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Speaker Gingrich on Immigration

By John H. Tanton

My experiences and interest in the field of immigration reform led me to look over Newt Gingrich's book, *To Renew America*.¹ My hope was to learn something of his plans for us as a nation. The clear writing style was most helpful. In this article I would like to offer some comments on Chapter 14 of the book titled "Illegal Immigration in a Nation of Immigrants."

Concentrating on illegal immigration, the speaker says that this issue "should be a simple slam-dunk for any serious citizen." He gives ten principles that he calls "obvious and historically irrefutable" — (1) anything illegal is by definition wrong, (2) any nation has an absolute obligation to protect its sovereign border, ("if you can't block people from coming across your border, you really can't protect your citizens"), and (3) our border is clearly known and must be guarded effectively by the federal government whose job it is to do so.

Few will object to Mr. Gingrich's first-mentioned principle as a philosophical jumping off place. Point two is a needed restatement of Article IV, Section 4 of the U.S. Constitution: "The United States shall ... protect each (state) against invasion...."

Points two and three, however, belie a misunderstanding that most resident illegal aliens entered our country illegally. Exactly the opposite is true. As Maria Puente reports, "... more than half the estimated 4 million illegal immigrants are 'visa overstays' — people who enter the country legally on a tourist, student or business visa but don't go home...."² So while ending illegal immigration involves much increased protection of our borders, that is only partially the answer.

Our border is much more than just our land border with Mexico and Canada. It is also our coastal border where ships from foreign shores continue to discharge illegal immigrants, and our airports where people simply land and walk into the U.S. after flying over the border from a foreign country. Recent examples include the grounding of *The Golden Venture* at Queens, New York in June 1993, and the "Sixty Minutes" program on "asylum" claims by people flying into JFK and other international airports.

To echo the patriots of 1775, it's one if by land, two if by sea, and three if by air.

In the case of entries by air, our border effectively begins at the airports overseas from which planes embark for the United States. Our shoreline in reality begins overseas as well. An example can be seen in Florida where cruise ships leave U.S. ports to convey daytrippers to Caribbean islands. There is little or no scrutiny of who re-boards the boat for the return trip to

the United States — nor much of an effort to check the passengers' legal resident status once they return.³

How Shall We Deal with Illegal Aliens Once Here?

The speaker goes on to state in his principle (4) that "when people have succeeded in illegally entering the United States there should be a quick and efficient method of deporting them." He correctly points out the "legal circus" that goes on for months or years during which illegals disappear into the general population.

I certainly agree with Mr. Gingrich that deportation should be speedy, but again the problem is larger than those who are "illegally entering the United States." We need a system for keeping track of those who enter legally, so that should they overstay their welcome and become illegal they can be found and deported, as Israel is now preparing to do.⁴ As Representative Gingrich observes in the concluding paragraph of his chapter on immigration: we can learn from the experience of others. And what about those already here? Are they home free, or should they be deported? Another amnesty for lawbreakers is not acceptable.

In taking up the speaker's point (5) concerning the costs of caring for illegal immigrants, the notion is advanced that since border control is a federal problem, any costs incurred by state and local governments in taking care of illegal immigrants should be reimbursed by the federal government.

We can agree that these costs are a federal problem. But placing the various states in a financial bind over illegal immigration has usefully focused public attention on this problem. We should oppose any move to have the federal government paper over the fiscal consequences of immigration — illegal or legal — by reimbursing the states. The federal budget will never be balanced unless we deal with the causes rather than the effects.

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Stating that it may eventually be necessary to require everyone to carry employee identification cards, the speaker in his point (6) deplors the easy access to false ID which makes a mockery of our laws. And we reluctantly agree that

controlling illegal immigration may well lead to everyone needing some form of counterfeit-resistant employment identification card. While this is not a pleasant prospect, it is less unpleasant than is that of uncontrolled admissions. Foreign visitors now need to carry identification in the form of their passports, as we must when we go abroad.

Of course, the complexity of our civilization is pushing us in the direction of requiring positive identification for such things as voting and securing many social benefits including Social Security or Medicaid, food stamps or Medicare. There is also a general need for identification to cash checks, apply for a loan, and, as of October 1995, boarding a commercial airplane — a practice ordered by the FFA as an anti-terrorism measure.

Incidentally, the INS unwisely stopped issuing its Citizen Identification Card some years ago. This was a card that could be obtained voluntarily by any citizen who felt the need for positive identification. That practice should be reinstated, with the applicant paying a fee sufficient to defray the costs involved.

Suggested Changes In the Immigration System

Mr. Gingrich goes on to suggest, unwisely we think, that some of the illegal immigrant pressure can be eliminated with a "guest-worker" program:

Seventh, we should develop a guest-worker program to allow foreigners to work temporarily in the United States. This may be the safety valve that allows Mexico and its neighbors to accept a tough, decisive United States policy against illegal aliens. The right kind of guest-worker program, modeled on those in effect in Europe will allow economically aggressive immigrants to come to the United States on a temporary basis, creating a win-win relationship: They contribute to the American economy while taking earnings back to their native country.

It is a snare and a delusion to believe any guest-worker program can be "temporary." The speaker recommends a program modeled on those in Europe; the Europeans found that they "sent for workers, and got people instead." (In many cases the workers subsequently sent for families and all stayed permanently.) Even the orderly Swiss have had a great deal of difficulty in rotating guest-workers home. This has been the experience around the world, except perhaps in the most authoritarian societies. Open societies like ours, with a multitude of socially active groups willing to plead the special case to remain of any individual guest-worker, have an especially hard time assuring that guest-workers are temporary.

As to the United States serving as the *valva de escapa* for Mexico, this overlooks the net entrance into the Mexican labor market each year of about one million

persons. And Mexico is just one of the many countries that would like to use the United States as an escape valve. There is the rest of Central and South America, plus the Caribbean, to name only our southern neighbors. Worldwide — only a plane ticket away — many tens of millions of persons are joining the ranks of the under- and unemployed each year. There is no way the United States can serve as an escape valve for a problem of this magnitude. Recall that it was only last year that "free trade" pacts, such as NAFTA were promoted as the best means of halting the wholesale migration of poor people to the U.S.

Incidentally, with 30 million adults in this country who are semi-illiterate, or illiterate, it is hard to see why we have any need for low-skilled guest-workers. We also need studies of remittances to learn how big a factor they are in our balance-of-payments deficits.

Representative Gingrich then urges us to (8) be less suspicious about issuing visas so that tourism can flourish and bring more foreign dollars to the American economy. By being strict with our permits and lax about our borders, he writes, we're stopping the wrong people from entering the country.

I am not quite sure what he means by being more "practical and helpful" in issuing visitor visas. Does this mean less exacting and careful? It is precisely in the issuance of visas that we have our first line of defense — our overseas border, if you will — against those coming by land, sea, and air who would abuse our system. Unfortunately, our "suspicious attitudes" are well grounded. As pointed out in the comments on points two and three above, over half of the illegal immigration problem is attributable to persons who arrived legally, and then simply stayed on.

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Another "obvious principle" that Mr. Gingrich advances is that (9) our country should be "as open and enthusiastic as ever" in welcoming legal immigrants provided they have skills, knowledge or investment capital to bring with them, or are reuniting with immediate family members.

If by being "as open and enthusiastic as ever about legal immigrants" he means adhering to historical practices, I agree. These include long pauses (such as 1924-1945) after floods of immigration (1890-1924) that allowed at least a modicum of assimilation and, yes, Americanization of past immigrants. We now need such a pause or moratorium once again after the latest binge (1965-1995). This is especially true in light of the declining skill level of today's immigrants under the 1965 Act's family preference scheme. I agree with the principle of reunification only of immediate families and only under an overall ceiling, with the first preference going

to U.S.-born petitioners who are bringing foreign-born spouses and dependent, minor, never-married children, with any remaining spots going to immigrants allowed to bring dependents in the same categories — but not parents, brothers and sisters, or more distant relatives.

I am less sanguine than the speaker about preferences for "immigrants who possess knowledge, skills, and investment capital." These capable persons need to stay home and help their own countries to prosper. This will in turn help mitigate the pressure for illegal immigration by easing the economic gap between the developed and less-developed countries.

There is one further point — this is my most important one on how to control illegal immigration: *legal* immigration must be sharply reduced if *illegal* immigration is to be controlled. One of the chief causes of migration, whether legal or illegal, is the counter flow to the home country of cash, goods, information, job offers, and general encouragement to emigrate. Few are aware of the connection because the flow is away from us in this "immigration information network," and hence not easily seen. This feedback is a tremendous stimulant to migration.

In the United States we tend to think of immigration as legal and illegal; in the countries of origin, it is often thought of simply as "go or not go." If a legal spot is available, fine; if not, then going illegally is no big deal, considering the welcome illegals now get from our government (health care, bilingual ballots and education, the Earned Income Tax Credit, affirmative action preferences, etc.) and from private groups (legal services, the sanctuary movement, etc.).

The high volume of information transmitted back to the countries of origin through this immigration information network, whether from legal or illegal entrants, encourages a correspondingly high interest in migration, whether legally or illegally. Immigration — legal or illegal — begets immigration — if not legal, then illegal.

If the immigration door should remain "as open as ever" the question remains: how wide? Should we admit ten thousand per year ... a hundred thousand ... a million ... or ten million a year? Even a hundred million a year would be possible — that's about the annual increase in the world's population. On this point we need to leave abstraction behind and get down to concrete numbers. As with balancing the budget, this is the hard part.

Representative Gingrich's final principle (10) is that except for emergency health care, no welfare or other government aid should be given to illegal immigrants. To do otherwise, he writes, is the sign of an American welfare bureaucracy that is out of touch with reality.

I agree with the speaker that welfare should not knowingly be given to illegal immigrants — nor to legal immigrants. There was a time when becoming a "public charge" was sufficient grounds for deportation. We should revive that practice. It offends all sensibility to

place the parents of immigrants on Supplemental Security Income, or give illegal immigrants free non-emergency health care, or grant citizenship for their children born here. This, however, takes us back to his sixth point about the need for identification. Unfortunately, in this complex society, with many social benefits available, we need to know who is eligible, and for which programs. We simply cannot be the social service and welfare agency for anyone in the world who manages to get here.

Conclusion

Mr. Gingrich concludes by writing:

There is no magic to solving the problem of illegal immigrants. It is not intellectually challenging. Throughout history, countries that have survived have learned to maintain their borders. There are plenty of practical examples of how to get the job done. If we work at it, we can dry up 95 percent of illegal immigration within two or three years. Our challenge is to get to a clear decision, develop a workable plan, and implement it relentlessly.

Those of us who have worked in the immigration reform movement for some time are glad to see a public commitment to controlling illegal immigration and the recognition on one leader's part that there is "no magic" involved. This represents a big step forward.

But I cannot agree with him that "it is not intellectually challenging." It may seem that way only if one believes that legal and illegal immigration are unrelated and can be considered as separate entities; they cannot. As I contend above, the migrant's world does not work that way.

I have found it very challenging intellectually to try and provide answers to the three most fundamental questions that summarize the immigration policy debate:

1. **How many** people shall we admit, and **what factors** should be taken into account in setting this limit?
2. **Who** should be chosen to immigrate, and **what criteria** should be used for choosing?
3. **How** can we humanely enforce the rules we decide upon?

It is timely and gratifying that the topic of immigration is at long last being recognized as a key issue in American politics, and by a politician as important as the Speaker of the House of Representatives. But the views expressed by Mr. Gingrich show just how big a challenge we face. ■

NOTES

¹ Newt Gingrich, *To Renew America*, New York: HarperCollins Publishers, Inc., 1995.

² Maria Puente, "Many visitors just don't bother to go home," *USA Today*, January 31, 1995. (Reprinted in this journal on page 52.)

³ Joel Brinkley, "For Aliens, Cruises Provide Easy U.S. Entry," *The New York Times*, November 29, 1994.

⁴ *Detroit Jewish News*, "New Monitors to Watch Tourists," September 15, 1995.