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This discussion guide is intended to serve as a jumping-off point for our upcoming conversation. Please remember that the discussion is not a test of facts, but rather an informal dialogue about your perspectives on the issues.

Introduction: Immigration and Nebraska

Nebraska has a long history of immigration. Early immigration to the state in the mid to late 19th century was due largely to the availability of cheap land through the Homestead Act of 1862. Union Pacific railroad, the meatpacking industry in Omaha, and the sugar beet industry in southwestern Nebraska also helped draw many immigrants to Nebraska as the state continued to grow. The Germans were the largest historic immigrant population, followed in numbers by Swedes, Irish, Bohemians from the modern-day Czech Republic, and Mexicans.¹

Since the mid-1970s, immigration in Nebraska has again increased, though different groups are now the largest immigrant populations. Latinos are the fastest-growing immigrant group in Nebraska today. Asians are the second-fastest growing population.² Many Sudanese refugees have concentrated in Omaha, and are now believed to constitute the largest Sudanese community in the United States.³ According to the Census Bureau, there were 96,127 foreign-born residents in the state in 2005 – about 5% of Nebraska’s population of 1.7 million - with approximately 54,000 coming from Latin America, 22,000 from Asia, and the remainder from Africa, Europe, or the Middle East.⁴ There are varying estimates of the number of undocumented immigrants in the state. The Pew Hispanic Center estimated that there were anywhere from 35,000 to 55,000 undocumented immigrants in Nebraska in 2005.⁵

Nebraska’s economy is still tied to immigration. The state’s meatpacking industry employs a largely immigrant workforce, and immigrants also generate significant entrepreneurial activity through small businesses. A recent report by the U.S. Census Bureau indicated that Nebraska ranked first in the nation in percentage increase of revenue created through Latino businesses.⁶ Immigrants work in multiple sectors throughout the state, including in the production, service operations, and management/professional fields. From 1990 to 2000, the Hispanic population increased by 155% in Nebraska to over 94,000 people, making Hispanics the largest ethnic minority in the state, about 5.5% of the overall population. Less than half of this increase was in Omaha and Lincoln, with the remainder in rural municipalities.⁷ Nebraska’s meatpacking communities have experienced major demographic changes due to recent immigration. During the farm crisis of the 1980s, the population of the city of Lexington had

¹ Donald R. Hickey, *Nebraska Moments: Glimpses of Nebraska’s Past*, pp. 109-111, 1992.

² Henry J. Cordes & Cindy Gonzales, *Asian population climbs rapidly in Nebraska*, Omaha World-Herald, p. 1A, May 17, 2007.

³ Stephen Buttry, *Sudanese find help in Omaha*, Omaha World-Herald, p. 1A, January 15, 2002.

⁴ U.S. Census Bureau, American Community Survey, 2005.

⁵ Pew Hispanic Center, *Fact Sheet: Estimates of the Unauthorized Migrant Population for States based on the March 2005 CPS*, April 26, 2006.

⁶ Cindy Gonzalez, *Rapid growth in Nebraska, Latino entrepreneurs prosper*, Omaha World-Herald, p. 1A, March 28, 2006.

⁷ U.S. Census, 2000.

declined from 7,040 to 6,061 persons in that decade. In 1990 an IBP beef packing plant opened in Lexington, drawing many immigrants to the community. By 2000, the population was 10,011 persons - an over 50% increase.⁸ The Hispanic population in Lexington/Dawson County grew 1,456% in that time frame; a demographic shift that researchers found resulted in positive economic changes for the area.⁹

State Concerns

Although immigration remains a hot topic of discussion, the U.S. Congress has been unable to reach compromises about immigration policy and enact comprehensive legislation despite numerous attempts. Increasingly, some states have tried to address immigration-related policy issues themselves. In the words of one immigration scholar, “Washington has essentially punted all immigration issues back to the states.”¹⁰

How have state lawmakers reacted? In 2006, legislatures across the country introduced 570 immigration-related bills. In 2007, that count was 1169.¹¹ The depth and scope of legislation is wide, with both “pro-immigrant” and “anti-immigrant” laws enacted. Examples include:

2007 State Immigration-Related Legislation as of April 13, 2007

Policy Area	Number of Bills	Number of States
Benefits	149 bills	39 states
Documentation / ID	48 bills	22 states
Drivers Licenses	69 bills	31 states
Education	105 bills	30 states
Employment	199 bills	41 states
Health	92 bills	23 states
Human Trafficking	63 bills	28 states
Law Enforcement	129 bills	30 states
Legal Services	20 bills	10 states
Licensing	83 bills	28 states
Voting	46 bills	22 states
Miscellaneous	53 bills	24 states
Comprehensive Measures	9 bills	5 states
Resolutions	104 bills	27 states
TOTAL	1169 bills	50 states

Source: Immigrant Policy Project, National Conference of State Legislatures, *Overview of State Legislation Related to Immigration and Immigrants in 2007*, available at <http://www.ncsl.org/programs/immig/index.htm>.

Employment: Colorado (HB 1343) signed legislation prohibiting state government from having contracts with employers that knowingly hired undocumented immigrants. Kansas (HB 2157) passed a law limiting unemployment benefits to citizens and legal residents. Washington (SB 6194) mandates multicultural education for health professionals.

Education: Nebraska (LB 239) signed a law granting qualified undocumented immigrants in-state tuition at state colleges. Wyoming (SB 85) now prohibits non-citizens and undocumented residents from receiving scholarship aid.

Public Benefits: California (SB 1569) provides state and local benefits to non-citizen victims of major crimes to the same extent provided to refugees. Maryland (HB 89) authorized state support of certain health care services for undocumented immigrant children and pregnant women. Arizona (HB 2448/SB 2738) mandates health benefits only for citizens and legal residents, and only provides health care to undocumented residents in the event of emergencies.

⁸ Lourdes Gouveia & Donald Stull, *Latino Immigrants, Meatpacking, and Rural Communities: A Case Study of Lexington, Nebraska*. Julian Samora Research Institute, Research Report No. 26, p. 3, August 1997. U.S. Census 1990, 2000.

⁹ Örn Bodvarsson & Hendrik Van den Berg, *The Impact of Immigration on a Local Economy: The Case of Dawson County, Nebraska*. Great Plains Research, Vol. 13, No. 2, pp. 291-309, 2003.

¹⁰ Garry Boulard, *Immigration – Left To The States*, State Legislatures, p. 15, October/November 2006.

¹¹ Immigrant Policy Project, National Conference of State Legislatures, *Overview of State Legislation Related to Immigration and Immigrants in 2007*, available at <http://www.ncsl.org/programs/immig/index.htm>.

Legislative Resolutions: Georgia’s senators (SR 1426) “recognize the great value of continued immigration into Georgia and urge the United States Congress and the President of the United States to continue to provide a legal pathway into our nation.” Illinois senators (SR 523) “encourage the United States Congress to take action on federal immigration reform, which would provide for family unification.”

How should Nebraska’s lawmakers address immigration? Some immigration scholars identify Nebraska as a “gateway” state – a new destination for immigrants driven by a need for labor in agriculture and manufacturing.¹² On one level, the broad question before the Unicameral is how inclusive or exclusive public services should be based on immigration status. This means making decisions about funding particular programs, or determining eligibility for services among resident immigrants – either with or without proper documents. Some immigration scholars believe that how Nebraska acts on such questions will influence the extent to which many of its immigrant residents will either languish in low-wage occupations, or embark on a process towards successful integration.¹³ Some key issues facing Nebraska to consider:

Education: A number of Nebraska school districts now have large concentrations of students from recent immigrant communities. In 2005, Omaha Public Schools had over 6,100 students representing 76 different native languages enrolled in English Language Learning (ELL) programs – over 13% of its school body – the largest number in the state.¹⁴ The proportion of ELL enrolled students is much higher in some rural communities. Schuyler grade schools had 33% of the student body enrolled in ELL in 2005, compared to a state average of 6%.¹⁵ How should our public schools address this phenomenon?



Nebraska lawmakers have already begun considering immigration-related legislation in recent years.
Credit: Nebraska Unicameral Information Office

Healthcare: Although information specific to immigration status is lacking, foreign-born residents of Nebraska are much more likely to not have health insurance (35.5%) than the native-born (10%).¹⁶ The foreign-born are also less likely to be covered by Medicaid (5.4%) than native-born residents (10.8%).¹⁷ However, among new immigrant communities that work in Nebraska’s labor intensive occupations, there are high injury rates which often necessitate health care. For example, meatpacking workers experience double the rates of workplace injuries than

¹² *Immigration’s New Frontiers: Experiences from the Nation’s Emerging Gateway States* (Greg Anrig Jr. & Tova Andrea Wang, eds.), 2007.

¹³ Lourdes Gouveia, *Nebraska’s Responses to Immigration*, in *Immigration’s New Frontiers: Experiences from the Nation’s Emerging Gateway States*, pp. 197-198 (Greg Anrig Jr. & Tova Andrea Wang, eds.), 2007.

¹⁴ Omaha Public Schools, Research Department.

¹⁵ Nebraska Department of Education, *2005-2006 State of the Schools Report: A Report on Nebraska Public Schools*, available at <http://reportcard.nde.state.ne.us/Main/Home.aspx>

¹⁶ Lourdes Gouveia, *Nebraska’s Responses to Immigration*, in *Immigration’s New Frontiers: Experiences from the Nation’s Emerging Gateway States*, p. 172 (Greg Anrig Jr. & Tova Andrea Wang, eds.), 2007.

¹⁷ Lourdes Gouveia, *Nebraska’s Responses to Immigration*, in *Immigration’s New Frontiers: Experiences from the Nation’s Emerging Gateway States*, p. 173 (Greg Anrig Jr. & Tova Andrea Wang, eds.), 2007.

those in other manufacturing occupations.¹⁸ Normally, non-citizens and undocumented residents are not qualified to enroll in Medicaid. However, small amounts of Medicaid payments are used to provide health care for undocumented residents. In 2006, Medicaid reimbursed Nebraska health care providers over \$400,000 for emergency medical care of individuals on a visa or undocumented aliens.¹⁹ Total Medicaid expenditures that year were over 1.4 billion dollars.²⁰ Who should qualify for state-financed health services?

Driving: In 2007, sixty-nine bills were introduced in legislatures across the country addressing driving rights. In Nebraska, LB 266 was offered to allow qualified undocumented immigrants to operate cars using an alternative to a driver's license, and legally drive to and from work, schools, hospitals and health care facilities, and other daily places of importance. The bill failed to move out of committee. Should Nebraska revisit this issue?

Conclusion: Important Decisions for Nebraska

Education, health care, and driving are only three of many issues of importance presented to Nebraska related to immigration. Because of continued gridlock in the United States Congress over federal immigration policy, it is possible that the states will continue to try and address the issue in patchwork form. Not only does immigration have fundamental implications for Nebraska's future, but it also presents us with questions about our basic values and sense of right and wrong. There is general agreement that immigration has created this nation and made it what it is today. Sharp differences arise when it comes to undocumented immigrants. Immigrant advocates assert that the state must confront a reality where thousands of undocumented immigrants now live, work, and pay taxes throughout Nebraska. They argue that the state must enact policies to integrate both legal and undocumented immigrants into our communities for the health and vitality of our shared future. Others assert that public policy should never be based on accommodating those who have broken the law to be here. They argue that the state must preserve its limited resources for legal residents, and not provide accommodations that incentivize illegal immigration. Important choices lie ahead for Nebraskans.



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¹⁸ United States Government Accountability Office, *Workplace Safety and Health: Safety in the Meat and Poultry Industry, while Improving, Could Be Further Strengthened*. Report to the Ranking Minority Member, Committee on Health, Education, Labor, and Pensions, U.S. Senate, p. 27, January 2005.

¹⁹ Nebraska Health and Human Services, *Nebraska Medicaid Emergency Medical Services for Aliens by Type of Service*, 2006.

²⁰ Nebraska Health and Human Services, *Presentation to the Nebraska Assisted Living Association & Nebraska Health Care Association*, September 20, 2006.