

Rewarding Illegal Aliens

President Clinton and many in Congress push for more 'amnesties'

by Roy Beck

WASHINGTON, D.C.

The first four months of the 106th Congress this year began where the 105th Congress ended last fall: trying to decide whether to continue granting permanent residency to hundreds of thousands of foreign citizens with backgrounds as illegal aliens in this country.

The pressure to put more illegal aliens on the road to U.S. citizenship is coming from two major arguments: (1) hurricane relief, and (2) equity with earlier groups who won amnesties.

(1) The Hurricane Argument

The already powerful pro-illegal-alien lobby picked up considerable strength after Hurricane Mitch devastated large parts of Honduras, Nicaragua, and other Central American countries at the end of the year. To protect those countries from having to incorporate deported citizens into their economies, Congress was urged to let the illegal aliens stay here permanently.

Advocates for illegal aliens have argued that deporting them back to help with the re-building of their home countries would constitute an extreme hardship on the illegal aliens. And government officials of Central American countries are urging Washington to allow the illegal aliens to keep their jobs in the United States so they can continue to send remittances to their home countries.

Roy Beck, in addition to being Washington Editor of The Social Contract, is also director of the website NumbersUSA.com which offers a way to send faxes to Members of Congress about immigration issues and includes separate immigration voting records and co-sponsorship profiles on every Member of Congress.

(2) The Equity Argument

The 1997 amnesty was aimed only at Nicaraguans and Cubans because they had fled communist rule. Illegal-alien advocates today say those who fled right-wing dictatorships should be accorded the same treatment. That would include Salvadorans and Guatemalans, plus Haitians who were not covered by the 1998 amnesty.

Amnesty critics who opposed the 1997 amnesty are incensed that Congress might issue another amnesty based on an earlier amnesty that itself had no justification. None of the Nicaraguans amnestied in 1997 had been able to show that they had fled a well-founded fear of persecution and deserved refuge. And besides, communist rule and the civil war have been over for years. The same points can be made about those who fled El Salvador, Guatemala and Haiti. For example, the 13-year civil war in El Salvador ended in 1992 and free elections were held in 1994. The 36-year civil war in Guatemala ended in 1996 when free elections were held. Even if one wanted to make a case that the illegal aliens from those countries once had a legitimate reason not to be sent home, that reason no longer exists, the amnesty critics say.

Who campaigns for what?

The battle over new amnesties involves essentially the same camps in Congress as during the successful passage of amnesties in 1997 and 1998:

THE PRO-ILLEGAL-ALIEN-AMNESTY CAMP includes an array of congressional Democrats and the minority "Abraham wing" of the congressional Republicans led by Sen. Spencer Abraham (R-Mich.) who is the Senate immigration committee chairman.

THE ANTI-ILLEGAL-ALIEN-AMNESTY CAMP includes some congressional Democrats and the majority "Smith wing" of congressional Republicans led by Rep. Lamar Smith (R-Tex.) who is the House immigration chairman.

APPROVED AND PROPOSED AMNESTIES FOR ILLEGAL ALIENS

Until 1986, the United States had never forgiven large groups of illegal aliens for their having broken U.S. immigration laws, nor had the illegal aliens even been rewarded with the right to live permanently in the U.S.

The supporters of the 1986 amnesty claimed it would be a one-time-only correction. Opponents said it would give masses of citizens of other countries the hope that if they could illegally enter or stay in the United States long enough without being caught, they too could eventually win U.S. citizenship.

That hope has grown much stronger with the emergence of a bi-partisan, pro-illegal-alien leadership coalition in Washington beginning in 1997. This informal coalition of the President, some leaders of both congressional parties and committee chairmen has slipped two amnesties into law without full congressional oversight and voting, and it is attempting a couple more this year.

Amnesty is not a precise legal term. Some government officials say the 1997 and 1998 actions were not amnesties because the people who benefitted had temporary legal status at the time. But nearly all of them had previously been illegal aliens. The temporary legal status was one of the steps in a "rolling amnesty" that led to the permanent residency. "Amnesty" is used here as a granting of permanent residency to groups of people who previously were illegal aliens and who, without special governmental action, would have been deportable.

Here is the amnesty tally thus far:

Amnesty of 1986

Who: More than 2.8 million of all nationalities but predominantly from Mexico.

Cutoff date: Most had to have been in the U.S. since before Jan. 1, 1982. Agricultural workers only had to have worked 90 days in the U.S. during the 12 months ending May 1, 1986.

How: House and Senate had full debate and recorded votes and linked the amnesty to adopting sanctions on businesses that hire illegal aliens.

Amnesty of 1997

Who: Around 150,000 Nicaraguans and 5,000 Cubans.

Cutoff date: In the U.S. since before Dec. 1, 1995.

How: No specific House vote. Senate vote without debate attached amnesty to appropriations bill.

Amnesty of 1998

Who: Around 50,000 Haitians.

Cutoff date: Those who filed for asylum before Dec. 1, 1995.

How: No specific House or Senate vote. President Clinton, Senate Majority Leader Lott and House Speaker Gingrich put it in the emergency negotiated omnibus appropriations bill.

Temporary Hurricane Amnesty of 1998

Who: Around 90,000 Hondurans and 60,000 Nicaraguans have been allowed to stay in the U.S. for 18 months until mid-2000.

Cutoff date: In U.S. before Jan. 1, 1999.

How: No congressional oversight. President decreed amnesty.

Proposed Presidential Amnesty of 1999

Who: Around 200,000 Salvadorans, 50,000 Guatemalans, and several thousand East Europeans.

Cutoff date: In U.S. since before 1993.

How: President would by-pass Congress entirely and for the first time in history create an amnesty by issuing a blanket declaration that the more than 250,000 would face "extreme hardship" if deported.

Proposed HR36 Amnesty Bill of 1999

Who: Around 600,000 from Honduras, El Salvador, Guatemala and Haiti (includes the 250,000 covered under the proposed presidential amnesty).

Cutoff date: In U.S. since before Dec. 1, 1995.

How: Would need to pass both Senate and House and be signed by the President.

Support: 84 House Members have co-sponsored (a strong show of support).

Under considerable pressure from both camps, President Clinton has extended a "temporary amnesty" to illegal aliens in the worst-hit countries of Honduras and Nicaragua but has denied the same to other countries seeking it. And, as of May, no new permanent amnesty has been put in place.

When the president offered the temporary amnesty, Mark Krikorian, director of the Center for Immigration Studies, predicted to the *Washington Post* on November 14: "There is nothing as permanent as a temporary refugee. [The result of the President's action will be] permanent immigration of large numbers of people and the creation or expansion of

immigrant networks will foster more future immigration."

Central American advocacy groups confirmed to the *Post* that they use temporary protections as part of their strategy to gain permanent residency for the people who start as illegal aliens.

Most of the hundreds of thousands of Central Americans who would be affected by current amnesty proposals were illegally in the United States for some period of time, says demographic research consultant Ed Lytwak. But presidents, attorneys general, and the congress through the years have engaged in a number of administrative actions that have changed illegal

aliens into foreign citizens with temporary legal status in the United States. The aliens have been protected under EVD (extended voluntary departure), PRUCOL (persons residing under the color of law), DED (deferred enforced departure), and TPS (temporary protected status). Illegal-alien advocacy groups push for these measures under humanitarian considerations. Then when the humanitarian reason for temporary status is gone, the groups argue that the aliens have been in the U.S. for so long that they have sunk roots and it would be extreme hardship for them to have to uproot their families and go back to their home countries.

Rep. Lincoln Diaz-Balart (R-Fla.) slammed Rep. Smith in March for calling the Salvadorans and Guatemalans "illegal aliens" and saying they should go home. Diaz-Balart said these people "have lived in the United States with temporary legal status for at least eight years, worked hard, paid taxes, built strong families, bought homes and opened businesses."

Wrong signals started stampede toward border

This year began with a rush of optimism among the pro-amnesty forces. A new HR36 bill to give amnesty to around 600,000 Central American illegal aliens quickly gained 84 co-sponsors, including House Minority Leader David Bonior. The minority Abraham-wing of Republicans indicated support, as did the President.

There also were high hopes among the illegal-alien advocates that Mr. Clinton would renew a temporary hurricane amnesty for the Salvadorans and Guatemalans when it was scheduled to end in March.

And on a trip to El Salvador, INS Commissioner Doris Meissner said the President would be fighting to put Salvadoran and Guatemalan illegal aliens on the road to U.S. citizenship. At the same time, the news media reported that Border Patrol agents had been ordered to release into the U.S. population any illegal aliens from Honduras they caught at the border.

By early February, major newspapers were reporting a small army of Central Americans walking and hitch-hiking their way toward the U.S. border. They were widely reported to be under the impression that the Clinton administration was inviting them to move to the United States without any need of

immigration papers.

On February 11, Rep. Smith held a press conference to challenge the Clinton administration to "take all necessary steps to avert an immigration crisis that has the potential to exceed the Mariel boatlift in magnitude." He called for immediate communication to all of Central America that the U.S. would arrest and deport illegal aliens caught at the border.

With immigration reduction groups whipping up

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grassroots opposition to the new amnesty proposals and with the majority Smith-wing of congressional Republicans asserting itself, Clinton began pressing for a way to create an amnesty without congressional approval.

But Smith held another press conference to expose the White House plans to force the INS to issue a blanket amnesty to some 250,000 Salvadorans and Guatemalans. The planned process was one that had never been used. "Stop before you break the law," Smith said in a quote published around the country.

President Clinton said one of the reasons he was pursuing the unique amnesty was because he had been asked to do so by three Republican senators, Abraham, Connie Mack of Florida, and Utah's Orin Hatch, chairman of the Senate Judiciary Committee. Rep. Smith quickly gathered a few pages of House Republican signatures to send to the President to show what the majority Republican wing thought about the amnesty plans.

The President left for his post-hurricane tour of Central American countries in early March amid speculation that he might announce his presidential amnesty as a form of hurricane aid while there. But his State Department was providing him warnings about enticing an uncontrolled migration from Central America.

During his Central American visit, he announced that he would like to grant an amnesty for illegal

aliens already in the United States for several years. He said he would work toward such an amnesty. But he didn't — and still hasn't — actually ordered the amnesty.

More significantly, Clinton announced a hard line on recent illegal aliens and on Central Americans who were contemplating illegal entry. He allowed the temporary hurricane amnesty for Salvadorans and Guatemalans to end. In the face of angry Central American leaders, he ordered a renewal of deportations of recent illegal aliens. With statements like "we must continue to discourage illegal immigration" and "we must enforce our laws," Mr. Clinton sent strong signals that appeared to have the effect of slowing the new illegal alien flow in March.

But with new amnesties still being promoted in April, the threat of massive new illegal immigration was revived. A U.S. Information Agency survey found that around 600,000 Central Americans were planning to start soon on a journey to the United States to join approximately 200,000 who already had become illegal aliens in recent months.

"An exodus from Central America of this magnitude rivals the crisis in Europe triggered by the ethnic cleansing campaign in Kosovo," warned Dan Stein of FAIR (The Federation for American Immigration Reform). "This is proof once again that the only kind of disaster assistance that achieves its goals is the kind that helps people rebuild in their country."

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So Much For Promises

Selected quotes from Congressional sponsors of the 1965 immigration act

**Assembled by
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Since the 1965 Immigration Act went into effect, more than 30 million immigrants, most from non-European, Third World countries, have poured into the United States. Today, most of U.S. population growth is due to these immigrants, and their offspring. These

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results contradict promises made to American citizens by the Act's Congressional Sponsors, as revealed in their own words:

Senator Edward M. Kennedy (D-MA)

"Out of deference to the critics, I want to comment on ... what the bill will not do. First, our cities will not be flooded with a million immigrants annually. Under the proposed bill, the present level of immigration remains substantially the same ... Secondly, the ethnic mix of this country will not be upset ... Contrary to the charges in some quarters, 500,000 will not inundate America with immigrants from any one country or area, or the most populated and economically deprived nations of

Africa and Asia. In the final analysis, the ethnic pattern of immigration under the proposed measure is not expected to change as sharply as the critics seem to think. Thirdly, the bill will not permit the entry of subversive persons, criminals, illiterates, or those with contagious disease or serious mental illness ... As I noted a moment ago, no immigrant visa will be issued to a person who is likely to become a public charge ... The charges I have mentioned are highly emotional, irrational, and with little foundation in fact. They are out of line with the obligations of responsible citizenship. They breed hate of our heritage." (Senate Part 1, Book 1, pp. 1-3)