

Immigration and the Art of the Question

Effective questions that must be asked of our politicians

MICHAEL W. CUTLER, SENIOR SPECIAL AGENT, INS (RET.)

The renowned eighteenth century French writer Voltaire is remembered for many of his observations. Among them is: “Judge a man by his questions rather than his answers.”

Indeed, questions are indispensable to us as we go about our daily lives.

Think about it. We greet each other by asking variations of the question, “How are you?” This is true of virtually all societies and in all languages. When strangers seek entry into our homes we ask variations of, “Who’s there?” and “What do you want?”

Discussions, whether at work or in social situations, are centered around the give and take of questions and answers.

While there may well be an infinite number of questions that can be asked, all questions ultimately seek the answers to six fundamental questions—no matter what the subject is: Who, What, Where, Why, When, and How?

Lawyers who are examining witnesses in court are cautioned to never ask questions that they don’t already know the answers to.

To question authority is to *challenge* authority—this is the underlying principle of democracies, namely that citizens have the right to challenge their leaders by questioning their qualifications, and their decisions and actions, and consequently hold them accountable.

It is certainly indisputable that many of our politicians from both parties need to be *challenged* and made *accountable*!

Michael W. Cutler is a retired Senior Special Agent with the INS (Immigration and Naturalization Service). He appears regularly on numerous radio and television programs, including Fox News, CNN, and MSNBC. He hosts his own Internet radio program, “The Michael Cutler Hour.” Mr. Cutler has testified as an expert witness at more than a dozen Congressional hearings, provided testimony to the 9/11 Commission, and provides expert witness testimony at trials where immigration is at issue. Visit his website at: www.michaelcutler.net.

The educational process in which teachers administer innumerable exams to students and use Socratic methods to help students learn and expand their knowledge and understanding continues to be a set of time-tested instructional techniques. The questions may take the form of multiple choice or essays, but no matter the format of the exam, the process is not unlike the way that the escape artist Harry Houdini managed to unshackle himself and escape from various locked restraints. Reportedly Harry taught himself how to regurgitate keys he had swallowed before being shackled. He then used those keys to open the locks.

Students are similarly trained to memorize the “keys”—the answers to questions that they are likely to be asked on exams. They are trained to regurgitate the expected answers when they are questioned by their instructors. Their grades will ultimately be determined by how effectively they can do this.

In point of fact, students are routinely encouraged to resort to memorizing the desired responses to questions that are likely to be asked on exams. Although many folks today lament that colleges are virtual “indoctrination centers,” the reality is that schools have *always* been indoctrination centers.

Ask the average person a fundamental question such as, “*Who discovered America?*” Without hesitation most folks will immediately respond that Christopher Columbus discovered America and will likely throw in, for good measure, the supposed fact that this happened in 1492.

It is far more than unlikely that the person responding to this question actually witnessed Columbus coming ashore in the “New World.” It is equally far-fetched that that person saw photos or videos of the event, or had a conversation with anyone who actually witnessed this moment in history.

Yet most people will quickly respond to that question, virtually by reflex without giving it much thought.

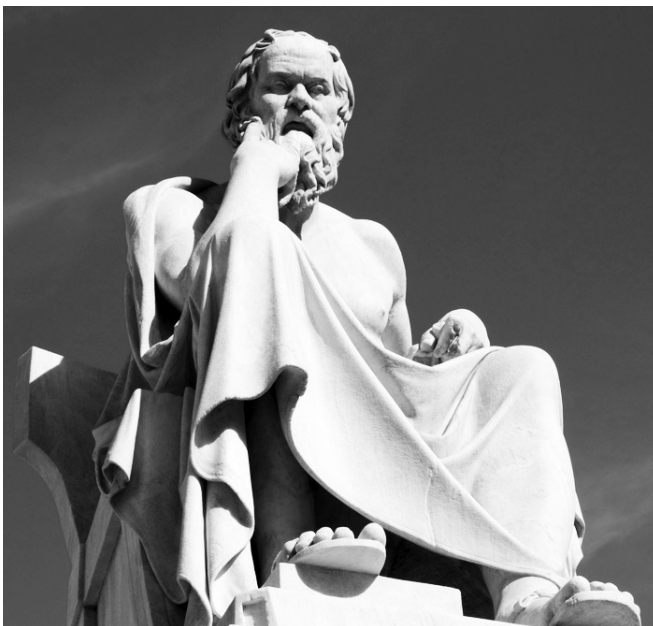
They have been taught about this event in their very first history classes beginning in public school and likely throughout their elementary educations. You could say that they were indoctrinated.

Today, however, there are serious questions about

whether or not Columbus really discovered America or if the Vikings or others actually got here long before Columbus.

We devise questions in our quest for information and knowledge. Indeed, questions are the tools we use to satisfy our curiosities and form the basis for the various scientific disciplines.

Of course science classes are supposed to teach the scientific method by which answers to questions are sought and how experiments are devised to search for the answers. However, there is an orthodoxy to science as well. All too often the generally accepted principles of science are hammered into students' heads who are expected to dutifully accept the commonly accepted "truths" as taught in the various classes they attend.



However, our understanding of all disciplines of science evolves as more knowledge is gained through more experimentation. For example, years ago any doctor or oncologist who would dare suggest that diet played a role in certain cancers would have been regarded as a "quack."

Today it is commonly accepted that diet and environmental factors and toxins can contribute to certain cancers.

The point is that we should never stop questioning everything that we are told. Yet all too many people fail to question *anything*—blindly accepting whatever they are told or whatever they read or hear on radio and television programs.

For me, the necessity of asking insightful questions was hammered home in my efforts on the debating teams in high school and then at Brooklyn College.

Think of how critical debate skills are in the political process. John F. Kennedy clearly defeated the far

more experienced Richard Nixon in the first televised presidential debates in 1960 and, as a consequence, won the election. Politics have never been the same.

As an agent I often took on the role of interrogator, asking individuals who were, for one reason or another, under investigation or under arrest for violations of our laws. The ability to ask effective questions is at least as important for an agent as it is for him/her to handle a firearm. Also as an agent I had to submit to questions—questions posed by my superiors, questions posed by judges and magistrates when I applied for search warrants and subpoenas, and questions posed by attorneys when I testified in court proceedings.

EFFECTIVE QUESTIONS IMPOSE ACCOUNTABILITY

In combating terrorism the issue of how interrogations are to be conducted has become a pivotal issue. Interrogations involve asking questions and may involve "enhanced techniques," the use of which has, for obvious reasons, become controversial.

However, the strategy of effectively interviewing witnesses, victims, and suspects is part and parcel of what law enforcement officers routinely do. In some instances, polygraph (so called lie-detector) exams are given to try to determine if the person questioned is being honest.

What is astounding is that scant attention is paid to teaching students in our schools how to devise and ask effective questions and see through the inconsistencies in the answers that the person being questioned provides to get a sense if the person is being truthful.

Students are rarely taught how to see through deceptive statements. Only students who participate on debate teams are taught these critical skills. It is in debating that we learn to hone our skills at asking questions and seeking the flaws in our opponents' responses. I have come to the conclusion that no high school or college student should be awarded a diploma without spending a minimum of a full year on the debating team.

It is through debate that much is decided. Politicians engage in debates routinely to attempt to get legislation enacted or to block legislation that they oppose. When people attempt to persuade others in their daily lives, while they may not engage in formal debate, they certainly engage in argument and may use informal debating tactics.

In the excellent 2007 film, *The Great Debators*, the actor Denzel Washington played Melvin B. Tolson, a professor at Wiley College in Texas in 1935 who coached that college's first debating team, which ultimately challenged Harvard for the national championship. In that film Washington's character instructed the students on the team that "debate is blood sport."

Debates can and, and indeed, have profoundly altered the course of history.

In a military conflict, generals invariably seek to seize the high ground, to gain what is often an insurmountable tactical advantage over their enemies.

Control of the language of a debate is the equivalent of seizing the high ground. Words can create perceptions, and perceptions can, over time, become reality.

This is why when we read about a coup d'état where rebels overthrow a government, radio and television stations are among the very first facilities that are seized. The goal is to control the flow of information.

Let us consider the term "Alien." This simple word has come to be regarded as a derogatory term on par with the "N word."

Nothing could be further from the truth. The term "Alien" is a legal term that is defined in our immigration laws under Title 8 U.S. Code § 1101 *Definitions*. Under section (a)(3) the term "alien" means any person not a citizen or national of the U.S.

There is absolutely no insult in that term. The reason that there has been a concerted effort to expunge the word alien from the vernacular is to obfuscate the clarity that the term brings to the debate about immigration.

This is not, as is often stated, about being "politically correct," in which language is carefully chosen to not offend or insult other people — certainly a worthwhile effort. This is about censoring our language: it is Orwellian in its purpose and execution and parallels the concept of "Newspeak" that Orwell employed in his prescient novel, *1984*.

By excluding certain words, troublesome thoughts and concepts are eliminated. We must learn to stand our ground in these debates and discussions. We must not be intimidated into using deceptive and misleading language.

The First Amendment is the first of the amendments for an obvious reason.

When politicians participate in town hall meetings they become the veritable "Artful Dodger," parsing words and using tactics to confound efforts to pin them down on the issues. Some have described the difficulties in getting a straight answer from a politician as like "nailing Jello to the wall."

Recall that as president, Bill Clinton infamously redefined the word "is" and also found a way to redefine what constituted "having sexual relations."

The chicanery is in large measure what underlies the disgust so many Americans feel towards their elected representatives. No matter the issue, many politicians hide behind a smokescreen of misleading terms and falsehoods.

I have often noted that immigration is not a sin-

gle but rather a *singular* issue in its profound impact on nearly every challenge and threat America and Americans face today. We will now take a hard look at the questions and answers we have lifted from a wide array of news programs and statements made by our politicians. You may be surprised at how lifting the veil of obfuscation spewed by politicians can profoundly change discussions and shed light on determining where politicians actually stand on controversial issues.

When politicians come to understand that citizens are wise to their falsehoods, they will feel the pressure to modify their positions.

We sometimes refer to politicians who are deceptive as spewing "hot air." There is another issue to consider — that of "warm air." Every employee needs to feel a bit of *warm air* on the back of their necks to know that their actions or lack of actions are being scrutinized by their bosses looking over their shoulders. Informed citizens can apply that warm air to their political representatives through the use of focused questions.

I am often asked how Americans can get their politicians to actually address their concerns. I suggest that they attend town hall meetings and ask politicians questions that, as much as possible, pin them down. Skilled politicians are adept at wriggling out of providing direct answers to questions.

Therefore questions must be as specific as possible. I also suggest that folks who attend town hall meetings come prepared with follow-up questions that "nail the coffin shut." To this end, it is important to take what I have come to refer to as a SWAT approach to town hall meetings — have multiple people attend the meetings with prepared questions so that if no follow-up questions are permitted, another member of the team can ask that pivotal follow-up question.

Some politicians flat-out refuse to participate in town hall meetings. It is not that they have anything better to do — it is that they don't want to have to face their constituents and the questions that they may ask. What is incredible is that many of these politicians have been repeatedly re-elected.

Stop and give that situation a bit of thought. Elected politicians are elected by their constituents, who in a manner of speaking are their bosses. Consider this fundamental question — if politicians are elected to represent their constituents, how on earth do they know what their constituents really want if they don't meet with them?

If you are "represented" by a politician who refuses to participate in town hall meetings, don't blame the politician — blame yourself and your neighbors for being incompetent citizens. Simply stated, a politician cannot truly represent his or her constituents if he/she does not know what they want. It is only through town

hall meetings that politicians can come to understand the concerns of the electorate.

If you hired a painter to paint your house and he painted your house incompletely or refused to use the colors you selected, you would fire him. Why should politicians be treated any differently?

Now that we have laid the groundwork for the need for effective questioning of our politicians, it is time to consider what questions need to be answered, especially the follow-up questions. The goal is to make our elected representatives accountable — plain and simple.

Most politicians have come to understand that the majority of American citizens are concerned about the presence of millions of illegal aliens in the U.S. In point of fact, the presence of these millions of illegal aliens is indeed highly problematic. Consider the two primary purposes our immigration laws are supposed to serve: protect innocent lives and the jobs of American workers.

There are three fundamental categories of deportable (removable) aliens in the U.S. The most obvious group of such aliens are those who evaded the inspections process conducted at ports of entry. In the parlance of immigration officers, they are EWI — Entrants Without Inspection.

During the current campaign season there has been much discussion on the issue of constructing a fence along the U.S.-Mexican border. While many illegal aliens do, in fact, enter by running that two thousand mile border, other aliens have run the U.S.-Canadian border, and still others managed to stow away on ships and then sneak off those ships to gain illegal entry into the U.S.

The focus on just four border states is patently absurd. In effect, our nation has 50 border states. Any state that lies along the northern as well as our southern border is a border state. Any state that has access to the 95,000 miles of coastline is certainly a border state. Finally, any state that has an international airport must also be considered a “border state.”

The second group of illegal aliens, unofficially estimated by some to constitute approximately 40 percent of all illegal aliens in the U.S., are aliens who are legally admitted and then go on to violate the terms of their admission. Often they are described as “overstaying their visas.” Indeed, for non-immigrant aliens—that is to say, aliens admitted for a temporary period of time and exceeding their authorized period of stay, without applying for and receiving additional time, renders such aliens deportable. Generally, such aliens remain without authority so that they can get a job to which they are not entitled or engage in other violations of law.

Additionally, aliens who enter on tourist visas and then take jobs become deportable when they begin

working without authority — even if it is long before their authorized period of admission expires. Students who fail to attend schools for which they were admitted to attend also become subject to deportation (removal) from the U.S.

Third, aliens can be subject to removal if they are convicted of committing certain crimes, even if they have been admitted as lawful immigrants.

Sometimes the crime involves committing fraud in their applications for visas that enable them to enter the U.S. in the first place or in acquiring lawful immigrant status by entering into a sham (fraudulent) marriage with an American citizen or lawful immigrant spouse.



Consider also aliens who are granted work visas where fraud was committed in the application process. Either the job did not exist, or qualified Americans were readily available to perform the work. The aliens and their employers committed fraud in completing the application for the visas for those foreign workers.

I am providing this information because meaningful questions must be based on solid information that you can use to craft questions and understand if the answers politicians provide are reasonable and consistent with the facts and actually address the questions that they are being asked.

Consider how this information must be used in confronting the politicians who seek to deceive through artful use of arguments and language.

Think of how many politicians have come to repeat what is a virtual mantra: that before we do anything else about immigration we must “first secure the Mexican border.” Now think about how often the audience listening to that politician will jump to their feet and applaud and cheer wildly simply because the politician made some vague promise about “securing” the Mexican border.

The immediate question that should be but is seldom asked is: “Inasmuch as it is estimated that 40 percent of all illegal aliens did not run the Mexican border, how will securing the Mexican border impact the 40 percent of illegal aliens who did not enter the U.S. by running the Mexican border?”

Then, going back to the issue of the Mexican bor-

der, the question that must be asked is, “How do you define the concept of securing the Mexican border?”

Believe it or not, previous legislation described securing the Mexican border as providing 90 percent operational control over the “high traffic” areas of the Mexican border.

What in the world does that really mean? *What is “operational control?”*

How do we determine what constitutes a “high traffic” section of the border, and what happens when smugglers simply move several miles down the border to continue their smuggling activities?

We have had congressional hearings and news conferences where such vague and nonspecific claims were made, yet few questioned the terminology. I have compared the idea of supposedly “securing the Mexican border” to offering to partially plug one hole in the bottom of a colander and declaring that the colander could now be used as a water-tight bucket to carry not just water, but potentially a dangerous fluid.

Yet, time and again, when we have seen politicians stand before a large crowd of people and announce that they will demand that we secure the Mexican border, the crowd almost invariably greets that meaningless promise with raucous applause.

While no rational person would accept the notion that plugging just one hole in a colander would turn that kitchen tool into a bucket, the crowd cheering the need to secure the Mexican border was, in effect, willing to use that colander as a bucket.

The response of the audience is wrong-headed. The politician who is able to so easily deceive that audience is emboldened to do absolutely nothing to actually address the immigration crisis.

Other politicians most certainly pay attention to see what works to con the average American. They all quickly understand that the voters don’t understand the issue and are therefore easy to fool.

They are motivated to do this because many receive massive campaign contributions from various individuals and organizations that are eager to keep America’s borders wide open. In my view these “contributions” are, in reality, thinly veiled bribes.

To provide an infuriating example, the U.S. Chamber of Commerce is an organization that puts money ahead of national security and public safety. They want to see a huge increase in the number of foreign workers admitted into the U.S. each year—whether they enter legally or illegally. They want to see a massive increase in the number of foreign tourists and they want to see a massive increase in the number of foreign students.

Campaign contributions are costly, but the profits accrued by opening our borders far and away exceed the amount of money given to political campaigns.

Politicians who proclaim that they will demand

that we “secure the Mexican border” must be asked what they plan to do about the other holes in the “Immigration Colander.”

Of late, some politicians have stated that we must track aliens who overstay their authorized period of admission. This problem was identified years ago. I have written numerous articles about this issue, and back on May 11, 2006, testified before a hearing conducted by the House Committee on International Relations, Subcommittee on Oversight and Investigations on the topic, “Visa Overstays: Can We Bar the Terrorist Door?”

In my *FrontPage Magazine* article, “Keeping Track of Visa Violators,” I focused on the U.S. Chamber of Commerce and the wrong-headed Visa Waiver Program that undermines national security and flies in the face of the recommendations of the 9/11 Commission. Therein I pointed out that

The U.S. State Department provides a thorough explanation of the Visa Waiver Program on its website. Incredibly, the official State Department website provides a link, “Discover America,” which advertises various corporations that are a part of the travel, tourism, and hospitality industries that, with the leadership of the U.S. Chamber of Commerce and under the aegis of the Discover America Partnership, have applied incredible pressure to continue to expand the Visa Waiver Program. This, in spite of the fact that it engenders serious national security vulnerabilities by enabling aliens from 38 countries to seek to enter the U.S. without first applying for a visa.

The 9/11 Commission was clear about the need to tighten up on the procedures by which visas are granted. However, under the Visa Waiver Program citizens of those countries require no visas. On September 11, 2001, citizens of 26 countries did not need visas for temporary visits to the U.S. Today a dozen countries have been added to that list since the terror attacks of September 11, 2001, while additional countries may soon be added.

The Summer [2015] Edition of the *The Social Contract* included my extensive analysis of failures of the immigration system to adhere to the findings and recommendations of the 9/11 Commission. The title of my paper was, “The 9/11 Commission Report and Immigration: An Assessment, Fourteen Years after the Attacks.” The Visa Waiver Program was one of many deficiencies of the immigration system that I focused on.

Clearly far more is needed to address the millions of illegal aliens who had been lawfully admitted into the country only to subsequently violate their terms of admission than to simply “track them.” We need a large enough contingent of ICE (Immigration and Customs Enforcement) agents to locate and arrest such illegal aliens and put them before Immigration Judges to seek their deportation (removal) from the U.S.

This, of course, requires that there are enough Immigration Judges to hear the cases. Today there are fewer than 300 such judges for the entire U.S. of America. It takes roughly two years for an alien who is arrested to have his/her hearing. There is currently no way for DHS to maintain custody over the huge number of illegal aliens who would be subject to arrest for two years while awaiting their hearings.

This means that many more judges need to be hired along with many other attorneys who represent the government in these proceedings. When was the last time you heard anyone ask a politician about how many more ICE agents or Immigration Judges they would be willing to hire?

Without the agents to make the arrests and without the judges to hear the cases, illegal aliens will not be arrested and will not be removed from the U.S.

While it is vital for the Mexican border to be secured against illegal entry of aliens and contraband, as we have seen, there are many other ways for aliens to enter the U.S., either in violation of law, or violating the terms of their admission after lawfully entering the U.S.

Taking this information into account, Americans must demand that our politicians address all of the components of the immigration system.

Before taking off, pilots perform a thorough pre-flight inspection to make certain that the aircraft is air-worthy (safe to fly). Would any rational pilot take off if he/she discovered while conducting the pre-flight inspection of that airliner that many critical parts were broken or missing?

To draw an analogy, imagine being in an airliner which is suffering from many broken or missing parts. Imagine the pilot getting on the airliner’s intercom and announcing, “Ladies and gentleman, this is the Captain. I have had our mechanics repair the landing gear on our airplane. One of our two engines is not putting out full power, our navigation equipment and radios are not working properly, and we have some issues with the control surfaces, but in the interest of maintaining our tight schedule, we are literally going to ‘wing it’ and take off shortly without addressing those pesky problems.”

Would you not run off that airplane before it could trundle down the runway to hopefully take off?

The many components of our immigration system

are not unlike that fatally flawed airliner. A lengthy list of reports of investigations conducted by the Government Accountability Office (GAO) and Office of Inspector General (OIG) can be seen as the equivalent of a thorough pre-flight inspection. Each report has detailed failures—often catastrophic failures of the immigration system.

Two of the most damning of all such reports are *The 9/11 Commission Report* and *9/11 and Terrorist Travel — Staff Report of the National Commission on Terrorist Attacks Upon the United States*. Both reports identified a myriad of failures of the immigration system that enabled the terrorists to enter the U.S. and embed themselves in local communities as they went about their deadly preparations.

Taking all of these factors into account — here is yet another question you may want to ask your elected representatives: “Have you actually read those two reports?” You could then follow up by asking how their proposed ways of addressing the immigration crisis take the findings of the 9/11 Commission into account.

Having made the analogy between immigration and an airliner, I have come to compare securing the Mexican border with a wing on an airplane. Without its wings an airliner certainly will not fly — however, a wing by itself goes absolutely nowhere!

It is my belief that the failures of the immigration system are not an accident but created *by design* to satisfy all of those who stand to profit from the current state of affairs. There is no shortage of individuals and/or organizations and special interest groups that are feeding at the very lucrative trough known as immigration.

The U.S. Chamber of Commerce has partnered with many businesses to provide a virtually unlimited supply of cheap labor, foreign tourists, and foreign students.

Immigration lawyers who witness aliens running our border are far more likely to see in that massive tidal wave of humanity clients rather than problems. In point of fact, many members of the U.S. Congress from both political parties are attorneys who have practiced immigration law and/or have close friends and supporters who are immigration attorneys. The same can be said of politicians at the state and local level around the U.S.

Many of these attorneys are members of the American Immigration Lawyers Association: AILA. It is in *their* best interest to make certain that the supply of clients keep on coming — but just as certainly not in *our* best interest!

The next time you are speaking with your elected representative and find yourself at odds with him/her about immigration, you may want to ask what relationship they may have with AILA. That one question may help provide you with clarity you might not have otherwise thought possible!

To provide you with a bit of additional food for thought, here is a list of statements commonly made by politicians and the questions that these statements should provoke.

Often politicians say that “since we cannot arrest and deport 11 million illegal aliens who are present in the U.S.” we must somehow “deal with them.” We must get them to “come out of the shadows,” pay a fine and back taxes, learn English, and then be given permission to work but not citizenship. In fact, they often say that these aliens should be put “at the back of the line.” Because of all of the foregoing, they assert that such a program would not constitute an “Amnesty.”

Here are the questions that must be asked:

“Why is it that when it is obvious that only a tiny proportion of those who drive with no licenses or suspended licenses, drive drunk, speed, run red lights and stop signs, text while driving, and commit many other violations of vehicle and traffic laws are caught, yet no one ever says that since we cannot stop all such violators, we must simply ignore all of those motorists who commit those violations?”

Saying that we must either arrest and deport all illegal aliens or we can’t arrest or deport any illegal aliens is a false choice and one with profound ramifications for virtually every threat America faces today.

Consider that only a fraction of one percent of all motorists who commit dangerous violations are ever stopped — yet not a single mayor or governor or chief of police has ever waved the “white flag of surrender” because so many people get away with violating those laws. Instead, police departments launch massive public relations campaigns to convince drivers that if they reach for their cell phone while driving, a SWAT team is likely to descend on them and pull them out of their cars.

Many police departments set up sobriety checkpoints to try to catch impaired motorists and, along the way, also arrest many drivers who have outstanding warrants or have no driver’s licenses. Municipalities create more stringent standards — lowering acceptable blood alcohol levels and greatly increasing the penalties for those caught driving under the influence of alcohol or drugs.

Enforcing the law punishes those who violate the law. By arresting impaired drivers or drivers who pose a threat to the safety of others, they are taken off the road. Additionally, by punishing these law violators, others are hopefully deterred from committing similar violations of law.

This should give rise to this question:

“Why don’t we do as much as possible to find and arrest as many illegal aliens as possible and make it virtually impossible for aliens who are illegally present to go about their daily lives while violating the laws that

represent our first line of defense and last line of defense against aliens whose presence presents a threat to the safety and well being of America?”

In my *FrontPage Magazine* article, “Immigration Law Enforcement: Why Bother?—The crucial issues at stake for American citizens,” I noted that each year the federal government spends nearly 14 billion dollars on operations at Customs and Border Protection (CBP). This includes costs associated with the U.S. Border Patrol and with costs associated with the inspections process conducted at 328 ports of entry across the U.S. that is designed to prevent the entry of aliens, whose presence, one way or another, would be problematic for America and Americans. This is also the process that is supposed to prevent the smuggling of contraband. Nearly 60,000 employees are involved in these two endeavors.

If the administration and members of our Congress are so willing to ignore and, indeed, reward those who circumvent the entire process by running our borders, than why don’t we simply do away with the U.S. Border Patrol and not bother to inspect aliens seeking entry into the U.S.? Either we agree on what should be a simple concept to grasp, namely, that our borders represent our first line of defense against international terrorists and transnational criminals, or we may as well abandon any efforts to secure our borders and enforce our immigration laws.

If you believe, as I do, that our borders are truly significant and that our laws must be enforced, then those who violate our borders and our laws must be sought and punished to the best of America’s ability. Otherwise we are encouraging an endless stream of aliens from around the world to run our borders and create mayhem — overwhelming our nation and undermining national security and public safety.

Likewise, the deceptive assertion that since, under their proposed legislation, illegal aliens would have to pay a fine and back taxes and learn English, the program would not constitute an “Amnesty,” is outrageous beyond words.

The Online Merriam-Webster Dictionary defines the term *Amnesty* this way: “The act of an authority (as a government) by which pardon is granted to a large group of individuals.”

Administratively, the remedy for aliens who enter the U.S. by evading the inspections process at ports of entry or by violating the terms of their lawful admission is removal (deportation) and possibly having to pay a fine. There are also criminal statutes that apply to aliens who repeatedly enter the U.S. illegally and to those who are previously ordered removed (deported) from the U.S. by an immigration judge and then reenter the U.S. without the appropriate authorization.

For aliens who have no criminal histories the maximum penalty is two years in prison, while aliens who have committed certain crimes may face up to 20 years in prison.

The section of federal law, contained within the Immigration and Nationality Act, that addresses the crime of reentry after deportation is: Title 8 U.S. Code § 1326 — Reentry of removed aliens.

Yet many politicians claim that violating our immigration laws is not a crime.

On a personal note, back in the early 1980s I approached my then senator, Al D'Amato of New York, and proposed that the penalty for unlawful reentry by a criminal alien should be made a separate and distinct offense from aliens who have no such criminal histories who illegally reenter the U.S. subsequent to being deported.

Section B of that law was enacted to specifically punish criminal aliens who are found guilty of the crime of illegal reentry. Here is that section of law:

(b) Criminal penalties for reentry of certain removed aliens notwithstanding subsection (a), in the case of any alien described in such subsection—

(1) whose removal was subsequent to a conviction for commission of three or more misdemeanors involving drugs, crimes against the person, or both, or a felony (other than an aggravated felony), such alien shall be fined under title 18, imprisoned not more than 10 years, or both;

(2) whose removal was subsequent to a conviction for commission of an aggravated felony, such alien shall be fined under such title, imprisoned not more than 20 years, or both;

(3) who has been excluded from the United States pursuant to section 1225(c) of this title because the alien was excludable under section 1182(a)(3)(B) of this title or who has been removed from the United States pursuant to the provisions of subchapter V, and who thereafter, without the permission of the Attorney General, enters the United States, or attempts to do so, shall be fined under title 18 and imprisoned for a period of 10 years, which sentence shall not run concurrently with any other sentence.[1] or

(4) who was removed from the United States pursuant to section 1231(a)(4)(B) of this title who thereafter, without the permission of the Attorney General, enters, attempts to enter, or is at any time found in, the United States (unless the Attorney General has

expressly consented to such alien's reentry) shall be fined under title 18, imprisoned for not more than 10 years, or both.

For the purposes of this subsection, the term "removal" includes any agreement in which an alien stipulates to removal during (or not during) a criminal trial under either Federal or State law.

Let us be crystal clear—our immigration laws do not have a provision that says that aliens who violate our laws may remain in the U.S. if they learn to speak, read, and write English. There is no provision to permit illegal aliens to remain in the U.S. if they pay a fine or back taxes. There is certainly no provision that says that aliens who violate our immigration laws should be given permission to work.

It is utter and sheer madness to claim that illegal aliens, who entered the U.S. in violation of law in order to work in the first place, should be given legal authority to work as a "solution" to the problem of illegal immigration!

Permitting a massive number of illegal aliens, whose true identities are unknown and unknowable, to remain in the U.S. even though they violated our laws is most certainly an amnesty as defined by the dictionary and as defined by commonsense.

In fact, many illegal aliens have absolutely no desire to acquire U.S. citizenship. They simply want to get permission to work and send their money back home. Every year foreign workers send billions of dollars out of the U.S. economy back to their families in their home countries.

Of late, the actual amounts of money being sent as remittances are no longer being reported by the United Nations or the World Bank. However, it is estimated that in excess of \$200 billion is wired out of the U.S. each year. This is money that is not spent or invested in America. This is money that is not earned by desperate American workers who have, in record numbers, fallen below the poverty level because they have lost their jobs to foreign workers.

Republicans don't want these illegal aliens to become citizens because they know that these aliens are more likely to vote for Democratic candidates. They just want them to work and drive down wages.

Democrats are desperate to grant lawful status and citizenship to the tens of millions of illegal aliens. The Democratic Party is also eager to curry favor with the U.S. Chamber of Commerce and other crony capitalists and hammer down the wages of working Americans to make more American families dependent on the government and bolster their control of the citizens of the U.S., so that they will win more of those votes.

In point of fact, consider President Barack Obama's

State of the Union address, notably the following paragraph that largely went unnoticed by the major media:

But there should be other ways parties can work together to improve economic security. Say a hardworking American loses his job — we shouldn't just make sure that he can get unemployment insurance; we should make sure that program encourages him to retrain for a business that's ready to hire him. If that new job doesn't pay as much, there should be a system of wage insurance in place so that he can still pay his bills. And even if he's going from job to job, he should still be able to save for retirement and take his savings with him. That's the way we make the new economy work better for everybody.

It is obvious that even after displaced American workers are retrained, Mr. Obama's anticipates that wages for those hapless Americans will be reduced. The "wage insurance" the president wants to implement would greatly increase the number of Americans who, through no fault of their own, would be literally and figuratively indebted to the federal government.

To my knowledge, the federal government has never provided "wage insurance." Yet President Obama's proposal went unnoticed and unquestioned. This is unfathomable!

As for placing millions of illegal aliens "at the back of the line" — that promise also often brings an audience to its feet, cheering about how the politician who spews that line is being "tough."

Here is the question that they should be asking before they applaud: "What line are we talking about?" "What is the line for and where is it located?"

Here is another question about the mythical line that millions of illegal aliens will be put on the end of: "What will these aliens be able to do while they are waiting on this line?"

The answer is that the "line" is a line for citizenship — which, as we know, many aliens don't care about.

The line will be located inside the U.S. and only exists in the "virtual world." Don't expect to see long lines of people standing between velvet ropes the way that some folks do when they wait to go through security at an airport or wait to be seated in a restaurant.

As for what these aliens may do as they wait on the virtual line—they will be able to do pretty much anything that they want—including working legally. They may also be entitled to petition the U.S. government to permit their spouses and minor children to enter legally while they also wait on the mythical line.

So — while we are constantly told that there are about 11 million illegal aliens in the U.S. — another obvious question that should be asked is: "*How do you*

know how many there are?" We have been hearing about that number of aliens for many years, even after a massive onslaught of unaccompanied minors flooded across our southern border, and even after we are told that each year at least a half million nonimmigrant aliens who had been admitted for supposedly a "temporary period of time" failed to depart within the time limit established at the time of their lawful admission.

For that number to remain constant denies commonsense and reality.

Here is another question that this should give rise to: "*how many spouses and minor children are likely to be admitted into the U.S. to join their spouses and parents who will be waiting on that line?*"

Politicians, pundits, and journalists frequently invoke the idea that it is only reasonable that aliens who have resided in the U.S. for a period of years — whether it is five years, seven years, ten years, or whatever period is proposed — should be allowed to remain in the U.S. This is described as "fairness."

Here is a question that is also never asked: "*How will our officials be able to determine how long an illegal alien has already been residing in the U.S.?*"

No record of the entry is created when an alien evades the inspections process at ports of entry. Furthermore, there will be far too many such aliens for them to be interviewed. Field investigations conducted to verify information contained in the applications will also not be possible because we will be dealing with millions — perhaps tens of millions of applications.

The consequence is that many aliens will be able to lie on their applications and their lies will go undetected. This will encourage still more aliens to file still more fraudulent applications. The system will likely implode. This will undermine national security and public safety, and place unprecedented burdens on the infrastructure of towns and cities across the U.S.

Consider that if instead of 11 million aliens emerging from the mythical shadows, 35 million stepped forward. If you wonder why I am asking that hypothetical question — it is because history tends to repeat itself. When the Immigration Reform and Control Act of 1986 (IRCA) was enacted, the government estimated that roughly one million illegal aliens would "emerge from the shadows."

When the program finally ended, instead of providing one million illegal aliens with lawful status, well over 3.5 million were provided with such status.

It is likely that there were serious flaws in the way that the number of illegal aliens was estimated in the first place, and equally likely that many illegal aliens entered the U.S. long after the supposed cutoff date, lied about their dates of entry, and actually entered the U.S. long after the "magic date."

This issue of aliens committing fraud on their applications was not limited to just aliens lying about when they arrived in the U.S. — many aliens lied about their identities and countries of citizenship. Other aliens lied about working in agriculture — another way that illegal aliens could gain lawful status.

The 9/11 Commission discovered that aliens committing fraud in visa applications and in applications for immigration benefits was a key method of entry and embedding for the majority of terrorists that they examined — not just the 19 hijackers who carried out the terror attacks of September 11, 2001.

It is understandable that many Americans are concerned about the inability to vet Syrian refugees. However, why has the lack of vetting for millions of illegal aliens, who evaded the inspections process conducted at ports of entry, not been reported in the news or discussed by most of our political leaders?

Even when hearings were conducted into the lack of vetting for Syrian refugees, no questions were raised about who would conduct those interviews. The key questions include how these adjudications officers were, themselves, screened. How were they trained, and how do their evaluations establish their priorities? Far too many questions have gone unasked and consequently unanswered. The issues at stake involve national security.

Let us now go back to the absurd estimates as to how many illegal aliens would ultimately benefit from any massive legalization program.

We have seen that it is to be expected that estimates are likely much lower than the actual number of illegal aliens who would participate in the program. It must also be presumed that, given the extreme number of applications that would be filed, coupled with the abject lack of personnel to adjudicate the applications, there would be no way to prevent aliens from running our borders and then lying about their actual date of entry.

Here is another issue that has never been raised by the news media or the politicians.

Let's imagine that only one in four aliens would petition the government to permit his/her spouse and children living in a foreign country to come to the U.S., and that each family involved has only 3 minor children. (I am picking these numbers out of the air — but they are more than reasonable considering how many times families of Third World countries have more than a dozen children.)

These aliens would not only be citizens of Latin American countries, but of countries from around the world, potentially including, countries that sponsor terrorism.

Suddenly we could be looking at tens of millions

of aliens, or even more, being immediately granted lawful status. Imagine how many would be children who would be given access to our schools. Imagine the impact on other aspects of the critical infrastructure of towns and cities, including hospitals, public transportation, highways, water, housing, electricity, and food, as well as the implications this has for our economy, including inflation as demands for commodities skyrocket while flooding the labor force with huge numbers of foreign workers who would drive down wages.

And how would this impact the environment?

In point of fact, how can our country survive an onslaught of this magnitude?

When politicians insist that we must be compassionate, why are they rarely if ever asked why compassion is never extended to beleaguered Americans? [See my article of March 11, 2016, for *FrontPage Magazine*, "How Immigration Reform Would Re-Form America: *The devastating truth that's not being discussed by politicians or journalists.*"]

The goal of politicians is to appeal to the broadest base as possible. This is part of the process of building a consensus. This is reasonable and fair.

Voters who own businesses may have different concerns than the employees who work for them. Employees want higher wages while employers generally want to pay the least amount of money on labor that they can. Employers generally want fewer regulations while employees may want more regulations that are of benefit to them. This sort of conflict creates headaches for politicians who seek the votes of as many folks as possible.

The trick here is to be able to convince politicians that they can and, indeed, must take positions that are fair and reasonable, and that through their leadership ability will be able to convince the electorate that they are taking the best position on issues — even when they are controversial.

It has been said that "there is no such thing as a free lunch." While business owners may want cheap labor, they need to understand that hiring foreign workers undermines America's middle class. Often the consumer base most businesses depend upon is the middle class. Destroy the middle class and you destroy the consumer base that drives the American economy. In this "race to the bottom" almost all of us lose — and lose profoundly.

The only way "We the People" will finally be heard is to make certain that we ask the right questions and make it clear to our politicians that we are not nearly as dumb as they hope we are.

My dad used to tell me that the only "dumb questions" were the questions I did not ask. ■