

# Our Illegal Migration Challenge: Address It in Logical Steps

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Little seems to have changed since my commentary below was published online in November 2007 by Family Security Matters at <http://www.fsmarchives.org/article.php?id=1385341>. Yes, there has been some unsteady progress in erecting physical barriers to entry on the southern border and in implementation of the E-Verify system. And yes, some illegals have apparently departed on account of the poor economy.

However, we continue to slog along, threatened by the view held by too many in business, Congress, The White House and elsewhere that immigration control ranks right up there with the Feds' stupid 55 mile-per-hour national speed limit decades ago: just a minor annoyance not worthy of real enforcement.

## **Fiddling While Rome Burns?**

By John Dendahl  
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This essay proceeds from the writer's belief that the greatest privilege any person can enjoy is citizenship in the United States of America. Second is holding a Green Card, the visa signifying legal permanent residency. The third greatest privilege — whatever it is — falls far below second.

Surely there isn't another nation enjoying the long lines of other nations' citizens striving to emigrate here. Many, however, don't wait in line. Apparently they don't need to; they just walk in and make themselves at home.

As one watches U.S. political leadership wrangle over illegal migration, classical American philosopher George Santayana comes to mind with, "Those who cannot remember the past are condemned to repeat it." And what a remarkably inept past it is!

President Reagan signed the Immigration Reform and Control Act in 1986. Also known as Simpson-Mazzoli for its sponsors, U.S. Sen. Alan Simpson (R-Wyo.) and U.S. Rep. Ron Mazzoli (D-Ky.), this law led to amnesty and permanent resident status for some three million migrants then illegally in the United States. Amnesty just this one time said the advocates — a humane, practical one-time fix that we won't face again because from now on we're going to really enforce our immigration laws.

A short four years later in 1990, Simpson expressed apparent lack of confidence when, during congressional debate on more immigration legislation, he said, "Uncontrolled immigration is one of the greatest threats to the future of this country."

Indeed it is.

Another 17 years have gone by, and press accounts of migrants now illegally in the United States typically use an estimate of 12 million. No one really knows the number or how much it grows every night through border crossings and child births.

In 2006, President Bush and a bipartisan assortment of U.S. senators backed "comprehensive" reform that was an amplified echo of Simpson-Mazzoli. Fortunately it went down in flames. Bush's attempts to tell us why this bill wasn't another amnesty sadly reminded me of the rhetorical parsing for which his predecessor, Bill Clinton, will be remembered throughout U.S. history. If it walks like a duck and quacks like a duck, it must be a duck.

The amnesty crowd lost again last month, October 24, when the votes weren't there in the Senate to stop a promised filibuster of new legislation designed as the first of several steps toward achieving what they couldn't get last year.

Longtime amnesty supporter Sen. John McCain (R-Ariz.) was missing in action from last month's vote. However, he may have undergone an epiphany of sorts. McCain now says he has learned from public reaction all over the country that enforcement of current laws must come first. One should hope he believes that and count it as progress.

As many know too well, "racist," used by many non-whites and their purported advocates, either as a noun or adjective, 1) is the only word they deem needed to dismiss any argument unfavorable to their positions, and 2) is considered blasphemy when reciprocally applied. The ugly head of racism rises *from both sides* in discussions of immigration policy.

So it is that to line up for unflinching enforcement of our nation's immigration laws is to attract a forest of fingers pointing to oneself as racist. U.S. Rep. Tom Tancredo (R-Colo.) continually gets this treatment. This fine patriot is among the country's best-known advocates for immigration law enforcement.

He also speaks eloquently of the wonderful things immigrants have contributed to making the United States the great nation it is. That part just about never appears in the press, since it is obviously at odds with the racist xenophobe face his opponents, prominently including most of the mainstream press, want him to wear.

Count me as standing proudly with Tancredo on both counts: appreciative of immigrants' past and future value as U.S. citizens, and appalled that we collectively permit that value to be diluted and our country put at risk by flagrant immigration law violations.

What to do?

Were I in a position to design our country's illegal migrant policy today, it would look like this:

Priority One: Seal the entire southern border with a fence.

Priority Two: Enact legislation to discontinue granting "birthright" citizenship to a child born in the U.S. of a mother either illegally, or legally but temporarily, in the U.S. (The Fourteenth

Amendment contains only a qualified guarantee of citizenship (<http://www.heritage.org/Research/LegalIssues/lm18.cfm>) to those born in the United States. See video here: [http://www.capsweb.org/content.php?id=427&menu\\_id=14](http://www.capsweb.org/content.php?id=427&menu_id=14).

Priority Three: Put in place a system enabling employers to rely absolutely on one or more Federal government data bases for matching Social Security numbers to job applicants, thus protecting them (employers) against civil rights liability for refusing to employ persons for whom a proper "match" cannot be achieved.

Priority Four: Commence methodical enforcement against employers, with particular severity for those found to be aiding and abetting illegal entry into the U.S. (e.g., through recruitment practices, knowingly dealing with smugglers, employing persons with credentials known to be forged or otherwise deficient, etc.)

Guest workers, "pathways to citizenship," and other issues claimed in need of addressing through comprehensive immigration reform would wait.

In response to being asked whether the U.S. should round up and deport all illegal migrants, some emphatically say Yes. I don't. I believe that course is neither humane nor achievable.

Instead, I argue for handling this the way companies frequently manage workforce reductions: through attrition. When businesses can rely on a real-time Federal data source verifying that an applicant may legally be employed, thus providing safe harbor against civil rights liability, it will be fair to punish them for employing illegals.

Currently, a business refusing to employ an individual who provides documentation purporting to be sufficient for Form I-9 does so at considerable risk of a civil rights lawsuit, particularly if the refused applicant happens to look, and speak English, about like most of the nation's illegals: non-white and not well, respectively. So fulmination about sticking it to employers, tantamount to making them immigration law enforcers, is unfair to the vast majority who are simply filling jobs with available workers and doing nothing overt to aid and abet illegal migration.

When jobs for illegals dry up, the attraction to those not already here will diminish a great deal, and many already here (and sending home remittances so coveted by governments of their home countries) will become unemployed and leave.

As throughout its history, the United States has the capacity to absorb, and should avail itself of the opportunities presented by, millions seeking entry wanting to be Americans, to assimilate.

Our experience today is uncontrolled borders and a large, growing corps of other nations' citizens here illegally and unassimilated. At least one foreign government, Mexico's, is clearly aiding and abetting this onslaught. Why do so many dither, continuing to pretend this isn't the threat to our future noted in 1990 by Sen. Simpson?

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