

Amnesty, Guest Workers, Fences! Oh My!

Public Opinion about “Comprehensive Immigration Reform”

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July 20, 2009

Abstract: Prior to 2001, scholars studying public opinion about immigration policy were largely confined to analyzing the question of whether the number of immigrants allowed into the country should be increased, decreased, or kept the same. Then 2001 brought both the George W. Bush presidency and the attacks on 9/11, which led to a new discourse on immigration policy and, consequently, an entirely new range of survey questions. Americans are now regularly asked for their views on complex reform proposals, including types of guest worker programs, conditions for illegal immigrants to earn legal status, and employer sanctions. But we still know little about the dynamics of public opinion on these policy debates. Moreover, we know little about the best way to even ask people for their views on these complicated matters. The two primary goals of this paper are to document the changes in how public opinion about immigration policy has been gauged during the Bush years and to make sense of emerging patterns that the data show. The first section reviews the political climate surrounding immigration discourse from 2001 to 2008. The second section analyzes the number and nature of survey questions related to immigration policy asked during that time period. The final section examines patterns of aggregate public opinion on these new policy questions. It considers whether external events have shaped public opinion on these emerging issues, how the ways in which questions are asked shape responses, and if opinion has been stable or erratic. The results reveal a high level of stability over time, with most variation in preferences attributable to question wording. The results also show a high level of support for immigrant friendly policies, including earned legalization.

Prepared for delivery at the 2009 Annual Meeting of the American Political Science Association, Sept. 3 - 6, Toronto, Canada. Copyright by the American Political Science Association.

*Special thanks to Samuel Krumholz for his research assistance.

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Public Opinion about “Comprehensive Immigration Reform”

Prior to 2001, scholars interested in studying public opinion about immigration policy were largely confined to analyzing the question of whether the number of immigrants allowed into the country should be increased, decreased, or kept the same. Since 1965, Gallup has asked, “In your view, should immigration be kept at its present level, increased or decreased?” Other surveys, such as the General Social Survey and the National Election Study have asked similar versions.¹ Research on attitudes on this type of question shows that sociotropic economic concerns, attitudes toward immigrants, education, ideology, and neighborhood context often shape policy preferences. Pocketbook issues, such as unemployment or income, tend not to matter (Espenshade and Hempstead 1996; Citrin et al. 1997; Hood and Morris 1997; Hood and Morris 1998; Fetzer 2000; Schildkraut 2005). Yet there are two problems with this question. The first is that it does not distinguish between legal and illegal immigrants. The second is that most of the movement in opinions over time has been between the options of “decreased” or “kept the same.” At Gallup, the percentage of Americans saying immigration levels should be “increased” has only fluctuated between 7 and 16 percentage points over 40 years.² In short, our primary tool for studying immigration policy preferences over the past several decades has been blunt indeed, leading many scholars to focus on attitudes about immigrants rather than attitudes about immigration policy (Citrin, Reingold, and Green 1990; Espenshade and Calhoun 1993; Citrin et

¹ The General Social Survey has asked, “Do you think the number of immigrants to America nowadays should be increased a lot, increased a little, remain the same as it is, reduced a lot, or reduced a little?” The National Election Study has asked, “Do you think the number of immigrants from foreign countries who are permitted to come to the United States to live should be increased a lot, increased a little, left the same as it is now, decreased a little, or decreased a lot?”

² Gallup trends in immigration attitudes were found at Gallup Brain, accessed Nov. 19, 2008.

al. 2001; Citrin, Wong, and Duff 2001; Schildkraut 2005), which has perhaps limited our understanding of policy attitudes.

There have been occasional questions about other immigration policies, such as whether immigrants should be eligible for social welfare policies, especially during the mid-1990s when Californians voted on Proposition 187.³ There have also been questions about policies *related* to immigration, such as whether bilingual education programs should be allowed. And there have been plenty of questions that ask Americans for their opinions of immigrants themselves, such as whether immigrants increase crime rates and whether they are hard workers. But if we wanted to study opinions about immigration *policy*, we did not have much to work with until recently.

For 1999, for example, 39 immigration related questions are in the iPoll Databank of the Roper Center for Public Opinion Research. Seven, or 20%, asked a version of the Gallup question. Another 20% asked for people's perceptions of immigrants. Still another 20% asked for people's views about Kosovar refugees, a salient news story at the time. The remaining 20% were split among various immigration related policies (such as bilingual education) and demographics (such as asking if the respondent was an immigrant). In 2000, the number of immigration related questions jumped from 39 to 207, but that was entirely due to the case of Elian Gonzalez.⁴ Indeed, 167 of the 207 questions (81%) in 2000, were about Elian Gonzalez, leaving only 40 non-Elian immigration questions asked that year. Sixty percent of those questions asked about perceptions of immigrants, 15% asked the increased/decreased question,

³ Proposition 187 was a ballot initiative passed by California voters in 1994 that made undocumented immigrants ineligible for a wide range of government services. The campaign for the proposition generated nationwide attention. Despite its passage, court challenges successfully prevented the proposition from ever being enacted.

⁴ Elian Gonzalez was a 6 year old Cuban boy who was found floating off of the coast of Florida in 1999 after his mother and others had died attempting to migrate from Cuba to the United States. Though he was taken in by relatives living in Miami, his father was living in Cuba and wanted the boy returned to him. The months-long legal battle between his American and Cuban relatives became a highly salient international news story, which culminated on April 22, 2000 when federal agents raided the Miami home where he had been staying, forcibly removed him from the home, and brought him to his father (Bragg 2000; Goodnough 2005).

and there were a few miscellaneous policy questions such as whether children of illegal immigrants should be allowed to attend public school.

Then in 2001, two important events happened to shift the number and variety of questions posed to the public regarding immigration policy. First, George Bush became president of the United States. His unique history with immigration-related issues as governor of Texas and his warm relationship with Latinos led him to prioritize immigration reform early in his administration. Second, al-Qaeda attacked the Pentagon and World Trade Center on 9/11. These attacks ushered in the “War on Terror,” which prompted new debates about the rights of immigrants. Figure 1 shows the number of questions related to immigration during the Clinton and Bush administrations found in the iPoll Databank. Throughout the 1990s, the number of questions per year only surpassed 150 once, with a high of 174 in 1993. After 2000, the number of questions per year is closer to 150 – 200 on a regular basis, with some years going much higher (2006) and only one year going much lower (2003). The average number of questions asked per year from 1993 – 1999 was 96 (2000 is omitted because of Elian). The average from 2001 – 2008 was 250 (if 2006 is removed, the average is 183).

[Figure 1 About Here]

Not only did the number of immigration-related questions increase during the Bush administration, but the range of policy questions that was asked broadened substantially. In addition to being asked about issues relating to terrorism, Americans were asked for their views on complex reform proposals being advanced by the federal executive and legislature, including types of guest worker programs, conditions for illegal immigrants to earn legal status, and building a fence along the border with Mexico. As such, public opinion scholars have a wealth of new questions and new data at their disposal. We have new opportunities to learn about why it is

that some people tend to be pro-immigrant while others tend to be hostile to immigrants and to examine how the factors that shape preferences might vary according to the specifics of the policy in question. For instance, while pocketbook issues typically do not influence attitudes on the increase/decrease question, might they matter more on questions about guest workers? Are the factors that lead people to support building a fence the same ones that lead people to support a path to legalization – which could be evidence of support for comprehensive reform – or are key aspects of contemporary reform proposals at odds with each other in the American mind? We still know very little about the dynamics of public opinion on these relatively new policy debates. Thus, the two primary goals of this study are first, to document changes in how public opinion about immigration policy has been gauged during the Bush years, and second, to uncover patterns that the data show. It is divided into three main sections. The first reviews the political climate surrounding immigration discourse from 2001 to 2008. The second analyzes the number and nature of survey questions related to immigration policy asked during that time period. The final section examines patterns of aggregate public opinion on these new policy questions. My aim is to consider how external events might have shaped public opinion on these emerging issues over time, examine how various ways in which these issues are asked might shape public opinion, and gauge if opinion has been stable or erratic. The results reveal a high level of stability over time, with most variation in preferences seemingly attributable to question wording. The results also show a high level of support for immigrant-friendly policies, including earned legalization. With these findings in place, public opinion scholars will be better equipped to navigate the new research opportunities presented to them by this largely untapped set of measures.

The Bush Presidency, 9/11, and Immigration Reform

Even had George W. Bush not been the Republican nominee for president in 2000, there still would have been a lot of attention aimed at Latino voters that year. Given the rise in the number of Latinos in the United States over the previous decade, both parties felt that Latino voters constituted a “sleeping giant,” a significant bloc of voters whose potential to shape electoral outcomes had not yet been realized. With the Bush candidacy, Republicans felt they had a chance to attract a sizeable portion of Latinos—despite their Democratic leanings—and perhaps create new party loyalties that would be in place for decades to come. This optimism derived from Bush’s experience as governor of Texas, a state with a large Latino population and where the executive is uniquely involved with issues related to immigration and border control. As governor, Bush routinely took a conciliatory stance on immigration. During his first gubernatorial campaign in 1994 he argued against California’s Proposition 187. During his tenure as governor, he spoke in favor of bilingual education and cultivated ties with leaders in Mexico (Marbut Jr. 2005). At a minimum, the fight for the Latino vote was considered highly competitive in 2000. In the end, Bush garnered 33% of the Latino vote according to exit polls—better than Dole and Bush Sr., but about the same as Reagan (DeSipio and de la Garza, Rodolfo O. 2005).⁵

Bush’s first foreign trip as President was to Mexico, and the first foreign leader to visit the Washington was then-Mexican President Vicente Fox (Leiken 2001). Bush and Fox talked about immigration reforms, including a guest worker program and some kind of earned legalization (called “amnesty” by critics) for illegal immigrants from Mexico living in the United

⁵ Bush did even better among Latino voters in his 2004 re-election, garnering between 40 and 44%, though there is some debate about whether these estimates are too high (Leal et al. 2005; Lopez and Minushkin 2008).

States (Allen 2001; Milbank and Sheridan 2001). Unfortunately for Fox, his visit occurred on September 5, 2001, just days before the terrorist attacks. Immigration reform got put on hold.

In the aftermath of 9/11, policy debates about immigration centered not on amnesty or guest workers, but on student visas – especially with respect to certain countries – and on whether immigrants should be subject to greater levels of surveillance. The USA PATRIOT Act, passed in October 2001, contains several provisions related to immigration, including border security and the detention of immigrants suspected of being involved in terrorist activities (Jenks 2001).⁶

In 2005, the President and Congress felt the time was right to return to the issue of immigration policy. This time, the argument was put forward that the country needed “comprehensive immigration reform,” which meant looking beyond Mexico, and meant viewing the issue holistically rather than as a series of separate issues. As President Bush’s web site noted, “All elements of this issue must be addressed together – or none of them will be solved at all.”⁷ The site listed 5 core objectives of comprehensive immigration reform: (1) secure the border, (2) hold employers accountable (involving an electronic system that allows them to verify the status of their employees), (3) create a temporary worker program (a.k.a. guest worker program), (4) resolve the status of illegal immigrants (a.k.a. amnesty, or earned legalization), and (5) expand opportunities for assimilation, including declaring English the official language.

The House of Representatives was the first to act, though the bill it passed in December 2005 (H.R. 4437) was a far cry from what Bush wanted. First, it did not contain a guest worker program. Second, it did not contain earned legalization. Third, it would have *required* that

⁶ USA PATRIOT stands for Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (H.R. 3162), full text available at <http://thomas.loc.gov>.

⁷ “Fact Sheet: Bipartisan Border Security and Immigration Reform Bill,” available at: <http://www.whitehouse.gov/news/releases/2007/06/20070627-12.html>, accessed Dec. 12, 2008.

employers use the electronic verification system (called E-Verify), whereas Bush wanted it to be voluntary and paired with strict sanctions for hiring illegal immigrants. Finally, the bill made “unauthorized presence in the country a felony rather than a civil crime,” and “made it a crime for anyone to assist immigrants who enter the country without authorization (Gelatt 2006a).” While the omission of a guest worker program and earned legalization frustrated Bush, it was these last two provisions that provoked public outcry. In cities across the country in early 2006, immigrants and their supporters took to the streets to protest the House bill and to advocate for earned legalization. According to a report by the Migration Information Source, a protest in Los Angeles had 500,000 people, one in Chicago had 100,000, and 30,000 protested in Washington, D.C. (Gelatt 2006c). Protests continued through the spring in the hopes of influencing Senate deliberations. They culminated on May 1, 2006, when hundreds of thousands of immigrants across the country – and their supporters – rallied instead of going to work in order to show how vital immigrants are to daily life in America (Archibold 2006; Fears and Williams 2006).

Bush also sought to influence Congressional debate by addressing the nation in a televised speech on May 15. He discussed each of the five objectives of comprehensive immigration reform and defended his rationale for its more controversial features – earned legalization and a guest worker program. Then he specifically asked the Senate to pass a reform bill so that the two houses of Congress could begin to work out a compromise.⁸

The Senate heeded his call. It passed an immigration bill that was more in line with Bush’s preferences (S. 2611) than the House bill on May 25, 2006 (Gelatt 2006b). It included provisions for a guest worker program and for earned legalization. But in the final version, earned legalization would only be available to certain illegal immigrants – those who had been

⁸ The text of the speech was found at: <http://www.whitehouse.gov/news/releases/2006/05/20060515-8.html>, accessed Jan. 6, 2009.

living in the United States for more than two years. Thus, no truly clean slate would be possible, much as was the case with the Immigration Reform and Control Act (IRCA) in 1986, which initially allowed all illegal immigrants to become legal but in the final version only allowed illegal immigrants who could demonstrate that they had been in the country since 1982 to become legal (Suro 1998).

Ultimately, the House and Senate were unable to reconcile their differences. No comprehensive immigration reform was enacted. For the remainder of Bush's second term, some still held out hope. But actual policy changes were piecemeal rather than comprehensive. For example, Congress passed the Secure Fence Act in 2006, which provided funds for building 745 miles of fence along the border with Mexico, mostly in Texas. But even such piecemeal reform has faced roadblocks. Many stakeholders, including environmental groups, local politicians, and landowners have voiced strong opposition to the fence. Landowners have been refusing to cooperate with government surveyors, and anti-fence coalitions have filed federal lawsuits against the Department of Homeland Security (Moreno 2007; Aizenman 2008; Archibold and Preston 2008; Seper 2008).

Amid all of this activity, the survey industry has regularly been fielding a much broader range of questions about immigration policy than had been asked before. Yet no systematic study has determined which questions are now at our disposal or examined the extent of volatility or stability in attitudes that they reveal.

Tracking and Analyzing the Questions

In the sections that follow, I describe the types of survey questions that have been asked and examine public opinion on these newly salient policy debates. To conduct this examination,

the following procedures were used. First, all survey questions under the topic of “immigration” stored at the iPoll Databank of the Roper Center for Public Opinion Research from 2001 through 2008 were identified. Only those that specifically asked respondents about immigration *policy* were retained. Questions asking for people’s perceptions of immigrants were excluded. Questions that asked people about which political parties or candidates could best address the issue of immigration were also excluded, as were questions that asked people for their vague feelings about immigration (i.e., “Do you worry about illegal immigration?”). The traditional “increase/decrease” type of question was also excluded.

Once all policy-related questions were identified, they were coded according to the type of policy addressed in the question (i.e., guest worker, earned legalization, building a fence, etc.). The percentage of respondents supporting the immigrant-friendly and immigrant-hostile response options was also recorded. After an initial examination of the question wording and pattern of opinions, three additional variables were created. The first coded whether the word “illegal” appeared, to see if phrases like “illegal immigrants” generated more anti-immigrant responses than “undocumented immigrants” or “foreign workers.” The second coded whether the word “amnesty” appeared, to see if earned legalization proposals were less popular when framed in this manner (see Chong and Druckman 2007 for a review of research on the power of framing). The third was an attempt to gauge the complexity of the question wording. As noted in more detail below, early assessments indicated that questions that listed specific proposals (i.e., “Do you think illegal immigrants should be eligible for citizenship if they do x, y, and z?”), especially ones that matched Bush’s preferences, appeared to have higher levels of support than questions that were more simplistic (i.e. “Do you think the United States should or should not make it easier for illegal immigrants to become citizens of the United States,” asked by CNN in

2004). I initially wanted at least three gradations to this complexity variable, but distinguishing between questions that were “somewhat” and “very” complex proved to be too difficult and imprecise. The result is an admittedly blunt measure with only two categories: simple and complex. The full coding instructions are located in the appendix. The final data set has 400 unique survey questions.

Occasionally a question was asked that mentioned more than one policy, in which case it was coded twice. The first coding recorded opinions about the first policy asked; the second about the second policy. For example, a Fox News survey in 2007 asked, “If it were possible to locate most illegal immigrants currently in the United States, would you favor deporting as many as possible or would you favor setting up a system for them to become legal residents?” This question was coded first as asking about deportation, recording the percentage of respondents who favor and oppose it. It was then coded as asking about earned legalization. Overall, 20 (or 5%) of the survey questions in the dataset represent questions that are coded more than once.

Types of Questions

Table 1 shows the rate at which different policy questions were asked from 2001 to 2008. The most common type of question dealt with guest worker programs. There were three codes for these programs in order to account for the different alternatives commonly presented to respondents. The first simply asked if people were for or against a guest worker program. The second asked if applicants should be able to apply from within the United States or whether they should have to return to their country of origin first. The third asked if guest workers should be permitted to remain in the United States after their work visa expires or if they should be required to return home. The first of these three was by far the most common, accounting for

17.62% of all survey questions asked during the 8 year period. Together, all three types of guest worker questions account for 20.5% of questions. Following closely behind are questions about earned legalization, which account for 17.86% of all questions. Together, guest worker and earned legalization questions account for 38.34% of all questions. Other policies asked with some frequency include a variety of questions about border security, including whether to build a fence along the southern border (16%), deportation of illegal immigrants (7.86%), and employer sanctions (7.14%). Three percent of the questions were coded as, “other;” most of them (9 out of 14, or 64%) ask about issuing driver’s licenses or other forms of identification to illegal immigrants.

[Table 1 About Here]

Figure 2 shows how often these five main issue types were asked in each year. All five show a similar pattern of growth from 2001 to 2006 and then decline from 2006 to 2008. Notably, earned legalization and guest worker questions were asked most consistently over the time period.

[Figure 2 About Here]

Patterns of opinion

Next I investigate whether the American public supports Bush’s rather immigrant-friendly approach to comprehensive immigration reform or whether it prefers the more hard-line approach exemplified by deportation and fences. I also examine whether attitudes appear to be volatile or stable. It would not be surprising to find volatility given (a) the newness of these policy proposals on the agenda and the rapidly changing news environment, including both 9/11 and the mass protests of 2006 (Page and Shapiro 1982), (b) that comprehensive immigration

reform is arguably a “hard” rather than an “easy” issue for voters to grasp given that it has not been on the agenda long and that debate often centers around the means by which they main policy goal (controlling illegal immigration) will be achieved (Carmines and Stimson 1980), and (c) the great variety of survey questions in use. It would also not be surprising to find support for more hard-line approaches to immigration and opposition to immigrant-friendly approaches since the strong opposition to the Bush proposal in Congress may be a reflection of constituent preferences and overall anxiety among the American people.

It should first be pointed out that it can be difficult to determine what the “pro-immigrant” option for some of these policies is, especially in the case of a guest worker program. Is a guest worker program actually pro-immigrant? If the alternative is to cross illegally through the desert with a coyote and to live in the shadows once in the United States, then perhaps it is. But sometimes survey questions ask respondents if they would prefer to see earned legalization for illegal immigrants OR a guest worker program. In that case, preferring the guest worker program is arguably the less pro-immigrant response. In general, any policy that allows immigrants into the U.S. or to eventually earn legal status and citizenship is considered immigrant-friendly in this analysis and any policy that makes it more difficult for immigrants to enter and/or stay is considered immigrant-hostile. But when two friendly policies are asked in a single question (i.e., earned legalization OR a guest worker program), the one that is more inclusive (earned legalization) is considered the immigrant-friendly response and the one that is considered less inclusive (guest worker) is considered the restrictive response.

In the particular case of guest worker programs, when the respondent is simply asked if s/he favors or opposes it, being in favor is characterized as being immigrant-friendly instead of restrictive, mainly because so many immigrants and Latinos support the idea (as evidenced by

the Latino-only surveys found in the iPoll database). They likely support it because it is seen as a more humane and desirable option than risking one's finances and safety to cross illegally. But it is important to note that many people who consider themselves "pro-immigrant" oppose a guest worker program. They fear it would create an exploitable non-white working class with no stake in the communities in which they live if the program doesn't have the option of earned legalization after the visa expires. Labor unions have been particularly vocal on this point.⁹ And 2008 Democratic presidential hopeful John Edwards opposed a guest worker program, arguing, "If we invite you to work in America, we should invite you to become an American with all the rights and responsibilities of citizenship."¹⁰

Finally, some questions analyzed here only gave respondents a dichotomous choice, such as for/against or support/oppose, while other questions gave respondents more nuanced, such as strongly oppose, somewhat oppose, etc. All analyses below combine the nuanced responses and discuss opinions simply in terms of whether respondents were for or against the proposal in question.¹¹

Earned legalization

There is a significant amount of variation in support across questions about earned legalization. Across the 8 years, the lowest level of support is 8% and the highest is 90%. Yet across all years, there is a relatively high level of support for this policy. The mean level of respondents voicing opposition to earned legalization is 33% whereas the mean level voicing

⁹ See, for example, the UAW Community Action Program: <http://www.uaw.org/cap/08/issues/issue09.php>, accessed on January 8, 2009.

¹⁰ From on-line profile by the Washington Post: <http://projects.washingtonpost.com/2008-presidential-candidates/issues/candidates/john-edwards/>, accessed on January 8, 2009.

¹¹ Percentages of support and opposition are calculated with "don't know" responses included in the total. For space constraints, the analyses that follow focus on the pillars of comprehensive immigration reform. Attitudes on 9/11-related immigration policies and on social welfare benefits are, of course, worthy of examination, but are not included in this particular study.

support is 61%. The average level of opposition is remarkably consistent across each year. Figure 3 depicts the mean percentage of respondents giving the *restrictive* preference for each of the five policy areas tracked in Figure 2. The mean level of opposition to earned legalization generally stays between 20% and 40% across the 8 years. Given the tenor of discourse surrounding earned legalization, which opponents frame as amnesty and as rewarding lawbreakers, the generally low levels of opposition to earned legalization are noteworthy.¹²

[Figure 3 About Here]

Since there is no discernable time trend in these averages, the variability at the level of individual questions might therefore be due to question wording. My first step to examine this possibility was to identify all questions where opposition was 20% or less (n = 19). The six questions with the lowest level of opposition (8 – 13%) had Latino-only samples. Twelve of the remaining 13 questions all had national samples and all had something else in common: the questions were very specific, listing complex things that immigrants would have to do in order to earn citizenship. For example, a 2006 survey by the *Los Angeles Times* asked respondents if they would support or oppose a policy that allowed “undocumented immigrants who have been living and working in the United States for a number of years, and who do not have a criminal record, to start on a path to citizenship by registering that they are in the country, paying a fine, getting fingerprinted, and learning English, among other requirements” (18% oppose; 67% support).

The final question that had 20% or less opposed to earned legalization was simplistic and vague, but was asked by CNN right after Bush’s address to the nation in which he defended the policy. It asked, “Do you favor or oppose the proposals Bush made tonight to allow illegal

¹² A Lexis-Nexis search of “amnesty” and “immigration” in the *New York Times* from 2001-2008 returned 559 hits, or about 6 stories per month, which attests to the prominence of this frame.

immigrants already living in the United States for a number of years to stay in this country and earn US citizenship?" (20% opposed; 74% favored).

Next I looked at the 11 questions where over 50% of respondents expressed opposition to earned legalization. As before, commonalities emerge. Two of the 11 questions specifically contained the word "amnesty." The remaining questions were simplistic. A typical example comes from a 2006 survey by Quinnipiac University, which asks, "Do you support or oppose making it easier for illegal immigrants to become citizens?" (62% oppose; 32% favor). Despite this seemingly clear pattern regarding the complexity of the question, a t-test of the complexity variable is not quite significant, though it is in the expected direction. The average level of opposition to earned legalization on "simple" questions was 36.3% while the average level of opposition on "complex" questions was 31.8%. ($p=0.12$).¹³

I turn now to the other two variables that examined question wording systematically: illegal and amnesty. Eighty-five percent of earned legalization questions contained the word illegal, but doing so did not significantly affect the mean level of opposition. The effect was, however, was in the expected direction (28.7% mean opposition for questions without illegal vs. 33.9% with; $p=0.16$). In contrast, using the word amnesty did significantly raise opposition to earned legalization. Twelve percent of earned legalization questions were framed in this manner.¹⁴ The average level of opposition for those questions was 42.1%, versus 32.1% for the remainder ($p=0.06$). Yet it is noteworthy that even with the amnesty frame, the average question still receives majority support for this allegedly controversial policy.

A 2007 survey in the database by the Pew Research Center used a split sample design in which half of the respondents were asked if they support "providing amnesty to illegal

¹³ Unless otherwise noted, all p-values reported for differences in means tests are one-tailed.

¹⁴ Note that all questions with the word amnesty were earned legalization questions.

immigrants” while the other half was asked if they support “providing a way for illegal immigrants to gain legal citizenship.” Including the word “amnesty” increased opposition from 30% to 39%. The word “amnesty” clearly has a powerful impact, though here too, well over a majority supports earned legalization even when both “amnesty” and “illegal” are in the question.

This examination of question wording by levels of opposition reveals some clear patterns and some suggestive ones. First, Congressional opponents of Bush’s proposal were not in line with the majority of Americans. Second, framing matters; “amnesty” is a hot-button word that significantly alters levels of support. Third, framing doesn’t *always* matter; the frame of illegality is not as potent as one might expect. Fourth, aggregate opinions were rather stable over the time period, despite fluctuations in media attention and the dramatic events of 2006. Finally, evidence suggests, but is not conclusive, that questions that matched the specifics of the Bush proposal were widely supported by the American public while questions that were less specific obtained lower levels of support.¹⁵

Guest worker program

As with earned legalization, there is a great deal of question-level variation in the degree of support and opposition to a guest worker program, with a low of 11% opposition and a high of 80%. Over the entire period, the mean level of opposition is 38.4%, lower than we would expect if the opposition in the House of Representatives were reflective of American public opinion. The mean level of support is 54.4%. Figure 3 shows that as with earned legalization, guest worker questions had a rather consistent level of opposition, ranging from 31% to 46%.

¹⁵ Across all 75 earned legalization questions, the average percentage of respondents saying “don’t know” was 5.4%, with two high outliers. Removing these outliers drops the average to 2.4%.

Since time does not seem to be a factor in question-level variation, I again turn to the question wording. Of the 7 questions where 20% or fewer expressed opposition to a guest worker program, 4 had Latino-only samples. Of the other three, one referred only to immigrants who are *not* already in the United States, another said that the program would allow the government to “keep track of them,” and the third was extremely specific in the alternatives presented to respondents, covering what happens to family members, how many times the visa could be renewed, and whether the workers would be eligible for citizenship when the visa renewals expired.

Next I turned to the 19 questions where over 50% of respondents expressed opposition to a guest worker program. Twelve (63%), had nearly identical question wording, and specifically referred to illegal immigrants already in the United States as opposed to immigrants-in-waiting or simply to any potential immigrant, as exemplified by a question posed by NBC News in 2005, which asked, “As you may know, President Bush has proposed to allow foreigners who have jobs but are staying illegally in the United States to apply for legal, temporary-worker status. Do you strongly favor, somewhat favor, somewhat oppose, or strongly oppose this proposal?” Fifty-eight percent of respondents said they oppose this plan. A common variation on this theme was to specify a time period for the temporary status (usually 3 years). A t-test reveals that the illegality frame falls just short of significantly affecting aggregate levels of opposition to a guest worker program (34.1% opposition without illegal vs. 41.0% with; $p=0.12$).

In sum, it appears that Americans are more supportive of a guest worker program when it is framed as applying to immigrants that are *not* already in the United States, and they are less supportive when it is framed as applying to illegal immigrants who are already here. Given how supportive Americans are of earned legalization, this opposition to temporary worker status for

illegal immigrants is somewhat contradictory. However, when asked to choose between forcing guest workers to return home or allowing them to apply for legal status, majorities choose the immigrant-friendly option of legal status. It thus seems that wording matters for guest worker attitudes, but this is only revealed by a close reading of the questions, which shows that it is the *location* of prospective workers that seems to influence levels of support and not *simply* the use of the word “illegal.”¹⁶

Border security

Though Americans seem to be generally sympathetic to immigrants when it comes to earned legalization and a guest worker program, they are more decidedly in favor of restriction when it comes to border security. Across the 8 year period, the mean level of support for increasing border security is 54.1%, and the mean level of opposition is 39%. Yet as before, there is still a fair degree of question-level variation. The highest level of support is 96% in a question asked in 2001 that specifically ties border security to preventing another terrorist attack. The lowest level of support is 15% in a question that asks if vigilante groups like the Minutemen should be allowed to patrol the borders. Figure 3 shows how the mean level of support for increased border security varies from 2001 to 2008. Except for 2001, where $n = 1$ and deals with the 9/11 question just discussed, the trend is rather stable, ranging from 50% to 70%. Since these averages are computed by combining general questions about border security with questions that specifically mention a fence and/or deploying the National Guard, it makes sense to look further to see to what extent question wording accounts for the question-level variation.

¹⁶ A t-test for the complexity of guest worker questions was insignificant ($p=0.44$). Across all 86 guest worker questions, the average percentage of respondents saying “don’t know” was 5.7%, yet there are three high outliers. Removing these outliers drops the average to 4.7%.

To see what kind of question generated opposition to border security, I looked at the 6 questions that got between 20% and 30% support (no question besides the Minuteman question just discussed got less than 20% support). Three ask if respondents support sending National Guard troops to the border to assist Border Patrol agents, and three ask if respondents support building a fence. During his prime time speech on May 15, 2006, Bush announced that he would be ordering the deployment of 6,000 National Guard troops to the border for one year. This deployment was termed “Operation Jump Start.” At first glance, support seems to be lukewarm at best. But it turns out that of the three National Guard questions garnering less than 30% support, two were asked *before* Bush’s speech, and the third had a Latino-only sample. Of the 8 remaining questions in the dataset that ask about deploying the National Guard, most see between 55% and 65% in favor.

Next I examined the 12 questions that garnered 70% or greater support for increased border security (setting aside the 9/11 question discussed above). Eight (67%) ask about increasing the number of border patrol agents. An example comes from a 2006 survey by CNN, where 78% of respondents said they would favor “putting more border patrol and federal law enforcement agents on the US border with Mexico.” Some variations on this theme asked for support for increasing agents and “improving technology.” The remainder simplistically asked if respondents supported “stricter” policies regarding border crossing.

Twenty-seven border security questions specifically ask for support for building a fence. For 22 of them, the level of support ranges from 40% to 56%, with a few outliers at the high and low ends and with an overall mean of 47%. This trend, combined with the patterns discussed above, suggests that Americans are most supportive of increased border security when it comes to increasing the ranks of Border Patrol and improving technology and are less supportive of

building a fence or deploying the military. Yet even in these latter cases, Americans are rather evenly split on a consistent basis. Sending the National Guard is favored more than building a fence, but even there, opposition is often above 30%. On the particular question of building a fence, no clear consensus among Americans emerges. Yet ironically, the fence is the one policy area where both parties in Congress were able to agree and actually pass legislation. The t-tests for the use of the word illegal and for the complexity of the question were both insignificant for border-related questions ($p=0.64$ for illegal; $p=0.22$ for complexity).¹⁷

Deportation

Although neither side of the immigration reform debate seriously proposed deporting illegal immigrants, the issue of deportation was frequently raised in debates by those who advocated for earned legalization. As Bush stated in his May 15 speech:

Some in this country argue that the solution is to deport every illegal immigrant, and that any proposal short of this amounts to amnesty. I disagree. It is neither wise, nor realistic to round up millions of people, many with deep roots in the United States, and send them across the border.

From 2001 to 2008, the mean level of opposition to deportation was 51% and the mean level of support was 43%., suggesting a real divide among Americans. As Figure 3 shows, this level of support was rather stable throughout the period. Yet as with the other topics investigated thus far, this seemingly even split among the American people masks question-level variation, with one question getting 16% approval for deportation, and another getting 87%.

As before, I first looked at the questions with the lowest levels of support for the restrictive option in question. I looked at the 5 questions that saw 25% support or less for deportation. Four of them were identical. They asked, as Gallup did in 2006:

¹⁷ For all 68 border security questions, the mean level of “don’t know” responses is 4.7%. The mean level of “don’t know” responses for just the questions about building a fence is also 4.7%. There are no outliers in either case.

Which comes closest to your view about what government policy should be toward illegal immigrants currently residing in the United States? Should the government--deport all illegal immigrants back to their home country, allow illegal immigrants to remain in the United States in order to work, but only for a limited amount of time, or allow illegal immigrants to remain in the United States and become US citizens, but only if they meet certain requirements over a period of time? (16% support deportation)

In this question, deportation is one of several options on the table, and it is viewed negatively when presented as such. Confirming this trend, a t-test shows that complex questions had a significantly lower mean level of support for deportation than simplistic questions (40.1% vs. 50.5%; $p=0.05$). An example of a simplistic question is from a 2006 CNN poll, which asked, “Do you approve or disapprove of the US government deporting illegal immigrants to the country they came from?” (67% approved). Seven of the 12 questions where over 50% of respondents expressed support for deportation were variations on this simple deport-or-don’t-deport format.

In sum, when deportation is presented as one of several options, Americans oppose it. When no other alternatives are presented, deportation looks quite popular. These patterns suggest that it would be misleading to look at simple for/against questions as a reflection of what the American public wants on this matter. The reality is that multiple options *are* available, and when this reality is reflected in survey questions, support for deportation drops considerably.

Finally, using the illegality frame fell just short of significantly affecting support for deportation, though only 2 of the 33 deportation questions avoided this frame. The mean level of support for deportation for these two questions was 30.0% while the mean level of support for the remaining questions was 44.1% ($p=0.12$).¹⁸

Employer sanction

¹⁸ The mean level of “don’t know” responses for deportation from 2001 to 2008 is 4.3%, with no outliers.

The mean level of support for stricter employer sanctions for hiring illegal immigrants is the highest policy mean in this analysis: 60%. Though there is still question-level variation, the range is narrower than in previous cases, with a low of 20% and a high of 83%. Figure 3 shows that employer sanction questions weren't asked until 2005. From 2005 – 2007, the mean level of support for stricter sanctions is high, ranging between 55% and 79%. It drops substantially in 2008, to 29%. But all 3 questions on employer sanction in 2008 were asked of a Latino-only sample; these questions were never meant to be representative of the American public in general.

Support among non-Latino samples to the questions asked from 2005 – 2007 ranges from roughly 60% to 80%. Questions that ask about “increasing” fines, imposing “strict” fines, and imposing “major penalties” see majority support. Only a few questions ask about mandating a program like E-Verify. Those that do all receive majority support, even those with Latino-only samples. Even with this consistently high level of support, some patterns emerge. First, the illegality frame significantly increases support for employer sanctions (48.4% mean support without illegal vs. 63.8% with; $p=0.02$). Second, simplistic questions, which often referred to “cracking down” on employers, saw greater support for employer sanctions than detailed questions, which often mentioned specific penalties, like fines or criminal charges (66.2% for simplistic vs. 56.8% for complex; $p=0.09$).¹⁹

Discussion and Conclusion

In every policy area examined here, I found high levels of variation in support for immigration reform measures. But in nearly every case, closer inspection revealed that the variation was due to question wording rather than to changes over the time period or to plainly erratic attitudes. *Similar questions asked at different points in time showed similar levels of*

¹⁹ The mean level of “don't know” responses for employer sanctions from 2001 to 2008 is 4.1%, with no outliers.

support and opposition (see Page and Shapiro 1982 for similar results across many issues). One area where timing seemed to matter was with employer sanctions, and that turned out to be due to having a Latino-only sample. Another was with regard to deploying the National Guard: support was lower before Bush issued his order, and rose after. Sometimes the power of question wording was captured through systematic analysis, such as the power of the word “amnesty;” other times it was revealed by a careful reading of the questions themselves, as when comparing border questions about the Minutemen to border questions about fences, or when examining how guest worker questions described the location of prospective workers.

Regarding the more systematic analyses of question wording, a summary of the key findings appears in table 2. The illegality frame seems to increase opposition to immigrant-friendly policy options, but its effect is far from definitive. It affects support for employer sanctions, and is close to significant for earned legalization, guest worker programs, and deportation. Complex questions that list and/or contrast specific options being debated lead to more immigrant-friendly preferences on deportation and employer sanction; question complexity approaches significance for earned legalization. Finally, the amnesty frame (excluded from table 2) significantly altered support for earned legalization.

[Table 2 About Here]

That the wording of a question can affect results is, of course, not a new insight (Schuman and Presser 1996; Asher 2004), nor is the notion that how elites frame policy debates can affect what people think particular issues are about (Chong and Druckman 2007). Indeed, some argue that the fact that question wording can sometimes change opinions drastically calls into question both the enterprise of public opinion polling and the very notion that the public has meaningful attitudes at all (see Bishop 2005 for a review of these arguments). What the analysis

of the particular case of comprehensive immigration reform shows, however, is that the ability change opinions through framing actually appears to be somewhat limited (see Schuman and Presser 1996 for more on the limits of wording effects). Though the amnesty frame clearly influenced aggregate opinion on earned legalization, the illegality frame was considerably weaker, both in terms of the p-values and in terms of the magnitude of the shift in aggregate opinion. And majorities continued to support earned legalization (in the aggregate) even when the amnesty frame was employed. What matters more is the policy *substance* of the question wording (i.e., getting tough with employers vs. sending them to jail; allowing immigrants already here vs. aspirants to be guest workers) rather than the presence or absence of hot-button words. And this type of wording variation – and subsequent *opinion* variation – arguably paints a less damning portrait of the public’s ability to make sense of the immigration debate. In short, this first cut at examining aggregate opinion on immigration reform portrays a picture of a public that seems to possess views that are relatively stable and meaningful. From a political standpoint, the Americans seem supportive of “comprehensive immigration reform,” supporting both immigrant-friendly proposals for earned legalization and more restrictive measures involving border security and employer sanctions.

So where do we go from here? First, simply determining which factors lead some people to be “pro-immigrant” and which lead other people to be “anti-immigrant” is in order. Now that we have moved beyond the blunt instrument of whether immigration should be increased, decreased, or kept the same, and now that we know that opinions on these new policies have been rather stable, we can arrive at a more refined understanding of the antecedents of immigration policy preferences, including demographic, economic, and contextual factors. Specific policy questions (as opposed to vague or simplistic ones) about earned legalization,

building a fence, and deportation will likely prove to be most fruitful in this regard. These three policy types have clear pro-immigrant and anti-immigrant options, unlike the guest worker program. Moreover, specific as opposed to vague questions more accurately match the policy debate. After examining the antecedents of opinions on these policies, the next step would be to compare results of such analyses across policy types.

Though figures 1 and 2 suggest that the frequency of questions about immigration policy has begun to retreat, it will probably rebound since President Barack Obama intends continue Bush's pursuit of comprehensive immigration reform. The 2008 presidential campaign hardly touched on immigration once the primary season ended. It wasn't even mentioned in any of the presidential debates. This absence was likely due to the high level of agreement between John McCain and Obama on this issue. McCain, after all, was a lead author on S. 2661. The Obama administration's web page on immigration, like Bush's, lists five goals of immigration reform: (1) increased border security, (2) "increase the number of legal immigrants to keep families together and meet the demand for jobs that employers cannot fill" (most likely through a guest worker program), (3) employer sanctions, (4) earned legalization, and (5) "promote economic development in Mexico."²⁰ Four of these five goals are identical to Bush's. When the Obama administration asks Congress to act, the opponents of Bush's proposals will re-emerge. When they do, pollsters will respond in kind.

²⁰ From <http://www.whitehouse.gov/agenda/immigration/>, accessed on January 23, 2009.

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Figure 1: Number of immigration related questions in iPoll Databank, 1993 - 2008

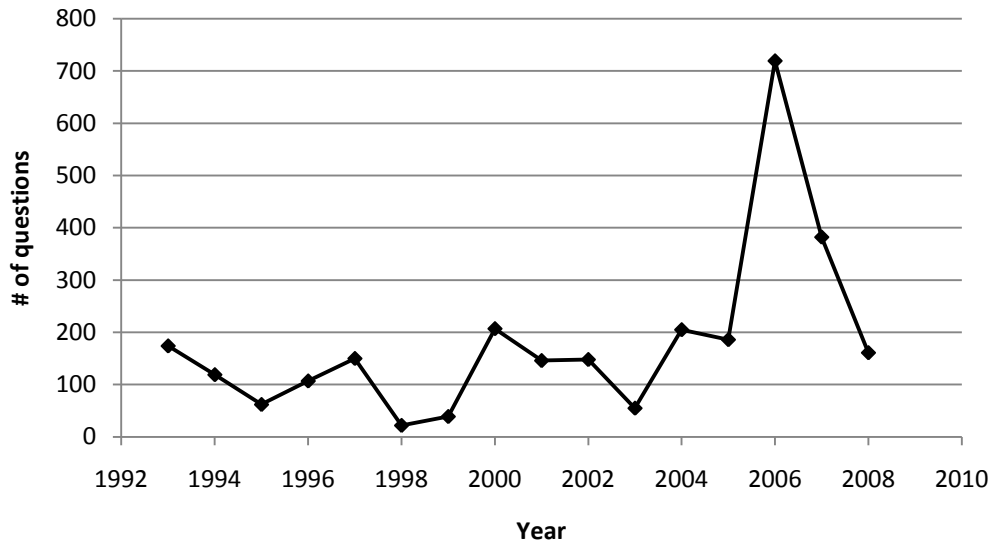


Figure 2: Type of question by year, 2001 - 2008

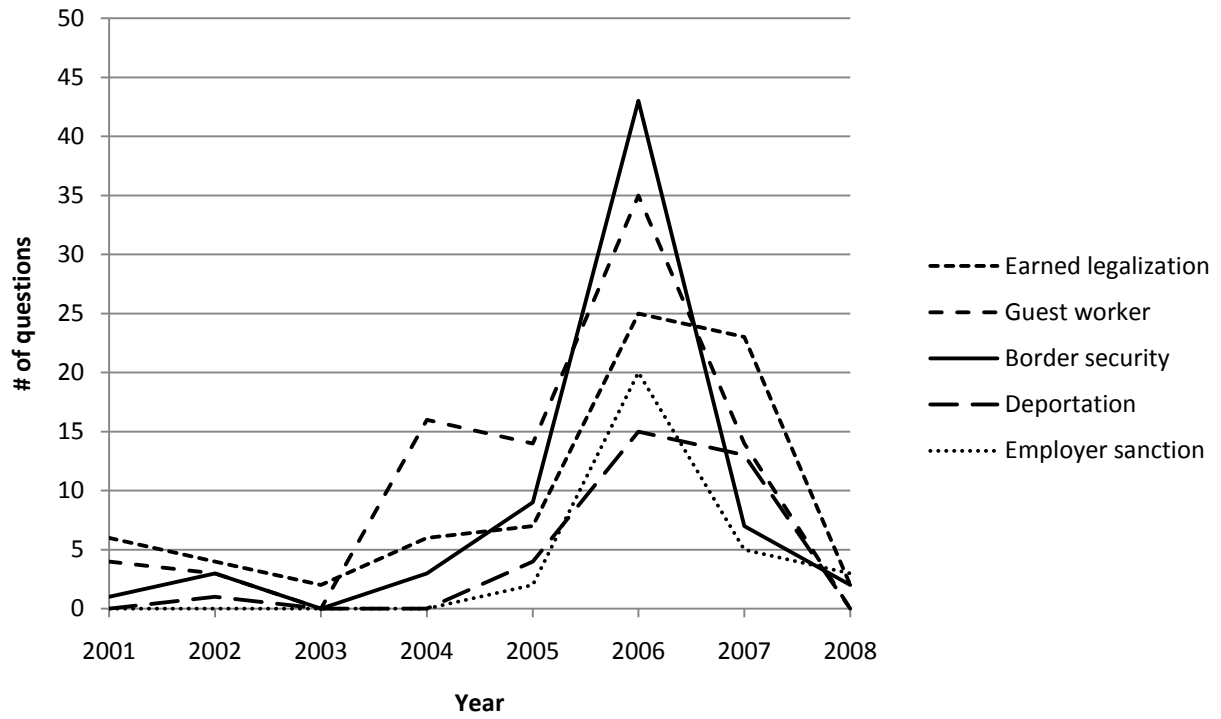


Figure 3: Average level of support for restrictive option by policy type, 2001 - 2008

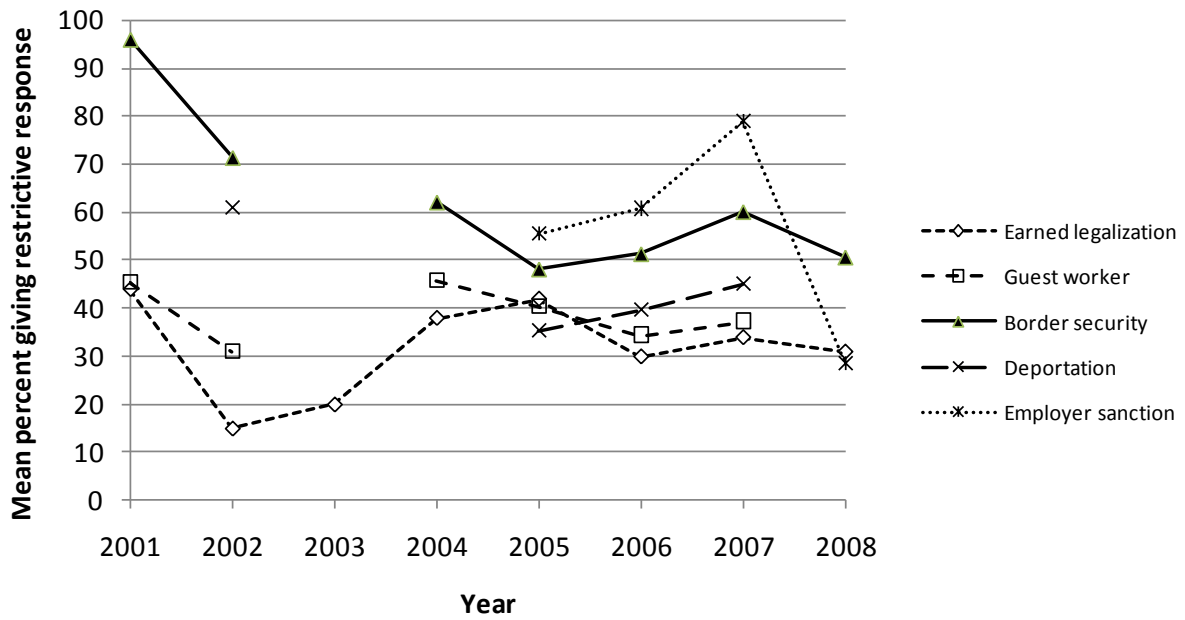


Table 1: Frequency of types of immigration policy questions, 2001 - 2008

| <i>Topic</i> | <i>Percent</i> | <i>N</i> |
|--|----------------|----------|
| Amnesty/Earned legalization/Earned citizenship | 17.86 | 75 |
| Guest worker program: For/against | 17.62 | 74 |
| Guest worker program: Register in US or return home first | 1.19 | 5 |
| Guest worker program: Must return home after or can stay in US after | 1.67 | 7 |
| Deportation of illegal immigrants | 7.86 | 33 |
| Make illegal immigration a crime | 4.05 | 17 |
| "Comprehensive immigration reform" | 1.67 | 7 |
| Have you been paying attention to this issue | 5.24 | 22 |
| Border fence | 6.43 | 27 |
| Border security (less specific version of fence question; sending troops; etc) | 9.76 | 41 |
| Student visas | 1.67 | 7 |
| Employer sanctions | 7.14 | 30 |
| Moratorium on immigration (any form, time period, or moratorium for specific groups) | 2.14 | 9 |
| Monitor immigrants (surveillance, wiretapping, etc) | 0.71 | 3 |
| Whether ILLEGAL immigrants deserve legal rights and protections like US citizens | 0.24 | 1 |
| Whether LEGAL immigrants deserve legal rights and protections like US citizens | 1.9 | 8 |
| Whether immigrants (doesn't specify legal or illegal) deserve rights and protections like US citizens | 2.14 | 9 |
| Whether ILLEGAL immigrants should be eligible for any govt benefits (education, medicaid, food stamps, etc) | 4.29 | 18 |
| Whether LEGAL immigrants should be eligible for any govt benefits (education, medicaid, food stamps, etc) | 0.48 | 2 |
| Whether immigrants (doesn't specify legal or illegal) should be eligible for any govt benefits (education, medicaid, food stamps, etc) | 0.95 | 4 |
| Day laborer pick up site | 0.48 | 2 |
| Birthright citizenship | 1.19 | 5 |
| Other | 3.33 | 14 |
| Total | 100 | 420 |

Source: iPoll Databank of the Roper Center for Public Opinion Research

| Table 2: Summary of question wording significance tests | | | | | | |
|--|--------------|---------|-------------|--------------|---------|-------------|
| Policy | "Illegal" | | | Complexity | | |
| | significant? | p-value | %-pt change | significant? | p-value | %-pt change |
| Earned legalization | close | 0.16 | 5.2 | close | 0.12 | 4.5 |
| Guest worker | close | 0.12 | 6.9 | no | 0.44 | 0.5 |
| Border security | no | 0.64 | 1.5 | no | 0.22 | 7.1 |
| Deportation | close | 0.12 | 14.1 | yes | 0.05 | 10.4 |
| Employer sanction | yes | 0.02 | 15.4 | yes | 0.10 | 9.4 |
| Note: p-values are for one-tailed tests. | | | | | | |
| | | | | | | |

APPENDIX

| Variable name | Coding |
|---------------|--|
| year | year survey was conducted |
| month | month data collection started (1 - 12) |
| day | day data collection started (1 - 31) |
| sponsor | survey sponsor |
| wording | survey question wording |
| topic | topic of the question |
| | 1 = amnesty/earned legalization/earned citizenship |
| | 2 = guest worker program: for/against |
| | 3 = guest worker program: register in US or return home first |
| | 4 = guest worker program: must return home after or can stay in US after |
| | 5 = deportation of illegal immigrants |
| | 6 = make illegal immigration a crime |
| | 7 = "comprehensive immigration reform" |
| | 8 = have you been paying attention to this issue |
| | 9 = border fence (question must specifically mention a fence) |
| | 10 = border security (vague version of fence-type question; sending troops; etc) |
| | 11 = student visas |
| | 12 = employer sanctions |
| | moratorium on immigration (any form, time period, or moratorium for specific groups) |
| | 13 = |
| | 14 = monitor immigrants (surveillance, wiretapping, etc) |
| | whether ILLEGAL immigrants deserve legal rights and protections like US citizens |
| | 15 = |
| | 16 = whether LEGAL immigrants deserve legal rights and protections like US citizens |
| | whether immigrants (doesn't specify legal or illegal) deserve rights and protections like US citizens |
| | 17 = |
| | whether ILLEGAL immigrants should be eligible for any govt benefits (education, medicaid, food stamps, etc) |
| | 18 = |
| | whether LEGAL immigrants should be eligible for any govt benefits (education, medicaid, food stamps, etc) |
| | 19 = |
| | whether immigrants (doesn't specify legal or illegal) should be eligible for any govt benefits (education, medicaid, food stamps, etc) |
| | 20 = |
| | 21 = day laborer pick up site |
| | 22 = birthright citizenship |
| | 99 = other |
| restrict | % giving most restrictive/anti-immigration response option, such as "strongly oppose" |
| negative | % giving other restrictive/anti-immigration response options, such as "somewhat oppose" |
| welcome | % giving most welcoming/pro-immigration response option |
| positive | % giving other welcoming/pro-immigration response options |
| dk | % saying "don't know" |

| Variable name | Coding |
|---------------|--|
| attention | % saying they have paid highest level of attention |
| noattn | % saying they have paid lowest level of attention |
| sample | type of sample 0 = unclear 1 = national adult 2 = national likely voter or registered voter 3 = state or local sample 4 = subset of population (ex: whites only, latinos only, union members, etc.) |
| codenum | # of times the survey question got coded equals 1 if question only mentions 1 policy; 2 if asks about 2 policies; etc. |
| illegal | 0 = question does not use "illegal" 1 = question uses "illegal" |
| amnesty | 0 = question does not use "amnesty" 1 = question uses "amnesty" |
| complex | 0 = question wording is simplistic 1 = question wording is detailed coded as missing if question is not about comp. immig. reform or deportation |