

Immigration Laws Effectively Repealed

New INS rules make legislation useless

by Samuel Francis

After trotting off to Guatemala to apologize for fighting communism, President Clinton wrapped up his latest adventure in statecraft by agreeing with Latin American leaders to deal with illegal immigration through "humane and permanent solutions." Still, that wasn't enough for the much aggrieved Latinos, who are able to express their views at all only because the United States made sure communists never conquered them.

Even as the president was agreeing to be "humane" about Central American citizens fleeing their own countries to enter ours illegally, El Salvador's president whined that we don't treat Salvadoran illegals the same as Cubans and Nicaraguans. That's because the United States is getting ready to dispatch back to El Salvador about a thousand illegals who fled Hurricane Mitch. You'd think the president of a

nation would want his own fellow countrymen to come home, but then you've probably never been to Central America.

Instead, Central America has pretty much come to us. Through immigration, legal and illegal, some 30 million people have arrived in this country since 1970, a figure equivalent to the entire current population of Central America, which is where quite a few of the immigrants did come from. Just as Mr. Clinton was agreeing to be more "humane" in solving the immigration problem, the Immigration and Naturalization Service announced that it has virtually surrendered.

The INS used to enforce the nation's immigration laws by actually rounding up and sending back immigrants who entered the country illegally. Now, in what it calls a "major shift" in enforcement policy, the service is planning to abandon doing so.

In place of its traditional policy, the service will simply concentrate on catching illegals involved in crime, cracking down on immigrant smugglers, attacking benefit fraud among immigrants and other forms of law enforcement. It will no longer seek to remove illegals as long as the aliens haven't committed a

crime that brings them to the service's attention. Maybe that sounds swell, but there are a couple of things wrong with it.

In the first place, it turns the INS into a kind of junior FBI, focused on federal crimes that concern immigration but not explicitly trying to protect the borders of the nation. That might be OK if some other agency protected the borders. In fact, nobody does.

The other problem is that, as former INS official Jack Straw says, "it is amnesty by another name." Essentially what the new policy says is that if you can make it across the border, legally or illegally, there's no one in the U.S. government who will try to catch you and send you back. The new policy is not just amnesty; in many ways it's an effective repeal of our laws against immigration.

It repeals immigration laws because the fact is that just about anyone can get across the border these days. Hence, if Salvadorans, Guatemalans, Nicaraguans, Mexicans or anyone else wants to come here, all they have to do is get as far as the southern border. Getting there is undoubtedly a lot more difficult than getting across the border, and once they're across, they no longer have to

Samuel Francis is a syndicated columnist. This article is reprinted by permission of Creators Syndicate, © 1999.

worry about being sent back.

"Among those who can breathe easier because of the new strategy," *The Washington Post* gloated in reporting the new policy, "are thousands of Central Americans, many from El Salvador, who have migrated to the Washington area in recent years." The migrants can indeed breathe easier; it's the Americans who have to pay the costs of illegal immigration who will find their breathing more difficult.

Those costs are partly criminal (the INS estimates that two-thirds of the foreign-born jail and prison inmates in this country are illegal

aliens) but also economic, as illegals burrow into the welfare system and as others push out of low-skill jobs the country's current underclass. Illegals are also pushing out of their jobs skilled middle class workers in meat packing and poultry processing plants in the South and Midwest.

For years, the mantra among Republicans has been that they're for legal immigration but against illegal immigration. The slogan made little sense (if you're against illegal immigration just because it's illegal, why not repeal the laws?) But now it's clear that it

wasn't even true. Republicans, except for a few like Lamar Smith of Texas, aren't even opposed to illegal immigration.

Republicans have spent much of the last few years complaining about Bill Clinton's law breaking, but they can spend no time to make sure the laws protecting the borders of their own country are enforced. As for Mr. Clinton, he may sign agreements with Central Americans promising to be more "humane" toward immigrants who break our laws, but it's under his administration that the laws against immigration have effectively been gutted. **TSC**

End Birthright Citizenship

It could be done with a simple vote by Congress

by Tom Andres

In January, Rep. Brian Bilbray (R-CA) introduced the Citizenship Reform Act of 1999 (HR 73 IH) "to amend the Immigration and Nationality Act to deny citizenship at birth to children born in the United States of parents who are not citizens or permanent resident aliens." Representative Mark Foley (R-FL) is proposing a constitutional amendment (HJ RES 10) to accomplish the same thing. These efforts should have our support because granting birthright citizenship to the children of illegal aliens is misguided and just plain wrong.

This automatic citizenship "right" is said to come from the Fourteenth Amendment's (1868) granting of citizenship to people "subject to the jurisdiction of the United States," which was intended strictly for former slaves. The "jurisdiction" language itself came from

Senator Lyman Trumbull who authored some of the first legislation enfranchising freed slaves.

So it is hard to imagine how this amendment commands that citizenship be awarded to the children of illegal aliens. Even if we just look at the words, how can it be said that families who are defying the "jurisdiction" of the United States are also "subject to" it. If they are, well then, why are they here?

Birthright citizenship broadcasts a message that the United States is just not serious about enforcing its own immigration laws, a message further amplified by other government activities.

No doubt there exist some dedicated public servants struggling under conflicting and dubious political and judicial guidelines, but what a spectacle. Glance at any newspaper on any given day and you will see articles on "Stepped up border enforcement," or for this or that reasons, "Illegals freed," or "More aggressive employer raids," or "Employers given advance notice of raids," or "New toughness," or "Extended stays," until the whole enterprise starts

Tom Andres is a free lance writer, frequently on environmental topics, living in Santa Barbara, CA.