Policy in the United States

Policy over entry and exit is a core function of the modern state. Yet regulating immigration has become significantly more complex in the context of a globalized economy that has increased the volume and ease of trans-border transactions, and where enormous divergence between wealthy and developing nations has amplified incentives for labor migration. Equally complex is the fact that US immigration policy is not merely influenced by structural changes in the global economy. It is simultaneously a product of

the diverse domestic constituencies which hold stakes in this contentious debate: a variety of different lobbies and sectors of the US economy, an array of ethnic groups and their representing organizations, geographic regions with divergent migration flows, migrant advocacy groups, faith-based non-profits, human rights activists, and so on. Any serious attempt at reforming immigration in a politically divided United States must attend to each of these groups and strike a delicate compromise between their divergent concerns and interests.

Thus, it should come as no surprise that recent attempts at comprehensive immigration reform have sparked intense political struggles between actors who frame the issue in completely different ways. While nearly all relevant parties agree that US immigration and border control policies are in desperate need of reform, they differ considerably on what shape the policy changes ought to take.

There are several issues that must be addressed in any comprehensive attempt to reform US immigration policy.⁵ First and foremost, there is the question of how to deal with the roughly 11-12 million individuals already living in the United States as undocumented immigrants. Proposals currently being considered offer a lengthy “pathway to citizenship” contingent upon registration and normalization of immigration status (as well as a host of other expectations such as paying back taxes, submitting to background checks, and demonstrating gainful employment). However, many political conservatives dismiss this as a blanket “amnesty” which rewards unlawful behavior.

Secondly, in addition to the issue of those already in the country illegally, the United States is confronting the question of how to reform existing visa policy for those who will enter in the future. Presently, visas are allocated with specific numbers set aside

for purposes of family reunification, employment-based opportunities, entry as a refugee, or those who receive the remaining visas through a lottery system. Yet in recent years, such a system has strained against the dynamics of a changing society and economy. In 2013, for instance, the annual quota for H-1B visas granted to highly skilled workers was exhausted within only a few days.⁶ In addition, those representing industries such as agriculture and construction have sought greater flexibility in visas for temporary unskilled labor. Lastly, it has been proposed to create new three-year visas for foreign entrepreneurs and investors, a class of individuals currently under-served by the existing visa system, which is based on employment rather than entrepreneurial activity.

Thirdly, current proposals aim to strengthen border control and domestic enforcement of immigration entry/exit policy. At present, this has involved efforts to vastly increase the number of border patrol agents, surveillance technology, and presence of barriers along the southern border with Mexico. In addition, this attempt at immigration reform seeks to make mandatory employer participation in electronic verification systems that ensure eligibility to work legally in the United States. Additional proposed measures would make immigration court proceedings more efficient, as well as tightening procedures for those migrants who have used fraudulent documents or have prior criminal convictions.

Though the outcome of this most recent attempt at reform remains highly uncertain, it is clear that present attempts represent a delicate balance of competing interests with very different policy priorities. In this sense, this effort has better prospects than the most recent attempt at immigration reform in 2006. The legislation put forth at that time was dubbed the “Border Protection, Antiterrorism, and Illegal Immigration

Control Act of 2005”, or simply HR. 4437. Set within the dominant political narrative of counter-terrorism, HR. 4437 proposed massive changes to the immigration laws in the United States with an almost singular emphasis on border security enhancement. These included technological enhancements in both land and maritime border patrol, expansion of the deportable crimes classified as “aggravated felonies” (including simply being present in the United States without documents), new provisions criminalizing assistance to undocumented aliens which would potentially implicate immigrant and refugee assistance organizations, and measures which limited the discretion afforded immigration judges and alien access to due process in general.⁷ Immigration advocacy organizations characterized the reform bill as “the harshest immigration legislation in history”, swiftly “rammed” through the House in a state of “panic.”⁸ An amended version of the bill, the Comprehensive Immigration Reform Act of 2006 or S.2611, was debated in the Senate. It softened some of the harshest enforcement provisions and opened some pathways to permanent legal status on the basis of employment, military service or academic achievement.⁹ Yet even with these adjustments, the bill remained a strikingly enforcement-oriented piece of legislation.

The political mobilization in response to the reform efforts was almost immediate. Advocacy organizations and activist groups took to the street in what would be one of the largest political mobilizations in American history. Demonstrations occurred in over 160 cities, involving anywhere between 3.5 million to 5.1 million individuals, many of them undocumented migrants.¹⁰ It is difficult to estimate the effect that this unprecedented mobilization had on the Senate floor. Nevertheless, the 109th Congress would end with no significant movement on immigration reform.

Yet, while the present proposals move beyond simply framing immigration as a law enforcement issue, they do not attend to welfare policy and how it could be utilized as a means to achieve objectives currently being pursued by other means. The common denominator in these proposals is measures designed to militarize the Southern border of the United States. Billions of dollars have been funneled into border security over the past ten years, and we have seen a marked decline in the rate of illegal immigration since 2007 (perhaps even the possibility that unauthorized entry is in net decline).¹¹ While it is difficult to pinpoint precise causes for such aggregate trends, experts generally agree that the significant drop in northward migration was more due to lack of economic opportunity in the US and possibly broader demographic declines in Mexico than it was harsh border enforcement.¹² At the very least, we can say that reforms placing too much emphasis on border security while ignoring underlying economic incentives for northward labor migration are incomplete.

There are many possible strategies to attend to the underlying economic and labor-based incentives that drive migration to the US. At the core of any lasting solution must be an attempt to address the influential “pull” factors driving migration, the social and economic inequalities that exist between the United States and other developing countries within the region, most notably Mexico. A BIG, if properly implemented, could involve regional cash transfers that fundamentally alter the incentives for migration into the United States. The remainder of this chapter is an attempt to creatively think through some of the mechanisms that could be used to address this larger inequality and the role that basic income might play in doing so.

Preliminary Considerations in Thinking About BIG and Migration

Introducing a BIG in any capacity means attending to certain preliminary questions at the outset. We should mention that, thus far, a BIG has not figured into any of the present policy debates about immigration. A Basic Income Guarantee bill was introduced in the 109th and revived in the 110th US Congress by Representative Bob Filner (D-CA).¹³ However, the purpose of that bill was largely to float the idea in the American political discourse and to use the legislation “...as a rallying point to generate support for the idea of a BIG.”¹⁴ In fact, immigration’s connection to the existing welfare regime or some proposed alternative has largely been absent from discussions around reform thus far (aside from Republican concerns over whether those on a path to citizenship would be eligible for the Affordable Care Act). Thus, the intent of what we lay out here is largely normative—rejecting the idea that we should be guided by immediate considerations of what is politically likely or that we can know in advance what shape social and economic justice might take in the future.¹⁵ However, our intent is also pragmatic, in that many policy objectives are currently being pursued through expensive attempts at elusive “border security” and might be better achieved through mechanisms of wealth redistribution.

A preliminary question is whether such a BIG would be national or regional in nature. For many advocates of basic income, a national or regional BIG is viewed as a stepping-stone to a global framework of income redistribution.¹⁶ A global position, as with national and regional BIG proposals, can be justified on a “principled” or “pragmatic” basis, or some combination of both.¹⁷ On a principled basis, proponents of a global BIG generally ground their arguments by embedding them within a theory of

justice, pointing out their role in rectifying unjust global inequalities, rectifying historical injustices, or giving all individuals a more equal share in the pool of global resources.¹⁸ In such accounts, BIG is often framed in the language of basic rights. On a pragmatic basis, proponents suggest that a global BIG may be more effective than current mechanisms of economic development and poverty alleviation such as trade or foreign aid, or that it addresses unsustainable economic or environmental practices within global capitalism.

Some have raised philosophical objections to the idea of global egalitarian justice. Rawls, for example, has argued that egalitarian justice requires sharing a basic structure of economic and political institutions, and that these exist only at the state level not at the global level. Beyond the state, he maintains, justice is between states (or “peoples”), and states are obliged only to help “burdened” states to get into a condition where they can provide justice to their citizens.¹⁹ Others have replied that a global basic structure already exists, in the form of shared governance, trade regimes, and the like.²⁰

A third position, which we adopt in this paper, is neither statist nor global egalitarian, but what Van Parijs has called “peripheral” global justice. It concerns issues of fairness between people (not states) across borders, but is focused more narrowly on the benefits and burdens of shared practices, such as trade, use of a resource commons such as the atmosphere, or an overlapping labor market.²¹ Peripheral global justice is not necessarily opposed to full egalitarian global justice, but could be seen as a step on the way toward it. Applied to immigration policy, the idea is that all countries integrated in a free trade zone, such as the NAFTA countries, share gains and burdens of trade. In particular, they share gains and burdens associated with labor migration. When the flow

of workers across borders is as substantial as it is between Mexico and the US, it may make sense to develop a policy that explicitly addresses the gains and burdens of labor migration. At the same time, the normative underpinning of cash transfers from relatively wealthy countries to a relatively poor one, as surely would happen with a BIG for North America, is that the gains of trade should not only be mutually advantageous, but also fair. Fairness requires that the worse off benefit from the arrangements, rather than suffer or be excluded from the gains of trade. Workers who are forced into arduous migration because of the consequences of trade agreements (eg., inability to compete with subsidized corn dumped in the Mexican market) should be compensated either with entry into the US labor market, or cash transfers that enable them to carry on without migrating.

Whether or not a global BIG is the ultimate goal, it runs up against the absence of global institutions to effectively administer it and inadequate political will to sustain it. At present, the international community cannot support even modest commitments to official development assistance. Beyond mere political will, a global BIG is also problematic in terms of the “social solidarity” necessary to sustain shared redistributive frameworks. Numerous scholars have shown that generous systems of social welfare depend crucially upon social trust, shared identity, and belonging—qualities difficult to sustain even with the racial and ethnic heterogeneity within a diverse country, much less the global community as a whole.²² If these analyses are correct, expansion of a BIG to the global level presupposes forms of global solidarity and mutual identification that remain elusive. Thus, the majority of BIG proposals have instead focused on initial steps that could be taken at the regional or national level.²³

In prior work on migration, it has been suggested that BIG as an alternative means to achieve immigration policy objectives should be regional in nature. For instance, Michael Howard offers an argument for regional transfer to trading bloc countries, citing both the rectification of economic inequality, but also the presence of shared institutions and “infrastructure in place to administer the requisite taxes and transfers on such a scale.”²⁴ In that vein, Howard explores the possibility of a regional BI in the EU and the trade zone established by the North American Free Trade Agreement (NAFTA).²⁵

Given the nature of immigration in the United States, utilizing BIG to control migration flow would require a regional approach. While basing a regional BIG in existing trade agreements may make sense in terms of shared institutional infrastructure, this approach seems somewhat more problematic as a means to address the sharpest inequalities and to maintain and control the migration flows inequality sets in motion. For instance, utilizing NAFTA as the basis for a regional BIG addresses the sharp inequality between the US and Mexico, but also includes Canada, a highly developed country with a social welfare system more generous than the United States. In addition, Canada does not present the same migration profile as Mexico with a lower volume of migrants and unauthorized entry. While Mexico was the source of over 5 million foreign-born residents from 1986-2012 and millions more undocumented entrants, Canada accounted for fewer than 400,000 migrants during the same period and represents only 2.1% of the foreign-born currently residing in the US.²⁶

Thus, it might seem that any BIG ought to focus on the countries that have the highest migrant flows to the US. In addition, Mexico offers a compelling case in addressing economic North-South inequality. While it is technically categorized as a

“middle-income” country according to the World Bank, Mexico harbors some of the starkest domestic income inequality in the region and more than a third of its population lives on less than \$5 a day.²⁷ The established framework of bilateral cooperation between the US and Mexico, for purposes of trade and cross-border issues, makes the administration of a BIG more plausible in this case. On this basis, it is conceivable that a regional BIG system could potentially begin with Mexico and perhaps be extended or calibrated when and if the migration profile of the United States changes in years to come.²⁸

However, while the primary impetus of such a plan would be to control migration flows, such a plan should not be construed so narrowly as to constitute *only* this. Rather, such a reform ought to be, as Howard suggests, part of a “...long-term plan to develop the economies of the region together, reducing inequality over time so that the causes leading to massive migration will diminish.”²⁹ While the primary focus here is on controlling northward migration, a BIG must also be conceptualized as a strategy to address growing domestic inequality in high income countries and to empower laborers within these countries to refuse work, while demanding better conditions and wages from their employers.

However, we must also be hesitant to extend a BIG too far. There are certainly other countries with sizable foreign-born populations in the US such as India, China, Vietnam, and the Philippines. The globalization of production now ensures that we have significant economic interdependence with all of these nations. Yet the lack of shared institutions makes a BIG problematic in these cases, as does the very different economic characteristics and migration profile of these countries. With these countries, we are

generally not faced with an influx of unskilled labor, due to the more significant cost of migration from this part of the world.³⁰ Rather, those coming here are often part of a professional and managerial class, with mobility which unskilled laborers in those areas often lack. For instance, three out of four Indian migrants to the United States possess a bachelor's degree or higher, while half of all Mexican migrants are limited English proficient and three-quarters lack a high school education.³¹ Though significant poverty and inequality exists in South and East Asia, we might better address such problems by using trade ties as leverage to push for basic human rights and labor protections in these countries.³²

By making this a regional BIG, we remove another debate as to whether basic income ought to extend to only citizens or residents. As Van Parijs notes, "...most advocates of basic income...especially those who view it as a policy against exclusion do not want a restrictive entitlement to further deepen the dualization of the labor market."³³ This concern becomes amplified in the context of the migration discussion, as the dualization of the labor market regionally is precisely what incentivizes labor migration. As the proposal is aimed at impacting regional trends in human mobility and extends to Canada, the US, and Mexico, it would have to apply to both citizens and non-citizen residents. However, this does raise the question of whether the BIG would be adjusted to account for the sizeable differences between these economies, their respective average incomes, and their standards of living. A uniform BIG applied across the three countries, say \$1000 per person annually, might have relatively minor impact on impoverished residents of Canada and the US. However, this would constitute an increase of 130% or more on the income of the roughly 5.1 million Mexicans living on less than \$2 a day.³⁴

However, even a nationally adjusted BIG based on residency would introduce additional complications, primarily in the form of remittances. Mexico receives over \$20 billion annually in remittances, primarily from workers in the US.³⁵ If a Mexican worker in the United States or Canada was receiving a regionally adjusted basic income, that money could be transferred back to Mexico as remittances and the differences in standard of living would greatly multiply its impact locally.

Yet these sorts of concerns about the logistics of a BIG rest on somewhat shaky intellectual and ethical footing. While a nationally adjusted BIG transferred to a low income country-of-origin would have a greater impact than it would in the country-of-residence, this is also true of wages. In fact, this is the logic of the northward labor migration that we see currently. If a BIG is to be effective in stemming the tide of migration, it must offer returns comparable to those from labor migration. Concerns about doubling or tripling the income of those just above the international poverty line seem equally misplaced. Certainly, a regional transfer that maintained parity across developed and developing nations would lead to fundamental changes in the economic condition of the latter. However, isn't this part of what we would hope to achieve with a regional BIG? Anything less risks reinforcing what Frankman calls the "scandalous lack of any real sense of urgency as to the plight of the world's poor."³⁶

A uniform regional BIG eliminates any motivation for workers to migrate in search of a higher basic income, since everyone receives it whether staying home or migrating. The crucial question is at what level to set it. Setting the BIG too low might have unintended consequences when it comes to using BIG as a tool to stem the flow of labor migration. As Howard notes, "...it can cost hundreds, even thousands, of dollars to

migrate from Mexico to the US, particularly if one must pay smugglers to get across the border. The very poorest are unable to afford these costs, but a BI might put them in a position to migrate.”³⁷ What must be avoided in a regional basic income is the extension of an income guarantee so small as to do nothing but subsidize northward migration.³⁸ This is a question that would require careful scrutiny in practice and any amount established must be examined alongside migration patterns after its implementation to determine exactly what impact it is having. The goal should be a BIG that puts the poor in the country of origin above a threshold of sufficiency, defined as that level of minimum income at which it is possible to live a decent and productive life. Below this level, a BIG is more likely to subsidize migration, as the absolute misery of poverty has not been relieved. At this level or above, the BIG enables people to survive, invest, create businesses, and remain in their communities. As a pilot basic income program in India has illustrated, even a relatively small BIG in the context of extreme poverty can have dramatic effects.³⁹

Thus, it seems as if the question of whether a standardized regional BIG might be too large for a developing economy such as Mexico is misplaced. Rather, the focus should be on whether it would be substantial enough to simultaneously improve the condition of the worst off in the developed economies of Canada and the United States. If we were to offer some minimal annual income such as \$1000, would it substantially impact the lives of the poorest citizens in the more developed economies? This is an interesting question which would require more systematic research. Certainly, such a small amount would fall far short of the goal of allowing workers to provide for basic needs such as food and shelter favored by some BIG advocates. Nor would it be an

amount which would give workers the option of not working for any extended period of time. Yet it might be a means to stave off severe forms of inequality, while also having broader ripple effects within the economy.

Here, the example of the Alaska Permanent Fund Dividend (PFD) provides some initial clues as to ways that a small annual BIG might have broader impacts. Technically, the Alaska PFD is not a full basic income, both due to its small size relative to the poverty line and the fact that its value fluctuates (ranging anywhere from \$331 in 1984 to nearly \$3300 in 2008).⁴⁰ However, it does enable us to observe the potential effects of an unconditional individual cash transfer and the larger ripple effects it can have on an economy. As Goldsmith notes,

Whatever the pattern of purchases and consumption over time, most of the cash from dividends will ultimately find its way into the Alaska economy to increase employment, population, and income. A rough estimate of the total (direct and indirect) macroeconomic effects of this increase in purchasing power is 10 thousand additional jobs, 15 to 20 thousand additional residents (drawn to the state because of the jobs), and \$1.5 billion in additional personal income.⁴¹

Thus, while the actual level of the dividend itself can be fairly low, its provision sets in motion patterns of spending and consumption that have positive impacts throughout the rest of the economy.

Elsewhere, Goldsmith notes that the Alaska dividend, “has probably had a small stabilizing effect on the Alaska economy, and it is at least part of the reason for the relatively high level of economic equality in Alaska. Its most certain effect is that is a big improvement in the incomes of the poorest Alaskans.”⁴² Even with the relatively modest annual stipend provided to Alaskans, we do see an impact on the poorest members of society. While many other states with resource wealth see enormous income inequality, the Permanent Fund Dividend has been one of the factors that has allowed Alaska to

consistently have one of the lowest levels of income inequality among US states.⁴³ The point is that even a quite modest income supplement in a highly advanced economy can have positive impacts when it is granted on an unconditional basis at an individual level.

This also demonstrates the ways in which a BIG has certain advantages over a means-tested alternative. One of the primary arguments for some form of BIG is that its unconditional provision avoids a variety of practical problems that emerge from other forms of conditional cash assistance or incentive based provisions. For instance, a BIG avoids the “poverty trap” whereby income-conditional benefits create an incentive not to work due to suspension of benefits at a certain point of earnings, or the additional uncompensated costs that might accompany paid employment such as transportation or child care. Furthermore, a BIG, through its universality has attitudinal impacts. Because the income is provided to all, it becomes much harder to manipulate public opinion through overgeneralized or simply inaccurate depictions of parasitic “loafing off of the efforts of others.” The universal provision ensures that this type of welfare transfer rests upon more solid footing in the eyes of democratic citizens, as has been the case in Alaska. Goldsmith writes, “Today, after 29 years, the dividend has proved to be one of the most enduring institutions of the young state of Alaska. Over time it has evolved in the eyes of the public from a simple and temporary cash distribution in a time of plenty into a personal and permanent entitlement.”⁴⁴

How such a BIG is framed and understood among the citizens of developed economies is essential, especially given that the focus here relates to migration. In times of economic downturn, political discourse that frames migrants and other outsiders as drains upon developed nation economies is pervasive and will resonate. However, if a

regional BIG could be linked to migration trends which reduce the intensity of labor market competition, it could perhaps soften the intensity of this discourse and these attitudes. Such a policy would improve the relative economic condition of those least well off who are most likely to feel threatened by an influx of outside unskilled labor. Moreover, as a regional policy, the cost could be borne not only by taxpayers in the US but also by the more affluent of the taxpayers of Mexico. This shared contribution would help to blunt potential nationalist resentments.

In addition, implementing such a policy regionally with a standard income amount also guards against any potential “welfare magnet” effect whereby migrants would move to an area with the most generous benefits. Although here, we should note that recent research suggests this fear is more apparent than reality. Numerous scholars have noted that the fears of an unsustainable Westward migration with the enlargement of the European Union never really came to fruition, in part because “developmental aid and investment, resulting in new opportunities, resulted in migration of many back to their countries of origin.”⁴⁵ In fact, one recent statistical study states emphatically on the basis of systematic study of the post-enlargement EU that the so-called “welfare migration” debate is misguided and not based on empirical evidence.”⁴⁶ Boso and Vancea elaborate by highlighting the non-economic factors that can drive decisions about migration. They write,

A number of variables and mediating factors influence the decision to migrate. Without downplaying job search as the main motivation for migrating, the European experience suggests that geography, language, country size or social networks matter considerably when deciding to migrate to another country. Migrants’ behavior is strongly influenced by historical experiences and family and community dynamics that are not captured by the neoclassical economic model.⁴⁷

Though we should hesitate to generalize trends from the EU to the US, there is considerable evidence that suggests welfare generosity might be a marginal factor in decisions regarding migration.

Equally relevant here is the fact that there is good reason to question the pervasive discourse about migrants as drains on systems of social and economic welfare. Decades of federal welfare reform now ensure that the only federal level “benefits” for which even legal migrants are eligible are basic necessities such as public education or coverage of emergency medical care. In 2007, the US Congressional Budgeting Office found that 50-75% of those immigrants here illegally paid federal, state, and local taxes, as well as social security (paying into a system of social entitlement from which they can never collect benefits).⁴⁸ Add to this recent studies that suggest migrants have contributed roughly \$115 billion more than they have consumed in federal Medicare benefits, as migrants are disproportionately working age and healthy, and few are elderly beneficiaries of health care.⁴⁹ Figures such as this suggest the narrative of migrants as parasitic “takers” from citizen “providers” is at the very least, more complex than it traditionally is presented in political debates over migration.⁵⁰

These alternative facts of the economic impact of immigration would need to figure prominently in attempts to reframe the focus of the debate around a regional BIG. There would, of course, be stringent political resistance to what amounts to a transfer of resources to help address structural inequalities in the region that drive migration. However, if such objections were simultaneously met with measures that would protect the working class in the United States, as well as public education on the realities of immigration’s economic impact in the United States, attitudinal changes could be

possible. In the final substantive section of this paper, we move beyond preliminary considerations to think about how the objectives of immigration reform mentioned above could be met through a regional BIG.

Basic Income as Part of a Strategy of Immigration Reform

At the outset of this paper, we devoted significant attention to the present attempts by the US Congress to address immigration and engage in a process of comprehensive reform. At present the key policy issues which the United States faces are: 1) whether and how to grant a pathway to citizenship for the roughly 11-12 million people living in the country illegally, 2) reform of visa policy in the US, with an emphasis on aligning visas granted with labor needs, and 3) border security and domestic enforcement of immigration policy. Let us now examine how a regional BIG could help to address each of these current policy priorities.

Turning first to the question of undocumented aliens presently in the United States, the advantages of a BIG lie primarily in its ability to draw these individuals “out of the shadows.” In the post-9/11 United States, the newly created Department of Homeland Security increasingly turned its efforts to immigration enforcement. Choosing to enforce aspects of immigration policy for which there previously existed a lack of political will and resources, immigration detention rates skyrocketed, increasing 750% between 2002 and 2006.⁵¹ Many of these detentions emerged from “workplace raids” in which Immigration and Customs Enforcement (ICE) officials, often in collaboration or consultation with local law enforcement, targeted employers thought to be employing undocumented migrants and engaged in blanket detentions of those suspected to be unlawfully present in the United States. For instance, in one operation alone, ICE targeted

six meatpacking facilities operated by Swift and Co. in the Midwestern United States, detaining a total of 1,282 employees, the largest workplace immigration raid in U.S. history.⁵²

In addition, though enforcement of immigration remains a federal prerogative, recent years have seen many states adopt legislation that empowers local law enforcement to play a more expansive role in investigating individuals' immigration status. Key provisions of the most controversial of these laws, Arizona's SB1070 legislation were struck down by the US Supreme Court in 2012. Despite this, prior federal immigration legislation still allows significant local control over immigration enforcement. Section 287(g) of the 1996 Immigration and Nationality Act permits federal authorities to train and deputize local law enforcement officials to enforce migration policy.⁵³ Under the provision, local and municipal police departments are authorized to inquire into the immigration status of non-citizens and perform immigration law enforcement functions in regard to detention and initiating steps towards removal of aliens.⁵⁴ As of 2012, over 1300 local police officers in 19 states had been trained and certified as part of the 287(g) agreement.

Unsurprisingly, given their precarious status, many of those migrants here illegally see little incentive to make their presence known to authorities. This is a challenging on a series of fronts. Federal, state, and local resources cannot be properly allocated to communities that possess large numbers of illegal immigrants, nor can their voices be adequately represented in political debates about the communities in which they reside.⁵⁵ Those here illegally may end up being exploited by unscrupulous landlords or employers who know that complaints to the authorities are unlikely. Local police

cannot count on the cooperation of undocumented immigrants in basic police work and investigations designed to make communities safer. Thus, much of the present effort at immigration reform has revolved around finding better ways to bring those here “out of the shadows.”

The current effort at reform seeks to create an incentive for migrants to register with the government through the offer of a conditional pathway to citizenship. If enacted, such a measure would surely drive many immigrants to normalize their immigration status. Furthermore, it would symbolically represent a change from the more hostile “immigration enforcement” policies of the past decade.

However, it cannot be presumed that all immigrants *want* a pathway to citizenship or see it as valuable. For many undocumented migrants, their residency is a temporary means to gain access to work and incomes not available in their country-of-origin. They have no aspirations to move here permanently and will eventually return to their families and communities in other countries.⁵⁶ For such individuals, a path to American citizenship (particularly one with a cumbersome 13 to 15-year set of legal and bureaucratic hurdles) will not be a sufficient incentive to regularize their status.⁵⁷ A BIG guarantee conditional upon registration would provide an added economic incentive for individuals to emerge from the shadows and regularize their status. This is particularly the case if it is coupled with expanded opportunities for temporary worker status in the United States or a significantly reformed visa program that creates opportunities, short of citizenship, for legal residency and the right to work within the American economy.

For those seeking citizenship, the economic incentive will parallel their political and legal aspirations. For those who have no interest, a BIG could provide an alternative

that aligns with their economic motivations for residency in the United States. This is the case even with a relatively modest BIG, as individuals working here temporarily with no aspirations for citizenship overwhelmingly reside at the lower end of the income distribution. In many senses, this would make the present series of reforms more reflective of the diversity of the current irregular migrant population.

Secondly, a BIG could align with current attempts to reform American visa policy for non-permanent migrants. As noted above, the way that we issue visas has gone largely unchanged for decades. The system aligns imperfectly with our present labor needs particularly for highly skilled labor (generally granted an H1-B visa) and temporary agricultural labor (which falls under the H2-A visa). For highly skilled migrants, often in STEM fields, the result is that the existing visa slots for temporary residence in the US are filled almost instantly. In the agricultural sector, the inefficiencies of this system mean that those engaged in agriculture rely heavily upon undocumented migrant labor with nearly 70% of foreign-born laborers here illegally.⁵⁸ This is far from ideal, resulting in an inability of American businesses and producers to fill their labor needs. In addition, the extensive use of undocumented migrants to engage in agricultural production leaves these individuals vulnerable and subject to exploitation, abuse, and unsafe working conditions.

Obviously, these two key labor populations represent very different ends of the socio-economic spectrum—one engaged in highly skilled work requiring specialized training and advanced degrees, the other engaged in exhausting farm labor that most Americans simply will not do. Yet here too, a BI, operating in parallel with visa reform, could help to align the American migrant labor supply with the needs of businesses and

employers. With regard to H-1B visas for skilled labor, a modest stipend would have little to no effect on our ability to attract skilled migrants from abroad. The salaries are already quite lucrative, especially relative to their opportunities within countries-of-origin. Here, the key reform that needs to be made is the provision of additional visas to allow these individuals entry into the country. The costs associated with the H-1B visas, often upwards of \$10,000 for a single applicant and borne by corporations and firms, could themselves be harnessed for other policy ends. Increasing the number of visas would likely generate a pool of resources that could help to offset the costs associated with a regional BIG.⁵⁹

With regard to agricultural workers, a regional BIG would serve two roles. First, it would improve the condition of the vulnerable workers brought to work within the United States. These individuals reside on the low end of the economic spectrum with average individual incomes ranging from 12-15 thousand dollars.⁶⁰ Here, even a very modest annual BIG would constitute a substantial improvement in overall earnings. As above, it would incentivize those undocumented migrants currently working in agriculture illegally to register with US authorities. In this sense, the incentive to register provided by a BIG would help to ensure that migrants would raise issues related to labor conditions or wages to the proper authorities. In addition, it would enable the US government to keep track of those individuals who overstay a temporary guest worker or agricultural visa more easily, as receipt of the BIG would be conditional upon up-to-date registration and residence information with the proper authorities.⁶¹

Lastly, a regional BIG could be used as an alternative mechanism for border control. Perhaps the greatest sticking point in current negotiations has been the amount of

federal resources that will be allocated for enhanced border security. While the initial legislation pledged an additional three to five billion dollars for this purpose, negotiations in the Senate quickly led to a massive increase in that number with over \$40 billion currently allocated for enhancement of border security.⁶² The litany of new tools which will be at the disposal of US Customs and Border Protection agents on the Southern border ought to give us all pause, both due to their expense and due to the invasive technologies that will be used to achieve this end: extensive barriers along the US-Mexico border, a doubling of Border Patrol agents, sophisticated surveillance and sensor technology, national biometric databases, and the use of unmanned aerial vehicles or “drones.”⁶³

Such provisions presume that, with enough technology and manpower, we can eventually stem migration flows that have north-south economic inequality at the core. However, as noted above, the key factor in declining illegal immigration flows in the past few years seems to be lack of economic opportunity due to a declining economy, not necessarily the enhanced “immigration enforcement” procedures initiated over the last decade.⁶⁴ Douglas Massey goes so far as to suggest that a militarized approach to the border directly undermines its purpose, as potential border crossers respond, “...not by remaining in Mexico and abandoning their intention to migrate to the U.S., but by hunkering down and staying once they had run the gauntlet at the border and made it to their final destination.”⁶⁵ The most perceptible impact of the increased enforcement along the Southern border that Massey notes is a jarring increase in the numbers of migrants who die while engaged in “high-risk” crossings.

The decision to migrate, particularly without legal authorization, is a costly and risky one. It uproots individuals and forces them to move to a culturally alien and unfamiliar location, separating migrants from their families and their communities. A regional BIG could potentially constitute a means by which we address the structural economic disparities that cause migration through local empowerment rather than these extremes forms of displacement. A regional BIG would not eliminate the humanitarian issues that we currently face with regard to immigration in the US, such as expanding educational opportunities to individuals illegally brought here as children through the DREAM Act, or ensuring a more flexible and efficient system of attending to asylumseekers, or addressing those migrants seeking family reunification. However, addressing these issues at their economic roots would ensure that the challenges we face are less acute in the future. If a regional BIG could help to soften some of the most severe inequalities between the developed North American economies and Mexico, then the incentive to engage in cumbersome economic migration could be reduced.

The gross cost of a regional annual BIG of \$1000 per capita--\$469 billion--would appear to be prohibitively expensive, and thus not an efficient alternative to border control.⁶⁶ However, the funding of a BIG would involve adjustments in the tax rates that could claw back the additional income to recipients affluent enough not to need it, so that the net cost would resemble that of a negative income tax bringing everyone up to a minimum, with a phasing out above the threshold to avoid an excessive marginal tax rate at the low end. The net cost annually thus might be ten percent of the gross cost, in the same range as the total expenditures being contemplated for ultimately ineffective border control.

Conclusion

The United States' status as an immigrant recipient country has ensured that immigration remains a perennial policy issue, in need of periodic visitation and reform. Since the 1960s, every decade has seen some substantial effort to overhaul and reformulate key aspects of US immigration policy. The introduction of a modest regional BIG could constitute one means to address immigration via a process of regional development that attends to both domestic and interstate income disparities. Such an innovation has thus far not been included in policy debates and the academic debates about the nature of basic income. However, as we suggest above, providing lasting solutions to the immigration problems of North America may require that we think beyond the limits of existing policy debates and consider a new approach with a regional BIG at its core.

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Notes

¹ On the definition of BIG, see van Parijs 1995, 2004; Fitzpatrick 1999; Purdy 2007; Offe 2008.

² Caputo 2008.

³ Notable exceptions include Pioch 2002; Howard 2006, 2007; van Parijs and Vanderborght 2010, Boso and Vancea 2012.

⁴ Van Parijs and Vanderborght 2010, 1.

⁵ See Glover 2013.

⁶ Fifield 2013.

⁷ Border Protection, Antiterrorism, and Illegal Immigration Control Act of 2005.

⁸ Immigration Legal Resource Center, 2005.

⁹ Comprehensive Immigration Reform Act of 2006.

¹⁰ Barreto et al. 2007, 736.

¹¹ Passel, Cohn, and Gonzalez-Barrera 2012.

¹² *ibid.*

¹³ Shaehen 2008.

¹⁴ *Op. cit.*, 1.

¹⁵ Howard 2006, 13.

¹⁶ See Pogge 2002, Frankman 2002; Hayward 2005.

¹⁷ Barry 1996 makes the distinction between “principled” and “pragmatic” arguments.

¹⁸ Meade 1993; Van Parijs 1995; Standing 2002, 2005; Birnbaum 2012; Pogge 2002; Howard 2007.

¹⁹ Rawls, 1999; Nagel 2005; Freeman 2007;

²⁰ Moellendorf 2002; Van Parijs 2006; Pogge 2002.

²¹ Van Parijs 2006; Howard 2011; James 2012.

²² Gilens 1999; Alesina, Glaeser, and Sacerdote 2001; Alesina and LaFerara 2004; Miller 2005, 2008; Bay and Pedersen 2006

²³ Note that while the administrative elements of basic income administration have generally been neglected in the literature (other than specifying that such systems should be as simple as possible), De Wispelaere and Stirton (forthcoming) advance the argument that administration and “administrability” constitute a “first order political problem.”

²⁴ *Op. cit.*, 5.

²⁵ Howard 2007.

²⁶ United States Census Bureau 2013. By comparison, the numbers for Mexican migration to Canada are quite low with roughly 4000 legal migrants annually. See Citizenship and Immigration Canada 2012. Figures for unauthorized Mexican immigration range widely and somewhat unreliable, but may be anywhere from 30,000 to over 100,000.

²⁷ World Bank 2013a.

²⁸ To the extent that a generous BIG in the NAFTA countries exerted a magnet effect on migration into Mexico, the problems at the US-Mexico border might be reproduced at Mexico’s southern border. Such BIG migration could be discouraged with a significant waiting period for eligibility. But the longer term solution would be to extend the zone of inclusion, until eventually global provision of basic economic security would take the place of regional schemes.

²⁹ Howard 2007, 14.

³⁰ Admittedly, there is a case to be made for the transfers to the Philippines due to their growing presence in the American service sector. While we would not rule out eventual extension to other countries, we would note their different migrant profile and the difference of degree in shared institutional frameworks. On the former, see Terrazas 2008.

³¹ Whatley and Batalova 2013; Terrazas 2010.

³² On these assumptions, a plausible argument could be made for extension of a BIG to countries in Central America or the Caribbean (most notably, the Dominican Republic). Note that our approach does not rule this out as a future possibility. However, any extension of the BIG should be based on 1) the country's migration profile, and 2) its ability to effectively administrate a system of regional income transfer.

³³ Van Parijs 2004, 11.

³⁴ World Bank 2013a.

³⁵ World Bank 2013b.

³⁶ Frankman 2004, 2.

³⁷ Howard 2007, 14; Hanlon et al. 2010, 73—74.

³⁸ The child benefit in Mexico's Oportunidades program averages \$40 per family per month (Hanlon et al. 2010, 1). A BIG of \$1000 per capita annually would be about an order of magnitude larger.

³⁹ Standing 2013. The positive externalities of a basic income are enhanced when combined with enhancement of democratic voice (Jabhvala et al. 2012).

⁴⁰ Goldsmith 2010, 7. Zelleke 2012. On Alaska's Permanent Fund Dividend and considerations of how it might be extended to other locales, see Widerquist and Howard 2012a and 2012b.

⁴¹ Op. cit., 11.

⁴² Goldsmith 2009. See also Goldsmith 2012.

⁴³ US Census Bureau 2010.

⁴⁴ Goldsmith 2010, 8.

⁴⁵ Howard 2007, 14.

⁴⁶ Giullietti et al 2012.

⁴⁷ Boso and Vancea 2012, 11.

⁴⁸ US Census Bureau 2010.

⁴⁹ Zallman et al. 2013

⁵⁰ We should note that we are not suggesting that the decades-long process of denying even legal permanent residents welfare benefits is something that we support. We only bring this up to point the ways that rhetorical narratives utilized in political debates about immigration presently depart from policy reality.

⁵¹ Abraham 2007.

⁵² Preston 2006.

⁵³ Lahav and Guiraudon. 2000, 69.

⁵⁴ United States Immigrations and Customs Enforcement, 2009

⁵⁵ Note that many communities in the United States have granted formal political rights to undocumented immigrants in local and municipal elections or for bodies such as school boards. However, this remains the exception rather than the norm. See Hayduk 2006.

⁵⁶ See Lopez and Gonzalez-Barrera 2013.

⁵⁷ As a point of comparison, the 1986 Immigration Reform and Control Act offered a path to citizenship for the then 5.1 million undocumented immigrants in the US. Roughly 2.7 million individuals took advantage of it; the remaining migrants were unwilling or unable to normalize their status (because it was open only to those had been in the US 1982 or earlier), or were simply unaware that the opportunity existed. This is for a comparatively “easy” *18-month* pathway to citizenship with far fewer restrictions and hurdles. See Cooper and O’Neill 2005.

⁵⁸ Executive Office of the President of the United States, 2013.

⁵⁹ Such proposals to use money generated from additional H-1B visas to fund other policy priorities have already been made in Congress. One proposal suggested that the money generated from application and processing fees for the visas be funneled into domestic STEM education. Technology employers desperate for talented employees are highly willing to pay additional fees in order to fund their entry and nothing would prohibit the funds generated from being dedicated to a broader fund for regional economic development. For instance, a modest increase of \$1500 in the fees associated H1-B visas, coupled with a doubling of these visas available suggested under the current reform attempts at reform, would generate \$165 million annually. See Mazmanian 2012.

⁶⁰ National Center for Farmworker Health 2012.

⁶¹ To avoid double dipping—individuals claiming the BIG twice, in their host country and in their country of origin—it may be necessary to develop an integrated biometric database shared by the three countries.

⁶² Glover 2013.

⁶³ As noted earlier, a regional BIG may require an international database, but if effective it could reduce the need for other forms of surveillance and control.

⁶⁴ See Chiquiar and Salcedo 2013. The authors find that economic demand is the most salient factor in reduced flows, allowing for some minimal impact of increased enforcement.

⁶⁵ Massey 2007, 318.

⁶⁶ “List of Countries by Population” 2013.