

A False Choice: Citizenship or Mass Deportation A Realistic View of Today's Immigration Debate

An NPG Position Paper

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Introduction

This paper was written in the Summer of 2006 after Congressional debate on comprehensive immigration reform and following passage of legislation in both the U.S. House of Representatives and the U.S. Senate. While the House bill focused almost exclusively on border control and tougher enforcement of current immigration law, the Senate legislation encompasses guestworkers and provisions for rewarding current lawbreakers with eventual citizenship.

The bottom line is that for all of the political pandering and hand wringing on this critical issue, we already have laws on the books to meet today's immigration crisis head-on. Demanding enforcement of these laws and funding long overdue high tech programs that can better track non-compliance should be our top priority.

For many years our Federal government has failed to stop illegal immigration, with the deplorable result that there are now an estimated 10-15 million illegal immigrants living here permanently, in violation of our laws. Their number grows each year by an estimated 500,000 new illegal immigrants who settle here after either crossing our borders illegally, or overstaying their visas.

Proponents of mass immigration have attempted (fairly successfully until now) to set the terms of the debate about what to do with the many millions of illegal immigrants who have settled here. They have done so by maintaining that there are only two possible options: either mass deportation or citizenship.

Since it is unrealistic to think that 10-15 million immigrants could somehow be apprehended and deported in mass, the proponents of mass immigration maintain that the only other option is to put them on a path toward citizenship. That would amount to a mass amnesty, pure and simple. Such an amnesty would create a large and immediate increase in the size of our already vastly overpopulated country by an estimated 18 to 30 million, because the amnestied illegals would be able to bring their imme-

diately family members currently living abroad into our country. The higher estimate – 30 million – would be equal to a staggering 10% of our present population of nearly 300 million.

The Third Option: Self-Removal

If our nation's borders were made secure and the flow of new illegal immigrants were halted, the illegal population now could be pressured to depart voluntarily without government intervention. We believe that within several years at most their number would be reduced to near zero. That goal could be accomplished by putting into effect policies that would make it practically impossible for an illegal alien to reside here for any appreciable length of time without being apprehended, coupled with severe penalties for illegal presence when apprehended.

Requiring Verification of Legal Status for Key Transactions

We need a comprehensive Federal program that would make it virtually impossible for an illegal immigrant to remain here undetected. The heart of the program

would be to require government authorities or private sector officials to confirm legal status whenever anyone:

- Attempts to open a bank account, purchase bank instruments or securities, or transfer money abroad. Banks that transfer money abroad without checking legal status should be subject to heavy fines. Such a regulation should put a stop to illegal aliens transferring many billions of dollars out of the country each year.
- Applies for a driver's or pilot's license, or any other commercial or occupational license.
- Seeks to enroll in college or post-secondary training for oneself or one's children.
- Seeks medical care at a hospital. (Emergency care would be provided.)
- Applies for a marriage license, birth certificate or other vital document.
- Applies for a social security number. (Now required, but circumvented by the ability to obtain false documents.)
- Applies for a job. (Already required, although verification is practically nonexistent.)
- Attempts to buy, sell or rent real estate.
- Applies for a credit card, charge account, or any other form of credit.
- Seeks to purchase, rent or register a vehicle, aircraft, firearm, explosives, or controlled hazardous materials.

(Go to our website at www.npg.org to see our NPG Position Paper titled, *Zero Tolerance For Illegal Immigration: An Urgent Policy Need.*)

Verification would be by a telephone or online check with a central database maintained by the U.S. government that would have to be developed and put into operation. Law enforcement authorities should be alerted immediately if an illegal applicant is detected.

Penalties: Appropriate penalties are already on the books and they need only to be strictly enforced by our federal government. Present law makes illegal presence

here a misdemeanor punishable by up to six months in prison. It makes illegal entry after removal a felony punishable by up to two years in prison.

If current laws were strictly enforced, illegal immigrants would be faced with the near certainty of being apprehended, and, once apprehended, faced with the near certainty of being convicted for either a misdemeanor or a felony. Quite logically, the pressure would be on almost all illegals to return voluntarily, within a short period of time, to their country of origin and never return to the U.S. There would be no need for a government policy of mass deportation.

Penalties for Employers Who Hire or Employ Illegal Immigrants

The above is not to argue that other policies and penalties would not be required in order to reduce to near zero the estimated 10 to 15 million illegal immigrants now living here permanently. Jobs are the magnet that bring immigrants here and employer sanctions, which for 20 years have been almost totally ignored, must be enforced, with severe criminal penalties for employers who repeatedly, and knowingly, hire illegal immigrants. There must be, at long last, an electronic verification system developed and implemented that would require all employers to verify, from a government database, the legal presence of all applicants.

In addition to new hires, however, employers should also be required to dismiss all illegal aliens that are presently employed. There are an estimated seven million illegal aliens (between four and five percent of the U.S. labor force), who now have jobs in this country. In order, however, to minimize dislocations to our economy and to the lives of the illegal aliens themselves, the law could allow illegal aliens currently employed, who come forward voluntarily and register as illegal, a period of up to six months before being deported. By registering they would avoid being charged with a misdemeanor or a felony, if apprehended during this period.

To summarize: Illegal entry and illegal presence are serious crimes, and must be treated as such. Our Federal government must, without further delay, begin to strictly enforce our present laws which make it a misdemeanor for first time offenders to be here illegally, and a felony

punishable by up to two years in prison for re-entry after removal.

The Disastrous Program for Guestworkers

The Senate passed a bill (S. 2611) in May that, in defiance of all logic and common sense, called for a nation-transforming guestworker program that would allow, over the next several decades alone, tens of millions of immigrants to come here. The over 700 page bill was passed after only 10 days of debate. Under these circumstances, it is doubtful that many of the Senators who voted for the bill could have been fully aware of its disastrous provisions.

Astonishingly, before the vote there were no formal studies or hearings to try and determine the effect of the bill on our population growth, the very central issue with regard to immigration, and thus on our environment and resources. Just as mind-boggling, the so-called temporary guestworkers would not in fact be temporary, but would be able to eventually apply for citizenship! They would also be allowed, later in the program, to bring with them their wives and children! Their potential number and the population growth that would result would transform our nation and severely degrade our environment, our resources, and eventually our economy and standard of living.

Thanks to unselective legal immigration and past amnesties we already have in our country a surplus of legal unskilled workers with minimal education. There is no need to import more. According to noted and well-respected economist Robert J. Samuelson, guestworkers would mainly legalize today's inflows of illegal immigrants, with the same consequence: we would be importing poverty.

Samuelson writes, "It's a myth that the U.S. economy 'needs' more poor immigrants." According to the Pew Hispanic Center, the illegal immigrants already here represent about 4.9 percent of the labor force.

In March 2004, the Center for Immigration Studies (CIS) an authoritative Washington-based think tank, published a paper titled, *Guestworker Programs: Lessons from the Past and Warnings for the Future*, ([access it at www.npg.org](http://www.npg.org)) by Vernon M. Briggs, Jr., Professor of

Labor Economics at the New York State School of Labor and Industrial Relations at Cornell University.

In his paper Professor Briggs described the results of two major studies of guestworker programs, both of which, after intensive scrutiny, rejected the notion that they could be in the nation's best interest.

In the late 1970's Congress established the Select Commission on Immigration and Refugee Policy (SCIRP) chaired by Rev. Theodore Hesburgh. After study, he explained that:

"The idea of a large, temporary work program is tremendously attractive. Perhaps a better word though, would be "seductive." There is a superficial plausibility to this argument and the Commission gave it serious consideration for more than a year and a half. I can recall being very much entranced by it when I first joined the Commission. In the end, we were persuaded, after much study, that it would be a mistake to launch such a program."

In summing up, he concluded: "We do not think it wise to propose a program with potentially harmful consequences to the United States as a whole."

A second major study of guestworker programs was made by the Commission on Immigration Reform (CIR), chaired for most of its life by the late Barbara Jordan. The Commission was created by the Immigration Act of 1990. With regard to guestworker programs it adamantly rejected any notion that they be viewed as part of any solution.

In its final report, CIR stated that it "remains opposed to implementation of a large-scale program for temporary admission of lesser-skilled and unskilled workers." It went on to say specifically that "a guestworker program would be a grievous mistake."

Professor Briggs ends his paper with these concluding observations, which are just as true today as they were two years ago:

"The actual program experience of the past as well as the wise counsel of the distinguished

Americans who served on the host of national commissions cited in this paper all warn in the starkest of terms against pursuing such programs. I know of no other element of immigration policy in which the message *not* to do something is so unequivocal.

“The heart of the problem is that guestworker programs seek to reconcile two sharply conflicting goals: the need to protect citizen workers from the competition of foreign workers who are willing to work for wages and in conditions that few citizens would tolerate versus the wishes of some employers who rely on labor-intensive production and service techniques to secure a plentiful supply of low-cost workers. In addition, there are always unforeseen side effects that harm the wider society.

“With 34 million low-wage workers in the current civilian labor force, the problem to confront is *not* a shortage of low-skilled workers; it is the oversupply of from 9 to 12 million illegal immigrants that needs to be addressed. Getting illegal immigrants out of our labor force should be the first order of business for policymakers. Neither guestworker programs nor amnesties of any kind should be part of the efforts to end this labor-market nightmare. Guestworker programs do nothing to stop further illegal immigration and, in fact, they serve to condone past illegal conduct while encouraging more illegal immigration.

“Except in national emergencies, guestworker programs are bad public policy. They may meet the short-term pleas of private interest groups, but they can never meet the higher standard of

being public policies that serve the national interest.”

In March 2006, the Center for Immigration Studies published another excellent paper about illegal aliens and the labor market. It was titled *Dropping Out: Immigrant Entry and Native Exit From the Labor Market, 2000-2005*. (*access it at www.npg.org*) The author was Steven Camarota, Director of Research for the Center. Dr. Camarota writes:

“Advocates of legalizing illegal aliens and increasing legal immigration argue that there are no Americans to fill low-wage jobs that require relatively little education. However, data collected by the Census Bureau show that, even prior to Hurricane Katrina, there were almost four million unemployed adult natives (age 18 to 64) with just a high school degree or less, and another 19 million not in the labor force. Perhaps most troubling, the share of these less-educated adult natives in the labor force has declined steadily since 2000.”

America’s main challenge is to improve the conditions and opportunities for its abundance of unskilled labor, not to increase the number of their competitors.

Conclusion

There is no telling right now what final immigration legislation will be passed by Congress and be signed into law by President Bush. But we must make it clear to those who are determined to break our laws by sneaking illegally into this country that they are not welcome and, when apprehended, will be subject to severe penalties rather than be rewarded.

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