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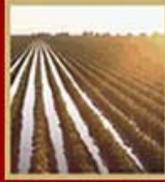
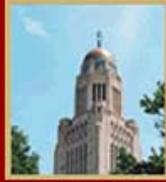
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Immigration Controversies in Nebraska: Policies, Politics, and Public Perspectives

Alan J. Tomkins, Tarik Abdel-Monem,
& Angel Rivera-Colon

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I. Background

Immigration reform has been a part of the United States policy discussions since the 18th century. As early as 1790, Congress was developing laws to allow immigrants to become United States citizens. By 1891, due to the amount of immigrants flowing into the country, the federal government assumed responsibility for immigration control and the Immigration Service was established.¹ Over the past century, policies regulating immigration have transformed reflecting public concern over changing migrant flows into the country. During World War I, immigration levels were relatively low, but when the mass flow resumed post World War I, Congress enacted the Quota Law which set quantitative restrictions based on nationality representation in the United States census.² The American public adopted a more liberal attitude towards foreign immigration following World War II, which lasted relatively up until the late 1970s when the presence of significant numbers of undocumented immigrants raised public concern.³

Currently, it is estimated that there are approximately 12 million unauthorized immigrants living in the United States, with about 55% of that number originating from Mexico. Undocumented immigrants represent more than half of those coming into the nation annually (see Table 1). According to the United States Census Bureau 2006 America Community Survey Fact Sheet, there were an estimated 99,500 foreign born immigrants in Nebraska, constituting 5.6% of the population. (This likely has increased markedly in the past decade.) The majority of the foreign-born population is of

¹ Congressional Budget Office. 2006, February. *Immigration Policy in the United States*. Washington, DC: Congress of the United States. Available online at <http://www.cbo.gov/ftpdocs/70xx/doc7051/02-28-Immigration.pdf>.

² *Id.*

³ *E.g.*, Thomas J. Espenshade. 1995. Unauthorized Immigration to the United States, *Annual Review of Sociology*, 21, 195-216.

Hispanic/Latino descent, and the Latino population increased 155% in Nebraska from 1990 to 2000.⁴ The Pew Hispanic Center estimated that in 2005, there were anywhere from 35,000 to 55,000 undocumented immigrants in Nebraska.⁵

Table 1: Immigrant Flow According to Category of Admission, 2004-2005

Category of Admission	Number	Percent
Unauthorized Immigrants*	1,330,000	54
Legal Permanent Resident**	1,052,415	43
Refugee Arrivals***	48, 217	2
Asylum Seekers***	12,463	1
Total	2,443,095	100

*Source: U.S. Department of Homeland Security (August, 2007) Population Estimates.

**Source: U.S. Department of Homeland Security (March, 2008) Annual Flow Report.

*** Source: U.S. Department of Homeland Security (July, 2008) Annual Flow Report.

For the most part, states have been satisfied to leave immigration decisions to the federal government. However, in the past decade immigration reform has stalled in Congress. States – like the general public – have become frustrated with the lack of action.⁶ Nebraska lawmakers began considering state-level immigration legislation in 2005 and 2006, joining other states which began taking action on their own in lieu of comprehensive federal immigration reform.⁷

⁴ Lisa Knoche, Miguel A. Carranza, & Marcela Raffaelli. 2004. *The Quality of Life of Latino Adolescents in Lincoln, Nebraska*. Lincoln: The Latino Research Initiative. Available online at [http://lri.unl.edu/Quality%20of%20Life%20\(Adolescents\).pdf](http://lri.unl.edu/Quality%20of%20Life%20(Adolescents).pdf)

⁵ Pew Hispanic Center. 2006, April 26. *Fact Sheet: Estimates of the Unauthorized Migrant Population for States based on the March 2005 CPS [Current Population Survey]*. Available online at <http://pewhispanic.org/files/factsheets/17.pdf>. See generally, Jeffrey S. Passel, *Size and Characteristics of the Unauthorized Migrant Population in the U.S.* 2006, March 7. Available online at <http://pewhispanic.org/reports/report.php?ReportID=61>.

⁶ For a very thoughtful treatment of immigration issues in Nebraska, see Strategic Discussions for Nebraska. 2008. *Immigration in Nebraska*. Lincoln: UNL College of Journalism and Mass Communications. Available online at <http://www.unl.edu/sdn/immigration/>. See also, Richard D. Lamm, 2007, July. *Liberals Beware: There is a high cost to “cheap” labor*. *Prairie Fire: The Progressive Voice of the Great Plains*. Available online at <http://www.prairiefirenewspaper.com/2007/07/liberals-beware-there-is-a-high-cost-to-cheap-labor>; Jim Partington. 2007, July. *Federal Immigration Reform and the Future of the U.S. Workforce*. *Prairie Fire: The Progressive Voice of the Great Plains*. Available online at <http://www.prairiefirenewspaper.com/2007/07/federal-immigration-reform-and-the-future-of-the-us-workforce>.

⁷ For an excellent overview, see Senator Brad Ashford & Stacey Trout. 2008. *Review of State and Local Approaches to Immigration Policy*. In Senator Brad Ashford (Ed.), *Legislative Judiciary Committee Interim Study Report on Immigration* (2008, Dec. 11). Available online at

II. Key Immigration Legislation in Nebraska

2006

The first significant Nebraska state legislation passed in recent years was the in-state tuition bill, **LB 239** (*Schimek – Education*), passed over Governor Heineman’s veto 30-16 in the 2006 session. LB 239 allows qualified, undocumented immigrant students to pay in-state tuition rates at the University of Nebraska and state colleges. In order to qualify, the students must either have a petition pending with the federal government to obtain lawful status, or the student has lived in Nebraska with a parent or guardian for three years, graduated from a Nebraska high school, and is applying to be a permanent resident. Nebraska was one of ten states that enacted similar laws to provide resident status for higher education to qualified undocumented students.⁸

Committee Hearing LB 239 (Advance)		
Yes	No	Not voting
Bourne Byers Howard Kopplin Schrock	Raikes Stuhr	McDonald
<i>Proponents</i>		<i>Opponents</i>
Senator Schimek Senator Aguilar Ron Withem Milo Mumgaard Julie Ferris Brian Bennett Cecilia Olivarez Huerta Cris Salinas Catalina Avña Jim Cunningham Darcy Tromanhauser		Susan Tully John H. Copenhauer Frank M. Nowak Jim Fougeron Dick Ternes

http://www.nebraskalegislature.gov/pdf/reports/committee/judiciary/LR362_2008.pdf. Review available online at <http://www.nlc.state.ne.us/epubs/L3750/B054-2008.pdf>.

⁸ Unicameral Information Office. 2006. *Immigrant Resident Student Tuition Bill Passed Over Governor’s Veto*, Unicameral Update, Volume XXIX, No. 15, page 7.

Senators who criticized the legislation included now-Congressman Adrian Smith. Then a state Senator, Smith made his objections clear: “I’m very concerned that the bill encourages more illegal immigration.”⁹ He was not alone: The basic criticism from opponents of the bill was that the law rewards illegal immigration and is inequitable to legal immigrants and residents alike.

Supporters of the bill, like Senators John Synowiecki and Ray Aguilar, argued that the bill was a step towards integration. They argued that a policy encouraging upwards mobility for undocumented immigrants through education would benefit the state and help prevent undocumented immigrants from becoming a permanent underclass. As Senator Synowiecki argued, “Do we want these kids participating in our economy at the university level, or do we want these kids participating in our economy at the GED level?”¹⁰

2007

The next major state legislation considered by the unicameral was a bill that would have allowed Nebraska residents without social security numbers to be eligible for driving privilege cards. The bill, **LB 266** (*Aguilar – Transportation and Telecommunications*), was held in the committee in the 2007 session and did not proceed. The privilege cards would have allowed individuals to legally operate a motor vehicle (but not a commercial vehicle) and would have been considered a valid operator’s permit to obtain auto insurance.

Supporters of the bill argued that its primary purpose was to improve public

⁹ Unicameral Information Office, 2006. *Immigrant Resident Student Tuition Bill Advanced*, Volume XXIX, No. 13, page 4.

¹⁰ Unicameral Information Office, 2006. *Immigrant resident student tuition bill advanced*, Volume XXIX, No. 13, page 4.

safety by increasing the number of legal drivers with mandatory driver's education and auto insurance, because all people basically have to drive regardless of their citizenship or immigration status. Similarly, supporters asserted that allowing undocumented immigrants to continue driving illegally helped supports a "shadow" economy. As Senator Aguilar argued, the status quo "creat[es] criminals and feeding a black market for documents."¹¹ Opponents of the bill argued that providing undocumented immigrants with a permit to drive legally would be rewarding or accommodating illegal immigration. The opponents decisively prevailed.

2008

In the 2008 session, **LB 963** was introduced on behalf of Governor Heineman (*Friend - Judiciary*). **LB 963** had two main components. **First**, it would have prohibited state agencies and political subdivisions from providing federal, state, or local public benefits to anyone not lawfully present in the country. The only exemptions would be for emergency medical benefits, emergency disaster relief, and other assistance necessary for protection of life and safety. **Secondly**, it would have required state agencies and political subdivisions to verify the lawful status of all individuals who applied for public benefits. Citizens would have had to sign an affidavit (a sworn statement of fact) stating they were citizens. For non-citizens, state agencies and political subdivisions would have to have verified legal status using a federal Homeland Security system called SAVE (Systematic Alien Verification for Entitlements). The bill also would have required that a person be lawfully present in the country to qualify for in-state tuition at Nebraska postsecondary to institutions, a change that would have repealed the 2006 law that provided in-state tuition

¹¹ Unicameral Information Office, *Driver's card for immigrants debated*, Unicameral Update, Volume XXX, No. 7, page 10 (2007).

qualified undocumented immigrants. The bill was postponed in committee.

Committee Hearing LB 963 (Postpone)		
Yes	No	Not voting
Chambers McDonald McGill Pedersen Schimek	Pirsch	Ashford Lathrop
<i>Proponents</i>		<i>Opponents</i>
Senator Friend Governor Heineman Jon Bruning Christine Peterson John Albin Doug Kagan John Goodmen Michael McAlpine John Copenhagenek		Chuck Hassebrook James Milliken Jonathan Alvarado Stan Carpenter Lawrence Bradley Sam Franco Darcy Tromanhauser Ryan Murphy Lisa Euchner Cecilia Huerta

Supporters of the bill argued that it would have amounted to savings for taxpayers by not providing public benefits to individuals unlawfully in the state. It would have provided a clear demarcation between who is and is not qualified to receive public benefits. As Attorney General Bruning stated, “At some point you have to draw the line. We draw it at illegal immigration.”¹² Supporters pointed out that SAVE screenings did find 78 individuals who were ineligible for unemployment benefits, a savings of roughly \$225,000.

Opponents of the bill argued that the state should not be in the business of enforcing federal law, and others opposed the bill because it would have repealed the in-state tuition law of 2006. Opponents also cited a similar Colorado statute, which had cost the state of Colorado an additional \$2.3 million increase in administrative costs to screen applications for benefits. Senator Schimek agreed that “saving money... is a worthy goal,

¹² Unicameral Information Office, *Comimittee hears illegal immigration proposals*, Unicameral Update, Volume XXXI, No. 8, page 12 (2008).

but,” she said, “I’m not sure that will be the result.”¹³

Two other immigration bills were introduced in 2007. **LR 224** (*Fulton - Judiciary*) would have encouraged Nebraska state law enforcement agencies to enter into agreements with the federal Department of Homeland Security to enforce immigration laws. The bill was postponed in committee. Supporters of the bill argued that it was necessary for state law enforcement personnel to assist federal agencies in identifying undocumented immigrants. Opponents argued that such a policy would burden state law enforcement personnel with federal duties, and also lead to racial profiling.

Committee Hearing LR 224 (Postpone)		
Yes	No	Not voting
Ashford Chambers McDonald McGill Schimek	Pirsch	Lathrop Pedersen
<i>Proponents</i>		<i>Opponents</i>
Senator Fulton John Copenhavsek Mark McCaffrey Michael McAlpine Dimitrii Kryusky Jeffrey Rue Jan Ream Frank Nowak Dennis Murphy		Cecilia Huerta Darcy Tromanhauser Rebecca Gonzales

LB 1170 (*White - Judiciary*) would have provided the attorney general or a citizen a cause of action (right to sue) against an employer who knowingly or recklessly employs illegal immigrants. An appropriate cause of action would have been to recover costs related to providing public services to illegal immigrants. Proponents of the bill argued that it was intended to punish employers who knowingly hire undocumented immigrants, as opposed to immigrants themselves. Unlike other state statutes that

¹³ Unicameral Information Office, *Comimittee hears illegal immigration proposals*, Unicameral Update, Volume XXX1, No. 8, page 12 (2008).

sanction private employers (that is arguably pre-empted by federal law), **LB 1170** would have recovered costs, not sanctioned employers. Opponents of the law argued that allowing private citizens to file claims would have lead to excessive claims. They also argued that there would have been major implications for the Nebraska business community, such as meatpacking, if the bill was passed. The bill was postponed, but may be re-introduced in 2010 in another form.

2009

A number of immigration bills have been introduced in the current legislative session. Components of LB 963 were revised and submitted as **LB 403** (*Karpisek - Judiciary*). **LB 403** would require state agencies and political subdivisions to verify the lawful status of all individuals who apply for public benefits (excepting certain benefits like emergency medical payments as **LB 963** did). Citizens would have to sign an affidavit stating they are citizens. State agencies and political subdivisions would have to verify legal status by using SAVE (Systematic Alien Verification for Entitlements). Proponents argue the bill would save taxpayer money. In 2008, the state labor department noted that 58 of 3,145 unemployment applicants were found ineligible under SAVE, saving an estimated \$300,000 in paid benefits. They also asserted the bill is not intended to enforce federal laws, which had served as a barrier to other state initiatives that arguably burdened the state with federal law enforcement responsibilities. Senator Karpisek argued that, “This is not a gotcha bill or a bill to deport people. This is just a way for the state to save money by not granting benefits to people who are not here legally.”

LB 34 (*Ashford - Judiciary*) was introduced, proposing that employers be required to use a federal database called E-Verify operated by the federal Department of Homeland Security and Social Security Administration to verify the citizenship status of employees. Employers not using E-Verify would not be eligible for state contracts.

Committee Hearing LB 403, integrated with LB 34 and LB 335 provisions (Advance)		
Yes	No	Not voting
Ashford Christensen Coash Lathrop Lautenbaugh McGill Rogert	Council	
LB 403		
<i>Proponents</i>		<i>Opponents</i>
Senator Karpisek Doug Kagan Catherine Lang Joann Schaefer Robert Hartwig Craig Halverson Richard Miller Dennis Murphy Jan Ream Terri Streeter Jerome Warner Donald Schleiger Dimitrij Krynsky		Rev. Dr. Chuck Bentjen DiAnna Schimek Jose Mendoza Severino Franco Becky Gould Marta Sonia Londono Mejia Robert Dorton Ben Salazar Angel Freytez Luis Lucar
LB 34		
<i>Proponents</i>		<i>Opponents</i>
Sen. Ashford Douglas Kagan Robert Hartwig Lance Hedquist Susan Smith Craig Halverson Lydia Halverson Dimitrij Krynsky Dennis Murphy Jan Ream Terri Streeter Jerome Warner Donald Schleiger		Rev. Dr. Chuck Bentjen DiAnna Schimek Jose Mendoza Joseph Ramirez Anita Maddali Becky Gould Ricardo Castro Marta Sonio Londono Mejia Alan Potash Robert Dorton Ben Salazar Angel Freytez David Brown Luis Lucar

LB 335 (*Friend - Revenue*) would require the state Tax Commissioner to deny state tax incentives to employers who do not verify the lawful presence of their employees.

Committee Hearing LB 335 (Advance)		
Yes	No	Not voting
Adams Cornett Dierks Friend Hadley Louden Utter White		
<i>Proponents</i>		<i>Opponents</i>
Senator Friend Doug Ewald Susan Smith		Laurel Marsh Rebecca Gonzales

LB 95 (*Howard - Revenue*) is similar to LB 335. It would ensure that businesses that participate in the Nebraska Advantage Act (the state business incentive program) are in compliance with existing state and federal statutes about immigrant employment. It would be retroactive in the sense that it would require participating businesses to certify that it did not knowingly violate federal immigration employment laws in the five years prior to participation in the Nebraska Advantage Act.

LR 9 (*Fulton - Judiciary*) was introduced in 2009 as well. **LR 9** was essentially the same as 2008's **LR 224**, and encouraged state law enforcement agencies to enter into agreements with the Department of Homeland Security to perform immigration enforcement duties. Supporters of LR 224 argued that illegal immigration had risen to such a level that it required enforcement of federal laws by state personnel. Opponents argued that to do so would have constituted the state taking on federal duties, and that a more global approach than enforcement by police alone was necessary to address the

problems facing illegal immigrants and communities generally. **LR 9** was held in committee.

Versions of **LB 34**, **LB 335**, and **LB 95** were merged into an amended version of **LB 403** and were passed by committee. A floor amendment to **LB 403** to repeal the in-state tuition law was voted down. Supporters of **LB 403** generally argued the effect of its provisions are aimed at saving state money, and target employers of illegal immigrants rather than immigrants themselves. They argued that by placing the locus of attention on employers rather than immigrants, they are effectively regulating the problem of illegal immigration at its source, and preventing exploitation of illegal immigrants by employers. Opponents of **LB 403** argued its policies duplicate federal law, would place burdens on both state agencies and private employers, promote pre-emptive racial discrimination in hiring, and that e-verification systems are still lacking in accuracy and therefore lead to mistakes.

Conclusion

It appears that Nebraska seems to be developing a **two-pronged** strategy in regards to state-based immigration policy. The **first prong** – as evidenced by continuing support for in-state tuition rates for qualified undocumented immigrants by a majority of lawmakers – is to promote limited measures designed to integrate children of illegal immigrants who should arguably not be punished for their legal status. This prong seems to suggest that state lawmakers are interested in taking a somewhat global approach to illegal immigration and implementing policy that promotes integration, and does not “punish” illegal immigrants or their children. The **second prong** is designed to deter continuing illegal immigration by using a host of measures that would effectively

penalize employers who hire illegal immigrants. This seems to suggest that lawmakers are working with an assumption that employers (not employees) are a primary source of the illegal immigration problem, and that measures should be aimed at preventing employers from exploiting undocumented immigrants. Further developments might determine to what extent such state laws targeting employers (if passed) might excessively burden private employers, pre-empt federal law, or lead to “pre-emptive” hiring discrimination by employers. **Finally**, continued unwillingness to support **LR 9** and **LR 224** suggests that state lawmakers believe that “hardline” measures which target immigrants alone may not be effective policy, be overly costly, and/or encroach on federal duties.

III. Nebraskans’ Perceptions about Immigration

The University of Nebraska has recently worked on two projects examining immigration issues facing the state. In 2006, the **UNL Rural Poll**¹⁴ looked at perceptions rural Nebraskans’ perceptions of Latin American immigrants. In 2007, a *By the People*¹⁵ discussion was held in Omaha to consider immigration issues facing Nebraska.

The **Rural Poll**¹⁶ project obtained perceptions from 2,482 Nebraskans living in the 84 non-metropolitan counties in the state. A self-administered questionnaire was mailed in February and March of 2006 to approximately 6,200 randomly selected households. In addition to survey items about immigration, questions were asked about

¹⁴ Rebecca J. Vogt, Randolph L. Cantrell, Miguel A. Carranza, Bruce B. Johnson, & Alan J. Tomkins, *Perceptions of Latin American Immigration Among Rural Nebraska: 2006 Nebraska Rural Poll Results*. Lincoln, NE: UNL Center for Applied Innovation. Available online at <http://ppc.nebraska.edu/documents/2006/immigration.pdf>.

¹⁵ University of Nebraska Public Policy Center. *By the People: Dialogues in Democracy. Immigration and Nebraska*. Lincoln: Author. Available online at <http://ppc.nebraska.edu/userfiles/file/btp/BTPImmigrationReportFinal.pdf>.

¹⁶ The Nebraska Rural Poll has been collecting rural Nebraskans’ perceptions of current issues and conditions since 1996. For more information about the Poll, see <http://cari.unl.edu/ruralpoll/>.

well being, community, work, making a living, and new residents in general. Eight questions were specifically asked about policy issues being discussed in Congress or the Nebraska legislature to see what level of agreement or disagreement respondents had with each policy option (see Table 2).

Table 2: Opinions on Immigration Policies, Rural Poll (2006)

	Strongly Disagree	Disagree	Neither	Agree	Strongly Agree
In-State college tuition should be available to undocumented immigrants under the age of 21 who have been living in the U.S. for at least 5 years.	42%	30%	12%	14%	3%
Citizenship should be available to undocumented immigrants under the age of 21 who have been living in the U.S. for 5 years and are in 7 th grade or above.	29%	27%	16%	24%	4%
Businesses that employ undocumented workers should be penalized.	3%	8%	12%	36%	41%
Undocumented immigrants should be deported.	4%	8%	17%	35%	37%
An undocumented immigrant who has been working and paying taxes for 5 years or more should be allowed to apply for citizenship.	14%	15%	16%	46%	10%
The government should tighten the borders to prevent illegal immigration.	3%	3%	8%	33%	54%
Families of immigrant workers should be allowed to come to the U.S. regardless of other restrictions on immigration.	39%	34%	15%	10%	3%
A “guest worker” program should be created to allow immigrants to work in the U.S. without becoming citizens.	27%	23%	17%	26%	8%

Most of the Poll respondents did not hold favorable perceptions of liberal immigration policies or practices.¹⁷ The vast majority, **87%** of the respondents, **agreed** the *government should tighten the borders to prevent illegal immigration*; 6% disagreed.

¹⁷ For purposes of reporting the percentages, we have combined the categories of “Strongly Disagree” and “Disagree” into **Disagree**, and “Agree” and “Strongly Agree” into **Agree**.

Seventy-seven percent of rural Nebraskans **agreed** that *businesses that employ undocumented workers should be penalized*; 11% disagreed. Another substantial majority, **73%**, **disagreed** that *families of immigrant workers should be allowed to come in to the United States*; 15% favored such a policy. A substantial majority, **72%**, of the respondents **agreed** *undocumented immigrants should be deported* (12% disagreed), and **72%** also **disagreed** with *granting in-state college tuition to undocumented immigrants under the age of 21 who had been living in the United States for at least five years* (17% agreed). A smaller majority, **56%**, **disagreed** with *granting citizenship to underage, undocumented immigrants who had been living in the United States for at least five years*; 28% agreed with such a policy. The same percentage, **56%**, **agreed** that *undocumented immigrants who have been working and paying taxes for more than five years should be allowed to apply for citizenship*; 29% percent disagreed with such a policy. Half of the participants (**50%**) **disagreed** with the idea of *creating “guest worker” programs to allow immigrants to work in the country without becoming citizens*; 34% percent agreed. The 2006 Nebraska Rural Poll results clearly indicated a majority of rural Nebraskans hold very conservative views regarding immigration policies. Most rural Nebraskans seem to disagree with creating policies that liberalize immigration-related matters.

Whereas the Rural Poll painted a picture of Nebraskans very unfavorably oriented toward liberal immigration policies and practices, the *By the People*¹⁸ event, a discussion about immigration policy issues held in the fall of 2007, revealed a different set of

¹⁸ The *By the People* project is a national-local partnership intended to foster civic dialogue about important public policy issues facing the nation. MacNeil/Lehrer Productions has led the initiative on the national level since 2002. In Nebraska, a collaborative partnership between NET Television and the University of Nebraska Public Policy Center has convened *By the People* deliberations since 2004. For more information, see <http://ppc.unl.edu/bythepeople>.

perceptions, especially once the Nebraskans had engaged in a discussion with fellow residents about immigration topics. For example, whereas **37%** of the participants felt that immigrants “Cost the Taxpayers Too Much” *before* discussing issues, that percentage decreased to **14%** *afterwards*, and the percentage of participants who chose the response option that immigrants “Become Productive Citizens” *increased from 51% to 73%*. Table 3 compares the Rural Poll responses to the *By the People* responses on the same policy questions, and Table 4 compares the responses on general attitudes towards Latin American immigrants.

The data in Table 3 show the discussion sample held different policy views than did the Rural Poll respondents. In contrast to the **72%** of the Rural Poll respondents **agreed** *undocumented immigrants should be deported*, **24%** in the *By the People* sample **agreed**. The **73%** of the Poll respondents who disagreed that *families of immigrant workers should be allowed to come in to the United States* reduced to **49%** of the discussion participants. The **87%** of the Rural Poll respondents who **agreed** the *government should tighten the borders to prevent illegal immigration* reduced to **69%** in the discussion sample. A similar pattern existed for **disagreement** with *granting citizenship to underage, undocumented immigrants who had been living in the United States for at least five years*: **56%** of the Poll respondents **disagreed**, **20%** of the discussion participants **disagreed**. Whereas **34%** of the Poll respondents **agreed** with the policy of proposal of *creating “guest worker” programs to allow immigrants to work in the country without becoming citizens*, **57%** of the discussion sample **agreed** with the idea. For the Rural Poll sample, **56%** **agreed** that *undocumented immigrants who have been working and paying taxes for more than five years should be allowed to apply for*

citizenship; in contrast, **76%** of the discussants **agreed**. Finally, **77%** of Poll respondents **agreed** that *businesses that employ undocumented workers should be penalized*; an even greater percentage of the *By the People* discussion participants, **86%**, **agreed** with the sanction policy. (Note: The question concerning about *granting in-state college tuition to undocumented immigrants under the age of 21 who had been living in the United States for at least five years* was not asked of the discussion participants.)

Table 3. Differences in Perceptions about Immigration Policies between Rural Poll and *By the People* Respondents

	<i>Strongly Disagree</i>	<i>Disagree</i>	<i>Neither Agree nor Disagree</i>	<i>Agree</i>	<i>Strongly Agree</i>
	<i>By the People/ Rural Poll</i>	<i>By the People/ Rural Poll</i>	<i>By the People/ Rural Poll</i>	<i>By the People/ Rural Poll</i>	<i>By the People/ Rural Poll</i>
Citizenship should be available to undocumented immigrants under the age of 21 who have been living in the U.S. for 5 years and are in 7th grade or above.	7% 29%	13% 27%	22% 16%	41% 24%	16% 4%
Businesses that employ undocumented workers should be penalized.	1% 3%	5% 8%	7% 12%	47% 36%	39% 41%
Undocumented immigrants should be deported.	11% 4%	28% 8%	36% 17%	16% 35%	8% 37%
An undocumented immigrant who has been working and paying taxes for five years or more should be allowed to apply for citizenship.	2% 14%	9% 15%	13% 16%	61% 46%	15% 10%
The government should tighten the borders to prevent illegal immigration.	5% 3%	10% 3%	16% 8%	37% 33%	32% 54%
Families of immigrant workers should be allowed to come to the U.S. regardless of other restrictions on immigration.	12% 39%	37% 34%	29% 15%	20% 10%	1% 3%
A “guest-worker” program should be created to allow immigrants to work in the U.S. without becoming citizens.	6% 27%	21% 23%	15% 17%	40% 26%	17% 8%

The data in Table 4 show a similar pattern regarding the differences between the two samples in regards to their attitudes towards Latin American Immigrants. The only question where the two samples were indistinguishable was for the question regarding

whether immigrants from Latin America should learn to speak English in a reasonable amount of time: Both sets of Nebraskans **agreed** overwhelmingly, at the **95%** level, that immigrants should learn English.

Table 4. Opinions about Latin American Immigrants*

	<i>Strongly Disagree</i>	<i>Disagree</i>	<i>Neither Agree nor Disagree</i>	<i>Agree</i>	<i>Strongly Agree</i>
	<i>By the People/ Rural Poll</i>	<i>By the People/ Rural Poll</i>	<i>By the People/ Rural Poll</i>	<i>By the People/ Rural Poll</i>	<i>By the People/ Rural Poll</i>
Immigrants from Latin America strengthen Nebraska.	2% 17%	9% 33%	33% 33%	43% 15%	12% 1%
Wages increase for most people in Nebraska communities when undocumented immigrants (sometimes referred to as illegal immigrants or aliens) are hired.	12% 33%	42% 41%	28% 21%	13% 4%	4% 1%
In general, immigration from Latin America has been good for Nebraska.	3% 25%	12% 31%	31% 30%	44% 13%	10% 2%
In general, immigrants from Latin America are often discriminated against in Nebraska.	1% 7%	11% 21%	42% 34%	35% 33%	11% 5%
Nebraska communities should communicate important information in Spanish as well as English.	9% 41%	19% 28%	20% 12%	39% 16%	12% 4%
Immigrants from Latin America should learn to speak English within a reasonable amount of time.	0% 1%	0% 1%	5% 4%	61% 29%	34% 65%
Nebraska communities do a lot to include immigrants from Latin America into the community.	0% 5%	13% 18%	39% 49%	42% 24%	5% 4%

*These questions were adapted from the 2006 Nebraska Rural Poll. The Rural Poll questions asked respondents about perceptions of immigration and immigrants specific to the Rural Nebraska context, whereas the questions asked in the *By The People* event were about Nebraska overall.

Conclusion

The data from these two projects reveal that Nebraskans' perspectives are not uniform. It is possible that differences are a function of when we asked Nebraskans about

their attitudes toward immigration policies (Spring 2006 versus Fall 2007). It is also possible that the different contexts (rural survey versus urban discussion) impacted the data we obtained. But it also is possible that Nebraskans immigration views are complex and evolving – not simply deeply conservative, but generally skeptical. Both policies and attitudes are likely to show shifts over the years, though the data we have presented do not indicate in and of themselves what trajectories those shifts will take.



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