

Reportage: WASHINGTON TWO WEEKS IN REVIEW

By Robert Kyser

Two noteworthy conferences were held in the nation's capital in late October and early November considering issues being followed by THE SOCIAL CONTRACT. "The Immigration Debates of the 1990s" were held on October 26th and brought together some of the major protagonists of the topic.

The first debate featured Otis Graham, Distinguished Professor of History at the University of California at Santa Barbara, and Julian Simon, professor of marketing at the University of Maryland.

Julian Simon elicited audible groans from the audience with his pronouncements that "the economics of large-scale immigration is not debatable", that is: it is always good; "natural resources are becoming more available, not less, and the environment is getting steadily cleaner." He went on to affirm that we know more and more about how things work and our economy can keep absorbing as many immigrants as want to come.

Over against this irrepressible optimism, Otis Graham brought a note of realism about the fact that our economy is not poised on the edge of expansion as it was in the late 1930s, and we must shift our attention to literacy and numeracy, not just raw numbers. Current immigration, adding illegal to legal, does indeed have an adverse impact on the environments: natural, cultural and economic. We have only to look at the statistics for California to realize what the future holds: 500 million Americans by 2020. The California fertility rate, being affected by immigration, is already up to 2.3 and rising.

Michael Teitelbaum, a demographer who served with the U.S. Commission for the Study of International Migration and Cooperative Economic Development, debated Ben Wattenberg of the American Enterprise Institute. Wattenberg's thesis is that immigration enhances business; that by its very nature an economy is constantly growing and therefore needs immigration; that America's greatest asset is the fact that people want to come here. Teitelbaum's research as a demographer reveals that there is no significant relationship between population increase and economic growth. He contends that nationalist economists and militarists have always feared low population growth, but we must be cautious about numbers, especially in an era that demands such high levels of skill for "making it."

Richard Estrada of The Dallas Morning News is an accomplished speaker who made his points well: without assimilation citizenship is only a legalism. The ability to write English is an important deficit for Mexican immigrants; established Hispanics are adversely affected by the influx of impoverished Mexicans; and America's media and

political leadership are not paying enough attention to the tensions between established Hispanics and the illegals. On the other side of this question of "assimilation" was Arnoldo Torres, a consultant to Hispanic organizations, based in Sacramento. He spoke from the viewpoint of "victimization": that Hispanics have been oppressed by the "pressure-cooker" style of assimilation and it is a failed policy for which we are still suffering the consequences. Torres maintains that the melting pot was only a dream and that the Anglo ideal is still the defining one. He castigated the conference leadership for an absence of Hispanics in the audience. (Those responsible for planning the debates later reported that many Hispanic groups had indeed been invited to send representatives and had chosen not to do so.)

On the question "Can America Humanely Secure its Borders?" Leonel Castillo and Alan Nelson proved to be excellent spokesmen for the issue being the Commissioners of Immigration and Naturalization under the Carter and Reagan administrations, respectively. Mr. Castillo advocates more cooperation with diplomatic sources in the sending countries to provide for pre-clearance of migrants, border crossing-cards for frequent movements across the border for business purposes, the creation of transborder "enterprise zones" in such bi-national urban areas as Juarez-El Paso, with immigration inspections concentrating on people leaving such zones rather than at the border itself. He also had a list of programs that would make detention centers more humane and provide for education in hygiene and family planning, more rapid hearings, and the creation of a trust fund for welfare and emergencies with fees charged to immigrants. He thought it would be beneficial to require industries that plan to hire immigrants or guest workers to first file an "impact statement" such as would be required in the area of environment concerns.

Castillo seemed not to address the issue of what to do about illegal entries but this was the thrust of former-Commissioner Nelson's remarks. When there is a national will to curtail illegal immigration, humane ways can be found. He gave the examples of the Mariel boat-lift and the Haitian influx. It is important that a country based on laws not countenance illegal entry since it so undercuts our values. Mr. Nelson is also interested in the naturalization process. He feels that we need systematic border enforcement, employer sanctions that curtail the hiring of illegals, speedy deportation of those in violation, and a solution to problems of document fraud. Nelson advocates a multi-faceted approach to control of illegal immigration that takes American interests into account.

The fifth and final debate was between Dan Stein of the Federation for American Immigration Reform (FAIR) and Michael Maggio, a leading immigration attorney based in Washington. Maggio used the theme: "What are we teaching arrivals about the American

structure of democracy?" to comment negatively about INS rules and procedures. Mr. Stein countered with references to the need to instruct arrivals about citizenship. He cited the simplicity of the questionnaire for naturalization as a case-in-point, and as a bow in the direction of strictly economic criteria for admission. "We have a vacuum in the definition of citizenship" he said, indicating that we ought to have concerns about the fate of our environment, should uphold such goals as family planning, and we ought to be able to ask at least for a pledge to uphold the American Constitution as a condition for obtaining a green card.

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In the same way that Ira Mehlman of the FAIR staff is to be commended for the assembly of five pairs of debaters who were worthy of the topics in the "Immigration Debates of the 1990s," so must we acknowledge the skill of David Simcox, Executive Director of the Center for Immigration Studies (CIS), in assembling a panel of international experts in Washington on November 1-2 for a conference on "Secure Personal Identification: Balancing Security, Efficiency and Privacy." Conferees included: Kevin O'Conner, the Privacy Commissioner of Australia; Camille Rochefort from Canada's Department of Immigration and Employment and Gerry Montigny from the Canadian Privacy Commission; Ms. Louise Cadoux, a Counselor with the National Commission for Informatics and Civil Liberties in France; Dr. Edgar Friedrich of Germany's Criminal Identification Bureau; Mr. Manabu Hatakeyama, Japanese Consul in New York; Charles Olde Kalter from the Netherlands Ministry of the Interior; Professor Knut Selmer, Norwegian Research Center for Computers and Law; Nikolay Parshenko, a Consul with the Soviet Embassy in Washington; David McDonough is the Deputy Chief Inspector for the Immigration and Nationality Department in the United Kingdom. The United States was represented by George Trubow of the Center for Informatics Law at the John Marshall Law School.

In his luncheon address Pete Velde, a Consultant to Senator Robert Dole on Identification and a former Director of the Law Enforcement Assistance Administration discussed the coming revolution in identification technology and the legislative proposals for making a secure, standardized state driver's license into the country's basic ID document.

Each participant had prepared a short paper addressing each of several topics to be considered, entering into dialogue with each other and with audience members as time allowed. It became clear at the outset that despite the difference between common law countries and those with the tradition of the Napoleonic Code, there was awareness of collecting too much data in one place with the threat to privacy that cross-referenced and instantly available information poses (the "big brother is watching"

phobia). It also became apparent that the United States and other Common Law countries (Australia, Canada and the United Kingdom) are the most lax and relaxed about their identification systems. The Australian representative discussed his country's attempt to adopt a national ID card and the political resistance that ultimately forced abandonment of the idea. While Americans resist government collection of data, they seem less concerned that the private sector is the most thorough and diligent collector of information.

In the U.S. the de facto national identification card is the driver's license, or its equivalent non-driver ID, issued by the several states. The problem is that the identity it attests to is not as secure as it could be. It is much too easy to obtain a false or borrowed birth record and "breed" other documents with it. Most other industrialized countries seem better able than the U.S. to identify their citizens and those who have been granted the right to work as a guest of the country, and to discover those who have violated immigration procedures. Such concepts as national population registers and citizen ID numbers were well-accepted before privacy became an issue.

Law Professor Trubow seemed to set forth the best principles by which to consider the subject of secure personal identification: "I should be able to keep my identity confidential when I wish (except when social order demands revelation); I should be able to establish my identity positively when I must; and I should be protected from the appropriation of my identity by someone else."

There were extensive presentations of technologies now in use and those in the offing for the creation of tamper-proof identification and machine-readable travel documents to permit rapid searching of masses of international travelers with speed and accuracy. It seems that the technology is at hand that will be based on biometrics (e.g. digitized fingerprints or retinal patterns) and that will ultimately not require any document at all, just a sensor that one may or may not be aware of.

For further information about these two excellent events contact either the office of the Federation for American Immigration Reform, 1666 Connecticut Ave. NW, Washington DC 20036, for copies of the videos of the Immigration Debates; or the Center for Immigration Studies for copies of the papers presented at the Conference on Secure Personal Identification. You may contact CIS at 1424 16th St. NW, Washington DC 20036, telephone (202) 328-7228. The charge for reproduction and mailing of conference papers is \$15.