



Questions for Lawmakers on Immigration

By Jon Feere

Below are questions on immigration legislation that voters might ask their representatives when trying to determine their actual stance on the issue. Some are specifically on S.744, the Senate amnesty bill, while others are more general. Several are targeted by political party. They all are intended to help move the discussion beyond the evasions and platitudes usually offered by politicians.

Q: How do you justify bringing in tens of millions of foreigners at a time when millions of Americans are unemployed and unable to find work?

The U-6 unemployment rate is around 14 percent, a high number representing the unemployment/underemployment of tens of millions of Americans.¹ It is difficult to see how some employers cannot find Americans to fill jobs. For the most part, businesses promoting the immigration bill simply want an endless supply of cheap, foreign labor and do not want to offer better wages in order to attract legal residents to available jobs.

There is no such thing as “a job Americans won’t do”. According to Census data, nearly every job that a politician might think of as an “immigrant job” is actually held by a majority of American citizens. For example, of taxi drivers and chauffeurs, 58 percent are native-born; of butchers and meat processors, 63 percent are native-born; when it comes to construction laborers, 66 percent are native-born; and 73 percent of janitors are native-born Americans. Politicians often repeat the “jobs Americans won’t do” claim, but they never seem to give examples because they know they would insult millions of Americans.

Q: The CBO says the bill would reduce wages for American workers. How do you justify this?

The Congressional Budget Office (CBO) found that if a bill to increase immigration becomes law, it would lower wages for American workers. The CBO noted: “As the labor supply initially increased under the legislation, less capital would be available for each worker to produce output, and thus workers’ output, on average, would be lower for a time. That decline would *reduce average wages relative to those under current law*.” It also found that “a greater number of immigrants with lower skills than with higher skills would be added to the workforce, slightly *pushing down the average wage for the labor force as a whole*.” But the CBO found that even though wages for Americans would go down, wages for legalized illegal aliens would go up.²

Q: What percentage of the new immigrants under this bill are high-skilled and what percentage are low-skilled? And do you really think we need more low-skilled people in this country?

The overwhelming majority of illegal aliens who would be legalized under this bill do not have any education beyond high school, and many do not even have a high school degree. While this does not make them bad people, one must question whether the United States needs more people who are unskilled and uneducated. It would be possible to craft an immigration policy that only admits the best and brightest, but such a bill has not yet been offered. And Congress has never given an estimate on the breakdown of high-skilled and low-skilled immigrants that would be welcomed under proposed legislation.

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Q: How many immigrants would be invited into our country over the next decade if the immigration bill passes?

Congress has given very little discussion to the impact a mass immigration bill would have on the United States, and few members of Congress have any estimate on how many people the Senate bill would allow in. One estimate finds that the Senate bill would bring in an additional 22 million new immigrants over the next decade, beyond the 11 million illegal immigrants receiving amnesty.³

Q: Will you extend E-Verify to apply to existing workers?

The E-Verify program allows employers to quickly determine whether the person they've hired is a legal resident, or whether the person is an illegal alien using a false and/or stolen Social Security number. But it only applies to new hires. Congress could require that employers check the status of existing workers by requiring it in a new immigration bill. Such a change could free up millions of jobs for legal residents since about seven million illegal immigrants are holding jobs.

Q: Since Obama just delayed Obamacare mandates by a year, without any legal authority to do so, why wouldn't he delay the enforcement provisions in an immigration bill? Why do you trust Obama to actually enforce the immigration bill?

According to *USA Today*, President Obama delayed the Obamacare mandate for businesses with 50 or more employers because of "numerous complaints from businesses that the requirements were too complicated and difficult to implement in time."⁴ Likely, many businesses will make a similar complaint before E-Verify mandates in an immigration bill are slated to come into effect. Since Obama is less of an advocate of E-Verify than he is of Obamacare, there is every reason to believe he will delay E-Verify, too. Obama could just as easily postpone implementation of border security provisions.

The *Washington Post* reported that Obama told La Raza staffers at a closed White House meeting that he would "revisit" portions of the immigration bill he dislikes after signing it into law.⁵ While it's true that Obama won't be president forever, he still has three and a half years left and the bill requires most of the enforcement provisions be initiated within the next few years. There's every reason to believe that he will drag his feet implementing E-Verify, border security, an Entry-Exit system, and most enforcement provisions in a comprehensive bill.

Q: Do you believe illegal immigrants should receive legal status and work permits *before* the border fence is fully constructed, and *before* E-Verify is fully implemented?

Some amnesty advocates attempt to trick voters into believing that legal status does not happen until after border security is completed. But the Senate bill would grant immediate legal status to all illegal aliens. Within six months, DHS simply must submit border security "plans". At that point, illegal aliens receive legal status along with work permits, driver's licenses, Social Security accounts, and a number of other benefits. This legal status is very unlikely to ever be revoked. If pressed, advocates will have to admit that there is no requirement that enforcement provisions like E-Verify are up and running prior to legalization.

Legalization before enforcement is the same problem that plagued previous comprehensive bills, like the 1986 amnesty. The legalization happens immediately, but the enforcement fails to materialize due to bureaucratic incompetence, lawsuits, and willful neglect. This is why the enforcement provisions must be fully implemented *before* illegal aliens receive *any* type of legal status.

Q: The Congressional Budget Office found that the Senate bill would still allow half to 2/3 of illegal immigration to continue. Obviously that's a disaster, so how would you make sure that we end illegal immigration?

The immigration bill passed by the Senate would only block between 33 percent and 50 percent more illegal aliens from entering the United States than current law, according to a report from the Congressional Budget Office.⁶ Since amnesties always encourage more illegal immigration, these estimates are very problematic for those claiming that a bill would put an end to illegal immigration. The CBO estimates show that new illegal immigration will add nearly 500,000 illegal residents and their children to the U.S. population *each year* over the next decade and that nearly five million new illegal immigrants and their U.S.-born children will be living in the country by 2023.

Some politicians will respond that the way to end illegal immigration is to welcome more legal immigration. Of course, this argument is based on the notion that the American people should not have any control over who we allow in; such a mindset puts the control of U.S. sovereignty into the hands of foreigners. Plus, it's the equivalent of arguing that the best way to put an end to people running red lights is to remove traffic signals at intersections.

Q: Do you find it troubling that a new Census report finds that the number of people speaking a language other than English at home has nearly tripled in recent years? Doesn't this suggest that assimilation is slowing and that more immigration would make matters worse?

A new Census report finds that the number of people in the United States who speak a language other than English at home has nearly tripled over the past three decades, far outpacing overall population growth.⁷ Politicians in favor of a mass immigration bill will claim that the bill would require illegal immigrants to "learn English", but this is not entirely true. The Senate bill would grant legal status, work permits, Social Security accounts, and other benefits to illegal aliens as soon as they apply to the amnesty. Only if they wish to upgrade to a green card (which would eventually permit citizenship) would the English provisions kick in. And even then, it simply requires applicants to show that they are "satisfactorily pursuing a course of study" that would help them "achieve an understanding of English". There are no exams, no real requirement that illegal immigrants learn how to read and write English. The U.S. has experienced large amounts of immigration over a short period of time and this has the effect of slowing the assimilation process. A large-scale immigration bill would potentially slow assimilation further.

Q: Do you believe that illegal immigrants applying for legalization should be required to pay back taxes for the years they worked off the books? Because the Senate bill does not require this, meaning that Americans who work off the books illegally can be thrown in jail while illegal immigrants get a pass.

Despite claims from amnesty advocates, the bill does not contain a requirement that illegal immigrants pay back taxes for the many years they have been working off the books. The only requirement in the bill is that illegal immigrants must iron out any existing problems they may have with the IRS. If the IRS has ever audited the illegal immigrant and requested payment of unpaid taxes, they would be required to pay them before receiving amnesty.

The reality is that the 45 percent of illegal immigrants estimated to be working off the books are not even on the IRS's radar and are highly unlikely to have ever been audited. There simply aren't any tax forms to audit. Of the remaining illegal immigrants, the number who have been audited by the IRS is also likely very small, simply because historically the IRS audits only about 1 percent of tax filers. The tax provision in the Senate bill will not be of any consequence to the overwhelming majority of illegal immigrants who apply for the amnesty.

Q: Some say we need an amnesty so that we can "get people out of the shadows and identify them." But federal law already requires all aliens to register with the government after 30 days. Why don't you just demand that the law be enforced instead of passing an amnesty?

Existing law requires all aliens to come forward and register with the government after being in the country for 30 days (8 U.S.C. § 1302). Failure to do so is a misdemeanor and can result in a fine up to \$1,000 and/or six months in jail. If a politician wanted to determine the identity of illegal aliens, they could simply demand that President Obama enforce existing law. But if a representative is unwilling to make such a request, why should one expect a representative to demand that Obama enforce the provisions of a new immigration bill? It is likely that many enforcement provisions in an amnesty will also go unenforced.

Q: What do you say to the head of the USCIS union who says that an immigration bill is dangerous because his agency cannot handle processing an amnesty for 11 million people, nor can it handle the doubling of visas that Congress is considering?

Kenneth Palinkas, who serves as president of the union that represents 12,000 immigration agents, warned House members of the dangers of passing any sort of mass amnesty bill. He explained: "I cannot stress enough how ill-equipped USCIS is to engage in the sort of far-reaching plans before Congress right now — including both the enormous legalization programs proposed as well as the historic increases in both immigrant and non-immigrant visas." He went on to ask: "What is to stop

the [Obama] administration from simply issuing another round of non-enforcement orders (written or oral) that would eviscerate any attempted limitations in your bill?”⁸ The non-enforcement orders Mr. Palinkas was referring to include the Morton Memos, which limit the scope of immigration enforcement to violent illegal aliens, and the Deferred Action program created by Obama that grants work permits to some illegal aliens aged 30 or younger, despite the fact that federal law requires they be deported.

Q: Since DHS has narrowed the scope of background checks for illegal immigrants applying to Obama’s Deferred Action program because it couldn’t handle the 500,000-person caseload, what makes you think that DHS will conduct meaningful background checks on 12 million illegal immigrants?

A watchdog organization recently discovered through a Freedom of Information Act (FOIA) request that the Department of Homeland Security (DHS) abandoned required background checks late last year, adopting instead “lean and lite” procedures in effort to keep up with the flood of amnesty applications spurred by President Obama’s Deferred Action for Childhood Arrivals (DACA) program.⁹ The program allows many illegal aliens to avoid deportation; instead, they receive legal status, work permits, and other benefits. If DHS cannot handle simple background checks for DACA applicants, surely an amnesty for 12 million people is going to be near impossible for the agency. Past amnesties have resulted in grants of citizenship to many problematic individuals including the ringleader of the 1993 World Trade Center attack.¹⁰

Q: What do you say to the National Association of Former Border Patrol Agents, which called on Congress to abandon legalization efforts because it will encourage more illegal immigration, benefit drug traffickers, and make a mockery of our laws?

Retired Border Patrol agents recently called on Congress to abandon efforts to grant amnesty to illegal aliens because passing an amnesty would be akin to abetting the drug cartels. They explained: “Congress must abandon their focus on rewarding illegal behavior for millions of persons by the grant of amnesty in favor of protecting American citizens who suffer daily at the hands of these seasoned criminals. To do otherwise makes a mockery of our laws, and encourages countless millions more from around the globe to do the same. Transnational organized crime nationwide has flourished under these conditions.”¹¹

Q: Do you believe that illegal immigrants who have stolen our identification and used our Social Security numbers on tax forms and credit card applications should be allowed to legalize even though these crimes create real victims?

According to a Department of Justice press release, a person faces a maximum penalty of 10 years in federal prison without parole and a fine up to \$250,000 for using a fraudulently obtained Social Security card or a maximum penalty of five years and a fine up to \$250,000 on the charge of misusing a Social Security number. Yet the Senate amnesty bill would give illegal immigrants a pass for these crimes. American victims would not be alerted to such fraudulent use even if it became apparent in the amnesty application. The Senate bill actually protects all such information uncovered during the application phase and DHS staffers are prohibited from sharing such information with law enforcement. If they do alert authorities, they face a \$10,000 fine.¹²

Questions for Republican Politicians

Q: Why are you so interested in helping Obama achieve his No. 1 agenda item? Why aren’t you spending time going after Obama on Benghazi, the NSA spying, and the IRS targeting conservatives? Instead you’re trying to help him!

In order to distance himself from the various scandals, President Obama needs a political win and amnesty is his top priority. If the bill becomes law, the media will be happy to allow Obama to take all credit for the bill. There is no evidence to suggest that passage of an amnesty bill will help GOP politicians at the polls.

Q: Considering that a recent Pew Hispanic Center poll found that 81 percent of Hispanic immigrants say they would rather have a bigger government with more services than a smaller government with fewer services, don’t you think that this amnesty would create more constituents for Obamacare and Big Government?

A recent Pew Hispanic Center poll found that Hispanic immigrants support bigger government at a much higher rate than the national average. The poll found that Hispanic support for big government goes down after a few generations, but that it still remains higher than the national average. The report found: “The share that wants a bigger government falls to 72 percent among second-generation Hispanics and 58 percent among third-generation Hispanics. By contrast, just only 41 percent of the general U.S. public say they want a bigger government, while nearly half (48 percent) say they want a smaller government.” Looking at all Hispanics in the United States (immigrants and Americans), an average of 75 percent support larger government, compared to only 41 percent of Americans nationwide.¹³

Q: Are you going to demand that the Hastert Rule be enforced, or are you going to let the Democrats in the House pass this amnesty?

If the House passes an immigration bill, it will go to a “conference committee” where both the House and Senate bills are put together and turned into one bill. That bill would then need to be voted on by each chamber. The House Republicans have an informal rule called the “Hastert Rule” that says Republican leadership will not bring a bill before the House for a vote unless a majority of Republican representatives are in support of the bill. If the Hastert Rule is not followed, it means that an immigration bill could pass the House with mostly Democrats and a handful of Republicans voting in favor. In a sense, it would mean that even though the House is currently controlled by a majority of Republicans, an amnesty could become law due largely to Democratic votes.¹⁴

Questions for Democratic Politicians

Q: What do you think the environmental impact will be of doubling legal immigration numbers as this bill would do? Are you concerned about the strain on natural resources and sprawl?

Congress has had very little discussion of the impact mass immigration will have on natural resources. Certainly adding tens of millions of people to the United States in the next decade will result in sprawl, traffic congestion, and greater demand for natural resources, yet no policymakers have discussed what changes Americans must make in order to accommodate the dramatic population increase.

Q: Why are you planning on bringing in more foreign labor when the latest jobs report shows that over 41 percent of African American teens are unable to find work?

According to new data from the U.S. Department of Labor, 41 percent of African-American teenagers who are looking for work are unemployed. The unemployment rate for white teenagers is also very high at 20.3 percent.¹⁵ Between 1994 and 2007, in occupations where teenage employment declined the most, immigrants made significant job gains. Comparisons across states in 2007 show that in the 10 states where immigrants are the largest share of workers, just 45 percent of U.S.-born teens were in the summer labor force, compared to 58 percent in the 10 states where immigrants are the smallest share of workers.¹⁶

End Notes

- ¹ U.S. Department of Labor, Economic News Release, [Table A15](#), August 2013. See also, Dan Diamond, [“Why The ‘Real’ Unemployment Rate Is Higher Than You Think”](#), *Forbes*, July 5, 2013.
- ² Matthew Boyle, [“CBO: Immigration Bill Would Drive Down American Workers’ Wages”](#), Breitbart.com, June 18, 2013.
- ³ Neil Munro, [“Immigration bill to bring in at least 33 million people, says group”](#), The Daily Caller, April 26, 2013.
- ⁴ Kelly Kennedy, [“Obama administration to delay part of Affordable Care Act”](#), *USA Today*, July 2, 2013.
- ⁵ Mark Krikorian, [“Obama to Lefties: Don’t Worry, We’re Not Going to Pay Them Tuesday for an Amnesty Today”](#), National Review Online, May 2, 2013.
- ⁶ Lisa Desjardins, [“CBO: Senate immigration bill would cut undocumented flow 33% – 50%”](#), CNN, July 3, 2013. See also, [“CBO Projects the Gang of Eight Bill Fails to Stop Illegal Immigration: Nearly Five million new illegals and their children expected by 2023”](#), Center for Immigration Studies, June 2013.
- ⁷ Susan Heavey, [“Use of languages other than English in the U.S. on the rise: Census”](#), Reuters, August 6, 2013.
- ⁸ Stephen Dinan, [“Immigration officers union says agency can’t handle legalization”](#), the *Washington Times*, July 31, 2013.
- ⁹ [“Documents Reveal DHS Abandoned Illegal Alien Background Checks to Meet Amnesty Requests Following Obama’s DACA”](#), Judicial Watch press release, June 11, 2013.
- ¹⁰ Jon Feere, [“20 Years Later: The 1993 WTC Attack and Immigration Failures”](#), Center for Immigration Studies, February 2013.
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- ¹² Ronald W. Mortensen, [“‘Immigration Reform’ Equals Amnesty for Illegal Aliens and Their Employers”](#), Center for Immigration Studies, April 2013.
- ¹³ Paul Taylor, Mark Hugo Lopez, Jessica Martínez and Gabriel Velasco, [“When Labels Don’t Fit: Hispanics and Their Views of Identity”](#), Pew Research Hispanic Center, April 4, 2012.
- ¹⁴ Aaron Blake, [“Conservative groups press House GOP to formally adopt Hastert Rule”](#), *The Washington Post*, June 2013.
- ¹⁵ U.S. Department of Labor, Economic News Release, [Table A2](#), August 2013.
- ¹⁶ Steven A. Camarota, Karen Zeigler, [“A Drought of Summer Jobs: Immigration and the Long-Term Decline in Employment Among U.S.-Born Teenagers”](#), Center for Immigration Studies, May, 2010.