There are few domestic issues that have become more divisive and passionate in the US than debates about immigration policy. The same is true for different reasons in much of Europe, and to a lesser degree perhaps in Japan. It is unfortunate that much of the discussion of these topics in the press and media, and some research efforts as well, have been afflicted by excessive and sometimes absolutist claims – on all sides.

In large part this is because the subject is inherently an emotional one, about which many people have strong personal commitments. In addition, too many analysts, pundits, and editorial writers write and talk about immigration policies in bloodless abstract language such as “labor”, “human capital”, “skills”, or “age composition.” Of course for some purposes it is useful to think of international migration in such abstract terms. Yet it must be said that such conceptualizations are clearly insufficient reflections of the realities involved in international migration.

Many journalists evidently have no doubt about this, focusing their writing on far-from-abstract “human interest” stories about immigrants and their experiences. Debates about immigration policies involve not only economic and demographic aspects, but also those core attributes of human beings that social scientists are fond of calling “socially constructed” -- nationality, race, religion, gender, language, culture, and ideology. Indeed most people see the subject as inherently about human beings -- flesh-and-blood people who like all people carry their own beliefs, commitments, faith, loves, hates, etc.

There is another, more calculated reason that excessive and absolute claims about the pros and cons of different immigration policies dominate US debates -- for the subject is one that is surrounded on all sides by advocacy groups. Some of these groups are national, well-financed and well-organized, others less so. But most advocates routinely put forward claims that are one-sided, and lacking in the nuance that is appropriate to the topic. A bit of time on the internet will produce numerous articles, speeches, blogs and position papers that happily portray immigrants to the US in such exaggerated ways:

- as either major contributors to national prosperity… or as serious drains on national income.
- as ambitious and hardworking strivers who seek to better their lives by immigrating… or as freebooters seeking the benefits of publicly-financed health, welfare and education benefits
- as committed to and demonstrating real success in integrating into US society… or as perpetuating social divisions and poverty by choosing to reside in immigrant enclaves
- as enthusiastic supporters of US society, indeed adoptive patriots with a high propensity to national service in the US military … or as residents-of-convenience, of questionable loyalty, who seek only economic advantage and contribute to political divisiveness, extremism and even terrorism
- as the world’s “best and brightest”, talented scientists and engineers whose high skills contribute to US competitiveness … or as poorly-educated and low-skilled workers whose US
earnings may be higher than in their home countries but less than the costs of services they impose on other US taxpayers.

In reality absolute statements about the characteristics and impacts of US immigration are usually quite wrong, or at least misleadingly incomplete. For those who seek to understand rather than advocate, navigating these contesting claims is a challenge. There are many complexities and crosscutting currents that characterize both migration itself and its impacts. The subject is one of nuance and trade-offs rather than absolutes.

Yet exaggerated claims continue to be invoked as part of the strategies pursued by the many interest groups that have come to dominate public discourse about US immigration. This should not surprise anyone – it is what advocates do. The surprise is how so many who are not involved in advocacy seem willing to accept advocacy claims as credible.

**US opinions about immigrants and immigration**: All available evidence suggests that the American public has much more complex views about immigration than might be imagined by listening to advocates on all sides who claim to represent “the public interest”.

The most important generalization is this: by the standards of most industrial countries, Americans are generally rather positive and receptive to immigrants as individuals and their families. There is a powerful and widely-embraced American narrative about the positive roles played by immigrants in the historical development of the country, and most American families can identify immigrants (or forced migrants in the case of most African-Americans) among their own ancestors. Indeed there is a thread of widely-shared American narratives about immigration that can even verge into the realm of the romantic.

And yet there is dissonance as well. While majorities of Americans do hold positive views at the micro-level about immigrants and their families, a majority of the same people also expresses concerns at the macro-level about immigration. It is at this macro-level of “immigration” and “immigration policy” that many Americans express opposition. Their concerns are not based upon antipathy toward immigrants or their families, but instead about the aggregate size and impacts of recent migratory movements.

The key point to keep in mind is that people can easily be positive about “immigrants,” and at the same time critical of “immigration” and the policies that underlie it. This distinction between the micro- vs. macro-level can be a fundamental one, but it is all too common to see pundits, journalists, and politicians conflate the levels by describing people who are defend current immigration policies as “pro-immigrant” and those who are critical as “anti-immigrant” – rather than as respectively supporters or critics of current immigration policies.

The salience of this distinction between the micro- vs. macro-level of analysis is not lost upon the many advocates surrounding the immigration debate. They understand that responses to public opinion polls not only vary according to how the questions are framed, but also based on the level of the phenomenon about which the survey questions are addressed. For this reason it is common to see advocacy groups that seek to expand or maximize immigration framing survey questions at the level of
the individual immigrant or family: Do respondents believe that immigrants whom they know or work with are hard-working? Are they law-abiding? Family-oriented? “Good people”?

In contrast, advocacy groups that seek to limit or reduce the volume of immigration tend to frame their survey questions at more macro levels: Do respondents believe that the levels of immigration are too high, too low, or about right? Do they think that the volume, speed, and nature of recent immigration movements leads to positive or negative effects upon employment and unemployment, housing, crime, social tensions, education, public benefits?

Even the choice of terminology that such groups use to describe the same phenomena carry with them highly rhetorical content. Name-calling is common, as are both loaded terms and euphemisms. Figure 1 provides examples of the terminology preferred by each side to describe the same phenomena, and many other examples could be provided.

<Figure 1 about here>

Still, because Americans generally express positive views about immigrants at the micro level, there actually is much less rhetoric in the US that is truly anti-immigrant than is found in many European countries. (The US press often reports similar negative views about immigrants in Japan, but these reports may not be accurate. I defer entirely to our Japanese colleagues on this question.)

It is quite true that some advocates who are advocate for more limited immigration conflate “immigrants” with “illegals,” criminals, drug-traffickers, and sometimes even terrorists. It is also quite true that some who advocate for expanded immigration portray their opponents as “nativist” or “racist” or worse. ¹ But generally speaking the rhetoric from both perspectives is directed against policy opponents, and not against individual immigrants or immigrant families at the micro level.

Is immigration policy a party-partisan issue?

Contrary to frequent assertions in US media, over the past 3-4 decades immigration policy has not been primarily an issue between the two parties – Democrats and Republicans. In reality both parties have been deeply divided among themselves, primarily along lines of regional differences, economic interests, ethnicity, etc.

¹ The Institute for Research and Education on Human Rights in Kansas City describes organizations arguing that current immigration flows are too large as “anti-immigrant organizations” comprising “the Nativist Establishment Coalition”. See Davin Burghart and Leonard Zeskind, “Beyond FAIR: The decline of the established anti-immigrant organizations and the rise of Tea Party Nativism”, Kansas City, MO: Institute for Research and Education on Human Rights, 2012.
It is no accident that the last legislative efforts to adopt large-scale legalization and temporary worker programs, in 2006-2007, were sponsored and energized by the late Senator Ted Kennedy, one of the longtime leaders on the left of the Democratic Party, and Senator John McCain, a center-right Republican and of course his party’s Presidential nominee in 2008. (Their bipartisan effort failed.)

Both support and opposition to US immigration policies have therefore long been bipartisan positions. Yet it is only fair to add here that in recent years debates about immigration policy have seemed gradually to become more partisan, due to shifts within each of the parties.

Increasing proportions of Democrat politicians have gradually embraced proposals to legalize millions of unauthorized migrants. Pundits of all political persuasions describe their goal as taking advantage of Democrat’s electoral advantage among ethnic groups with large numbers of immigrants, especially Hispanics. While this explanation may be true for some Democrats, there are other reasons too. Ethnic and religious groups cut across the two parties, and have their own impacts independent of party ideology. For example, some of the Democratic leaders on this issue (such as Senator Kennedy, former Congressman Morrison) have identified themselves as Irish-American politicians, and believed that facilitating more immigration is supported by their Irish-American constituents. Similar effects may be discerned among politicians who identify themselves with other ethnic groups, including Mexican-Americans, Cuban-Americans, Puerto Ricans, Jews, African-Americans, Poles, Arabs, and others.

Perhaps more important are the roles played by economic interest groups – especially in labor-intensive agriculture and high-tech industry – that have energetically used their lobbying and political fundraising capacities to promote expanded admissions of immigrants or temporary workers for their businesses. Some of these groups have disproportionate clout in some regions, especially in the largest state of California. It should not therefore be surprising that the predominantly Democratic members of the Senate and House of Representatives from that state have reflected that orientation by favoring expansive immigration, both unskilled for labor-intensive farm employers and skilled for high-tech employers.

Meanwhile larger proportions of Republican politicians gradually have increasingly embraced enhanced law enforcement measures. They also have opposed proposals (bipartisan efforts by some from both parties) that would grant legal status to a large fraction of the 10-11 million unauthorized migrants estimated to have accumulated in the US since the late 1980s, when some 3 million were legalized. Once again pundits of all stripes opine that in so doing they seek to solidify their support among populist and grass-roots groups that have challenged the Republican leadership, most recently under the banner of the “Tea Parties”. Once again the reality is more complex than that, and the positions taken by Republican politicians are driven by a similarly large range of political, ideological and other factors. Meanwhile other Republicans (along with some Democrats) support the demands of employers who have pushed for policies to admit large numbers of temporary workers and opposed more effective enforcement of immigration laws.

In short, immigration has long been an issue that tends to divide rather than unite each of the two political parties. Yet in recent years the issue does appear to be gradually shifting toward more of a party-partisan issue. We should not exaggerate the degree of partisanship however. Though there are signs of gradual polarization between the two parties, Democrats are still divided on the issues and so
too are Republicans. Immigration policy continues to be still primarily driven by interest-group politics and advocacy that involves bipartisan coalitions.

A Rare Area of Consensus: Criticism of Current US Immigration Law and Practice: While there is a continuing cacophony of disparate advocates arguing for their mutually unacceptable positions, it is nonetheless difficult to identify many who actually support the highly complex legal and administrative immigration system that has evolved in US legislation and practice over the past 40-50 years. To the contrary: the most commonly-appearing adjectives for this system – and on all sides of the passionate debate on which there is otherwise little in the way of consensus -- are words such as “broken”, “failed,” “disaster”, “corrupt”, even “suicidal.”

As one key indicator of policy failure, all cite the following apparent fact: of the 21.6 million non-citizens officially reported to be resident in the US as of 2010, fully one-half (ca. 10.8 million) are resident without any legal authorization. Everyone agrees that this demonstrates that the immigration system is “broken.”

On this there is consensus, but immediately followed by sharp disagreement about just how it is broken. For those who wish to expand immigration, the fact that half of the resident non-citizens are unauthorized by law means that the current immigration system simply fails to provide enough legal pathways for migrants who wish to enter and for their employers who wish to hire them. For those who wish to restrain immigration, the it means that the immigration system as structured is ineffectual in enforcing existing laws. The same fact evokes utterly opposed interpretations. All agree that the current system is a failure, but their proposals to fix the failed system are fundamentally incompatible.

Moreover, while nearly everyone is seemingly highly critical of the existing system, it has so far proven politically impossible to reform it. How can this be in a liberal democracy, in which representatives are elected by constituents to reflect their collective views?

The answers to this apparent paradox again lie in part in the active lobbying surrounding the issue. Immigration policy has generally been seen as the prerogative of the legislative branch, and Congress has increasingly come to be dominated by the activities of well-organized interest groups, often assisted by highly-paid professional lobbyists. The professional lobbying activities are supported financially by dues paid to industry associations or to individual membership organizations, by grants from committed foundations and philanthropic sources, by corporations and economic interests that benefit substantially from immigration, and others.

Interest groups with opposing views vie for Congressional support, but none has proven to have the support to “win”. Instead they succeed only in neutralizing one another, thereby producing continuing stalemate. Those supporting either expanding or restraining immigration policies have proven unable to achieve their goals, but each has been able to block their opponents’ efforts from succeeding. For many such advocacy groups, the status quo (which all agree is a “failure”) is a second-best situation to be sure, but still preferable to allowing their opponents to achieve their goals.
A second explanation of stalemate is the large (and growing?) gaps in key aspects of US politics and society that relate to immigration. Many such lacunae are apparent, but in this brief presentation only a few can be discussed, including:

**Gaps among regions:** The US, a country of continental size, includes disparate regions whose representatives routinely pursue their own divergent interests at the national level. With respect to immigration, the regions of the Southwest (including most prominently the large state of California) have long dominated immigration policy at the national level, especially with respect to low-skill agricultural workers.

**Gaps defined by economic interests:** Economic interest groups play large roles in US politics, with its heavy (and increasing) dependence upon large volumes of money needed to finance political campaigns every two to four years. The most prominent economic interests in advocacy on immigration include employers concentrated in a few industries: agriculture (mainly labor-intensive fruit and vegetable growers heavily concentrated in the Southwest), information technology, construction, “hospitality” (i.e. hotels and restaurants), and nursery/landscaping. Some labor unions also are among the active economic interests, as is higher education. However, it must be kept in mind that foreign-born workers (including those who naturalized long ago) account for only about 16% of the overall US workforce,² so it is not appropriate to generalize to the US workforce from those few industries and occupations with much higher percentages.

**Gaps between ethnic groups:** Organizations claiming to represent some US ethnic groups have been actively engaged in lobbying on immigration policy, often for policies that would increase the number admitted from their groups. The most visible such groups include Mexican-American, Central American, Haitian, Filipino, Irish, and more recently (Asian) Indian.

**Gaps between elite and public opinion:** There is strong evidence of large gaps in opinion about immigration (at the macro level) between US elites and US publics. In 2002 and again in 2004, the Chicago Council on Foreign Relations fielded the same survey questionnaire both to a national representative sample and to a selected sample of elites (“leaders”).³ The Council’s summary for the 2002 study was succinct:

> Immigration----widely seen as a threat to low-wage American workers and as a possible source of terrorism----draws remarkably stronger reactions from the public than from leaders.

**Regarding unauthorized/illegal migration:**

> The foreign policy goal of reducing illegal immigration is a far higher public priority [than leaders’ priority] by a 48 point margin. The public is substantially more alarmed by

² Passel and Cohn, need full reference

³The group included 100 Congressional members and senior staff, numerous Executive branch officials, university administrators and professors, senior journalists, and leaders of corporations, unions, religious organizations, and interest groups.
immigrants and refugees coming into the United States as a critical threat to U.S. interests by a 46 point margin (60% of the public versus only 14% of leaders). By large, 39 point gaps, the public is more favorable to decreasing legal immigration (57% vs. 18%) and to combating international terrorism by restricting immigration from Arab and Muslim countries (79% vs. 40%).

The 2004 report found that negative public opinion about immigration declined somewhat from that in 2002, in part due to lessened concern about terrorism. However the large gap remained between the opinions held by the public and leaders. As may be seen in Figure 2, among the “leaders” group in 2004 some 33% wanted to increase legal immigration, vs. only 11% of the public opinion sample. In the same poll, only 10% of the “leaders” group wished to decrease the level of legal immigration, while fully 54% of the public opinion sample supported such decreases. It is unfortunate that this kind of study comparing elite and public opinion has not been repeated since 2004.

<Figure 2 about here>

Overlapping Ideologies and right-left coalitions:
The large gap between elite and public opinion is particularly visible among the editorial boards of leading newspapers, whether their ideological orientations y tilt toward the “conservative” or “liberal.”

Anyone reading the (mostly “liberal”) editorial pronouncements in the New York Times, Washington Post and Los Angeles Times alongside those of the (mostly “conservative”) Wall Street Journal might conclude that Americans of all political persuasions --- right, left, and center --- favor increases in immigration, though it is evident from opinion polls that this is not the view of the public. The New York Times editorial writers disagree with those at the Wall Street Journal on nearly everything except that immigration should be expanded. Indeed the Wall Street Journal editorialists have on two occasions formally called for elimination of all numerical limits on admissions of immigrants to the US. European observers find this difficult to understand as a “conservative” position given the negative views about immigration held by most European conservative groups, and I would guess the same might be true for Japanese observers.

5 For an international audience a clarification of the terminological problems surrounding the word “liberal” is appropriate. This word has a wide range of meanings, and does not translate well across countries and languages. The conventional American usage is often confusing to observers in other countries, for whom the term “liberal” is tied to classical arguments associated with Adam Smith and John Stuart Mill in support of unfettered market capitalism, individualism, and the defense of private property – views far more common among American “conservatives” than “liberals”. One recent American analysis describes the comparative political landscape as follows: “Modern liberalism [in the US sense] occupies the left-of-center in the traditional political spectrum and is represented by the Democratic Party in the United States, the Labor Party in the United Kingdom, and the mainstream Left (including some nominally socialist parties) in other advanced democratic societies.” N. Scott Arnold, Imposing values: an essay on liberalism and regulation (New York: Oxford University Press, 2009), p. 3. Some American liberals now prefer to describe themselves as “progressives”.
6 It would be more accurate to describe the Wall Street Journal editorial positions as “libertarian-conservative” or “libertarian-right.” This perspective is distinctive to the US; there are few examples in other developed countries.
One result of these ideological overlaps among elite opinion leaders has been the creation of unusual Left-Right coalitions on immigration policy. One author published in Wired magazine described such a coalition formed as early as 1995. Its members met every two weeks to discuss common actions toward expanding immigrant admissions in one or another category. The article described the coalition as “by any standard, a crew of staggering ideological eclecticism.”

Figure 3 illustrates the crosscutting nature of the politics by providing a rough 2x2 matrix in which it locates some of the most visible opinion leaders by their general political orientations as well as their positions on immigration policy.

The Best and the Brightest:

Many governments, including that of the US, have embraced the idea that their immigration policies can infuse their workforces with the skills and capacities that will propel their economies to world-class levels of competitiveness. Advocates describe such migrants as “the best and the brightest”, the creative geniuses of science and technology, those with scarce and even unique skills that are sorely needed, especially in view of the increasing centrality of science and technology for national prosperity and national security.

Presumably all governments would welcome immigrants who are truly among the “best and brightest” in the world. In science and technology it is not difficult to identify obvious examples in this category. Consider for example that Albert Einstein, Andrew Grove, Tim Berners-Lee, Stephen Chu, and a substantial number of others who later became Nobel laureates have all been either immigrants or refugees to the US. Whether they migrated to the US in pursuit of greater opportunities or under the pressure of persecution, all have made major contributions to scientific knowledge and to modern technologies. It is more difficult to assess the parallel claims made by some advocates about foreign-born persons who migrated to the US as small children, received all or most of their education in US institutions, and later went on to become accomplished scientists and technology innovators. Oft-cited examples in this category include, among others, Jerry Yang (a co-founder of Yahoo whose father had

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9 See Paula Stephan and Sharon Levin, “Foreign Scholars in U.S. Science: Contributions and Costs”, in Paula Stephan and Ronald G. Ehrenberg, eds., Science and the University (Madison, WI: University of Wisconsin Press, 2007). To be fair, it must be acknowledged that many of these people migrated to the US while already well into distinguished careers.
died in Taiwan when he was 2 and who was 10 years old when his mother migrated to the US with her two young sons), or Sergei Brin (a co-founder of Google who was 6 years old when his family migrated from Russia).10

Intellectual giants who were immigrants or refugees to the US are real, and their importance should not be minimized. Moreover, comparable cases of migrant geniuses almost certainly will occur in the future. The limitations of this argument is not with governments’ interest in attracting those who are genuinely the “best and the brightest” – a highly attractive and positive-sum goal of immigration policy - - but rather with the actual policies that governments adopt and the way they implement them. If judged by the proportion of total immigrant admissions who are truly among the “best and brightest,” most government immigration policies seem to perform rather badly.

For the US, success would mean that truly outstanding scientists and engineers would represent more than a few percent of the more than one million annual immigrants to the US, i.e. many tens of thousands each year. Instead US policies admit only small percentages based on applicants’ education and skills, and among these even fewer could be judged to be truly among the “best and brightest.” The policies as they operate do admit larger fractions that could fairly be described as competent professionals, but also even larger proportions who by US (and Japanese) standards are quite poorly educated and low-skilled.

Official policy in Japan since 2010 has embraced a “New Growth Strategy” that includes a doubling of the number of “highly-skilled migrants”, as described in Dr. Oishi’s presentation. What cannot be discerned from the policy is what is meant by “highly-skilled.” Are the migrants in this category highly-skilled compared with the average skill level of the population of Japan? To the average skills of the Japanese science and engineering workforce? Or is the category termed “highly-skilled” referring to the very top tier of talent -- the 1% or 5% who can accurately be described as outstanding, extraordinary, exceptional – whose capabilities can leverage far greater R&D productivity that those in the second decile or below?

Inspection of the visa point system summarized by Dr. Oishi suggests that any master’s-level scientist or engineer with 10+ years of experience and a salary of ¥10 million (US$80,000) would meet the admission criterion of 70 points. The data presented about the age distribution of migrant engineers to Japan indicates that about 65% are aged 29 or less (and that 90% are aged 39 or less). The reported remuneration rates for migrant engineers in Japan do not suggest that most are in the top tiers: ~70% earn less than $60,000, and of these 3/5 earn less than $30,000. These data warrant discussion to understand what they can tell us about the extent to which current Japanese policies, whatever their intent, are admitting large fractions of truly “highly-skilled” engineers of exceptional quality, or large fractions of unexceptional engineers who receive low levels of remuneration.

10 The case of the late Steve Jobs offers an even stronger example of the potential economic impacts that a single remarkably-creative individual can have. Jobs was not an immigrant, but he was raised by adoptive parents; few would attribute his remarkable technical and marketing achievements to his being adopted.
Summary: US policy on immigration is emotional, stalemated, and full of contradictions. There is broad consensus that current US immigration policies are “failures,” but passionate dissensus as to what aspects have failed. No policy reforms have proven politically possible. Advocacy groups on all sides are able to block success for their opponents, but unable to succeed in achieving their own goals. The language of media coverage and political discourse tends toward the absolute and exaggerated, and yet the topic is complex and full of trade-offs. Americans generally have positive views of immigrants at the micro-level, but negative views of immigration policy at the macro-level. There are large opinion gaps between the public and elites on these issues. Differing positions on immigration long have long shared across party lines accompanied by deep divisions within each party, though in recent years a more partisan tone has been appearing.

With respect to policies in the US (and in Japan) described as admitting “highly-skilled” migrants who are the “best and brightest” of global talent, it remains to be determined whether as implemented such admissions achieve their declared goals, or instead are dominated by competent science and engineering professionals who in quality terms differ little from the domestic workforce but receive lower levels of average remuneration.
Advocates for expanding immigration

Undocumented, irregular
Undocumented taxpayers
Immigrants, workers
Earned legalization
Workers needed by employers
Hard-working migrants
Victims of racial, ethnic profiling
Identification as threat to privacy
Employer sanctions
Deny basic human right to work
Opponents = restrictionists, closed borders
Nativist, Nazi, racist
Family reunification
The best and the brightest
Keys to innovation/competitiveness

Advocates for limiting immigration

Illegal
Illegal users of public benefits
Aliens
Amnesty
Cheap labor for employers
Law abusers
Targeted law enforcement by police
Identification as proof of eligibility
Enforcement of labor laws
Reducing unlawful job magnet
Opponents = admissionists, open borders
Enforcement of immigration law
Chain migration, nepotism
Cheap technical labor for employers
Undercut high-skilled US professionals

Figure 1: Terminology and euphemisms used by contesting advocates
Figure 2: Opinion on legal immigration levels among US public and leaders

**Figure 3:** The Right-Left terrain of US opinion leaders and advocacy groups on immigration policy

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<tr>
<th>Immigration policy orientation</th>
<th>Political orientation</th>
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<td><strong>LEFT</strong></td>
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<td>National Association of Manufacturers</td>
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<td>National Immigration Forum</td>
<td>US Chamber of Commerce</td>
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<td>Ethnic lobby groups (some)</td>
<td>US Catholic Bishops</td>
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<td>Labor unions (divided)</td>
<td>Americans for Tax Reform</td>
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<tr>
<td>Protestant &amp; Jewish religious leaders</td>
<td>Employer associations (especially California agriculture, hotels and restaurants, etc.)</td>
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<td><strong>RESTRAINING</strong></td>
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