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## **FLAWED IMMIGRATION POLICY THREATENS AMERICA'S FUTURE**

Illegal immigration is a severe problem in America that we cannot risk ignoring. With the most recent immigration legislation having failed in the ever-so-liberal 110th Congress, many Americans have now been awakened to the recurring problem of illegal immigration and its negative impact on our national security, economy, morality and religious freedom.

The United States Census Bureau projects that immigration will grow our population from the present 288 million to more than 400 million residents over the next 50 years.<sup>1</sup> Currently, there are approximately 12 million illegal aliens living in the shadows of America. This means that there are 12 million unknown workers, unknown backgrounds, unknown religions, and unknown families being represented in every facet of American life. Congress has repeatedly proposed amnesty-based bills in flawed attempts to “fix” illegal immigration.<sup>2</sup> The problem with amnesty is that it undermines the rule of law and the very foundation of good government.

The most recent failed immigration bill would have granted amnesty to nearly every person who has lived illegally inside the United States since January 1, 2007. These illegal aliens would have been awarded a “Z visa,” which proposed to confer the legal right to remain in the United States with automatic renewal for the rest of the illegal alien’s life. Furthermore, eight years after the bill would have been enacted, the government was to begin bestowing “green cards” (legal permanent residence status) on all Z visa holders who wanted them. Finally, five years later, amnesty recipients would have been free to become citizens through the normal naturalization process.<sup>3</sup>

Although there are misguided leaders who praised the most recent immigration bill as “very good legislation,” and “not amnesty,” this is not the first time Washington has tried to cure the illegal immigration problem with measures that held little hope of success.

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<sup>1</sup> Center for Immigration Studies, *Current Numbers*, <http://www.cis.org/topics/currentnumbers.html> (last visited June 21, 2007).

<sup>2</sup> Amnesty is defined as “[a] pardon extended by the government to a group or class of persons.” Black’s Law Dictionary (4<sup>th</sup> Ed. 2004).

<sup>3</sup> Robert Rector, The Heritage Foundation, *Amnesty Plus*, <http://www.heritage.org/Press/Commentary/ed060807b.cfm> (last visited June 21, 2007).

## Past Immigration Failures

Illegal immigration is not a new issue. Legislation has been passed numerous times in our nation's history, but to little avail. Legislation such as the Naturalization Act of 1795, the Gentlemen's Agreement of 1907, the Immigration Act of 1924, and even the Fourteenth Amendment have provided short and inadequate relief to the problem of illegal immigration. The most recently proposed legislation is much worse than its predecessors because of the changed circumstances of this country and the current consequences of illegal immigration. Albert Johnson, the chief author of the Immigration Act of 1924, stated that:

[O]ur capacity to maintain our cherished institutions stands diluted by a stream of alien blood, with all its inherited misconceptions respecting the relationships of the governing power to the governed. It is out of appreciation of this fundamental fact...that the American people have come to sanction – indeed demand – reform of our immigration laws.<sup>4</sup>

We believe that although immigrants should be welcomed, those who enter our country must first understand our system of government and then strive to adopt our language and patriotism and work to join our national identity. Today's illegal aliens have shunned our heritage through their direct disobedience of our laws. After the Immigration Act of 1924 became law, the problem of illegal immigration continued to grow. The stage was set for arguably the most disastrous immigration law to ever be introduced. The author of this law, the Immigration Act of 1965, was none other than liberal Senator Ted Kennedy, who is pushing the current ill-conceived reform efforts.<sup>5</sup>

The 1965 law was a prime example of legislation that has led to huge and unforeseen consequences.<sup>6</sup> Any pro-amnesty bill will have similar results. Prior to Senator Kennedy's 1965 legislation, immigrants entered the country at around 175,000 a year. Shortly after his bill passed, immigrants were entering the country at roughly twice the previous number.<sup>7</sup> During the debate on the Senate floor, Senator Kennedy claimed, "The bill will not flood our cities with immigrants. It will not upset the ethnic mix of our society. It will not relax the standards of admission. It will not cause American workers to lose their jobs."<sup>8</sup> In fact, our current problem of illegal immigration has shown Senator Kennedy to be dead wrong. Twenty-one years later, amnesty for three million illegal aliens was granted by the Immigration Reform and Control Act of 1986 (IRCA). Although Ronald Reagan predicted that "[f]uture generations of Americans will be thankful for our efforts to humanely regain control of our borders and thereby preserve the

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<sup>4</sup> ROGER DANIELS, TWO CHEERS FOR IMMIGRATION, *printed in* DEBATING AMERICAN IMMIGRATION, 1882 – PRESENT (2001), at page 23.

<sup>5</sup> Author Otis Graham reflects on this liberal attempt to grant amnesty to those who entered our country illegally: "The passage of time may position the 1965 immigration law as the Great Society's most nation-changing act, especially if seen as the first of series of ongoing liberalization of U.S. immigration and border policy extending through the end of the century and facilitating four decades (so far) of mass immigration." JAMES T. PATTERSON, INTRODUCTION, *printed in* DEBATING AMERICAN IMMIGRATION, 1882 – PRESENT (2001), at page 1.

<sup>6</sup> *Id.* at 2.

<sup>7</sup> *Id.* at 1.

<sup>8</sup> Transcript of Rush Limbaugh – March 31<sup>st</sup>, 2006, The Rush Limbaugh Show, *Ted Kennedy "Reformed" Immigration in 1965*, <http://www.rushlimbaugh.com/home/eibessential/immigration/eibmemory.guest.html> (last visited June 22, 2007).

value of one of the most sacred possessions of our people: American citizenship,”<sup>9</sup> the results proved otherwise. One writer observed that “[d]espite its anti-immigrant rhetoric, the IRCA actually expanded legal immigration to the United States significantly and did little or nothing that would limit future illegal immigration effectively.”<sup>10</sup>

### **Negative Impact of Illegal Immigration**

Currently, almost one in twenty-five persons residing in the United States is an illegal alien.<sup>11</sup> The damaging effects on the United States are substantial.

#### ***National Security***

There is no way to know how many illegal aliens pose a threat to our national security because they are terrorists or harbor terrorists. The New Jersey-based Islamic terrorists, who were arrested in May of 2007 for plotting to attack the Fort Dix army base, included three illegal aliens who came across the Texas border years ago. Those three men were stopped nineteen times by police for traffic violations, but because of “sanctuary” policies, they were never reported to immigration authorities.<sup>12</sup> While our troops are fighting Islamic terrorists in Iraq and elsewhere, others just as dangerous are quietly moving in among us, scheming and plotting the next terror attack. Unfortunately, our lawmakers will make their job easier by granting them amnesty and providing the means for them to stay with us permanently, or at least until they strap a bomb to themselves and blow up unsuspecting American citizens.

#### ***Education***

Educating both illegal aliens and children of illegal aliens costs taxpayers an astounding \$29 billion per year!<sup>13</sup> Since 1982, when the United States Supreme Court decided *Plyler v. Doe*, school officials cannot refuse children of illegal aliens a free public education.<sup>14</sup> Children of illegal aliens make up over fifteen percent of the K-12 student population in California.<sup>15</sup> Many other states, such as Texas, Arizona, and Illinois, have comparable statistics.

#### ***Healthcare***

The Emergency Medical Treatment and Active Labor Act provides for free medical care for all illegal aliens. According to author and Congressman J.D. Hayworth, “illegal aliens know they can’t be turned away for care, so they tend to use emergency rooms like a regular doctor’s office. Meanwhile, the Border Patrol permits Mexican ambulance drivers to bring indigent

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<sup>9</sup> ROGER DANIELS, TWO CHEERS FOR IMMIGRATION, *printed in* DEBATING AMERICAN IMMIGRATION, 1882 – PRESENT (2001), at page 52.

<sup>10</sup> *Id.*

<sup>11</sup> Robert Rector, The Heritage Foundation, *Amnesty will Cost U.S. Taxpayers at Least \$2.6 Trillion*, <http://www.heritage.org/Research/Immigration/wm1490.cfm> (last visited June 22, 2007).

<sup>12</sup> Kris W. Kobach, The Heritage Foundation, *The Senate Immigration Bill: A National Security Nightmare*, <http://www.heritage.org/Research/Immigration/wm1513.cfm> (last visited June 26, 2007). Although sanctuary cities are prohibited under federal law (8 U.S.C. §§ 1373 and 1644), there are no penalties for cities that refuse to report illegal aliens.

<sup>13</sup> J.D. HAYWORTH, *WHATEVER IT TAKES: ILLEGAL IMMIGRATION, BORDER SECURITY, AND THE WAR ON TERROR* (2006), at page 19.

<sup>14</sup> *See Id.*

<sup>15</sup> *See Id.*

patients to U.S. border hospitals under ‘compassionate entry.’”<sup>16</sup> This is just another example of how illegal immigration is hurting America’s financial security by driving up the cost of healthcare for legal immigrants and other taxpayers.

### ***Family Values***

The number of people living according to traditional family values will perilously decline as the population of illegal immigrants grows. Although supporters of amnesty will argue that “immigrants bring to our country strong family structures and strong morals”<sup>17</sup> and that their close-knit families “will improve our society,”<sup>18</sup> the statistics have proven otherwise. For example, about one-third of births to immigrants occur out-of-wedlock. Furthermore, unmarried immigrants are much more likely to give birth than native-born singles.<sup>19</sup> Although the American family has been under attack for many years, those who seek to fight for and strengthen American families must now take into account the overwhelmingly negative impact illegal immigration has and will continue to have on our family values and moral heritage.

### ***Crime***

Since illegal aliens generally do not have high levels of education, it is not surprising that many live below the poverty line. As a result, the crime rate among illegal aliens continues to rise. For example, in 2003 the majority of the approximately 45,000 criminal aliens in federal prison were illegal aliens. The incarceration of these illegal aliens costs the government close to \$1.3 billion.<sup>20</sup> During that same year, state prisons spent close to \$880 million on illegal aliens.<sup>21</sup> An added problem is that crime and abuse among the illegal population reigns unchecked because of the fear associated with involving law enforcement in local problems.

### ***Social Services***

The cost of allowing those who have broken our laws to remain in the country with very minimal restitution is overwhelming. According to Robert Rector of the Heritage Foundation, if approximately 10 million illegal aliens were granted amnesty, the net retirement cost to the United States government could be over \$2.6 trillion!<sup>22</sup> This cost is due to the payment of Social Security, Medicaid, and Medicare benefits. There could be as many as 20 million illegal aliens in the country. In 1986, this nation granted amnesty to nearly three million illegal aliens, and as a result, the number of illegals has nearly quadrupled!

### **Balancing Compassion and Justice**

Granting amnesty to the millions of people who have broken the law to enter this nation is not a compassionate solution. Allowing illegal aliens to remain in the United States encourages exploitation by those whose sole purpose is to make money. Some of the exploiters

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<sup>16</sup> *Id.* at 23.

<sup>17</sup> Steven A. Camarota, Center for Immigration Studies, *Illegitimate Nation: An Examination of Out-of-Wedlock Births Among Immigrants and Natives*, <http://www.cis.org/articles/2007/back507.html> (last visited June 26, 2007).

<sup>18</sup> *Id.*

<sup>19</sup> *See Id.*

<sup>20</sup> *See Id.* at 31.

<sup>21</sup> *Id.*

<sup>22</sup> Robert Rector, The Heritage Foundation, *Amnesty will Cost U.S. Taxpayers at Least \$2.6 Trillion*, <http://www.heritage.org/Research/Immigration/wm1490.cfm> (last visited June 22, 2007).

are smugglers who demand cash payments for transportation and false documents.<sup>23</sup> The documents are sometimes obtained through identity theft, leaving a wake of victims beyond the illegal aliens. Our porous borders also encourage human trafficking of women who are forced into prostitution or other forms of involuntary servitude. For instance, a woman recently pled guilty to conspiracy and smuggling for her part in bringing Central American girls and women into Texas and forcing some of them to work in her Houston area bar.<sup>24</sup>

Illegal workers are also exploited by farms, factories and other businesses for meager wages. The businesses insist that consumers would have to pay much higher prices for produce and other items if the illegal aliens did not fill the jobs. Even assuming that statement is true, the same claim could be made to justify keeping slaves, but exploitation in either instance is still exploitation.

Some business owners ignore the obvious signs that job applicants are using forged documents,<sup>25</sup> while others actually charge fees to workers who want to obtain fake identification papers. The owner and others involved with a large Los Angeles area supermarket were arrested in June 2007 on federal racketeering charges which included murder, corruption and harboring illegal aliens.<sup>26</sup> Enforcing our current laws against corrupt business owners will send a message to others that they must stop exploiting illegal aliens for their own monetary gain.

The Bible addresses the issue of how we should deal with immigrants. In the Book of Leviticus, God commanded Israel: “When an alien lives with you in your land, do not mistreat him. The alien living with you must be treated as one of your native-born. Love him as yourself, for you were aliens in Egypt.”<sup>27</sup> “The community is to have the same rules for you and for the alien living among you; this is a lasting ordinance for the generations to come. You and the alien shall be the same before the LORD.”<sup>28</sup> Breaking the law because of desperation does not remove the penalty for lawbreaking. Proverbs 6:30-31 reads: “Men do not despise a thief if he steals to satisfy his hunger when he is starving. Yet if he is caught, he must pay sevenfold, though it costs him all the wealth of his house.”<sup>29</sup>

We should show compassion to those in need. Denying amnesty to those who refuse to follow the law does not contradict this requirement. According to a commission of the Southern Baptist Convention, “Our government should not criminalize private citizens who give a cup of cold water, a hot meal, a warm bed or medical assistance to those who are in our country

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<sup>23</sup> Spencer S. Hsu & Krissah Williams, *Illegal Workers Arrested In 6-State ID Theft Sweep*, WASHINGTON POST, Dec. 13, 2006, at A01.

<sup>24</sup> News Release from The United States Attorneys Office, Southern District of Texas, *Woman Pleads Guilty to Human Trafficking Related Charges* - June 5, 2007, <http://www.usdoj.gov/usao/txs/releases/June2007/070611-Mondragon.htm> (last visited June 27, 2007).

<sup>25</sup> The back of a forged Social Security card seized last April from a San Diego military contractor contained multiple spelling mistakes, but the applicant using the card was still hired. Leslie Berestein, SAN DIEGO UNION TRIBUNE, *Immigration Loophole Leads to Spread of Fake-ID Mills*, Feb. 19, 2006, at A1.

<sup>26</sup> News Release from The United States Department of Justice, *Owner Of Numero Uno Markets Arrested On Federal Racketeering Indictment That Alleges Murders, Corruption And Harboring Of Illegal Aliens* - June 13, 2007, <http://losangeles.fbi.gov/dojpressrel/pressrel07/la061307usa.htm> (last visited June 27, 2007).

<sup>27</sup> Leviticus 19:34 (New International Version).

<sup>28</sup> Numbers 15:15 (New International Version).

<sup>29</sup> Proverbs 6:30-31 (New International Version).

illegally.”<sup>30</sup> We must understand the balance between caring for the needy while upholding the law. In fact, the Baptist commission concludes, “We have a right to expect the government to fulfill its divinely ordained mandate to punish those who break the laws and reward those who do not.”<sup>31</sup> Christians who understand this concept often visit prisoners to share about faith in Jesus Christ. However, demanding a criminal’s release from prison because that person accepted Christ ignores justice and trivializes the consequences of lawbreaking. Similarly, it is possible to show compassion to illegal aliens in need while still upholding the rule of law. Rewarding illegal aliens for their disregard of the rule of law is absolutely inconsistent with any reasonable concept of justice. Ignoring the exploitation of illegal aliens, or even profiting from their exploitation, is inexcusable.<sup>32</sup>

## **Immigration Reform Solutions**

We must be careful not to oppose illegal immigration because of prejudice or dislike of those from other nations and cultures. God has made us all in His image. We all descended from Adam and Eve, and thus we are all of “one blood.” However, we should always fight for upholding the rule of law and for justice. Illegal immigration is hurting our country and its inhabitants economically, morally, and politically. A workable solution to the current illegal immigration problem must contain several main requirements.

### ***Enforce Current Immigration Law***

There are currently laws that would discourage both illegal aliens and their employers from engaging in any illegal activity. Enforcement of these laws must be implemented. If illegal aliens know that they are completely immune from criminal sanctions, they will risk crossing the border in order to achieve a better life. According to a 2005 Zogby poll, 76 percent of Americans don’t think the government is doing enough to stop illegal immigration.<sup>33</sup> Audits and random checks of employers for documentation compliance should be increased to stop the demand for illegal workers.

### ***Secure Our Borders***

Former President Ronald Reagan remarked: “This country has lost control of its borders, and no country can sustain that kind of position.”<sup>34</sup> It makes sense that if we secure the borders, illegal immigration should fix itself. Although it may be impossible to absolutely secure the entire border and make certain that no illegal alien crosses, there are ways to better protect our nation from unnecessary risks. Although seven hundred miles of fence to secure our southern

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<sup>30</sup> Dwayne Hastings, The Ethics & Religious Liberty Commission of the Southern Baptist Convention, *Porous Borders have led to Current Immigration Crisis, ERLC’s Land says*, <http://erlc.com/article/porous-borders-have-led-to-current-immigration-crisis-erlcs-land-says> (last visited June 22, 2007).

<sup>31</sup> *See Id.*

<sup>32</sup> “That men should pray and fight for their own freedom and yet keep others in slavery is certainly acting a very inconsistent as well as unjust and perhaps impious part.” John Jay, President of Continental Congress, Chief Justice of the U.S. Supreme Court, and Governor of New York. Correspondence and Public Papers of John Jay, Henry P. Johnston, editor (New York and London: G.P. Putnam's Sons, 1891), Vol. III, pp. 168-169. In a letter to Dr. Richard Price on Sep. 27, 1785.

<sup>33</sup> J.D. HAYWORTH, *WHATEVER IT TAKES: ILLEGAL IMMIGRATION, BORDER SECURITY, AND THE WAR ON TERROR* (2006), at page 174.

<sup>34</sup> *Id.* at 176.

border was authorized by the Secure Fence Act of 2006, very little has been built. Additionally, electronic monitoring should be installed in areas where a fence is not feasible or sufficient. Additional Border Patrol agents should be hired, trained and deployed. If the borders are secure, the future of the country will be more secure. “Sanctuary cities” that shield illegals and fail to cooperate with federal immigration authorities seeking information on illegal aliens should be penalized through withdrawal of any federal funding until cooperation is resumed.

### ***Require Assimilation***

*Legal* immigration is an integral aspect of the American culture and ideal. After all, as President Bush has stated, we are, “a nation of immigrants, and we must uphold that tradition, which has strengthened our country in so many ways. These are not contradictory goals. America can be a lawful society and a welcoming society at the same time.”<sup>35</sup> From the beginning, however, the Founders understood that those who came to this country must adapt to our way of living. They were concerned about the language, political principles, and morals of those from other countries.<sup>36</sup> Immigrants were always welcomed – provided they embrace our culture and traditions. This is the problem with illegal immigration today. *Legal* immigrants, those who have followed the law and spend thousands of dollars to come to this country, understand that living in America is a privilege and not a right. Many illegal aliens, on the other hand, tend to have a sense of entitlement and remain loyal to their country of origin. They stay isolated and resist assimilation due to fear of deportation.

Former Supreme Court Justice Louis Brandeis, an immigrant himself, believed that immigrants must adopt, “the clothes, the manners and the customs generally prevailing here.”<sup>37</sup> Furthermore, Justice Brandeis explained that this was only the starting point: “[W]e properly demand of the immigrant even more than this – he must be brought into complete harmony with our ideals and aspirations and cooperate with us for their attainment. Only when this has been done will he possess the national consciousness of an American.”<sup>38</sup> It seems lost among republicans and democrats alike that assimilation is the key to a successful immigration policy. If immigrants do not want to assimilate, then they will be of no benefit to the success of our nation. Congressman J.D.Hayworth wrote: “Immigrants are encouraged to not just preserve their language and heritage, which they should, but to have their language and heritage compete with and replace our own. These efforts have only succeeded in isolating immigrants, linguistically and culturally.”<sup>39</sup>

In decades past, immigrants were assimilated into society through our educational system. Children of immigrants were schooled alongside American children. They all learned morals, loyalty and patriotism and gained a sense of national pride. Then, in the 1960s, the U.S.

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<sup>35</sup> Transcript of Speech by President George W. Bush – May 15, 2006, The White House Office of the Press Secretary, *President Bush Addresses the Nation on Immigration Reform*, <http://www.whitehouse.gov/news/releases/2006/05/20060515-8.html> (last visited June 22, 2007).

<sup>36</sup> OTIS L. GRAHAM, *THE UNFINISHED REFORM: REGULATING IMMIGRATION IN THE NATIONAL INTEREST*, printed in *DEBATING AMERICAN IMMIGRATION, 1882 – PRESENT* (2001), at page 92.

<sup>37</sup> Ann Coulter, AnnCoulter.com, *A Green Card in EveryPot*, <http://www.anncoulter.com/cgilocal/article.cgi?article=185> (last visited June 22, 2007).

<sup>38</sup> *Id.*

<sup>39</sup> J.D. HAYWORTH, *WHATEVER IT TAKES: ILLEGAL IMMIGRATION, BORDER SECURITY, AND THE WAR ON TERROR* (2006), at page 51.

Supreme Court banished prayer and Bible reading from the public schools. As liberals rewrote public school curricula and infiltrated our educational system, and as too many Christians chose to stay out of the nation's public policy discourse, traditional values were no longer effectively transmitted to immigrant children.

While America has always welcomed refugees and immigrants, the Founders believed in the principle of *E Pluribus Unum* (out of many, one). That is, America was viewed as a melting pot of many nationalities, but as in the analogy of a melting pot, the many nationalities were expected to mold into one nation with shared values and beliefs. This is a concept which is continually overlooked in today's deliberations. During the immigration debate, we need to be mindful of this concept of Americanization. After all, the future of our country depends on it. That policy must focus on unifying the many into "One Nation Under God."

### ***Reward Legal Immigrants***

Virtually ignored by federal lawmakers are the millions of *legal* immigrants who are not being favored and who are spending thousands of dollars in filing fees and legal costs to gain entry into the United States. The incentive for following the law has been effectively eliminated. We should make legal immigration a priority for those who desire to enter our country.<sup>40</sup> Honest, hard-working individuals from foreign countries spend thousands of dollars to come to this country, only to see illegal aliens "jumping ahead" in line. Even children understand that it is rude to cut in line, but many lawmakers can't comprehend this basic idea of fairness. The Department of Homeland Security provides temporary visas for students, nurses, religious workers, musicians, athletes, and numerous other specialty areas. Those are the immigrants that we should welcome to this society. All of these temporary visas can lead to permanent residency and eventually citizenship. Immigrants should enter the country through these lawful means, or not at all. Until our government begins to honor these legal immigrants and enforce laws against illegal entry, people will continue to break the law.

### **Securing America's Future**

We must secure this country by enforcing our current immigration laws, securing our borders, requiring assimilation of all immigrants, rewarding legal immigrants who can make real contributions to our society and by refusing to extend amnesty to any illegal aliens. The future of America, indeed the future of our family, our faith, and our freedom, depends on a sound immigration policy.

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<sup>40</sup> Republican Representative Tom Tancredo said that, "[w]e are making a mockery of the immigration process." He said that it is a "slap in the face to those who are doing it the right way." Dwayne Hastings, The Ethics & Religious Liberty Commission of the Southern Baptist Convention, *Porous Borders have led to Current Immigration Crisis*, *ERLC's Land says*, <http://erlc.com/article/porous-borders-have-led-to-current-immigration-crisis-erlcs-land-says> (last visited June 22, 2007).