

# Washington Notepad

## *Amnesties defeated — but only temporarily*

Reportage by Roy Beck

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**A**mericans who oppose federally forced population growth through mass immigration won major defensive victories in 1999.

“I’d have to say the country dodged several bullets in this session of Congress because immigration policy didn’t get any worse than it already is,” Mark Krikorian told the Associate Press. He is head of the Center for Immigration Studies, which favors reduced immigration.

From early in the year and accelerating after Labor Day, powerful lobbying forces and bi-partisan congressional leadership were pushing these four measures:

- An amnesty for 600,000 to 700,000 Central American illegal aliens that would bring in another 400,000 close relatives.
- A massive agriculture guest ag-worker program which after five years would allow up to 500,000 current illegal aliens to sign up for U.S. citizenship.
- A doubling of the H-1B skilled workers visa — and even a lifting of the cap entirely for computer programmers.
- The elimination of Section 110 of the 1996 immigration reform act that required setting up a pilot program to monitor foreigners as they enter and exit our country. This is a critical tool needed to track down people who enter the country legally on a visa and then never leave. The Senate actually passed this elimination under the prodding of Sen. Spencer Abraham (R-Mich.).

But when Congress adjourned in November and the

President signed the final appropriations bill, none of these four had been approved.

The White House, immigration lawyers and other leaders who champion the importation of foreign labor and the stimulation of population growth were disgusted with the results: “This Congress has been an abysmal failure in regards to immigration policy,” said Rep. Luis Gutierrez, D-Ill., chairman of the Congressional Hispanic Caucus’ immigration task force. “A very disappointing year,” agreed Jeanne Butterfield, executive director of the American Immigration Lawyers Association.

### Two-year trend of rewarding illegal aliens

The results may have indicated a pause in a two-year trend in which the federal government was becoming increasingly open to illegal immigration. In 1997 and 1998, Republican and Democratic congressional leaders worked with President Clinton to reward hundreds of thousands of illegal aliens with amnesties that not only forgave them for breaking immigration laws but put them on the pathway to U.S. citizenship. The tendency in those years was to see illegal aliens as people who most likely will never leave the country and who some day will vote, thus making it politically astute to regard and treat illegal aliens as constituents.

This fall, large rallies of illegal aliens behaved like constituents, holding demonstrations at the Capitol and at the White House and demanding their “rights” to permanent residency from the federal government. Editorials in major newspapers, including those in Colorado and Minnesota, suggested that illegal immigration really isn’t so bad and in fact is quite helpful to their state’s economy.

Federal leaders, however, did not behave as though they believed the public felt that kindly toward illegal aliens. The president and congressional leaders did not push their 1997 and 1998 amnesties through the normal public process of debate and votes in committee and on the House and Senate floor. Instead, they attached the amnesties to massive appropriations bills in back-room negotiations among only a few people. Once attached,

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*Roy Beck is director of NumbersUSA.com which tracks support for HR36 and other immigration bills and provides a detailed immigration action profile on each Member of Congress. He is also Washington editor of The Social Contract.*

the amnesties could not be voted down unless Members of Congress were willing to defeat the entire negotiated appropriations and risk shutting down the federal government.

That is how an amnesty for illegal aliens from Nicaragua and Cuba was passed in 1997 and the amnesty for illegal aliens from Haiti was instituted in 1998.

Sen. Abraham, President Clinton and others promised illegal-alien support groups throughout 1999 that they would win for illegal aliens from El Salvador, Honduras and Guatemala the same rewards gained in previous years by other nationalities. The push for a new amnesty was wrapped in terms of equity and fairness for illegal aliens of all Central American and Caribbean nationalities. If this amnesty had gone through, the logical next step would appear to be to appeal for equity for illegal aliens from other continents.

### On the table of spending negotiations

When emergency spending-bill negotiations began in October of 1999, the stage was set in the usual way for the new and much larger amnesty. Although no media reported it during the negotiations, the Associated Press confirmed after the appropriations bill was signed that President Clinton had placed the Central American amnesty on his list of non-germane actions he wanted attached to the bill.

According to sources close to the negotiations, the effort was defeated because of a massive effort of citizens who made phone calls, sent faxes and e-mails and who in some cases actually had face-to-face encounters with congressional leaders. Alerted of the amnesty attempt through activist networks, the citizens made it clear to Members of Congress that what was at stake was a reward for hundreds of thousands of illegal aliens.

On the first day of calling, citizens found Capitol Hill staffers saying they knew nothing of an amnesty deal. But by the second and third days, that had changed.

Republican leaders began to tell callers that they had no interest in rewarding illegal aliens. With a new Speaker of the House, Rep. Dennis Hastert, the House Republicans played a very different role than when former Rep. Newt Gingrich was leading them. After the bill was signed and illegal-alien support groups accused Hastert of killing the amnesty, the spokesman for the

Speaker was reported saying, "Making illegal immigrants suddenly legal is not a smart international policy." The citizen effort had been successful in educating many that the subjects of the amnesty — years after the end of the Central American wars — were not war refugees but illegal aliens.

The citizen onslaught was also waged on Democratic congressional leaders. Although there were no reports of Democratic leaders actively opposing the amnesties, anti-amnesty activists noted that Democrats may have lost their enthusiasm for a measure that had become too controversial. There were no signs of Democratic leaders demanding that the amnesty be included. Many media commentators on the appropriations process noted that the attachments which stayed on the spending bills were those for which little controversy had been stirred.

The same principles seemed to be at work with the question of H-1B temporary visas for high-tech and other skilled workers. Despite a push for busting the visa ceiling from the nation's most powerful industry, there appeared to be no attempt at the end to force it through. The most common assessment from the media and from high-tech industry sources was that Members of Congress had been so bruised from the popular opposition to the visa increase of 1998 that they just didn't have the stomach for going through it again.

### All measures will be pushed in 2000

Nonetheless, all four defeated measures will be back on the agenda during the year 2000. The White House announced that the Central American amnesty will be one of its priority issues. The National Association of Manufacturers announced that one of its top efforts will be raising the H-1B visa cap. Agricultural growers were pushing for early action on their request to keep all their present illegal alien workers.

The primary amnesty vehicle in 2000 (as it was in 1999) will be HR36, introduced by Rep. Guitierrez. With more than 100 co-sponsors in the U.S. House of Representatives, it has to be taken seriously. Under it, Salvadorans, Guatemalans, Hondurans and Haitians who have lived in the United States illegally or under color of law since December 1, 1995, along with their spouses and unmarried children, automatically would be granted legal resident status. In addition, it would increase the quota for unskilled foreign workers from 50,000 to 55,000 each year. According to a study by NumbersUSA.com

and *The Social Contract*, HR36 would result in a net increase to the U.S. population of 1,080,495 new permanent resident aliens during the first 10 years after its passage. That does not count any children they would have. The Central American and Caribbean Adjustment Act of 1999 (HR36) is designed to expand the Nicaraguan Adjustment and Central American Relief Act of 1997 (NACARA) and the Haitian Refugee Immigration Fairness Act of 1998 (HRIFA), the amnesty programs passed during the 105th Congress. **TSC**