



# The Phyllis Schlafly Report

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## Guest-Worker/Amnesty Is Immoral

President George W. Bush, Senators John McCain, Edward Kennedy, Arlen Specter and several others are promoting legislation to grant some kind of guest-worker/amnesty status to millions of illegal aliens residing in the United States, as well as to an indefinite number of additional foreign workers. All these bills should be rejected because they are immoral.

Inviting foreigners to come to America as guest workers is equivalent to sending the message: You people are only fit to do menial jobs that Americans think they are too good to do. We will let you come into our country for a few years to work low-paid jobs, but you have no hope of rising up the economic and social ladder.

The various bills differ in whether or when the guest-workers will be expelled back to the poverty they came from, but the bottom line of all is to create a subordinate underclass of unassimilated foreign workers, like serfs or peasants in corrupt foreign countries. That's not the kind of economy that made America a great nation.

America is a country that welcomes immigrants who want to be Americans, who come here legally, who obey our laws and our Constitution, and speak our language. They start with entry-level jobs, but they have the opportunity to rise into the middle class and realize the American dream.

France and Germany have already demonstrated the folly of a guest-worker economy. They admitted foreigners to do low-paid jobs, and now both countries have thousands of foreign residents who do not assimilate, who burden the social welfare system, and who become more disgruntled and dangerous every year.

Guest-worker/amnesty would help to perpetuate Mexico's corrupt economic system, which keeps a few people very rich and most Mexicans in abject poverty. Mexico is a wealthy country with enormous quantities of oil, but the oil is all owned by the government, and half of Mexican workers are paid only \$13 a day. The wealthy Mexicans are glad to export some of their dissidents and unemployed so they can get jobs in the United States and send back \$12 billion a year to Mexico.

Guest-worker/amnesty would reward lawbreakers. The guest-workers would be exempted from punishment for break-

ing our laws in entering our country illegally and then using fraudulent documents, and employers would be exempted from punishment for hiring them. The employers commit a double offense if they pay the illegal workers with cash in order to evade paying payroll taxes and providing benefits to the workers. For our government to tolerate the vast underground economy is unjust to honest businessmen who pay their taxes. Bear-Stearns estimates that taxes lost from the underground economy could wipe out our entire federal deficit of \$400 billion. The *Los Angeles Times* reported December 13 that Los Angeles County's underground cash economy is allowing employers to evade \$2 billion a year in taxes needed to support the social safety net.

Amnesty/guest-worker is unjust to the millions of people who complied with our immigration laws, stood in line, and patiently waited their turn to win legal residence in the United States.

Some people say that leaving our borders open to people who want to sneak into our country illegally is the compassionate and Christian thing to do. On the contrary, it is uncaring and immoral to close our eyes to the crime on our southern border.

Failing to close our border to illegals means giving up on the war on drugs because most illegal drugs come over our southern border and then are shipped all over the United States. Drug smugglers armed with automatic weapons, global-positioning units and night-vision scopes have become increasingly aggressive in protecting their illicit cargoes, and attacks on Border Patrol agents have risen fivefold in the past year. Mexican drug cartels are even running illegal marijuana farms in our national parks, protected by booby traps and guards carrying AK-47s.

The smuggling of human beings over our border is an organized criminal racket that ought to be stopped, and the number of illegal crossings has significantly increased ever since the President began talking about his guest-worker/amnesty plan. That's no surprise; the amnesty we granted in 1986 quadrupled the number of illegal aliens.

The smugglers charge thousands of dollars for the prom-

ise to bring people across the border, and then often hold them for ransom until additional payments are made. Female border crossers are often raped by the same smugglers who were paid \$2000 for safe passage. Hundreds die from thirst and dehydration when crossing the desert or in locked trucks without air or water.

How many people will have to die before our government closes our border so smugglers and their victims won't believe the illegal racket is worth the risk?

Legal immigrants must be healthy to be admitted, but nobody is giving a health exam to people sneaking across the border. Illegal aliens are bringing in diseases that were formerly unknown in the United States plus bedbugs and diseases we had eradicated decades ago such as tuberculosis, malaria and even leprosy.

Failure to close our border to illegals means that Arizonans live in fear of the aliens who cross their land every night, tearing down fences and killing their animals. American citizens cannot go outside their own homes without a gun and a cell phone.

The most moral and humanitarian thing we can do is to erect a fence and double our border agents in order to stop the drugs, the smuggling racket, the diseases, and the crimes.

President Theodore Roosevelt left us some still-relevant words about the folly of valuing people only for the low-paid work they do. "Never under any condition should this nation look at an immigrant as primarily a labor unit."

Continuing with TR's wisdom: "We cannot afford to continue to use hundreds of thousands of immigrants merely as industrial assets while they remain social outcasts and menaces any more than 50 years ago we could afford to keep the black man merely as an industrial asset and not as a human being."

### ***Chicanery about H-1B Visas***

"Why is it taking you five years to get through college?" I asked a student attending one of my campus lectures. "Because I changed my major from computer science to accounting after I discovered there are almost no jobs available for computer majors."

Of course there are plenty computer jobs, but not for Americans because big business would rather hire foreigners. It's a matter of money; corporations use their financial clout to get Congress to import foreigners who will work for half the salary Americans used to be paid for computer work.

It's called the H-1B racket, and it's very profitable for the big corporations. This system is not the free market; it's politicians and corporations conniving to do an end run around our immigration laws in order to keep wages artificially low. This is not the free market; Congress is pleasing its corporate contributors while selling out American workers.

The latest piece of chicanery is buried in the 817-page Deficit Reduction Omnibus Reconciliation Act of 2005

(S.1932). Without any hearings, Senator Arlen Specter (R-PA) got the Judiciary Committee to insert language that will raise the annual cap on H-1B visas from the current 65,000 to 95,000, reissue unused immigrant work visas or green cards up to a maximum of 90,000, and exempt the H-1Bers' family members from the cap on employment-based immigration. This is estimated to increase permanent immigration into the United States by more than 350,000 aliens a year. Senator Robert Byrd (D-WV) tried to protect American jobs by deleting Specter's amendment, but the Senate rejected Byrd's motion on November 3.

This latest attack on U.S. workers comes on the heels of another back-room deal last fall. Congress exempted from the annual H-1B visa cap 20,000 foreign students who get master's or Ph.D. degrees from U.S. universities.

Then, because of what was claimed to be a "mistake," the Homeland Security Department approved 10,000 more visa applications for high-tech and specialty workers than Congress authorized. Nobody was fired over the mistake, and only Senator Charles Grassley (R-IA) lamented, "It discourages me to hear that Congress' limit may have been ignored."

The rationale for inviting H-1B foreigners to take American jobs is an alleged labor shortage, but we never had any shortage in computer technicians, and employers are not required to look for Americans anyway. The labor-shortage claim is ridiculous today since there are more than 100,000 unemployed high-tech American workers, and some estimate the figure at 200,000.

In addition, there are several hundred thousand who are underemployed or working lesser jobs outside of their field. After the dot-com bust a few years ago, tens of thousands of computer workers and engineers left Silicon Valley and took any job they could get, of course at a fraction the pay they had been receiving.

At the same time, at least 463,000 H-1B workers are employed in the United States, and some estimate twice that number. H-1Bers who are hired by universities and other "exempt" institutions are not in the count. During the third quarter of last year, high tech companies in the U.S. laid off workers in record numbers, but they didn't lay off H-1B workers.

The best research on the economics of H-1B workers has been done by Professor Norman Matloff of the University of California/Davis. See [www.eagleforum.org/links/](http://www.eagleforum.org/links/)

Business executives continue the pretense that American IT workers aren't available. In a speech to the National Governors Association on February 26, 2005, Bill Gates taunted us that India and China "have six times as many graduates majoring in engineering" as the United States. The reason for this is obvious to bright college students who have discovered that Bill Gates prefers to hire foreign computer graduates.

Microsoft is adding 4,400 employees this year, but more than half of that employment growth is outside the United

States. Microsoft has opened a research center in Bangalore, India where it expects to hire thousands of computer science graduates of universities in India at a fraction the cost of U.S. university graduates. Microsoft is also on track to outsource more than 1,000 jobs a year to China. According to a former vice president, Microsoft promised China in 2003 that it would step up the level of its outsourcing to China from \$33 million to \$55 million worth a year, and China is complaining that the pace isn't fast enough.

It's bad news for America's future if the corporations learn to rely on foreigners for all their computer work. Americans, not foreigners, are the source of the technical innovations we need to stay ahead in the fast-moving computer industry. Of the 56 awards given by the Association for Computing Machinery for software and hardware innovation, only one recipient is an immigrant.

### *House Hears from Grassroots*

Late on Friday evening December 16, the House passed Rep. James Sensenbrenner's (R-WI) Border Protection, Anti-terrorism, and Illegal Immigration Control Act (H.R. 4437) to require employers to verify the legal status of each employee. No strong-arm tactics were needed to produce the stunning margin of 239-182, including 36 Democrats, because Members had heard from the grassroots.

Over 130 amendments had been submitted to the Rules Committee by the deadline for amendments at 7:00 p.m. on Tuesday. Members of Congress are finally recognizing that immigration will be the hot-button issue of the next election, and they want to distance themselves from President Bush's unpopular guest-worker-amnesty proposal.

The open-borders advocates realized that the House will not acquiesce in Bush's imperious demand that guest-worker-amnesty be part of any immigration bill. So their fall-back position was to insert sense-of-Congress language in the Sensenbrenner bill that would have no legal effect but would signal the House's willingness to deal with guest-worker-amnesty if the Senate passes it.

Early the next morning, word floated through the cloakroom that this language offered by Rep. Jeff Flake (R-AZ) was likely to be added to the Manager's Amendment: "It is the sense of Congress that a necessary part of securing the international land and maritime border of the United States entails the creation of a secure legal channel by which the foreign workers needed to keep the United States economy growing may enter and leave the country."

At 4:30 p.m. Wednesday, the 90-Member House Immigration Reform Caucus, led by Rep. Tom Tancredo (R-CO), met and agreed to defeat the rule for H.R. 4437 if language supporting guest-worker programs were added to the bill. Defeating the rule would effectively kill the bill.

On Thursday afternoon, the House manifested its new

awareness of the public's demand for border control by passing the Hunter Amendment 260-159, including 49 Democrats. This so-called Fence Amendment mandates the construction of specific security fencing, including lights and cameras, along our southwest border for the purpose of gaining operational control of the border. The bill orders 700 miles of fencing in sectors that have the highest number of immigrant deaths, drug smuggling and illegal border crossings. The bill also orders the Secretary of Homeland Security to conduct a study of the use of physical barriers along our northern border.

The momentum continued on Friday. By 273-148 including 57 Democrats, the House passed the Bob Goodlatte (R-VA)/Stephanie Herseth (D-SD) Amendment to repeal Ted Kennedy's favorite immigration provision, the Diversity Visa Lottery, which admits 50,000 foreigners every year, mostly from Third World and even terror-supporting countries.

Then, the House passed by voice vote the Jim Ryun (R-KS) Amendment, which codifies the Oath of Renunciation and Allegiance as federal law so that it cannot be changed without an act of Congress. The oath requires naturalized citizens to swear to "absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty of whom or which I have heretofore been a subject or citizen."

Then, the House passed by 237-180, including 30 Democrats, the Charles Norwood (R-GA) Amendment, which reaffirms the inherent authority of state and local law authorities to assist in the enforcement of immigration law, to provide training on this issue to the local agencies, and to increase law enforcement's access to vital information about illegal criminal aliens.

Then, the House passed by 420-0 the Cliff Stearns (R-FL) Amendment to prohibit the Department of Homeland Security, the U.S. Attorney General, and all courts from granting any kind of legal immigration status (*i.e.*, "benefits") to an alien until the relevant databases of criminal records and terrorist watch lists have been checked.

Then, the House passed by voice vote the Ed Royce (R-CA) Amendment, stating that no immigration benefit may be granted until an FBI fingerprint check has been submitted and the results show that the alien does not have a criminal or immigration history that would render him or her ineligible for benefits provided by the U.S. Citizenship and Immigration Services.

The Stearns and Royce amendments are important because, according to whistleblowers inside Homeland Security, a significant number of those applying for legal status do not go through complete background checks. When certain checks aren't completed within 90 days, current law allows the application to continue on to the next step anyway.

A Bush Administration-supported amendment to reduce the maximum sentence for illegal entry and illegal presence to six months was defeated 164-257. Current penalties remain.

The Senate will begin its debate on border security early this year and is predicted to be favorable to the guest-worker-amnesty plans proposed by President Bush, John McCain (R-AZ), Ted Kennedy (D-MA), John Cornyn (R-TX), and others. The Senate and House bills will then go to a conference committee to work out differences.

Senators who are up for reelection in 2006 had better listen to their constituents. Senators are not worthy of reelection if they vote for any kind of guest-worker/amnesty plan or water down the House votes for border security.

## ***Border Legislation We Need***

The Border Protection bill passed by the House in December 2005 is a big step in the right direction, but it is a long way from what we need. The legislation we really want is the TRUE Enforcement and Border Security Act of 2005 (H.R. 4313) sponsored by Rep. Duncan Hunter (R-CA) and Rep. Virgil Goode (R-VA). The major provisions of this bill are set forth below (and more information is available from Lorissa Bounds in Rep. Hunter's office (202) 225-5672, or from Kelly Simpson in Rep. Goode's office (202) 225-4711:

**Title I — Border Security and Federal, State, and Local Law Enforcement.** Creates a border security zone from the Pacific Ocean to the Gulf of Mexico, with fencing, roads, and technology infrastructure along the southern border. Adds 8,000 agents. Maintains accurate enforcement data on aliens: prevents overstaying of visas by requiring completion of entry-exit system. Affirms inherent authority of state/local law enforcement to enforce immigration laws. Halts current "catch and release" policy by increasing federal detention space and requiring DHS to take timely custody of illegal aliens detained by state/local authorities. Clarifies federal bar to in-state college tuition for illegal aliens and denies federal funding to colleges and universities that provide this benefit in violation of this provision.

**Title II — Visa Reform and Alien Status.** Denies visas to countries with worst records in accepting deported nationals. Suspends Visa Waiver Program until entry-exit system is fully operational. Adopts Jordan Commission recommendation to eliminate preferences for adult brothers/sisters and adult sons/daughters. Increases income requirement for sponsorship of new immigrants to 225% of federal poverty level. Eliminates Visa Lottery Program. Provides that overstays will result in arrest warrants. Makes illegal immigration less attractive by withholding U.S. citizenship from individuals born to illegal aliens. Gives DHS discretion to suspend immigration procedures and benefits relating to criminal aliens and terrorists. Repeals Section 245(i).

**Title III — Workplace Enforcement and Identification Integrity.** Develops regulations for implementation of a permanent Work Eligibility Verification System (WEVS) for use by all employers. Requires DHS and the Social Se-

curity Administration to implement the permanent WEVS within 24 months, making available to employers at affordable cost a system for work eligibility verification using telephonic, online computer, and/or machine readers, and requiring employers to check work eligibility by confirming identity and social security number with existing SSA records. Establishes civil and criminal penalties for noncompliant employers. Closes costly loophole by barring illegal aliens from continuing to claim the Earned Income Tax Credit. Bars the use of an Individual Taxpayer Identification Number (ITIN) for any purpose other than filing a tax return (such as banks issuing ITIN mortgage loans to illegal aliens). Bars employers from the current practice of taking business deductions for payroll and benefits paid to illegal alien employees. Bars any quarter worked illegally from counting toward eligibility for Social Security benefits.

**Title IV — Penalties and Enforcement.** Adds/increases penalties for most immigration infractions such as illegal presence and illegal employment. Provides for systematic identification and removal of criminal alien gang members. Increases penalties for illegal reentry.

The following 43 Members of the House are co-sponsors of the Hunter-Goode TRUE Enforcement and Border Security Act. Call your Representative and urge him to sign on as a co-sponsor, and call your two U.S. Senators and tell them to pass true border security — and reject all versions of guest-worker/amnesty.

Rodney Alexander (R-LA), Bob Beauprez (R-CO), Michael Bilirakis (R-FL), Marsha Blackburn (R-TN), Mary Bono (R-CA), John Boozman (R-AR), Dan Burton (R-IN), Michael Burgess (R-TX), Ken Calvert (R-CA), Howard Coble (R-NC), Barbara Cubin (R-WY), John Culberson (R-TX), Geoff Davis (R-KY), Nathan Deal (R-GA), Randy Forbes (R-VA), Virginia Foxx (R-NC), Trent Franks (R-AZ), Scott Garrett (R-NJ), Phil Gingrey (R-GA), Virgil Goode (R-VA), Bart Gordon (D-TN), J.D. Hayworth (R-AZ), Darrell Issa (R-CA), Walter Jones (R-NC), Randy Kuhl Jr. (R-NY), Kenney Marchant (R-TX), Candice Miller (R-MI), Gary Miller (R-CA), Jeff Miller (R-FL), Marilyn Musgrave (R-CO), Charles Norwood (R-GA), Collin Peterson (D-MN), Tom Price (R-GA), Ed Royce (R-CA), Jim Ryun (R-KS), Jean Schmidt (R-OH), Mike Simpson (R-ID), John Sullivan (R-OK), Tom Tancredo (R-CO), Charles Taylor (R-NC), Greg Walden (R-OR), Zach Wamp (R-TN), Roger Wicker (R-MS).

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