

**Testimony of Tom K. Wong Before the U.S. Senate Subcommittee on Immigration,  
Citizenship and Border Safety  
May 12, 2021**

Chairman Padilla (D-CA), Ranking Member Cornyn (R-TX), and members of the subcommittee, thank you for inviting me to testify before you today on the essential role of immigrant workers in America. My name is Tom K. Wong and I am an associate professor of political science at UC San Diego, which is consistently ranked as one of the top ten political science departments in the country. I am also founding director of the U.S. Immigration Policy Center and a senior fellow at the Center for American Progress.

It has been more than a year since the global COVID-19 pandemic changed our lives. As a working parent, I recognize that while adjusting to a home work space with my children has been challenging, the ability to remain at home in a safe environment is a privilege that has not been afforded to the millions of Americans on the pandemic's front lines.

Approximately 5 million immigrant essential workers who lack permanent legal status have joined their fellow Americans on the front lines to keep our loved ones healthy, working as health care practitioners and in healthcare support occupations. They have kept us fed by working in our nation's food supply chain. Workers deemed essential today should not live with the uncertainty and fear of deportation tomorrow. But each day that goes by without meaningful immigration reform, the fear of deportation or separation due to immigration status is an added burden to the millions of immigrant essential workers and their families in this country. Indeed, immigrant essential workers who lack permanent legal status have earned a pathway to citizenship. A pathway to citizenship for these workers is crucial not only for just keeping families together, but also for an inclusive and robust post-pandemic rebuilding of America.

**More Than 5 Million Essential Workers are Immigrants Who Lack Permanent Legal Status**

An estimated 5 million essential workers, as defined by the U.S. Department of Homeland Security (DHS), are immigrants who lack permanent legal status.<sup>1</sup> Nearly one million of these workers live and work in California and just under 850,000 live and work in Texas. Moreover, new immigrant destination states like North Carolina are home to just over 150,000 immigrant essential workers who lack permanent legal status.<sup>2</sup> Over half a million immigrant essential

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<sup>1</sup> Nicole Prchal Svajlenka, "A Demographic and Economic Profile of Undocumented Workers on the Pandemic's Front Lines," Center for American Progress, February 18, 2021, available at: <https://www.americanprogress.org/issues/immigration/news/2021/02/18/495992/demographic-economic-profile-undocumented-workers-pandemics-front-lines/>. Results independently replicated by Wong.

<sup>2</sup> An estimated 34,700 immigrant essential workers who lack permanent legal status live and work in Arkansas; 53,000 live and work in Connecticut; 11,800 live and work in Delaware; 17,300 live and work in Hawaii; 28,900 live and work in Louisiana; 39,600 live and work in Minnesota; 209,400 live and work in New Jersey; 43,300 live and work in South Carolina; and 63,500 live and work in Tennessee.

workers who lack permanent legal status are Deferred Action for Childhood Arrivals (DACA) recipients and an Temporary Protected Status (TPS) holders.<sup>3</sup>

### *Immigrant Essential Workers in Agricultural Industries and Food Production*

Immigrants have and continue to play an outsized role in our agricultural industries and in food production.<sup>4</sup> Whereas immigrants make up approximately 14 percent of the total U.S. population, immigrants account for approximately 34 percent of all crop production workers and approximately 34 percent of all workers in meat and poultry processing.<sup>5</sup> Importantly, with respect to immigrant essential workers who lack permanent legal status, an estimated 1.7 million work in the U.S. food supply chain, including an estimated 296,300 who work in farming or agriculture and an estimated 205,800 who work in food production.<sup>6</sup> Indeed, these essential workers have helped keep Americans fed throughout the pandemic despite high-profile COVID outbreaks in food processing plants such as meat and poultry processing facilities that have disproportionately impacted Hispanic/Latinx workers.<sup>7</sup>

### *Immigrant Essential Workers in Health Care and Health Care Support*

Immigrants also play an outsized role in health care and health care support occupations. For example, whereas immigrants make up approximately 14 percent of the total U.S. population, immigrants account for approximately 29 percent of all physicians and approximately 39 percent of all home health aides.<sup>8</sup> With respect to immigrant essential workers who lack permanent legal status, an estimated 236,300 work as health care practitioners or in health care support

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<sup>3</sup> Tom Jawetz, "Immigrants as Essential Workers during COVID-19," Center for American Progress, September 28, 2020, available at: <https://www.americanprogress.org/issues/immigration/reports/2020/09/28/490919/immigrants-essential-workers-covid-19/>.

<sup>4</sup> The data presented here come from the U.S. Census Bureau's American Community Survey (ACS). The ACS is administered throughout the year. Depending on the time of year a respondent completes the survey, the ACS likely undercounts the actual number of workers in the highly seasonal agricultural sector. This, coupled with the difficulty of surveying undocumented immigrants, the estimated number of undocumented farmworkers presented here is likely an underestimate. The most recent U.S. Department of Agriculture Census of Agriculture estimates that there are 2.4 million farmworkers in the U.S., compared with the ACS estimate of 1.6 million. Moreover, the U.S. Department of Labor's National Agricultural Workers Survey finds that 49 percent of workers in the field are undocumented. See National Agricultural Statistics Service, "2017 Census of Agriculture: United States Summary and State Data" (Washington: U.S. Department of Agriculture, 2019).

<sup>5</sup> Wong analysis of 2019 American Community Survey (ACS) microdata.

<sup>6</sup> Nicole Prchal Svajlenka, "Undocumented Immigrants in the Food Supply Chain," Center for American Progress, February 2, 2021, available at:

<https://cdn.americanprogress.org/content/uploads/2021/01/01114806/EW-FoodSupply-factsheet.pdf>

<sup>7</sup> Michelle A. Waltenburg, et al., "Coronavirus Disease among Workers in Food Processing, Food Manufacturing, and Agriculture Workplaces," *Emerging Infectious Diseases* vol. 27, no. 1 (January 2021): DOI: 10.3201/eid2701.203821.

<sup>8</sup> Wong analysis of 2019 American Community Survey (ACS) microdata.

occupations.<sup>9</sup> Undocumented health care practitioners include registered nurses, to provide one example, and undocumented workers in health care support occupations include home health aides, to provide another example.

An additional 109,900 immigrant essential workers who lack permanent legal status work in health care settings as medical and health services managers, receptionists, housekeepers, janitors, and cooks in hospitals or other medical facilities, ensuring that these facilities are able to continue to operate.<sup>10</sup> To be clear, whether as registered nurses or as janitorial workers in medical buildings, these essential workers have helped keep Americans healthy throughout the pandemic despite the fact that their work requires that they be in close contact with high-risk and potentially COVID-positive individuals.

### **Immigrant Essential Workers Who Lack Permanent Legal Status Contribute Billions in Taxes Annually**

Immigrant essential workers who lack permanent legal status contribute billions of dollars annually in federal, state, and local taxes. My colleagues at the Center for American Progress estimate that these workers and their households pay an estimated \$47.6 billion in federal taxes and \$25.5 billion in state and local taxes annually.<sup>11</sup>

### **Immigrant Essential Workers Who Lack Permanent Legal Status Have Deep Roots in American Society**

In addition to their contributions to the economy, the data also show that immigrant essential workers who lack permanent legal status have deep roots in American society. These workers have lived in the U.S., on average, for eighteen years.<sup>12</sup> But they are not just workers, they are also parents, spouses, and members of our communities. An estimated 5-7 million U.S. citizens across the country, including as many as 4 million minor U.S. citizen children, have a parent or spouse who is an undocumented essential worker.<sup>13</sup>

### **Immigrant Essential Workers Will Contribute More to the Economy With Legal Status, Which Benefits all Americans**

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<sup>9</sup> Nicole Prchal Svajlenka, “Undocumented Immigrants in Health Care Roles and Settings,” Center for American Progress, February 2, 2021, available at: <https://cdn.americanprogress.org/content/uploads/2021/01/01114801/EW-Health-factsheet.pdf>. Results independently replicated by Wong.

<sup>10</sup> *Ibid.* Results independently replicated by Wong.

<sup>11</sup> “A Demographic and Economic Profile of Undocumented Workers on the Pandemic’s Front Lines,” Center for American Progress, February 18, 2021.

<sup>12</sup> *Ibid.*

<sup>13</sup> FWD.us, “Immigrant Essential Workers are Crucial to America’s COVID-19 Recovery,” FWD.us, December 16, 2020, available at: <https://www.fwd.us/news/immigrant-essential-workers/>

Immigrant essential workers who lack permanent legal status make significant contributions to the American economy and are deeply rooted in American society. However, their contributions can become greater if these workers are given permanent legal status. For example, wages increased by an estimated 6 percent among a large sample of workers who obtained permanent legal status in the years immediately following the Immigration Reform and Control Act of 1986, commonly known as IRCA.<sup>14</sup> More recently, research on DACA has shown that average hourly wages among DACA recipients have more than doubled, increasing from an average of \$11.80 per hour prior to DACA to \$24.88 post-DACA.<sup>15</sup> Moreover, approximately 6 percent of DACA recipients started businesses after receiving DACA, helping to increase economic activity and create new jobs in communities across the country.<sup>16</sup> Other economists who have looked at the impact of legalization and a pathway to citizenship have found significant increases to overall GDP growth, increased wages for all Americans, not just those who benefit from legalization, and the creation of new jobs.<sup>17</sup>

Having permanent legal status allows workers to maximize the returns to their human capital, as well as to further invest in their education and training, which helps explain these wage increases. This can be summarized by the experience of DACA recipients. Majorities of DACA recipients have moved to jobs that “better fits my education and training,” as well as to jobs that “better fits my long-term career goals,” because of DACA.<sup>18</sup> Increased wages will not only translate into increased tax contributions, but will also add to the estimated \$195.2 billion in annual spending power among immigrant essential workers who lack permanent legal status,<sup>19</sup> which will further contribute to a robust post-pandemic economic recovery.

### **Providing Permanent Legal Status to Immigrant Essential Workers Will not Create a Magnet for More Undocumented Immigration**

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<sup>14</sup> Sherrie A. Kossoudji and Deborah A. Cobb-Clark, “Coming out of the Shadows: Learning about Legal Status and Wages from the Legalized Population,” *Journal of Labor Economics* vol. 20 no. 3 (July 2002): <https://doi.org/10.1086/339611>

<sup>15</sup> Tom K. Wong, et al., “New DHS Policy Threatens To Undo Gains Made by DACA Recipients,” Center for American Progress, October 5, 2020, available at: <https://www.americanprogress.org/issues/immigration/>

<sup>16</sup> *Ibid.*

<sup>17</sup> Robert Lynch and Patrick Oakford, “The Economic Effects of Granting Legal Status and Citizenship to Undocumented Immigrants,” Center for American Progress, March 20, 2013, available at: <https://www.americanprogress.org/issues/immigration/reports/2013/03/20/57351/the-economic-effects-of-granting-legal-status-and-citizenship-to-undocumented-immigrants/>. See also Francesc Ortega, Ryan Edwards, and [Philip E. Wolgin](#), “The Economic Benefits of Passing the Dream Act,” Center for American Progress, September 18, 2017, available at: <https://www.americanprogress.org/issues/immigration/reports/2017/09/18/439134/economic-benefits-passing-dream-act/>

<sup>18</sup> “New DHS Policy Threatens To Undo Gains Made by DACA Recipients,” Center for American Progress, October 5, 2020

<sup>19</sup> “A Demographic and Economic Profile of Undocumented Workers on the Pandemic’s Front Lines,” Center for American Progress, February 18, 2021.

Providing a pathway to citizenship for immigrant essential workers who lack permanent legal status will not create a magnet for more undocumented immigration to the U.S. For example, research has shown that IRCA did not change long-term patterns of undocumented immigration to the U.S. and that undocumented immigration actually decreased in the years immediately following 1986.<sup>20</sup> Moreover, knowledge of the passage of the Comprehensive Immigration Reform Act of 2006 (S.2611), which included a pathway to citizenship for undocumented immigrants, did not increase the intent to migrate among prospective undocumented Mexican immigrants who were surveyed in traditional sending communities in Mexico.<sup>21</sup> This is because the institutional design of legalization programs tends to have two temporal dimensions. The concurrent dimension typically requires that an undocumented immigrant be present in the U.S. *before* the start of any legalization program. For example, although it became law in 1986, an undocumented immigrant needed to be in the U.S. prior to January 1, 1982 in order to be eligible for legalization under IRCA. Whereas the concurrent dimension affects undocumented immigrants currently in the U.S., the prospective dimension affects future flows. More specifically, making all persons ineligible for legalization after the date of enactment is designed to deter persons from coming to the U.S. because of any particular legalization program. Moreover, research has shown that DACA did not have a magnet effect — either in general or on the arrival of unaccompanied asylum-seeking minors to the U.S.<sup>22</sup> More recently, research has also shown that TPS — looking specifically at the Northern Triangle countries of Central America — has not increased undocumented immigration from El Salvador, Guatemala, or Honduras.<sup>23</sup>

## Conclusion

Over 5 million immigrant essential workers currently lack permanent legal status. These essential workers contribute significantly to the American economy and have deep roots in American society. Providing these essential workers with permanent legal status will allow them to realize their full potential, to realize their American dreams. This is not only part of a just, inclusive, and robust post-pandemic economic recovery for all, but can be done without increasing undocumented immigration to the U.S. Immigrant essential workers who lack permanent legal status deserve more than our recognition and our praise; they have earned a pathway to citizenship.

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<sup>20</sup> Pia M. Orrenius and Madeline Zavodny, “Do amnesty programs reduce undocumented immigration? Evidence from IRCA,” *Demography* vol. 40 no. 3 (2003): 437-450.

<sup>21</sup> Tom K. Wong and Hillary Kosnac, “Does The Legalization of Undocumented Immigrants in the US Encourage Unauthorized Immigration from Mexico? An Empirical Analysis of the Moral Hazard of Legalization,” *International Migration* vol. 55 no. 2 (April 2017): <https://doi.org/10.1111/imig.12319>

<sup>22</sup> Tom K. Wong, “Statistical Analysis Shows that Violence, Not Deferred Action, Is Behind the Surge of Unaccompanied Children Crossing the Border,” Center for American Progress, July 8, 2014, available at: <https://www.americanprogress.org/issues/immigration/>

<sup>23</sup> Tom K. Wong, et al., “There Is No Evidence That TPS Designations Increase Irregular Migration to the United States,” Center for American Progress, February 17, 2021, available at: <https://www.americanprogress.org/issues/immigration/>