

Understanding the Simpson Immigration Reform Bill

By WILLIAM W. CHIP

Editor's Note: William Chip's letter to Sen. John East (R-NC) was widely circulated after it appeared in the Congressional Record. Mr. Chip is a lawyer in Washington, D.C., and a member of the board of directors of the Federation for American Immigration Reform (FAIR).

Mr. East. Mr. President, I have recently received a considerable amount of mail on the subject of immigration. One of the most persuasive letters was written by Mr. William W. Chip of Washington, D.C. I hope that my colleagues will take the time to read his letter before we proceed to consideration of S.2222. I ask that his letter to me be printed in the *Record*. The letter follows:

July 26, 1982

Senator John P. East
U.S. Senate
Washington, D.C.

Dear Senator East:

You will shortly be asked to vote on S.2222 (the Simpson immigration reform bill). S.2222 will substantially change our immigration laws in three ways: (1) it will reduce illegal immigration by making it unlawful to knowingly hire illegal immigrants, (2) it will increase the level of legal immigration by raising the immigration ceiling from 270,000 to 425,000, and (3) it will offer amnesty and permanent residence in the United States to illegal residents in the U.S. who arrived before this year.

The original impetus for legislative action on immigration was a widespread feeling that immigration, which has such a profound effect on our labor markets and the shape of our society, had gotten out of control. In 1980 legal immigration exceeded 800,000, the highest level since immigration quotas were introduced in 1921. Another 500,000 to 750,000 aliens entered the

United States illegally. These huge numbers astounded the general public, which could neither comprehend the enormous disparity between these statistics and the legal ceiling of 270,000 immigrants per year nor understand why massive disrespect for our immigration laws was being tolerated.

I am impelled to write this letter because I strongly



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believe that the provisions of S.2222 that increase the immigration ceiling and grant an indiscriminate amnesty to illegal aliens run completely contrary to the deeply felt concerns about immigration policy which this legislation was supposed to address. Hopefully, amendments will be offered from the floor to eliminate or modify these provisions. In deciding how to vote on

any such amendments, I appeal to you to take into account the considerations outlined in the remainder of my letter.

Illegal Immigration

Although increasing numbers of illegal immigrants are appearing on welfare rolls, the majority still come to the U.S. seeking jobs. S.2222 eliminates the major attraction for illegal immigration by requiring employers to hire Americans rather than illegal aliens. The United States is virtually the only country in the world that does

not protect its labor market for its own workers in this way. (In no country having such laws have the restrictions proved to be a burden on employers or a handicap to citizens belonging to ethnic minorities.)

During the 1970s, the U.S. economy was chronically unable to produce enough entry-level jobs to accommodate both the flood of illegal aliens and the employment needs of our own black and Hispanic youth. The effects of the crime level and welfare expenditures are plain enough. The employment provisions of S.2222 are urgently needed and clearly worthy of your support.

Legal Immigration

The requirement that employers not hire illegal aliens is the centerpiece of the bill. Unfortunately, the benefits this will bring in reducing illegal immigration are substantially offset by the provision of the bill which establishes new, unreasonably high levels for legal immigration.

The present ceiling of 270,000 was established in 1952. Two-hundred seventy thousand represented the average level of immigration to the United States since immigration quotas were established. Immediate family members of American citizens were left outside the ceiling because their admission had a high priority and, at that time, their numbers were relatively small. For similar reasons, refugees were also later removed from under the ceiling. By 1980, however, the “immediate family member” category accounted for 150,000 immigrants, while refugees and would-be refugees accounted for an additional 379,000, raising total legal immigration to 819,000.

S.2222 takes the existing ceiling (270,000), adds the 1980 peak level of “immediate family” immigrants (150,000), and adds an additional 5,000 to that in order to establish a new ceiling of 425,000. Unlike under present law, if the number of “immediate family” immigrants goes down, the ceiling for other immigrants will automatically go up. The result is to guarantee that immigration from these categories will never fall below the record 1980 level. Refugees, the fastest growing group of immigrants, are not covered by the ceiling.

It is also clear from all opinion polls that the vast majority of Americans want less, not more, immigration. They will certainly be vexed to learn that Congress is proposing to increase immigration at a time when unemployment exceeds nine percent, there is a shortage of affordable housing for the people already here, and we are increasingly dependent upon foreign suppliers for many basic natural resources. Hopefully, floor amendments will be offered to S.2222 to restore

legal immigration to levels acceptable to the majority of the population, either by setting a lower ceiling or by bringing refugees under the ceiling. If they are, I appeal to you to vote for them.

Amnesty

The worst feature of the bill is the extraordinarily generous program being offered to all illegal aliens present in the U.S. since January 1 of this year. Even the advocates of amnesty admit that this would affect three to six million aliens. What they do not say is that the three to six million figure was a conservative estimate based on data from 1977 and earlier years. Five years of record illegal immigration have occurred since then. The real number is probably five to eight million and could be much higher.



In 1980, the Carter administration granted refugee status to 125,000 Cuban exiles who fled Castro's Cuba in a mass exodus. Many of these exiles were convicts and psychiatric patients released from Cuban jails and mental asylums.

The only justification for amnesty is that in some cases it might be inhumane or impractical to deport an alien who has sunk “deep roots” into American society. Most Americans, who themselves must change their jobs or their residences on the average of once every five years, will be hard put to understand how an alien who has spent only six months in the United States has sunk such “deep roots” that it is inhumane to expect him to return to his own country.

Advocates of amnesty conjure up the image of the hardworking alien who after many years' residence in the U.S. has become a productive and established member of his community. There are indeed a number of aliens who correspond to this image, and, in practice, few of them are ever deported. Most illegal aliens, however, do not correspond to this image. Many are simply students and tourists who have not bothered to renew their visas. Most are young men who have come here temporarily

from Mexico and would eventually return home when the employment provisions of S.2222 made it more difficult to find work. Nobody I know can understand why permanent residence, citizenship, and the right to bring in their relatives is being offered to these groups, who make up the bulk of the illegal population.

Many illegal aliens are employed only part of the time they are here. Like young men anywhere with lots of spare time but no money, they often become problems for the communities where they reside. Illegal aliens already account for 34 percent of felony arrests in Los Angeles. Moreover, because most illegals are poor, they will qualify for food stamps, Medicaid, etc. at a time when funds for these benefits are being cut back for Americans. President Carter's rash, if humanitarian, decision to let Fidel Castro send whomever he wished to the United States was in retrospect a tragic error. The blanket amnesty contained in this bill would be the same error on a much larger scale.

Hopefully, amendments will be offered to postpone or eliminate amnesty, or at least to restrict it to the long-term residents for whom it can be justified. Your vote for

such amendments is critical.

Conclusion

The United States is already having great difficulty providing jobs and affordable housing for people already here. In particular, we have many years of hard work ahead to overcome the effects of past discrimination and fully assimilate millions of black and Hispanic Americans into the mainstream of our society and economy. The employment provisions of S.2222 will make it easier to achieve these goals. The provisions increasing legal immigration and adding millions of aliens to the permanent population will make it much, much harder. I appeal to you to cast your vote on any amendments to S.2222 with these factors in mind. ■

Very truly yours,

William W. Chip

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