

A "Grand Bargain" on Immigration Reform?

An alliance of pro-immigrant Democrats and anti-immigration Republicans could finally fix our broken system

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From everything I've heard Swedes seem like very pleasant people, rather agreeable to have around, while my personal experience with Mexicans leads me to a similar conclusion. But suppose so many millions of Swedes poured across the borders into our southern neighbor that within just a few decades Mexico City had become majority Swedish, while much of the rest of that country were following a somewhat similar trajectory. Under such circumstances, severe political problems would surely arise, perhaps even endangering social stability.

I think this one short paragraph provides a better clue to the unexpected political rise of Donald Trump than would a hundred footnoted academic articles.

In the year 1915 America was over 85% white, and a half-century later in 1965, that same 85% ratio still nearly applied. But partly due to the passage of the Immigration Reform Act of that year, America's demographics changed very rapidly¹ over the following five decades. By 2015 there had been a 700% increase in the total number of Hispanics and Asians and the black population was nearly 100% larger, while the number of (non-Hispanic) whites had grown less than 25%, with much of even that small increase due to the huge influx of Middle Easterners, North Africans, and other non-European Caucasians officially classified by our U.S. Census as "white." As a consequence of these sharply divergent demographic trends, American whites have fallen to little more than 60% of the total, and are now projected to become minority within just another generation or two, already reduced to representing barely half² of all children under the age of 10.

Demographic changes so enormous and rapid on a continental scale are probably unprecedented in all human history, and our political establishment was remarkably blind for having failed to anticipate the possible popular reaction. Over the last twelve months, Donald Trump, a socially liberal New Yorker, has utilized the immigration issue to seize the GOP presidential nomination against the vehement opposition of nearly the entire Republican establishment, conservative and moderate alike, and at times his campaign has enjoyed a lead in the national polls, placing him within possible reach of the White House. Instead of wondering how a candidate came to take advantage of that particular issue, perhaps we should instead ask ourselves why it hadn't happened sooner.

The answer is that for various pragmatic and ideological reasons, the ruling elites of both our major parties have largely either ignored or publicly welcomed the demographic changes transforming the nation they jointly control. Continuous heavy immigration has long been seen as an unabashed positive both by open borders libertarians of the economically-focused Right and also by open borders multiculturalists of the socially-focused Left, and these ideological positions permeate the community of policy experts, staffers, donors, and media pundits who constitute our political ecosphere.

Earlier this year, Democratic presidential candidate Bernie Sanders, an elderly individual with unabashed socialistic views, was interviewed³ by Vox's Ezra Klein, and explained that "of course" heavy foreign immigration—let alone "open borders"—represented the economic dream of extreme free market libertarians such as the Koch brothers, since that policy would obviously drive down the

wages of workers and greatly advantage Capital at the expense of Labor. These notions scandalized his neoliberal interlocutor, and the following day another Vox colleague joined in the attack,⁴ harshly denouncing the candidate's views as "ugly" and "wrongheaded," while instead pointing to the editorial page of the Wall Street Journal as the proper font of progressive economic doctrine. Faced with such sharp attacks by young and influential Democratic pundits less than half his age, Sanders soon retreated from his simple statement of fact, and henceforth avoided raising the immigration issue during the remainder of his campaign.

Only a brash, self-funded billionaire contemptuous of establishment wisdom would challenge this bipartisan immigration consensus among our political elites, and only a prominent celebrity could launch his campaign with sufficient visibility to achieve a media breakthrough. This seemed an unlikely combination of traits to find in one individual, but the unlikely occurred, and our national politics has been upended.

There had already been strong previous indications of this smoldering political volcano among voters, though these signs were repeatedly ignored or discounted by the DC Republican apparatchiks who spent their time attending each others' receptions and fundraisers. During the 2014 election cycle, immigration was a key issue⁵ behind the stunning defeat of Republican House Majority Leader Eric Cantor, who lost to an unknown primary challenger whom he outspent 40-to-1, constituting one of the greatest upsets in Congressional history. Prior to that, anti-immigration Tea Party insurgents had ended the long careers of incumbent Republican senators Bob Bennett of Utah in 2010 and Richard Lugar of Indiana in 2012.

Compounding the psychological pressure driving the politics of immigration has been the role of the mainstream media in fostering a sense of beleaguerment and marginalization within America's shrinking white majority. Because of the huge rise in the Hispanic and Asian populations over the last fifty years, the relative percentage of blacks had increased only slightly, going from 11% to 12%, but nonetheless black media visibility had massively expanded, whether in sports, entertainment, news reports, or even advertising. Therefore, as far back as the 1990s, Gallup polls indicated⁶ that the average American believed that our national population was already one-third black, and already minority-white given the estimates of Hispanics and other non-white subgroups.

Meanwhile, the less than even-handed attitude of our national elites towards ethnic activism has hardly helped ameliorate the political situation. A strident Black Nationalist such as Malcolm X was widely condemned during his own lifetime as an extremist advocate of violence, yet he has now been honored with a U.S. postage stamp, while today a lifelong racial activist such as Al Sharpton has his own MSNBC cable television show and received 80-odd invitations⁷ to the White House over the last few years. Such treatment seems very different from what their white-activist counterparts, either past or present, might expect to receive. Trump publicly denounced the Mexican-American federal judge hearing his legal case as being ethnically biased against him, citing the latter's membership in a La Raza Lawyers Association. The organization in question seems rather innocuous and Trump's accusation weak, but one wonders whether a Caucasian affiliated with a similar white-advocacy group containing "the Race" in its title would have ever even been nominated to the bench, let alone successfully confirmed.

In late July, Avik Roy, a Republican intellectual of South Asian ancestry, declared with anguish⁸ that he had completely misunderstood the true nature of the political party he had long and diligently served. He and his Beltway friends—the wonks and ideologues of Conservatism, Inc.—had spent

years earnestly debating health care reform, targeted tax cuts, and free trade promotion, assuming that such policies and principles were similarly inspiring the voters who elected their Republican candidates to office. And then Trump, with harsh, racially-charged rhetoric, diametrically opposing policy views, and a negligible advertising budget crushed all those prominent national leaders at the ballot box. According to Roy, he and all his conservative friends and patrons had been living “in a kind of bubble,” believing that their voters cared about their “philosophical, economic conservatism,” but they were entirely mistaken: “In reality, the gravitational center of the Republican Party is white nationalism.” Indeed, over the last few months, some analysts have suggested that mainstream conservative leaders have been unmasked as generals commanding a ghost army, representing an ideological movement that never really existed.

For nearly twenty years, I have been arguing⁹ that a shrinking white majority, endlessly poked and prodded by diversitarian cultural provocations and fearful of falling into oppressed minority status, might erupt into a nationalistic movement organized along white racial lines, perhaps seizing the Republican Party as its vehicle. I take no great pleasure that my concerns are being echoed much more widely today.

Pro-Immigrant Democrats and Anti-Immigration Republicans

So much for the diagnosis. Donald Trump is obviously a highly flawed candidate who may or may not¹⁰ win the presidency in five weeks time; but even if he ultimately falls short, recognition of the previously unsuspected power of the popular forces he has unleashed will have permanently altered the American political landscape. Allowing sharp racial polarization to dominate the politics of a nation that is already almost 40% non-white seems a very dangerous situation. Immigration ranks as the hottest of the newly emergent issues that have propelled Trump to the nomination. Does there exist any room for a mutually agreeable compromise?

The possibility might appear remote given that the two sides apparently have such diametrically opposed interests. A Trumpized Republican Party seems overwhelmingly hostile to immigration, while its Democratic counterpart draws much of its political strength from immigrants, who, together with their friends, relatives, and ideological allies, constitute a large portion of its electoral base.

Since the early 2000s the primary goal of pro-immigrant advocates has been allowing the 11 million or more undocumented immigrants to “come out of the shadows” by legalizing their status, and most of the Republican Party establishment has supported several attempts over the last dozen years to achieve exactly this result via Congressional legislation. Yet despite the backing of broad coalitions representing enormous financial resources and business lobbying power, all these efforts have failed, breaking upon the rocks of a scrappy alliance of far smaller and less wealthy¹¹ grassroots anti-immigration groups. And now this opposing anti-immigration coalition has demonstrated its powerful appeal at the national level and seized control of the Republican Party. If a pro-immigrant Democratic Party has repeatedly failed to pass legislation backed by pro-immigration Republican leaders, can there be any possible hope of success after that Republican Party has become so stridently anti-immigration?

Strangely enough, the answer is yes, and the outlines of a potentially viable deal may even be visible. The crucial insight is recognizing that “pro-immigrant” policies are not necessarily the same as “pro-immigration” policies, and indeed may be exactly the opposite.

This is more than merely a play upon words. Most of the powerful, immigrant-focused groups within the Democratic coalition are primarily concerned with the well-being of existing immigrants, whether legal or illegal, and have only a secondary interest in future levels of immigration. Meanwhile, the overriding goal of the leading forces in the anti-immigration camp is to drastically reduce current immigration levels, and while they would dearly like to dislodge those immigrants already here, most quietly recognize that achieving that goal may not be politically practical.

Indeed, the commonality of interests between these two seemingly opposed ideological camps may actually be far greater than is usually recognized. The fundamental law of supply and demand dictates that the more individuals who occupy a particular market niche, the weaker becomes their economic bargaining power and the lower their incomes. Thus, existing dentists or taxi drivers have a strong vested interest in supporting restrictive licensing barriers preventing others from entering their profession and competing against them. Exactly the same is true of existing immigrants, who frequently face new immigrants as their most direct economic competitors, and hence may often become strong opponents of further immigration.

This has certainly been a common pattern in the past. For example, Samuel Gompers, founding president of the American Federation of Labor (AFL), was himself a European immigrant but also became a leading champion of the restrictive immigration laws of the 1920s, which drastically reduced the flow of additional European immigrants and thereby protected his union members against impoverishment. Much more recently, the same was true with labor leader Cesar Chavez, today enshrined as the foremost Hispanic icon in the progressive pantheon. It is a little known fact that for decades Chavez was one of America's leading opponents of immigration, especially of the undocumented variety, endlessly denouncing the government's laxity in enforcing immigration laws and even going so far as to organize numerous vigilante patrols¹² along the Mexican border, not dissimilar from those of the controversial Minutemen activists of the 2000s.

But if immigrants themselves have such strong economic reasons to oppose continuing heavy immigration, why in modern America have they almost invariably become leading political opponents of the anti-immigration groups advocating exactly those same policies? The obvious explanation has been the extreme heavy-handedness of many on the anti-immigration side, who have often resorted to crude ethnic attacks or unwarranted vilification in making their case.

A perfect example of this self-defeating behavior came from Trump's own campaign after the immigration issue caught fire following a July 2015 fatal shooting in San Francisco. A young white woman died at the hands of a undocumented Mexican felon, recently released from jail rather than deported due to lax "Sanctuary City" policies, and the resulting media firestorm was enormous. Later investigation revealed that the shooting itself was clearly accidental,¹³ and the annual number of ordinary whites murdered by illegal immigrants seems almost microscopically small,¹⁴ but Trump's crude denunciations of Mexican immigrants as "rapists and killers" naturally provoked outrage within the Hispanic community.

A subtle factor driving the counter-productive tactics of many anti-immigration groups may be their severe misperception of the nature of the conflict. There is a common tendency in politics to commit the error of ideological projection, thereby assuming, often implicitly, that the motivations of one's opponents are the mirror-image of one's own. So the politically-fearful white racial-activists who largely dominate the anti-immigration movement naturally believe that Hispanic immigrants are similarly motivated, and that the goal of their leaders is to swamp the country with more of their own

background, thereby allowing them to seize political power along ethnic lines. However, there seems little evidence for this, with most Hispanics being rather conflicted about future immigration, though they generally do support humane treatment for those immigrants who are already here and might circle the political wagons if they perceive their community is under unfair racial attack. Thus, many anti-immigration leaders probably consider themselves locked into a zero-sum ethnic political struggle that does not necessarily exist.

Meanwhile, Hispanic leaders and other immigrant advocates probably exhibit a similar misunderstanding about the true priorities of their opponents in the anti-immigration camp. For tactical political reasons, the latter almost invariably focus their rhetorical fire upon the undocumented, partly because the phrase “illegal immigrant” seems to conjure up the image of a dangerous foreign criminal, while terms like “legal immigrant” or “refugee” have much more positive psychological connotations. But this subterfuge masks the true goals and concerns of that movement. Whether motivated by fears of white racial displacement, destructive economic competition for native workers, or even merely the harms of unchecked population growth, nearly all anti-immigration groups are actually just as concerned about legal immigration as the undocumented type. For them, total numbers are the central issue—indeed, the largest such organization styles itself “NumbersUSA”—and since legal entrants always represent the bulk of the overall flow, legal immigration is their true primary target.

In actuality, the leading opponents of the anti-immigration camp may be found within the mainstream business community, much of which considers a heavy, continuing flow of immigrants, legal or otherwise, as an important source of low-cost labor that also exerts powerful downward pressure upon the wages of all other working-class employees. But although such pro-business elements have traditionally dominated the politics of the Republican Party, these are exactly the interest groups that have frequently been routed politically by anti-immigration grassroots rightwingers in Republican primaries and have now suffered the same fate at the presidential level, as the Trump campaign crushed their favored candidates. So given their current weakness, they would probably be unable to block a political package supported by a strange-bedfellows alliance of pro-immigrant Democrats and anti-immigration Republicans.

One of the factors potentially driving such an unlikely historic coalition would be the simple fact that each of these groups is extremely dissatisfied with the status quo and desperate for change, but neither separately has any realistic chance of achieving its goals in the foreseeable future. Only some sort of unexpected “grand bargain” crossing ideological lines might break the current political deadlock.

For almost twenty years, immigrant advocates have been pressing for measures to lighten the burden of illegality that weighs upon so many millions of families in their community, and all these efforts have invariably failed. Passing any sort of “amnesty” proposal would require control of the House together with a filibuster-proof majority in the Senate, and the likelihood of this happening in the foreseeable future is not high.

Meanwhile, annual immigration rates, legal and illegal combined, have easily exceeded a million a year for most of the last generation, and all but the most unrealistic anti-immigration leaders must recognize that there exists little political hope of ever enacting Congressional legislation to reduce these numbers under existing political alignments. Instead, they have merely been fighting—and winning—a long series of defensive battles against “amnesty” and further expanded open borders proposals.

Thus, these two powerful ideological coalitions have fought each other to a complete stalemate, and each also views the current situation as totally unacceptable. But if they were to join forces, both might achieve their fondest goals while sacrificing relatively little in return.

Outlines of a Possible “Grand Bargain”

What might be the principal components of a legislative package able to bridge such a seemingly wide ideological chasm between pro-immigrant Democrats and anti-immigration Republicans?

- **Enacting Large, Permanent Cuts to Legal Immigration**

One central element would be large, permanent cuts in the rate of legal immigration. As mentioned, the bulk of these new arrivals tend to be eager workers, who exert severe downward wage pressure on their working-class competitors, with previous immigrants probably suffering the most economic damage. American business interests may benefit in the short run by keeping their labor costs as low as possible, but our working population suffers, and the resulting low-wage society reduces the consumer spending that drives our economy.

Furthermore, such elevated levels of immigration over the last few decades have led to an American population growth rate that is exceptionally high for a developed country. An exponentially growing population drives up housing prices and other asset values, greatly increasing the wealth of the One Percent but further injuring the economic prospects of ordinary Americans and worsening our economic inequality. I think it is hardly coincidental that the last forty years of high immigration rates have exactly coincided with forty years of economic stagnation¹⁵ for most ordinary Americans, together with an unprecedented concentration of wealth at the top.

Permanently reducing the rate of legal immigration, perhaps by a factor of 50% or more, would solve many of these problems, with the exact allocation of the remaining slots being subject to negotiation.

- **Raising the Minimum Wage**

Obviously, large cuts in legal immigration would be meaningless unless the legislative package also contained credible means of drastically reducing future illegal immigration, a promise often made but never kept. However, a crucial difference is that the prospective political coalition being assembled would exclude most of the traditionally pro-immigration, pro-business wing of the Republican Party, thereby allowing a much different approach to the issue, which might also greatly broaden the potential popular appeal.

For example, I have long argued¹⁶ that the best and most effective means of reducing illegal immigration is a large increase in the minimum wage.

The vast majority of illegal immigrants come to America for jobs, and our pundits are correct in saying “they take the jobs that Americans won’t.” But the reason that Americans won’t take those jobs is often that the wages are just too low. Only recently-arrived illegal immigrants are desperate enough to take many of those terrible, low-paying jobs.

A large hike in the federal minimum wage—perhaps to \$12 per hour—would eliminate this problem. Americans and established immigrants would flock to such positions once the wages were more reasonable, while the relatively small number of jobs that disappear would be those that require exploitation of an ultra-low-wage workforce, jobs that should have no place in a developed economy.

Enforcing minimum wage laws is far easier than enforcing immigration laws, and penalties could be strengthened for cases of serious “wage theft.” Once the magnetic lure of low-wage job openings had vanished, other immigration enforcement measures would immediately become much more effective, and future inflows could be reduced to minimal levels. In effect, a high and strictly enforced minimum

wage functions as an invisible economic wall, probably much more effective at deterring border-crossers than anything built of concrete and steel.

Meanwhile, a much higher minimum wage would also automatically reduce many of means-tested social welfare benefits currently going to low wage workers. American businesses would be forced to pay their own employees rather than shift so much of the cost to ordinary American taxpayers.

Over the last few years, raising the federal minimum wage has become a central policy goal of most Democrats, but has invariably been blocked in Congress by conservative Republicans. However, once that proposal is reframed as an immigration control measure and embedded within a much broader package focused on that issue, many of the more rightwing Republicans would probably come on board, propelled by their stridently anti-immigration base. Meanwhile, incorporating a large minimum wage hike would guarantee the enthusiasm of those Democrats less concerned with immigration issues.

- **Dealing Humanely with Illegal Immigrants**

A much higher minimum wage combined with strengthened immigration enforcement measures should be able to reduce future illegal immigration to minimal levels, while large, permanent cuts in legal immigration should eliminate the population pressure driving America toward becoming a low-wage society and reducing the quality-of-life for American workers.

But any agreement on these necessary longer-term policies would also have to deal humanely with millions of existing undocumented residents, who had arrived during an era when the government did not seriously enforce its immigration laws.

Any politically viable proposal would need to offer permanent residency and perhaps eventual citizenship to individuals who have already lived in the United States for many years, had no criminal record, and possessed strong ties to the local community, such as American-born family members.

Meanwhile, a large hike in the minimum wage and stronger employment enforcement laws would eliminate the jobs of many of lower-skilled immigrant workers too recently arrived to qualify for a change in status. Such existing illegal residents should be offered free transportation back to their home countries, together with a generous one-time cash settlement, perhaps as high as \$5,000 or even \$10,000 per adult, encouraging them to come forward and accept permanent deportation, an investment that would be very cost-effective for the American taxpayer. (Naturally such payments would require a written commitment not to return, enforced by serious criminal penalties.) With their jobs having disappeared, it seems likely that most of the more recently arrived immigrants would find such a financial offer very attractive, completely obviating the need for any harsh federal “deportation force.”

- **Reforming the Abusive H-1B Immigration Visa System**

One of the strongest constituencies currently backing higher levels of immigration is Silicon Valley, primarily due to the acute shortage of H-1B visas for specially skilled foreigners, now capped at 85,000 per year.

However, as a series of articles in the New York Times has demonstrated, this shortage is entirely artificial. Outsourcing companies have been gaming the H-1B system¹⁷ and capturing the bulk of the visas, then using these to import large numbers of low-wage immigrants as replacements for experienced, higher-paid American tech workers. Thus, the poorly-designed current visa system

severely undercuts middle class wages while also harming the international competitiveness of America's best technology firms by unreasonably restricting their own supply of elite foreign hires. An effective means of addressing this situation would be to reform the H-1B system by having the government auction off the visas,¹⁸ thereby ensuring that they go to those companies for which they provide the greatest economic value. Such a bidding process would also end the ongoing job loss and downward wage pressure experienced by regular workers in the industry.

Incorporating such H-1B visa changes into the proposed immigration reform package might have an excellent chance of bringing major elements of the powerful technology industry into the political coalition supporting the legislation. Meanwhile, since the overall number of such visas would remain unchanged, anti-immigration groups are unlikely to protest this change, while tech worker organizations might become enthusiastic at the prospects of finally ending of the continual downward wage-pressure they have long been experiencing at the hands of low-end outsourcing companies.

Decades of angry and fruitless struggle over immigration issues have surely persuaded most cynical observers that any significant change—let alone a major breakthrough—is almost impossible, and the hardened political trench-lines are unlikely to be broken for the foreseeable future. Lobbyists still promise eventual victory, thereby collecting their regular paychecks from donors, while activists continue organizing their protests, but few others believe that anything will ever actually happen.

However, an unexpected strategic realignment, joining America's leading pro-immigrant and anti-immigration forces, would completely transform this deadlocked political landscape, cutting across the defensive lines in diagonal fashion and creating possibilities where none had previously existed. Such an unlikely alliance would also surely attract the sort of intense media coverage able to focus enormous national attention on the issue, thereby pressuring our elected officials to produce actual legislation.

Furthermore, this sort of a trans-ideological alliance might also help soften the exceptional bitterness that currently pervades the immigration debate, as the various zealous partisans discovered to their amazement that their longtime adversaries were not necessarily so hostile to their own primary objectives. Given America's enormous ideological and ethnic diversity, healing these existing national wounds would be a very welcome development.

Many political analysts might reject this sort of scenario as a pipe-dream, believing that no political conflict so contentious and longstanding—especially one possessing such strong ethnic overtones—could possibly be resolved in so simple and relatively amicable a fashion. Yet ironically enough, something very similar happened less than twenty years ago on another such issue, itself also closely tied to immigration.

For decades, one of America's most bitter educational struggles, heavily laced with ethnically divisive rhetoric, had centered on the issue of so-called "bilingual education," namely whether young immigrant children should be taught for years in their own native language or instead should be immersed in English from their first day of school. Opponents of these programs, ranging from mainstream conservatives to anti-immigrant activists, regularly denounced them as motivated by Latino separatism, perhaps even laying the groundwork for an eventual secessionist movement along the lines of the French population of Quebec. Meanwhile, outraged Latino politicians and liberal activists energetically defended that system, regularly accusing its critics of racist or nativist sentiments. The harsh rhetoric and angry partisans on both sides poisoned the public dialogue and the likelihood of any resolution seemed minimal.

However, in the late 1990s, I and several others launched a major project to shift the debate from the ideological to the practical and pedagogical, focusing on the simple question of whether or not the programs actually worked, and catalyzing our efforts around a series of successful ballot initiatives. Prompted by this campaign, the national media began exploring these entirely different issues, and soon discovered that English language immersion was much more successful,¹⁹ as well as also being far more popular²⁰ among actual immigrant Latino families themselves. As a consequence, native-language instruction programs gradually faded from the national curriculum, and indeed the very term “bilingual education” has largely disappeared from the media lexicon²¹ over the last dozen years. A decades-long political conflict, bitter and ethnically-charged, evaporated so completely that a younger generation may scarcely be aware that it ever even existed.

We can only hope that our ongoing “Immigration Wars” might similarly be resolved and almost totally forgotten within such a short period of time. Another twenty years of total political deadlock on the issue might be disastrous.

For Further Reading:

- California and the End of White America,²² *Commentary Magazine*
- How the Republicans Lost California,²³ *The Wall Street Journal*
- Immigration, Republicans, and the End of White America,²⁴ *The American Conservative*
- The Myth of Hispanic Crime,²⁵ *The American Conservative*

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