

# LOOKING AHEAD

The Cornell Roosevelt Institute Policy Journal

Center for Domestic Policy

Issue No. 3, Fall 2012



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# TABLE OF CONTENTS

<b>About the Roosevelt Institute</b>	<b>4</b>
<b>Letter from the Policy Director</b>	<b>5</b>
<b>Emily Podmore (A&amp;S '15)</b> <b>“Abolishing the Electoral College”</b> <i>The Electoral College System should be abolished and should be replaced by a direct, instant runoff election.</i>	<b>6 - 8</b>
<b>T. Garrison Lovely (ILR '16)</b> <b>“Smarter Gun Control”</b> <i>Accidental gun violence is a solvable problem that stems from lack of education on gun safety and inconsistent regulation. A comprehensive licensing process, similar to driver’s licenses, should be required for legal purchase and use of a firearm.</i>	<b>9 - 11</b>
<b>Melissa Giangrande (ILR '16)</b> <b>“Multitasking: Competitiveness and Illegal Immigration”</b> <i>Illegal immigration to the United States continues to grow and has become increasingly controversial. At the same time, the United State’s competitive edge in math and science has severely declined. To solve both of these issues simultaneously and effectively, the United States should create a new student visa specifically for undocumented minors enrolling in American universities as undergraduates and majoring in STEM (science, technology, engineering, and math) fields.</i>	<b>12 - 14</b>
<b>Justin Lee (A&amp;S '15)</b> <b>“Path to Residency for Temporary Agricultural Workers”</b> <i>To meet the demands of foreign agricultural workers and their employers, the U.S. government should offer a pathway to residency through the H-2A work visa, increasing workforce reliability and incentivizing legitimate immigration.</i>	<b>15 - 17</b>
<b>Tianjun Hou (CALs '13)</b> <b>“Adding LGBTQH Courses into College Curriculums”</b> <i>To reduce the rate of violence against LGBTQH communities, universities should offer courses in LGBTQH studies and require students to take at least one of them prior to graduation.</i>	<b>18 - 20</b>
<b>Lucas Dodge (CALs '15)</b> <b>“Ending the Exclusion of Drug Felons from Social Programs”</b> <i>Affirming the right of equal access to TANF and SNAP for otherwise equally qualified individuals with a felony drug conviction would save money, reduce both recidivism and drug abuse, and contain crime and punishment to the criminal justice system.</i>	<b>21 - 23</b>
<b>Austin Opatrny (A&amp;S '14)</b> <b>“Ithaca Should Regulate Lease Renewal Deadlines”</b> <i>Students at Cornell University are faced with ever-advancing deadlines to renew their lease for off-campus housing. The City of Ithaca should mandate 70 days of occupancy to pass until a lease can be required to be resigned, based on the model established in Ann Arbor, MI.</i>	<b>24 - 25</b>

# About the Roosevelt Institute

The Roosevelt Institute at Cornell University is a student-run think tank that generates, advocates, and lobbies for progressive policy ideas and initiatives in local, university, state, and national government. Members write for our campus policy journals, complete advocacy and education projects in the local community, host research discussions with professors, write policy and political blogs, and organize campus political debates and policy seminars.

## **The Roosevelt Institute is organized in 7 policy centers:**

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Center for Foreign Policy and International Studies  
Center for Energy and Environmental Policy  
Center for Education Policy and Development  
Center for Healthcare Policy  
Center for Domestic Policy  
Center for Local Government and University Affairs

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# Letter from the Policy Director

Dear Readers,

It is with great pleasure that I present to you the third issue of *Looking Ahead: The Cornell Roosevelt Institute Policy Journal* by the Center for Domestic Policy. This publication comprises the work of seven Roosevelt Institute members from the Fall 2012 semester and covers topics related to election reform, gun control, immigration, equal access, education, and social assistance policy. Each writer chose a topic of interest, carefully researched the relevant issues, and developed an innovative policy proposal. I am excited to share our work with you and hope you find it to be enjoyable and thought-provoking!

Sincerely,

**Matthew Clauson**

Government '15 (A&S)

Policy Director

Center for Domestic Policy

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# Abolishing the Electoral College

By Emily Podmore '15, Majors: Economics and Government (A&S), Email: ecp56@cornell.edu

*The Electoral College System should be abolished and should be replaced by a direct, instant runoff election.*

## Background:

In the Electoral College, there are 538 electors, and in order to win the presidency, a candidate must receive a majority, or 270, of these electors. The electors are assigned to states based on the number of legislators a state has in the House of Representatives and an additional two electors for every state in accordance with the two Senators in each state.<sup>1</sup> In 48 states and the District of Columbia, the plurality winner of the votes in the state is awarded all of that state's electors; in the other two states, Maine and Nebraska, electors are awarded in accordance with the proportion of the state's votes that each candidate received.<sup>2</sup> When the American public votes for a presidential candidate, each person is actually casting a vote for an elector, who will then vote to formally name the President a month later.

### Key Facts:

- Each elector in Wyoming is representative of 172,000 people, while each elector in Pennsylvania is representative of 592,000 people.<sup>8</sup>
- In the 2004 and 2008 presidential elections, the two political parties spent 99% of their resources in 16 states and 70% in only 5 states.<sup>9</sup>
- There have been three elections where a president is elected who won the electoral vote but lost the popular vote to his opponent (1876, 1888, 2000).<sup>10</sup>
- States that are historically "blue" or "red" experience depressed voter turnout and are often bypassed on the campaign trail.<sup>11</sup>

This system brings with it a host of problems, the most significant being that it is possible for a candidate who did not win a plurality, let alone a majority, of the popular vote to be elected president; in 2000, President Bush was elected despite losing the popular vote to Al Gore. Furthermore, the system violates the "one person, one vote" concept by placing a greater value on the votes of certain individuals. California has a population about seventy times that of Wyoming, but only eighteen times the electors, meaning that the impact of a Wyoming voter is potentially four times that of a Californian.<sup>3</sup> The system also emphasizes swing states and allows candidates to spend their time campaigning in only the battle ground states needed to win an electoral majority. Faithless electors, low voter turnout, and wasted votes by those who support third party candidates are also major disadvantages brought about by the system.<sup>4</sup>

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## History:

Other solutions proposed have included instituting the proportional allocation of electors to candidates as in Nebraska and Maine on a national level, awarding bonus electors to the popular vote winner to ensure that the winner of the popular vote is elected, and holding a national, direct election. Each of these solutions either solves only parts of the problems associated with the Electoral College or brings along with it a host of new, negative ramifications.

In an instant runoff election, voters numerically rank their choices for president. When the votes are tallied, if any single candidate does not achieve a majority, the candidate with the least number of votes is eliminated and the second choice on each ballot that listed the eliminated candidate first is counted. This continues until a majority of votes has been counted for a single candidate.<sup>5</sup>

Instant runoff elections are held in the United States in various states and cities. President Barack Obama, in the 92<sup>nd</sup> General Assembly of the Illinois Senate introduced legislation that “Amends the Election Code and the Illinois Municipal Code [and] requires that an instant runoff method of voting be used at primaries for statewide offices and congressional offices.”<sup>6</sup> FairVote, a voting reform advocacy group, has long supported the institution of instant runoff elections on a national level.

### Talking Points:

- Negative campaigning would decrease because candidates do not want to alienate the supporters of their opponents.
- Runoff elections are held to elect leaders in France, Australia, Canada, and certain areas of the United States.
- Passing a constitutional amendment is difficult, but it is worth it to uphold democracy.
- Candidates would be forced to appeal to a majority of Americans rather than to just their party, creating a more united and less polarized America.

## Analysis:

Instituting the instant runoff election and abolishing the Electoral College system would require a constitutional amendment but would simplify the way we vote and bring the power directly to the hands of the public, allowing us to finally be the epitome of democracy that we claim to be. When the Electoral College was written into the Constitution, America boasted only 3 million people, white property owning males were the only voters, and the founders did not believe the public to be intelligent or informed enough to directly elect the president. Today, we are a diverse country of over 300 million Americans, groups that were once unable to vote have attained suffrage, and technological and travel advances have made information readily availa-

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ble to voters. The Electoral College is no longer applicable, practical, or necessary.

In an instant runoff election, not only would people be free to vote for a third candidate without it essentially being a vote for their least favorite, but also candidates would have to campaign so that they are acceptable to a majority of the population. Residents in every state would have an equal voice in the election, conservative voters in California and liberals in Texas would no longer feel as though their votes are worthless, and voter turnout would potentially increase. “One person, one vote” would finally be a valid mantra for the country.

## Next Steps:

This method would require a Constitutional amendment, a process that is difficult but not impossible to achieve. To pass a constitutional amendment, it must be proposed by either 2/3rds of both houses of Congress or 2/3rds of the state legislatures and then must be ratified by either 3/4ths of the state legislatures or ratifying conventions in 3/4ths of the states.<sup>7</sup> This would require strong leadership in both political parties and advocacy on the part of American citizens. In order to abolish the Electoral College and pass a bill outlining an instant runoff election, voters should contact their representatives and educate others about the detriments of the current system. Once passed, the introduction of electronic voting machines in states where they are currently not being used would make the counting of votes easier and would greatly decrease the likelihood of miscounted votes.

## Endnotes:

- 1) “The Electoral College and the National Archives,” *National Archives*, last modified on October 22, 2008, <http://www.archives.gov/press/press-releases/2009/nr09-05.html>.
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- 10) Neale, Thomas H., “When the Electoral Vote and the Popular Vote Differ,” *US Embassy*, September 5, 2008, <http://iipdigital.usembassy.gov/spot/english/publication/2008/09/20080905143744ebeyessedo0.8026239.html#axzz2AQu0fWIC>.
- 11) Kimberling, William C., “The Electoral College,” *Federal Election Commission*, last modified May 1992, <http://www.fec.gov/pdf/eleccoll.pdf>.

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# Smarter Gun Control

By T. Garrison Lovely '16, Major: Industrial and Labor Relations (ILR), Email: tgl25@cornell.edu

*Accidental gun violence is a solvable problem that stems from lack of education on gun safety and inconsistent regulation. A comprehensive licensing process, similar to driver's licenses, should be required for legal purchase and use of a firearm.*

## Background:

Guns, and access to them, are an important part of the American identity. Our history of loving guns stems from the Second Amendment, which, in the minds of many, makes owning a gun a patriotic exercise of our unique rights as Americans.

There are 192 million firearms and 44 million gun owners in the United States.<sup>1</sup>

This substantially high number of firearms prevents the possibility of any effective large-scale weapons ban, as only law-abiding citizens would relinquish their guns, leaving only criminals armed. From 2000 to 2006, 4,500 people were accidentally killed by firearms.<sup>2</sup> These are preventable deaths that stem from ignorance of proper storage techniques as well as a lack of gun locks. Currently, there are very few uniform restrictions on gun purchases. 31 states do not even require a license for open carry of firearms. It is much harder to get a driver's license in the U.S. than it is to own and carry a deadly weapon. To make matters worse, 20% of gun owning households reported having a loaded unlocked gun in a national survey. In the same survey, only 56% of gun owners reported any formal training.<sup>3</sup>

## Key Facts:

- Gun owners who received gun training from the National Safety Council were less likely to store the gun unlocked and loaded.<sup>7</sup>
- States with CAP laws see a reduction in unintentional gun injuries among children and adults of 30-40%.<sup>8</sup>
- More severe CAP laws see more significant reductions.

## History:

The United States has a unique history regarding gun control. We struggle with the negative impacts that come with the large quantities of guns in America including increased gun violence and sporadic mass shootings that are much more common in the United States than in other Western Democracies with more stringent gun laws.

The Second amendment to the Constitution guarantees the right to "keep and bear arms." The focus the Founding Fathers placed on the right to own firearms has made attempts to curb gun violence very difficult, particularly on the federal level. A powerful gun lobby, most notably the National Rifle Association, heavily influences policy

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decisions with regards to increased regulation.

## Analysis:

A comprehensive and uniform licensing system requiring proficiency in gun use, understanding of gun safety, and demonstrated ownership as well as proper knowledge of use of a gun lock should be implemented at the federal level. Different classifications of licenses are required for different types of vehicles (i.e. motorcycles, cars, commercial vehicles). This classification system could be applied to a gun licensing system. 96% of all guns in the United States fall under the following categories: 36% rifles, 34% handguns, 26% shotguns.<sup>4</sup> Therefore, owning a rifle would require a license that would be acquired through demonstrated proficiency with a rifle, knowledge of rifle safety, and possession of a gun lock that works with rifles. Each class of weapons has different purposes and methods of use. Proficiency with a pistol does not necessarily indicate proficiency with a shotgun.

## Talking Points:

- Accidental gun violence leads to hundreds of injuries and deaths each year.
- Proper training and safety measures could lessen the negative effects that firearms have on the US, while increasing the positive ones.

One of the main arguments for gun ownership is that of self-defense and criminal deterrence. Both of these goals would be furthered by a licensing system. Law-abiding gun owners would be trained and required to exhibit proficiency in use of the type of firearm they wish to purchase. A test of gun safety would also increase proficiency among law-abiding gun owners. It would also ensure knowledge of proper gun storage (unloaded with the safety on).

Child Access Prevention (CAP) laws, which hold gun owners responsible if a child gains access to a gun that is not stored securely, act as a good model for the efficacy of a licensing system. CAP laws reduce accidental gun deaths by 23%<sup>5</sup> and gun suicides of individuals from 14 to 17 by 11%.<sup>6</sup> However, a licensing system goes a step further than CAP laws by requiring ownership and demonstrated use of a trigger lock, cable lock, or gun safe. Given CAP's effectiveness, a licensing system should further reduce accidental gun deaths.

## Next Steps:

Increased access to training in proper gun use should coincide with the implementation of a comprehensive licensing system. Government subsidized training programs would offer inexpensive or free training in gun usage. If the United States is serious about protecting our right to own firearms, it has an obligation to ensure that guns are used correctly. Increased knowledge of gun safety and increased proficiency add to

the positives of gun use, self-defense, and criminal deterrence as well as decrease the number of accidental gun deaths and injuries. We expect drivers to know how to drive safely. It is time that we extend that expectation to gun owners.

## Endnotes:

- 1) P.J. Cook and J. Ludwig, *Guns in America: Results of a Comprehensive National Survey on Firearms Ownership and Use*, Summary Report, Washington, DC: Police Foundation, 1997.
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- 5) Cummings, Peter, David C. Grossman, Frederick P. Rivara, Thomas D. Koepsell (1997). "State Gun Safe Storage Laws and Child Mortality Due to Firearms".
- 6) Webster, Daniel, John Vernick, *et al.* (2004). "Association between Youth-Focused Firearm Laws and Youth Suicides".
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# Multitasking: Competiveness and Illegal Immigration

By Melissa Giangrande '16, Major: Industrial and Labor Relations (ILR), Email: mlg264@cornell.edu

*Illegal immigration to the United States continues to grow and has become increasingly controversial. At the same time, the United State's competitive edge in math and science has severely declined. To solve both of these issues simultaneously and effectively, the United States should create a new student visa specifically for undocumented minors enrolling in American universities as undergraduates and majoring in STEM (science, technology, engineering, and math) fields.*

## Background:

Google, Yahoo, IBM, and General Electric are just a few of the 40% of Fortune 500 companies founded by immigrants or their children.<sup>1</sup> Today, these companies face a shortage of high-skilled workers, causing our businesses and economy as a whole to stagnate.<sup>2</sup> The lack of high-skilled workers in our workforce currently is certainly evidenced by the fact that, in the last twenty-five years, we have plummeted from 1<sup>st</sup> globally in high school and college graduation rates to 16<sup>th</sup>.<sup>3</sup> Currently being out-paced in technological development and innovation by several countries, we cannot allow these businesses, which employ more than 3.6 million people in the United States, to fail.

### Key Facts:

- Science and engineering degrees account for 33% of bachelor's degrees in the U.S. since 2000, 63% in Japan, 53% in China, and 51% in Singapore.
- 60% of new jobs available in the 21<sup>st</sup> century require skills that only 20% of the current American workforce possess.
- Immigrants are over-represented on the Fortune 500 founder's list.

China, Canada, and Chile have all already taken steps to reform their immigration laws in order to incentivize skilled workers to join their workforce. Our domestic businesses are pressing Congress to act because they do not have a significant pool of workers. It is clear that reform is needed, and that it is needed immediately.

## History:

The U.S. faces a tight quota on the number of available green cards and permanent visas it is able to provide annually. EB-3 visas alone have fallen by a total of 89,308 between 2005 and 2010 according to the Department of Homeland Security. This visa category faces an enormous backlog of applicants within their own racial population let alone competition from the entire international community. The U.S. has run out of available green cards, yet, in 2009, two-thirds of all of its PhD recipients in physics,

economics, and computer science were earned by immigrant students.<sup>4</sup>

## Analysis:

This new student visa would serve as a reasonable compromise to the failed DREAM Act, which aimed to provide all undocumented minors who have good moral character, arrived before age 15, and completed high school and college/vocational school or two years of military service. Instead of legalizing such a large population of aliens, this visa would provide citizenship only for students studying science, math, or technology-related fields such as engineering, significantly bringing down the number of eligible candidates. Doing so would allow all Americans to retain the competitive edge on which our country was established.

This visa should be implemented because it ensures that the massive amount already spent today on immigrant children receiving public education in the United States will be infused back into our economy by allowing them to work and innovate here as American citizens. Under current immigration policies, we pay to educate these bright and talented students only to return them to their home countries, which we then compete against. We are hindering our own economy. In such dire economic times, there is no room for such foolishness. Additionally, providing citizenship would require these students to contribute tax dollars, further ameliorating our diminished economic state.

During a time of extreme political tensions, STEM visas could serve as a noteworthy political compromise. They would be effective because they would appease immigrants as well as American Republicans and Democrats. Democrats would gain the satisfaction of a liberal victory by expanding immigrant citizenship rates, while Republicans would be granted new labor sources to facilitate the growth and start-up of large and small businesses. In addition, immigrants would be able to remain in the country that they are familiar with and seek acceptance to, all while Americans reap the benefits of a once more competitive economy promoting low prices and fostering beloved technological innovation.

### Talking Points:

- NYC Mayor Michael Bloomberg publicly called for similar reforms in August 2012.
- The US already attracts the most foreign students in the world according to the American Immigration Lawyers Association.
- Providing a 1% increase in immigrants employed in advanced positions in the U.S. translates to a 3% increase in exports by the U.S. to their home countries according to The Partnership for a New American Economy.
- Research has shown the risk-taking attribute that causes immigrants to take the chance of leaving their homelands can be passed down to their children.

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## Next Steps:

In order to continue competing with rapidly advancing Asian countries, the United States must take action immediately. Immigrant activist groups, businesses, and ordinary American citizens alike must immediately call on their politicians, demanding them to fast-track legislation that would create the new category of STEM visas. The United States has been extremely successful in attracting the best and brightest immigrants to study at our established institutions. We must now take the next logical step and reap the benefits of this success by keeping them in the United States.

The new policy should provide a pathway to citizenship that requires immigrants to learn English, attend U.S. institutions to study STEM fields, and pledge a commitment to work in the U.S. upon graduation in order to ensure the creation and advancement of our domestic industries. This policy would in effect reduce unemployment by creating more businesses and jobs. The enormous successes of aforementioned companies such as Google and IBM serve as strong and convincing evidence in favor of these reforms. We are in desperate need of these workers, yet the immigration policies that we enforce are the biggest hindrance to our economic success. We must take action immediately to create these new STEM visas and ensure that all immigrants who receive degrees in in these areas from American institutions remain employed in U.S. industries.

## Endnotes:

- 1) Stuart Anderson, "40 Percent of Fortune 500 Companies Founded by Immigrants or Their Children," *Forbes* (blog), June 19, 2011, <http://www.forbes.com/sites/stuartanderson/2011/06/19/40-percent-of-fortune-500-companies-founded-by-immigrants-or-their-children/>.
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# Path to Residency for Temporary Agricultural Workers

By Justin Lee '15, Majors: Government and History (A&S), Email: jjl263@cornell.edu

*To meet the demands of foreign agricultural workers and their employers, the U.S. government should offer a pathway to residency through the H-2A work visa, increasing workforce reliability and incentivizing legitimate immigration.*

## Background:

In the midst of a substantial increase in Hispanic voter participation and the current wave of immigration from Latin America, immigration policy has become the subject of a great deal of partisan politics in recent years and not for lack of good reason. Of the Pew Center's yearly average of 1,842,570 immigrants to the U.S., 27% of them came without the permission of the federal government, meaning an estimated nine million individuals are not authorized to be here. Depending on one's perspective, this causes a host of financially draining and socially dangerous problems. It is a national security issue since the government has no way of knowing about the immigrants' criminal pasts and cannot keep tabs on them as they do with documented residents via Social Security numbers and census data. Some will argue that these immigrants freeload off taxpayers since they themselves do not pay property taxes; however, the claim can be made that since they pay income taxes but cannot receive entitlements, they are actually a credit to the tax base. Undocumented status also leaves these immigrants at the mercy of tyrannical employers who, on pain of reporting them to immigration services, can force them to accept inhumane working conditions. The fact is that the issue of undocumented workers is a pressing matter that requires comprehensive action that has so far not come to pass due to the deepening partisan divide in Congress.

### Key Facts:

- 27% of the 1,842,570 immigrants that come to U.S per year are undocumented.
- H-2A visas are a way in which the U.S Citizenship and Immigration Services allow agricultural workers into the country to work for a set period of time and then return to their home country.
- Current regulation for temporary agricultural workers is found under the H-2A visa, which is an inflexible, much maligned system in need of reform, requiring at least 150 days of attendance over 24 months.

## History:

The crux of the policy debate has recently been set on the controversial DREAM Act,

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which would give young undocumented immigrants a pathway to citizenship through the completion of a college degree or two years of military service. Stymied by fierce conservative opposition in Congress, the bill has yet to pass, and therefore the dialogue has revolved around implementing the same principles without congressional approval such as the Obama administration’s Deferred Action for Childhood Arrivals initiative. Meanwhile, 2012 Presidential Candidate, Mitt Romney proposed a policy of self-deportation that would push undocumented immigrants to leave on their own.

One proposal to address at least part of the problem, the Agricultural Job Opportunities, Benefits, and Security Act, whose bipartisan support disintegrated in the 106<sup>th</sup> Congress, targeted the issuance of H-2A visas, which are issued to temporary agricultural workers, and hoped to attach a pathway to permanent residency. The value of such a proposal to employers would be substantially increased by augmenting the original bill with expedited processing of H-2A visas to workers who perennially return to work for the same employer as well as providing more leeway to employers to decide if the worker has fulfilled the terms of the visa. A Washington State farmer whose family farm is inconvenienced by the current regulation summed up the problems of the current program succinctly: “farmers want a stable and legal workforce. We are jumping through hoops to get that.”

### Talking Points:

- Such a proposal has enjoyed bipartisan support in the past.
- Creating a more workable H-2A visa would go far to help control the inflow of illegal immigrants.

## Analysis:

This augmented AgJobs proposal is a positive-sum game; the undocumented and documented agricultural worker and his or her employer gain from this legislation. By expediting visa processing for immigrants who perennially work for the same employer and putting the prospect of permanent residency at the end of it, this proposal would create a much more certain path to permanent residency that would encourage both authorized and unauthorized workers to go through the proper channels of immigration as opposed to forcing even the most productive documented workers to face the same uncertainty of admission as he or she did the first time around. On the side of the farm owners, the program would guarantee a stable workforce both during the H-2A period by expediting the process of reapplication for returning workers and once those workers become permanent residents. By allowing a USDA-certified farm to decide if a worker has fulfilled his or her obligations as opposed to accommodating the U.S. Citizenship and Immigration Services’ (USCIS) imposed attendance policy, the government minimizes its interference in the farm’s unique routine. A farmer knows his or her workers best, and if it is deemed that the workers are not meeting their obligations to the farm while they are meeting the government’s, what use does he or she have for them?

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## Next Steps:

At the very least, the USCIS must reconsider their metric for evaluating how a worker performed under the H-2A visa by allowing for a productivity requirement to be decided by the individual's employer given the different yields of different crops. In the long term, Congress must reassemble the bipartisan support that was present in 2001 and pass a variant of the AgJobs bill that includes a pathway to permanent residency from the H-2A visa, prioritizing processing for workers who are reapplying for a visa and will be working for an employer who has sponsored him or her in the past. Exhibiting the initiative that it showed with deferred action, the Executive Branch may be able to change the means by which the enforcement of H-2A visas is carried out so that returning workers may be given higher priority in the approval process without a bill having to be passed through Congress, which on its own would do much good for farmers and their employees.

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# Adding LGBTQH Courses to College Curriculums

By Tianjun Hou '13, Major: Science of Natural and Environmental Systems (CALs), Email: th448@cornell.edu

*To reduce the rate of violence against LGBTQH communities, universities should offer courses in LGBTQH studies and require students to take at least one of them prior to graduation.*

## Background:

LGBTQH is the abbreviation for lesbian, gay, bisexual, transgender, questioning, and HIV-affected individuals; this group of people is highly vulnerable to violence targeted against homosexuals. As more and more people from this community stand up for their civil rights, the suppression against them evidenced by murders and assault also increases. According to a report from the National Coalition of Anti-Violence Programs, anti-LGBTQH murders increased 23% from 2009 to 2010.<sup>1</sup> Furthermore, reports of

anti-LGBTQH violence increased 13% during that period based on a survey of 2,503 victims in the U.S.<sup>2</sup> Yet, because 50.1% of victims do not report actions of violence against them to the police, the real number of violence incidents may be twice as much as the statistics indicate.<sup>3</sup>

### Key Facts:

- Anti-LGBTQH murders in the U.S. increased 23% from 2009 to 2010.
- Based on a survey of 2,503 victims, reports of anti-LGBTQH violence increased 13% from 2009 to 2010.
- 50.1% of victims do not report violence against them to the police.

## History:

The first undergraduate course in the United States concerning LGBTQ issues was taught at the University of California, Berkeley in the early 1970s.<sup>4</sup> In 1986, the City University of New York created the first LGBT studies program in 1986.<sup>5</sup> First created to uncover the truth behind the suppressed life of gay and lesbian people, LGBTQ studies have developed to help students to think critically about the importance of sexuality in society. Nowadays, about 40 certificate programs in this subject are offered in universities around the world.<sup>6</sup> In the U.S., the University of California, Berkeley, Yale University, and the University of Chicago all currently have substantial programs in LGBT studies.<sup>7</sup>

## Analysis:

People fear or hate LGBTQH communities because they do not know much about

them. Universities, in being places that disseminate knowledge, are an ideal institution to cultivate public support for LGBTQH communities. If people take courses focused on LGBTQH communities, then their biases and stereotypes will be changed. There may be other

### Talking Points:

- In universities with LGBTQH-related courses, students should be forced to take at least one of them prior to being allowed to graduation.
- Universities without LGBTQH-related courses should be given five years to develop these courses and include them in their curriculums.

ways to support LGBTQH communities such as by increasing funding for LGBTQH support centers or by making punishments for anti-homosexual violence more severe. However, education is truly the most fundamental and effective way to achieve the objective of changing people's ideas about LGBTQH communities.

There are three principal reasons to support this argument. First of all, it is hard to catch the violators in many cases. When someone has been offended suddenly in the street, most people will be stunned and will not react until the violator has already left the scene. Even if some people are quick to respond, it is not plausible to ask the violator to give his or her name for reporting to the authorities. As violators therefore often do not receive a corresponding punishment for their actions, the only effective way to stop these assaults is to change people's attitudes through education.

Second, even if people are lucky enough to know their violators' names, when they end up reporting the names to the police, the police's attitudes can occasionally be disappointing in that they do not take the assaults seriously. Even in the court system, juries' attitudes about LGBTQH communities come in a wide range, causing many violators to not receive a harsh enough or proper punishment for their actions.

Third, even if the authorities protect victims by punishing violators harshly, these penalties cannot put out the fire of hatred against LGBTQH communities completely. While harsh punishments can deter some people, for others they may only be the impetus for more extreme attacks against LGBTQH individuals.

## Next Steps:

Although some universities in the U.S. offer courses in LGBTQH studies, students frequently choose not to take them during the course of their education for a variety of reasons whether it is a lack of interest or not enough time in their busy schedules. As these courses are important in educating students to be responsible and informed citizens, universities must prioritize them as essential components of students' education similar to other core classes in their curriculum. To achieve this objective, students studying at universities that currently have LGBTQH-related courses should be required to take at least one of them in order to graduate. Furthermore, universities

that do not offer such courses should be given a timetable of five years to develop these courses and incorporate them into their curriculum as a requirement for students. Only through these courses will we finally be able to better educate the public about LGBTQH communities and in turn reduce the violence and hatred against them in the future.

## Endnotes:

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# Ending Exclusion of Drug Felons from Social Programs

By Lucas Dodge '15, Major: International Agriculture and Rural Development (CALIS), Email: lpd29@cornell.edu

*Affirming the right of equal access to TANF and SNAP for otherwise equally qualified individuals with a felony drug conviction would save money, reduce both recidivism and drug abuse, and contain crime and punishment to the criminal justice system.*

## Background:

According to the Congressional Research Service, TANF (Temporary Assistance for Needy Families) and SNAP (Supplemental Nutrition Assistance Program, formerly known as Food Stamps) are federally funded, state administered social assistance programs aimed at combatting poverty. TANF does so by providing cash assistance and other social programs such as childcare and subsidized jobs, at the states' discretion, to poor families with children. The purpose of TANF is to act as a safety net during transitional periods as well as to encourage employment and the independence from social programs that ideally follow it. SNAP gives low-income households electronic swipe cards to use at the point-of-sale for food purchases; these cards have a different monthly allocation depending on income, assets, and disability status.<sup>1</sup>

### Key Facts:

- TANF and SNAP are federal poverty-alleviation programs administered by the states.
- Since 1996, federal law has mandated that drug felons face a lifetime ban on receiving TANF and SNAP but allows states to opt out or modify the ban.
- These bans do not apply to any other class of felons.

Since the beginning of social service programs in the United States, there have been two factors that determine who is worthy of receiving public assistance: economic need and moral character. The moral character criterion initially led to state laws that limited eligibility based on family structure and behavior. These laws were highly controversial and were eventually struck down in between the late 1960s and the early 1970s. Since then, the most commonly used moral indicator for social assistance programs has been drug use.<sup>2</sup>

## History:

In 1996, President Bill Clinton signed into law PRWORA (the Personal Responsibility and Work Opportunity Reconciliation Act), which, in the process of overhauling the whole welfare system, created a mandate that a felony sentence relating to the use, possession, or distribution of drugs carries the additional punishment of a lifetime ban

on accessing TANF or SNAP benefits. At the same time, it gives the states the option to opt out of the restrictions or modify them.<sup>3</sup> Since PRWORA's passage, many states have taken advantage of that option. For TANF, 13 states have opted out of the ban, and 26 have modified it. Similarly, for SNAP, 19 states have opted out while another 19 chose to modify.<sup>4</sup>

## Analysis:

There are three primary problems with disqualifying drug felons from TANF or SNAP benefits. First of all, doing so blurs the limit of punishment. It turns the social services system into a tool of the penal system, expands the time of punishment beyond the end of sentence time, and since TANF and SNAP directly benefit all members of a household, it punishes more people than those found guilty of the crime.<sup>5</sup>

### Talking Points:

- Re-entering society after a prison term is a difficult process exacerbated by barriers to food and financial assistance. This increases the likelihood of relapse or recidivism.
- Current law blends the criminal justice and social service systems such that punishment is extended onto the innocent and services are denied to those in need.
- PRWORA reflects a "tough on drugs" ideology at the expense of objective cost-benefit analysis; it does not save money or prevent drug use.

Secondly, closing access to TANF and SNAP for drug felons creates additional barriers for re-entry into society after release from prison. Problems that people face at the time of re-entry often include financial instability and addiction. Not allowing these people access to programs that provide stability greatly increases the risk of them relapsing into drug abuse or turning back to criminal means of earning a livelihood.<sup>6</sup> This defeats the entire reason the law was created.<sup>7</sup>

Lastly, denying drug felons TANF and SNAP benefits is not cost-effective. Prison and social service administrative costs vary from state to state. However, incarcerating someone is consistently more expensive than giving them TANF and SNAP benefits. In California, this difference is so great that if one case of recidivism could be prevented with the additional food and economic security that SNAP provides, the savings from not housing that individual in prison could pay for SNAP benefits for 163 other cases.<sup>8</sup>

## Next Steps:

Congress should replace the current law that bans drug felons from accessing TANF and SNAP benefits with one that does exactly the opposite. The federal requirements for the states should affirm the right of equal access to social services for drug felons if they meet every other qualification for social assistance.

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# Ithaca Should Regulate Lease Renewal Deadlines

By Austin Opatrny '14, Majors: Economics and Asian Studies (A&S), Email: abo27@cornell.edu

*Students at Cornell University are faced with ever-advancing deadlines to renew their lease for off-campus housing. The City of Ithaca should mandate 70 days of occupancy to pass until a lease can be required to be resigned, based on the model established in Ann Arbor, MI.*

## Background:

The residential and commercial area immediately outside Cornell University is known as 'Collegetown' and makes up an intrinsic part of Ithaca, NY's residential fabric. A variety of housing stock occupies the area, ranging from high rise apartment buildings featuring door-man service and \$1,200 a month studios, to former single-family homes now commanding rents of \$400 a month for shared doubles. A consistent similarity across all housing stock

is an ever-advancing deadline for the tenant to renew their lease. The *Cornell Daily Sun* referred to this year's renting season as "the fastest renting season in recent memory."<sup>1</sup> The start date of leases vary, but the most common starting date is mid-August, lasting either 10 or 12 months. Renewal deadlines can be as early as the first week of September, meaning tenants may have only lived in their apartment for a few weeks when they are forced to decide whether to stay the following academic year.

### Key Facts:

- Student tenants in Ithaca NY are increasingly pressed to renew their leases after only a few weeks of occupancy.
- Ann Arbor, MI, currently requires 70 days of occupancy to pass before an apartment can be shown or signed.

## History:

Ithaca, NY has not yet enacted any legislation regarding renewal dates for student rentals. Ann Arbor, MI, home of the University of Michigan, has pioneered this sort of legislation. The City of Ann Arbor passed in 2005 an ordinance mandating that the "landlord of a residential premise may neither show nor lease a unit to prospective tenants until 90 days of the current lease has passed."<sup>2</sup> This legislation was amended in 2008 to reduce to term from 90 to 70 days, after students objected to the placement of renting season in late November, close to their exam periods.<sup>3</sup>

## Analysis:

To some, the issue of renewal dates for leases between private citizens seems to be an area that the government should not involve itself. Mike Danaher, a New York associ-

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ate district attorney specializing in landlord-tenant disputes, said it was an issue best left to “supply and demand”<sup>4</sup> at a meeting hosted by the Collegetown Neighborhood Council on September 11<sup>th</sup>, 2012. However, Ithaca Common Councilmember Ellen McCollister pointed out that in addition to a problem of supply and demand, lease renewal dates represent a “classic collective action problem: it creates an arms race to re-sign earlier and earlier, and in the end neither landlords nor students end up being well-served.”<sup>5</sup> Tenants are forced to make hasty decisions, when they would prefer to have more time to decide who to live with and where. Landlords are faced with competition from other landlords who sign leases earlier and earlier, forcing dates to move up unnecessarily. A system based on the Ann Arbor model would solve these issues.

### Talking Points:

- The current lack of lease renewal legislation encourages a collective-action problem that negatively impacts all involved.
- Ann Arbor, MI’s model offers an easy alternative that could easily and effectively be implemented.

## Next Steps:

The most appropriate place to lobby for an ordinance based on the Ann Arbor model would be at the Rental Housing Advisory Committee, which is a board within the Ithaca Common Council (Ithaca NY’s City Council). Current Advisory Committee member Graham Kerslick has stated that “both landlords and tenants could benefit from clearer guidelines on this issue of lease timetables”<sup>6</sup> and has lead conversations within the advisory committee on this issue. Ithaca City Code Chapter 258 deals with rental housing – it can be changed by Common Council members to enact an ordinance containing language similar or identical to that of Ann Arbor, MI. Compliance can be enforced through citizen policing – tenants could file complaints with the City if landlords force early renewals. This system will allow for a more humane and economical renting season in Ithaca, NY.

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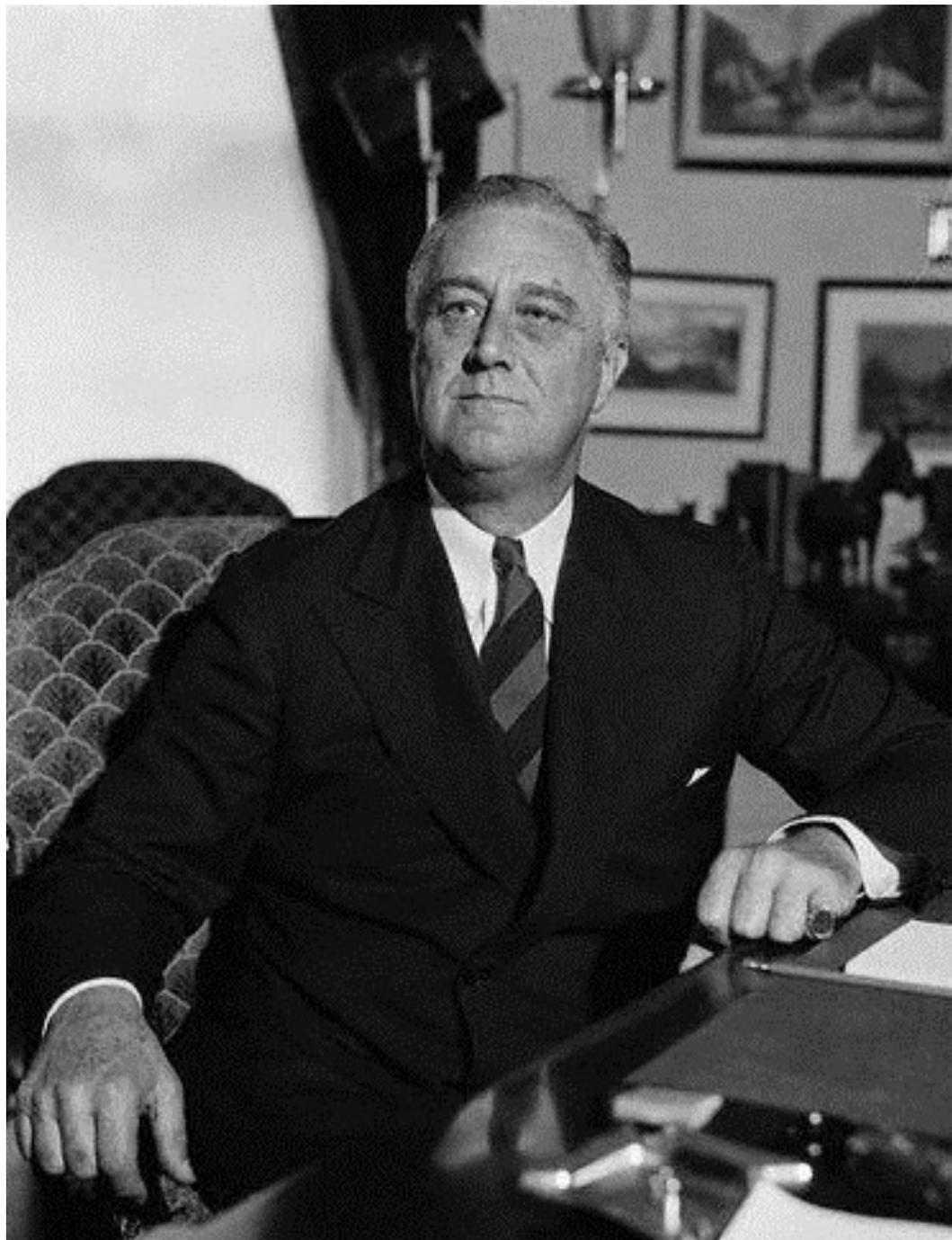
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