

CENTER FOR IMMIGRATION STUDIES

**TRANSCRIPT OF
“THE SENATE IMMIGRATION BILL:
GOOD OR BAD FOR AMERICA?”
A HUDSON INSTITUTE DEBATE**

PANELISTS:

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MODERATOR:

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PHILIP TERZIAN: Good morning and welcome to this morning's event here at Hudson. My name is Philip Terzian. I am literary editor of the *Weekly Standard*. And the topic this morning: "Is the Senate Immigration Bill Good or Bad for America?" Our discussion is sponsored by the Center for Employment Policy and the Center for American Common Culture here at Hudson.

There is an apocryphal story about when President Franklin Roosevelt addressed the meeting of the Daughters of the American Revolution here in Washington in 1938, he began by addressing them as fellow immigrants, which actually he didn't say. His remarks were full of what we would now consider anodyne remarks about immigration, but he did end with reminding the DAR that we are, after all, all descended from immigrants and revolutionists, as he put it.

I mention that only to say that immigration is an issue that has been disturbing the United States for the life of the republic, if not earlier. And it has been a subject of particular interest, usually at times of heavy immigration in the 1840s and '50s, with the influx of the Irish and Germans; at the end of the 19th century, early 20th century with the great wave of immigration from Eastern and Southern Europe; and of course, in the last few decades with the latest wave of immigration, largely from Latin America. And in each case, we have responded in a variety of ways, and always in the American fashion, with legislation.

There was major immigration legislation in the 1920s, again in the 1980s, and as we speak, the U.S. Senate is contemplating the latest immigration bill, which of course is still being hashed out in the Senate, and then will have to go to conference and deal with the House. But it seems fairly clear that there is a consensus — as sometimes occurs on Capitol Hill — that something needs to be done and there has to be an immigration bill. And so, we're now in the interesting process of creating that particular sausage link.

Now, the issue of course is there seems to be a general national consensus that our borders are not secure and that they must be. But thereafter, the consensus tends to break down on what level of immigration should be permitted, the quality of immigration, and, most important of all, the status of the 10 or 12 or 15 million illegal aliens presently residing in the United States. I don't think there is too much appetite in the United States for their repatriation. But the body politic — and particularly the Republican Party — is divided momentarily about what exactly to do with them, ranging from something close to repatriation to offering them a path to full citizenship.

So we will have a lively and learned discussion today with a panel of particular distinction, if I may just offer a brief introduction. All of our panelists are major voices in the immigration debate. Starting on my immediate left is Diana Furchgott-Roth, who is senior fellow here at Hudson and director of the Center for Employment Policy, a

product of Swarthmore and Oxford and an economist, most recently the chief economist at the Labor Department, and before that, chief of staff for the president's Council of Economic Advisors. To her left is Grover Norquist, a product of Harvard and Harvard Business School and executive president of the Americans for Tax Reform, and a legendary advisor to candidates and presidents alike. To his left is John Fonte, a senior fellow here at Hudson, and director of the Center for American Common Culture. John has a Ph.D from the University of Chicago and is a longtime expert and analyst on education and civic life. And last but not least, Mark Krikorian who is a product of Georgetown and the Fletcher School at Tufts who is executive director of the Center for Immigration Studies.

If I may inject just a personal note, Mark and I — as our names would imply — share a certain ethnic trademark. And I like to think that Diana asked me to moderate today because I genetically personify the two strains of argument in immigration. My mother's family was all immigrants from England and Scotland who came here before there was such a concept as legal or illegal immigration, indeed before there was the United States. And my father's parents were immigrants from Armenia.

And I will say, I have a photograph of my Armenian grandparents en route to the United States in 1907. It was taken in France. And accompanying them was my grandfather's mother, my great-grandmother who — when they all three arrived at Ellis Island — was rejected by the immigration authorities because she had conjunctivitis. And so she was sent back to the Ottoman Empire and subsequently killed. So I keep that picture in my bedroom on the wall as a reminder of why people come to this country, and sometimes at what cost.

Our format will be, I hope, swift and rapier-like. We'll begin with . . . we have the two — our panelists are divided into pro and con teams, as you may have inferred. Diana and Grover think favorably of the immigration bill; John and Mark do not. And we will start with a five-minute presentation by the con team, beginning, I guess, with John.

JOHN FONTE: Thank you. Thomas Sowell wrote that every aspect of this current immigration bill has fraud written all over it. Peggy Noonan said it's less of a bill than a big dirty bill of mischief, malfeasance, and mendacity. Charles Krauthammer called the enforcement provisions "vacuous nonsense." George Will said it's a parody of immigration legislation. These are not talk show hosts, of course, but some of the leading political thinkers in the country.

Are they right? Well, let's look at the White House talking points. The White House puts out these talking points — myth versus reality. Myth, according to the White House: the government is going to give permanent legal status to 12 million illegal aliens before securing our borders. That's a myth, supposedly. And the fact that they give here is, no, here's the fact — temporary worker and Z visas will not be issued until benchmarks for enforcement are met. Notice the language is different. In one case, is the border being secured? The other is, are the benchmarks going to be met? Well, the

benchmarks are simply hiring more Border Patrol. You don't necessarily have to deploy them — they don't have to be on the border — building half of the fence that Congress authorized last year, and putting a few vehicles on the border, a few other bureaucratic measures. So the benchmarks have nothing to do with securing the border.

Actually, this is a one-day amnesty. What occurs essentially is illegal aliens can come forward and get probationary Z status — probationary status in one day. There is a security check. And this security check, according to the bill, has to be completed, quote “by the end of the business day.” You're a criminal or terrorist by the end of the business day. That, of course, is not the back of the line, as we keep hearing; that's the absolute front of the line that the government would give you this within 24 hours. And if they don't have the information, you're in as legal. So you're illegal on Monday; you're legal — you're here working — on Tuesday.

You also, with a probationary visa, have the right to go to school, to work, which is more than legal immigrants have. A legal immigrant might have a particular status as a student or as a worker. This gives you more status. And so the previous illegal have even more status. This 24-hour check is so bad that Bill Kristol — who basically is in favor of legalization — he's against the bill for this reason.

Kris Kobach, who was the chief enforcement officer, chief advisor, for Attorney General John Ashcroft — so he was a Bush administration appointee — he says this enforcement is absolutely impossible to implement. You can't do this in 24 hours. Therefore, it's not only an invitation to fraud, but it is, as he said, an invitation to terrorist gangs, terrorist groups, and criminal gangs. In 1986 amnesty, there were . . . remember, they said originally, there were going to be 1.5 million; it turned out there were 3 million. Here, they're talking about 12 million. Now, it could be possibly 20 or more. There were 400,000 cases of fraud in the '86 amnesty. If you say this is four times as large, that's 1.6 million cases of fraud, who knows how many. One of the fraudulent cases in 1986 was the leader of the World Trade Center terrorist attack in 1993. He was one of the people that was amnestied.

The other thing in this legislation, of course, is the employment verification. In 1996, Congress passed — 1996, that's 11 years ago — Congress passed a law saying there should be tamper-proof employment cards. And that is the Congress; they passed laws. The executive branch then is supposed to execute them. Well, the Clinton administration didn't do anything for four years and the Bush administration has not done anything for the six years therein. So we still don't have an employer verification program, although Congress passed this law in 1996.

The other thing that will happen with the 24-hour rule is essentially the end of law enforcement, because in this bill, the Department of Homeland Security is required, if you run into an illegal alien . . . they're required to tell them about the possibility of probationary status. So if they catch someone, they don't go into law enforcement; they don't get deported. They're told that you can now apply for a probationary Z status. So essentially, the whole country becomes a sanctuary nation, a sanctuary city. DHS, the

Department of Homeland Security, is converted into a social service amnesty agency whose job, if they happen to run into illegal aliens, is to tell them about the amnesty. So it's the end of law enforcement. It's unbelievable.

Let me jump ahead. Mark is going to pick up some other issues, but let me jump ahead a little bit to the assimilation questions. We're told that this is going to foster assimilation. That is actually in the bill. It does nothing of the type. You want to foster assimilation, you end voting in foreign languages; you end bilingual education; you end affirmative action for ethnic preferences for immigrants. It's supposed to be for African Americans, not for immigrants. You end dual allegiance voting. All of these things are continuing, so we're doing nothing essentially about assimilation and nothing about the English language.

There is an amendment that is going to be offered by [Senator] Inhofe, which will outlaw an executive order — 13166. The executive order was to mandate multilingual languages. Essentially, what it says is if you receive federal funds, then anybody is entitled to having documents written in any foreign language — not just Spanish, but Vietnamese, Chinese, any foreign language. That was instituted by President Clinton. It's been strengthened by President Bush, and it will become part of the law. In the Senate bill, it codifies it into law. It will not only be a tremendous cost, of course, it hurts the whole concept of assimilation.

Okay, Mark is going to pick up a few more details in a minute, but I'll just say one thing, because I know our friends are going to be arguing. We're going to hear a lot of economics and there will be some nostalgia, and we'll answer that later. But when they talk about economics, they'll be saying this is good for GDP. I would remind them, they seem to think that the United States of America is a market of consumers. We're not a market of consumers. We are secondarily, but we're primarily a nation of citizens. And we should be concerned with all our citizens, including those at the lowest end of the ladder who would be particularly hurt by this bill. I'll stop there.

MR. TERZIAN: Grover?

GROVER NORQUIST: Yeah, Grover Norquist, I'm with Americans for Tax Reform. And I was originally from Massachusetts, but emigrated to America as a young man. There was a lecture on immigration by a prominent restrictionist more than 10 years ago. He went on and on, and he said, look, all these Mexicans come to the United States. They go on welfare; they become bums, and therefore Democrats; and this is bad for the Republican Party. He was speaking to a conservative group. And he said, and we should all oppose — you should oppose — immigration because it's going to create more Democrats.

And I went up to him afterwards, and I said, you gave a very interesting and powerful speech against welfare. It is true that welfare can make people dependent, and that will turn them in to Democrats over time, which is a bad thing on a number of levels. But you didn't give a speech against immigration. Most of the people in the United

States damaged by welfare who become dependent — not independent, but dependent on the state and on the state stealing money from other people and giving it to them — were born in this country. And if there were no other countries in the entire world, if it was just us, our welfare policies would be doing exactly what you say they're doing. And you are fighting the tip of the iceberg, not the iceberg. And you're doing so in a way that ends up looking like you have a different reasoning behind it.

And he said, well, you're right, but we can't fix welfare, and we can — and here I'll caricature his position — get the racist right together with the labor union left, which doesn't want economic competition, doesn't want people coming in who aren't members of the labor union and paying kickbacks to the union bosses — and together we can close the border. But we can't reform welfare, so we could at least solve some of the problem by closing the border. That was the argument.

And he was wrong on both counts. He couldn't close the border. He couldn't put together that coalition, this mythic coalition that he thinks he can of folks to oppose immigration. And we could begin to reform welfare.

And I would argue that in addition to welfare dependency, the argument about concern about assimilation, these are two legitimate concerns that some of the people who have put themselves in the restrictionist camp raise. They say what about people who come and go on welfare; this costs taxpayers money. They come over and they become not American citizens, but dependents, subjects, and then they tend to vote funny. And the other argument is we worry about assimilation; we worry about ending up like Belgium or Canada or countries that are bilingual or countries that are divided along ethnic or religious grounds. Those are both very serious concerns. But the whole multiculturalism argument, the people in this country who don't learn to speak English very well are not called immigrants, they're called high school graduates.

We have a very serious problem in this country because we have a government-run monopoly, Soviet-style, one size fits all education system. And we wouldn't make steel that way, but we think we can educate children that way. And what we need to do is reform education, go to school choice, allow more home schooling, voucher-ize everything. We should separate education and the state the way we separate religion and the state, not because religion isn't important, but because it is important. You don't want the state mucking around with it, not because education isn't important, but because it's vitally important, and we can't allow it to be controlled as it has been by the state.

So we have two significant challenges. One is welfare dependency, which makes people not citizens but subjects and makes them live off the work of other people. And the other is an education system. We need to assimilate not just people who walk across the border or fly here from Poland; we need to assimilate all the barbarians, the 4 million barbarians who showed up last year called babies. They don't speak English, none of them work for a living; they're no fun to talk to — talk with anyway. We have a problem every year that we have to bring young people and turn them into Americans.

It's not like Germany or something where you're German because mom was German and you speak German and we're all ethnically something. You become an American by understanding what the Constitution, the Declaration of Independence [are] about. We're people of the book, not of a race, not of a religion. And those two challenges are very important. But they have next to nothing to do with immigration. They have everything to do with making the country successful — reforming welfare and reforming education. And the people who want to point at the immigrants as the problem when we have deeper problems, you have to understand why they're missing the deeper problem and why they point the way they do.

MR. TERZIAN: Thank you, Grover. Mark?

MARK KRIKORIAN: Well, I was impressed that Grover got a whole 90 seconds into his presentation before getting to the word racism. The bill we're talking about, the issue we're talking about though is not immigration policy. It is not welcoming foreigners. It's not about the Irish showing up in Boston, your grandpa from Odessa, my grandma from Sebastia in the Ottoman Empire. It's not about jobs Americans won't do. It's about this bill, this 790-page monstrosity that the Senate is considering, and is it good for America, yes or no? That's the only issue that is being debated here and being debated on Capitol Hill; that's it. And because the issue is whether this monstrosity is good for America or not, that's why you see a broad spectrum of people, of views on immigration policy, opposing this absurdity.

Charles Krauthammer, Bill Kristol — I disagree with them on immigration. They're in favor of legalization. They're in favor of high levels of immigration. That's fine; I'll come back next week and have that debate. I'm eager to have that debate. I do it all the time. But that's not what we're talking about here.

Tom Sowell, Peggy Noonan, all kinds of people have weighed in on this bill and said that it's a bad idea, that this piece of legislation is a mistake. Even the CBO, the Congressional Budget Office — it was just reported today — has said that after 790 pages of this Byzantine nonsense, the best it's going to do is maybe reduce the flow of illegal immigrants by 25 percent.

Frankly, I think even that's optimistic. But if there weren't an amnesty attached to it, it might be a place to start. But the point of this is this is an amnesty bill. Everything else is window dressing.

And let me talk about some of the window dressing, some things in addition to the specifics that John mentioned; the immediate permanent amnesty within one business day and the phony enforcement triggers . . . a couple of other small things, as the president says, little bits of the bill that I want to scare you with.

We're talking about having a guest worker program. Well, I'll have the debate next week about whether that's a good idea or not. I think it's not a good idea. But if you're going to have a guest worker program, wouldn't it be a good idea to have some

way of knowing whether the guest workers have actually left? It's a temporary worker program. The temporary part would lead one to conclude that we would have some means of knowing when people left, because under this bill, you're supposed to work your two years, then go home for a year, then come back for two years, then go home for a year. I'm really amazed that these critics of government incompetence are putting this faith in the state to be able to keep track of all this.

Well, the fact is, we don't have a check-in, check-out system at the borders. Congress, more than 10 years ago, mandated it. It was called U.S.-Visit, and it's partly deployed. But something like 80 percent of foreigners who enter the country are never checked in, because they're Mexicans or Canadians. And an even smaller portion of people are checked out. Without a fully functioning, 100 percent check-in, check-out system at the borders, it's irresponsible even to raise the issue of a temporary worker program.

Another point that is in this bill, a waiver that the Homeland Security secretary can give to absconders — people who are fugitives from deportation orders. Now, remember who the waiver is going to be issued by. It's not going to be Michael Chertoff. He's no longer going to be Homeland Security secretary when this bill is implemented, for better or worse. It's going to be Homeland Security Secretary Barbara Mikulski or Homeland Security Secretary Michael Moore, or somebody else. It sure as heck isn't going to be Michael Chertoff. And regardless of who the secretary is, the waivers will be issued liberally, if anything we know about immigration policy is correct.

And what that means is that the 600 hundred thousand-plus people — double what it was after 9/11 — who have gone through the whole due process system, had their day in court challenging their deportation, and have been given a final order of deportation, every one of those people is going to be able to stay if Hillary's Homeland Security secretary says it's okay. And they'll get amnesty.

Another tiny little portion of the bill that I want to scare you with is the issue of state and local enforcement. This bill specifically says in one provision that nothing in this section may be construed to provide additional authority to any state or local entity to enforce federal immigration laws. This is one of the chief objectives of the open borders crowd. And unfortunately, it's one of the chief objectives of the Bush administration. But I repeat myself. The Department of Justice, under Ashcroft, the Office of Legal Counsel, issued a memo — prepared a memo — that laid out the case for the inherent pre-existing constitutional authority for state and local authorities to make arrests for civil violations of immigration laws. This wasn't a new policy; this was simply articulating the existing understanding of the Constitution. The White House has spiked that memo and prohibited it from being published, because God forbid, somebody might start enforcing the immigration laws. This would put in statute the essentially prohibition for local and state police from making arrests for civil violations of immigration law.

MR. TERZIAN: Thank you, Mark. Diana?

DIANA FURCHTGOTT-ROTH: Thanks very much, Phil. Can everyone hear me? Well, this bill over here, the one that Mark is pointing to, is not a perfect bill. But it represents a good step towards addressing the challenges that we have. We have approximately 12 million illegal workers in the United States. We need legal workers. Surely Congress should be able to start somewhere and figure out how to solve this problem. I know that some problems are too important to be left to the government, but it's unfortunate that only the government can pass laws, and we need a set of enforceable laws that's going to guarantee us a flow of legal workers into the United States. And that's where this bill starts.

It's true; it has its flaws. I don't like everything about it. But it's good that Congress is actually sitting down and talking about it and debating it. It's one of the reasons we're having this debate today to clarify some of the issues. And hopefully, you all can talk to your representatives and have some input on what is going on.

Right now, we lead the industrialized world in job creation, and our unemployment rate is among the lowest in the world. We need more workers. Here, Mark and John are talking about how we want to keep people out. But the truth for our economy is that we need more people to come in. We have to figure out a way to do that. Because our job creation is so strong, employers are complaining about a shortage of jobs. Steve Berchem of the American Staffing Association, which represents staffing firms such as Manpower, Inc., says that his companies can't recruit enough skilled workers.

Microsoft Chairman Bill Gates also reports a shortage of workers. On February 7th, 2007, he testified before the Senate Committee on Health, Education, Labor and Pensions, and he said, and I quote, "America's need for workers has never been greater." He called for an increase in the number of permanent residents, skipping the H1B visa process altogether. He said that quote, "barring high-skilled immigrants from entering the United States and forcing the ones that are here to leave because they can't obtain a visa ultimately forces U.S. employers to shift development work and critical projects offshore." Now, if that's what Mark and John want, that's fine. Maybe they want to go offshore too. But employers here need people. They want to grow firms in the United States; they want to stay in the United States.

Our economy also needs low-skilled workers. Bill Gunter, president of the Rochester Hotel Association, said — and I'm quoting — although the general economy in Rochester, New York, is relatively poor compared with poor cities in the United States, finding employees to fill the positions of room attendant, front office clerk, custodial and maintenance is extremely difficult, even with full medical healthcare insurance premiums.

And last summer, according to the California Farm Bureau Federation, worker shortages kept the number of hard workers below 2005. Fields in the Pajaro Valley in Santa Cruz County were abandoned because farmers couldn't find help. Farmers estimated there were 10 to 20 percent fewer workers available to harvest strawberry,

raspberry, and vegetable crops because of the restriction on immigration. Dick Peixoto of Lakeside Organic Gardens had losses of \$200,000, the worst in 31 years. He tore out nearly 30 acres of vegetables and had about 100 acres ruined by weeds.

As well as we're needing workers now, we also need future workers to help our Social Security and Medicare funds keep in balance. The more younger workers in our economy, the better will be the outlook for Medicare and Social Security funds. Workers are important for our global competitiveness. We live in an open, global economy. We compete against other countries to offer the best environments for investments and firm location. We need more workers to make us a globally competitive environment.

Some people might say well, Americans can just spend five or ten cents more per box for strawberries and another 25 cents a pound for apples. We can import all these goods from abroad. But then, the farmers in the United States, they lose their jobs, the native-born workers don't have their farms anymore and what do they do? So the whole thing, it all ties together. Increasing immigrant workers increases the productivity of firms here in the United States, because we have different bottlenecks. We don't have a lot of low-skilled workers in the United States and we don't have a lot of high-skilled workers. Not a lot of Americans want to get PhDs in math and science, and not a lot of Americans want to pick fruit or be hotel workers. And so, increased immigration reduces the bottlenecks in our economy and increases the demand for native-born workers.

So, if a pool, for example — a community pool — can be cleaned for \$10 an hour rather than \$25 an hour, that community is going to build that pool and it's going to hire native-born workers as well as immigrants, so it's good for all of us. And there is no point in harming ourselves by talking about how we want to keep people out. What we want to do is get more people in legally. And that's what this bill is an attempt at doing, and we need to work with the Senate and Congress to see if they can make it come out right and fix its flaws.

MR. TERZIAN: Thank you, Diana. We'll now begin a period where each member of the panel will comment and rebuke the other members of the panel. And we'll start with John.

MR. FONTE: Well, we have had about 20 minutes of the debate, or the other side has had 10 minutes, and they are still not talking about the bill. They are talking about rum, Romanism, and rebellion — 1880s and people's grandparents, on the one hand, and then, just this need for low-skilled workers on the other. That's all we've heard. I would like to hear them answer the main objections of this bill, which is that this: you can get a security check in 24 hours. Are you for that or not? I'd like to know where Grover and Diana stand on that. The close of the business day, do you think that is a viable way of running national security?

Diana says something . . . you want to keep people out. No, we want to keep terrorists and criminals out. We're perfectly happy to having a healthy high level of immigration. We have the highest level in the world. I would say, maybe a little less, but

certainly a high level of immigration is perfectly fine. So I would like to hear what they have to say about the triggers. The president, after all, John McCain, they're all talking, [saying] these triggers are great. The triggers are going to hire 3,000 more Border Patrol; we'll put a few more trucks on the border; what Charles Krauthammer called "vacuous nonsense."

And I'd like to hear them talk about why the administration and why their side hasn't implemented the tamper-proof visa that Congress passed in 1996. I'd like to hear them think about what they think about this provision of the bill where criminal gangs can become — members of criminal gangs like MS-13, one of the worst gangs in the world — where these people if they signed a piece of paper saying that they renounce gang activity, they can become a citizen. I'd like to hear them talk about that.

They're not talking about the bill. We're hearing about the particular . . . in particular, the special interests of particular businesses. Well, we can deal with the particular, those interests, once the border is secure, then Diana, we'd be glad to talk about your grape-pickers and those forces at that point. But first, we want to secure the border of the United States. So their arguments are really, at this point, a non-sequitur. And I have how much time?

MR. TERZIAN: You've got about another minute or so.

MR. FONTE: Okay, another minute. I have a chance to get back to my assimilation argument, because Grover said, well, it's just a bunch of — I'd like to tell you how this actually works in the bill. The money is going to go . . . let's take Illinois. The money is going to the Office of New Americans. The money goes to the state of Illinois. The guy in charge of that is Jose Luis Gutierrez. He is a dual citizen of the United States and Mexico. He has basically said sovereignty doesn't matter. This is all in the *Chicago Tribune*, if you want to look it up — April the 6th. He said, look, I'm a dual citizen. His loyalty is essentially to Mexico. He's the guy in charge of Americanization. This is 2007.

So that's the situation we're in now. That's the authority; that's the practicality on the ground that there is \$100 million and it supposedly promotes assimilation. It will go to the state Office of New Americans and they give it to groups who are working with immigrants. So the money then goes to La Raza and to Mexican-American Legal Defense Fund, radical left-wing groups. They're going to get the money. It's going to be given by Gutierrez who is a Mexican citizen who is actually more interested in Mexican politics than American politics.

And this is the so-called assimilation system that Grover and Diana are talking about, or that people on the other side, even the conservatives who favor open immigration — "Oh, we're for assimilation." Well, then fine. Then, let's not have people voting in foreign languages. Let's not have people voting in foreign elections. Let's pass the Inhofe amendment. Let's not give the money to Jose Luis Gutierrez in Illinois where he then promotes not assimilation, but anti-assimilation. Let's get real.

Now, we have the president of the United States in 2007 [who] says that family values don't stop at the Rio Grande. Well, in 1907, Theodore Roosevelt, the president of the United States, he didn't say family values don't stop at the Atlantic Ocean; he said that immigrants who come here should be treated in exact equality with anyone else. But that's up to becoming an American and nothing but an American. And we can have no divided loyalty here. But apparently, the people running the assimilation office in Illinois do have divided loyalty.

MR. TERZIAN: Thank you, John. Grover?

MR. NORQUIST: Yeah, well, first of all, there was an assertion that I, or we, were for open borders. I don't know anybody who is for open borders. We have about a million and a half immigrants coming to the United States each year, about a million are allowed legally, and about half a million come in because they're not allowed in legally. We need to have legal immigration at a rate that allows people to come at the rate that the country needs, because it's good for the country. It's always a little odd when people say, oh I'm not anti-immigration; I'm just against illegal immigration. And then, they want to make illegal the amount of immigration the country needs.

We used to have a 55 mile-an-hour speed limit in this country. And during that period, there was a great deal of illegal driving going on. And I don't remember any conservatives announcing that the solution to this problem was to first put in prison everybody who was involved in illegal driving. Before we do anything else, we must put in prison everybody involved in illegal driving. Then, we can discuss going to a rational speed limit. No, as a matter of fact, what we did was we said, 55 is not just a bad idea; it's a bad law, and we went to 65 and 75. And in Montana, they went higher. They pulled it back to 90, the weenies. But anyway, we moved the numbers up to a rational speed limit. And interestingly, the amount of illegal driving in the country declined.

And what we need to do is to allow into the country reasonable and rational levels of immigration that are consistent with the country's need as a nation. I mean, every once in a while, somebody says, oh you're just thinking about this economically. One of the reasons the United States is independent today is because we're the preeminent economy in the world. We beat the Germans in World War II and the Japanese and the Russians in the Cold War not because we were nicer than them, but because we had a more powerful and stronger economy, which was able at a fraction of our GDP to defend the country and to defeat German socialism and Soviet socialism. So a strong, healthy economy is actually a very important part of the United States being the United States and continuing to be the United States and to maintain our values.

And the question of 24-hour checks on people . . . I'm a board member of the National Rifle Association. We have instant check in this country for any American citizen to buy a gun because we have on computer whether or not somebody is a criminal or is crazy — or is supposed to in Virginia . . . I guess they didn't in Virginia — but whether somebody shouldn't be able to own a gun so that you can get this instantly.

Certainly, that should be run through for anybody who is doing it, but the idea that it takes some sort of three months background investigation doesn't strike me as reasonable or likely.

This is not only — how many minutes do I have?

MR. TERZIAN: About two minutes.

MR. NORQUIST: Okay. Let me shift back to one thing here. This is very bad politics, opposition to increasing immigration. My interest in the bill is it moves the ball forward to normalizing those people who are already in the country and beginning a conversation about significantly increasing the number of legal immigrants. Any bill written by senators more than two or three pages long is going to be full of all sorts of problems, and I think it doesn't go far enough to meeting this country's labor needs for next year and the next 10 years. We need to take the numbers of immigrants up dramatically, both among high-skilled and among entry-level workers.

But remember the politics of this. I passed out the rum, Romanism, and rebellion quotation that every American Catholic in this country knows. This is 110 years ago. Reverend Burkhardt gave the speech. I always thought this was an unfair thing the Democrats threw at Republicans that he was Pat Robertson's cousin in a cave somewhere saying this, and it was unfair to smear the Republican Party with this observation. This speech was given at the Republican National Committee meeting of the religious bureau, okay, the religious bureau of the RNC. You can imagine how many rabbis or priests were sitting in the room when they made that comment equating Roman Catholicism with treason. By the way, this is just 20 years after the end of the Civil War, so things were a little bit raw. This is not joking about the Confederate flag or something, referring to Roman Catholicism as the equivalent of liquor or treason was a little bit rough. It took us 110 years to win the Roman Catholic vote for the Republican Party in 1994.

If you speak ill of people, they will think you do not love them, and they will tend to vote accordingly. As we look at how the Republican Party does with the Hispanic vote in Texas and Florida, two states that are more heavily Hispanic, but one is where the Republican Party has been open and supportive of immigrants and immigration. The Republican Party has done very well in competing with those votes.

In California, where Prop. 187 was run and a number of Republicans run a very strong anti-immigrant rhetoric in their conversations, it is certainly perceived that way. When we passed welfare reform in the country in 1996 over Bill Clinton's two vetoes, nobody said that was anti-Hispanic. But in California, they had 187, which was "we're going to cut off welfare benefits for immigrants." Had they reformed welfare for everybody in California, one, they'd have saved a lot more money; they'd have saved a lot of people from welfare dependency. And they could not have been characterized as targeting people for ethnic reasons.

So this is important not only economically to the country and to the country as it goes forward, but it's very important politically. It has very real repercussions that people will live with for 100 years.

MR. TERZIAN: Thank you, Grover. Mark.

MR. KRIKORIAN: I still haven't heard anything about the bill. This bill — this is what the debate is about. And the assertion seems to be that amnesty is worth any price. This is an amnesty bill. The whole point of it is to legalize the illegal immigrants and let them stay. And apparently, it is worth any price, regardless of the threats to American security, regardless of the completely phony requirements of this bill. It is worth any price to legalize illegal immigrants. If that is the debate, then why bother with the other 789 pages and just write a one-page bill saying everybody who is an illegal alien gets to stay? Because that's what the supporters of this legislation seem to be saying.

I'd have to side with those, the large majority of the public who pay attention to this issue — *USA Today* just did a poll specifically on the bill — as well as the pundits who have very different views on immigration, and yet, when focusing on this, have all agreed that this bill is a colossal mistake, a train wreck waiting to happen. And the reason for that is that what it really focuses on is trust. Does the public trust this administration or the next one, this Congress or the next one, to actually deliver on the enforcement promises, however phony they really are, in this bill? Does the public believe that illegal immigration — that immigration laws will be enforced in the future — and in which case they might be able to be persuaded actually, to tie off the loose ends of the illegal population here?

If the president six years ago had said I believe in legalization but I'm not going to ask you to trust me because we've lied to you over and over and over and over again about enforcement, so instead I'm going to earn your trust, and spent three or four years in a comprehensive, across-the-board, unapologetic effort enforcing the laws, and then came back to the American people and said "now I've demonstrated that I'm not lying like my predecessors did so give me a break, trust me on this" . . . I still would be against it. But he would have been able to make his case. The fact is that the public at large has very good reason not to trust the political class to do anything that this bill requires other than legalize all the illegal aliens, which is the whole reason for the bill.

We did this in 1986 — amnesty up front, promises of enforcement in the future, and it has left the bitter taste in everybody's mouth. This is the replay, double in size, a replay of 1986. And as the old Russian saying says, fool me once, shame on you; but fool me twice, shame on me. Do I have any more time?

MR. TERZIAN: Yes, you do.

MR. KRIKORIAN: Okay, good. I'd like to know, I'd like somebody to address, does the federal government have the administrative capacity to do the things this bill

says it's going to do. We're going to have 12 million people — maybe 10 million will show up; maybe we'll have really massive fraud — 14, 15 million will show up. Who knows? Millions of people. Does the federal government have the administrative capacity to do what this bill says it's going to do — weed out the busboys, so they can focus on the terrorists. And the answer is no. The Immigration Service is choking on immigration. And now, 12 million more applications are going to be dumped into their inbox and they're supposed to deal with them in some kind of efficient way? No, you're going to end up with bureaucratic meltdown and massive fraud.

John referred to the fraud earlier in the last amnesty. It's going to be romper room compared to the fraud we're going to see in this amnesty. In the last amnesty, the farm worker part of it was especially egregious. We had people coming in, demanding legal status as farm workers, and occasionally, they'd pull somebody out and grill them if they had a few extra minutes and said, what did you pick? Well, some of these people said, "I pick watermelons from trees" . . . "I dug cherries out of the ground. I picked by hand purple cotton." Women would come in with long sculpted fingernails saying, well, they just came in from the fields. There was one woman with a little market garden in Jersey who attested that she had employed 1,000 farm workers on her backyard garden. These people all got amnesty because the government had no ability to take its time and screen and assess the claims that were being made, number one, and number two, there was intense political pressure to move things along and not hold up the works. Does anybody think Ted Kennedy's office isn't going to be on the phone in a flash if the immigration office in Salinas, California, or anywhere else setting up to do this amnesty is doing anything other than rubber stamping these applications as quickly as they come in the door?

MR. TERZIAN: Thank you, Mark. And for final comment, we'll go to Diana.

MS. FURCHTGOTT-ROTH: Thanks, Phil. One thing that John and Mark keep saying over and over again is that this bill is amnesty. Well, immigrants who are here undocumented and illegal right now have to pay a fine, about \$4,000 or \$5,000, which is a significant amount, especially for a low-skilled worker. They then, in order to get their green card, they have to make a costly trip back to their own country in order to get that green card and then return, hoping that their job is still going to be there for them. This is not amnesty.

Basically John and Mark would say any amount of fine would be amnesty. They just don't want these people here. What they want is for the government to say all 12 million people have to leave. If that's not so, then they should tell us what system of fine they want that would not be amnesty. And we've heard this again and again.

In 1924, Senator Ellison DuRant Smith of South Carolina said in the Senate, I think we now have sufficient population in our country for us to shut the door and to breed up a pure, unadulterated American citizenship. I recognize that there is a dangerous lack of distinction between people of a certain nationality and the breed of the (drop out). Who is an American? Is he an immigrant from Italy? Is he an immigrant

from Germany? If you were to go abroad and someone were to meet you and say I met a typical American, what would flash into your mind as a typical American? The typical representative of that new nation?

Well, now, these immigrants from Italy, immigrants from Germany, they're considered to be okay. But here, when we talk about Hispanic immigrants, they're not considered to be okay. And there's something very wrong with that approach. To John and Mark, anything other than just making people leave would count as amnesty. And this is a serious fine, it's a serious trip to their home country to pick up a green card, and it's not amnesty.

The problems that John and Mark are talking about, in terms of national security, in terms of welfare, those need to be solved by having the people here have social security numbers so that we can track them, having bank accounts. It's just a mirage to say that 12 million people can just be made to leave. I mean, that just isn't going to happen, and people need to be realistic. So for the security of our country, the people who are here need to come out of the shadows, they need to have social security numbers, they need to have bank accounts. And then it's easier to tell potential terrorists from normal, hardworking people. And I can assure you, the potential terrorists are in a vast minority. These people who Mark says, who said, well, they came in picking watermelons from trees. There are people who want to come here to make a better life for themselves and their families. For the vast majority of people, that is the main reason.

And for national security purposes, if these people had legal bank accounts instead of the wads of cash you see people paying with in Wal-Mart, it's much easier to track any suspicious transactions. It's much easier to track somebody if they have a social security number. It's better for our fiscal position if they're actually paying taxes. And what we need to do is seriously address this problem and granted this big bill, which I see Mark is now looking through, does have flaws and you can pick things wrong out of it. But it's a starting point.

MR. TERZIAN: Thank you, Diana. We'll now have a period of questions. Do we have a microphone? Okay, good. If you'll be so kind as to identify yourself and your institutional affiliation, if any, as you ask your question and try to keep your comments confined the questions rather than declarations. We'd appreciate that.

Q: Hi. My name's Elliot, I'm just here in my private capacity. I actually have a question about the bill itself. One of the points that's been brought over again and again is about the probationary status that's given at the moment that someone who's going for a Z visa will present himself. Without probationary status, let's suppose there wasn't a 24-hour window and let's suppose it was two months, if there was no probationary visa that could be revoked, wouldn't the federal agency immediately have an obligation to deport said person upon application because they're not in status?

MR. KRIKORIAN: The answer is yeah, probably. So the question is do we want to have probationary status for people who apply, but the previous question is do we even

want to start that process before enforcement objectives have been met? In other words, the probationary status is phase one of the amnesty. Everybody gets legal status within one business day. Then, they don't just get legal status. They get a social security number, the right to work, they get an actual document. The bill requires a tamper-resistant document, a new card — I don't know, they haven't . . . they'll call it an orange card or something like that, who knows what they'll call it.

And only then are these enforcement objectives, which are themselves merely bureaucratic input markers rather than result markers, only then would those be — would the achievement of those goals be then awaited. And the CBO itself, again, optimistically has estimated it would take years before that happened. So the probationary status is in the real world permanent, number one. We have a lot of temporary immigration statuses like this; they never go away, they just don't. They get renewed forever and ever.

The bill has no time limit on the probationary status and what's going to happen is that it will become the permanent legalization if the benchmarks, the enforcement triggers, are not met, and I'm happy — I'll bet you lunch that's the way it's going to work out because when you examine the way immigration policy is played out in the real world, not the way the Irish walked off the boat in 1848 in Boston, not sort of theoretical model of how labor markets should work, but actual enforcement and implementation of immigration laws, everybody is going to get amnesty for free within 24 hours and it will never be revoked.

Q: But, see, by the way you've answered that question, it seems that your problem is with amnesty in general, any sort of normalization, because under any system of normalization, you're going to have file forms and as you answered the beginning of the question, the second you file forms, unless you're put in some form of probationary status, at that moment in time, you are deported. So your problem is not really with the 24-hour status; your problem is with any sort of normalization, and it's a misnomer to say that you're for any form of probation against the 24-hour window because that's necessary to have normalization. Is there any system that you could think of which would have normalization — I understand you're against it — but any system that would have normalization which would while an application status . . . allow someone not to be deported?

MR. FONTE: You could have it more than 24 hours, for one thing? That's not realistic. That's absolutely — I mean, Grover said something to the effect the National Rifle Association checks people in 24 hours — (unintelligible, cross talk) — that's fine, they're not in . . . the terrorists and criminals are not in a computer, we have to talk to foreign governments, we need paper. So do you want to make a six-month or an eight-month period of checking and then the burden of proof should not be necessarily on the government? So what we have is a completely unrealistic system being proposed in this bill.

MR. KRIKORIAN: The fact is that there is no time limit to this probationary status —

MS. FURCHTGOTT-ROTH: Mark, does our side get to talk? I mean, you've just made three comments in response.

MR. KRIKORIAN: Yeah, sure, go ahead.

MR. NORQUIST: Look, let's be clear what's going on here. I and others support the idea — including the president — that the 10 or 12 million who are here who've kept their nose clean and been honest should be able to stay and work. And we can have a future longer conversation about earning citizenship, that they should be able to stay here and work, and we need to increase the number of people who come here to work and to be come citizens. And I know everybody's focused on Mexico, but we have a serious problem with how we treat Poland and Ireland a number of other countries. And there are people who object to normalizing the status of the 10 or 12 million who are here and object to increasing total levels of immigration.

And one of the reasons that the other team seems confused is that it's made up of a bunch of different groups that have very different reasons. You have the radical environmentalists who consider people polluters, which is why a bunch of the green groups are also the zero population movement, the negative population movement. I've always been interested in how they intend to get to negative population growth. But that together with the people — the old eugenicist movement, John Tanton and so on and other groups — there are a whole series of arguments of people who really do want fewer people in the country for their own reasons and see the country's population growing and they don't like it. And so what they've done is they've said normalizing the 10 or 12 million who are here and increasing the legal levels of immigration — which, by the way, would solve the problem of people who say, oh, I'm just against illegal immigration, okay, then let's have a legal system of immigration and whatever set of papers are on that deck, the restrictionists, for their various reasons, which — oh, I'm against that, and then if you put a different piece of paper, oh, I'm against that, and then if you put another piece of paper, they'd be against that.

And the point is that this is a debate between are we going to deport 12 million people and have scenes that look like something out of old European news reels or are we going to say these 10 or 12 million have been here working, the ones who are honest and keeping their nose clean and are a benefit to the country, sure they can stay working and we need to increase the numbers of immigration. What happens is the critics of that future — which is going to happen and is the future — are trying to throw up 101 different reasons, which is why their reasons change for their opposition, depending on the audience and depending on the day of the week.

But it's a debate between those people who say that 10 or 12 million are going to stay, except for people who are criminals or bad guys, and we're going to have more immigration in the future and the people who don't want that to happen. That's the fight

and amnesty is just like some four-letter word that a young kid learned that they throw up to be anything that gets you there. So there is no legal way to get to the future that President Bush and a majority in the Senate are looking for, so they just yell amnesty.

MR. FONTE: This is a complete straw man — the idea that there's . . . let's answer this point — the idea that there's mass deportation, rounding up 12 million people, nobody is in favor of that. That's on the one hand and the other hand is mass amnesty. In fact, there is an emerging consensus right now. Governor Romney, Fred Thompson, Newt Gingrich, the American Legion, they all talk about a . . . an emerging consensus which in the House Judiciary Committee, the House Republicans, and a whole list of people have come up with the idea and they presented it somewhat last year and the beginnings of it, of enforcing the law, both at the border and the interior. What a novel idea, enforcing the law both at the border and in the interior . . . have some realistic policies and then see where we are.

No one's talking about deporting — some people will leave, some people will stay. Well, we'll probably end up with a group of people remaining and we can then, at that point, once we know the border's secure, once we know that — (unintelligible) — then we can talk about what to do with the remaining people who are still here. There will be . . . we want . . . we have to do certain things for certain industries, we can talk about it at that time. But the first thing, as I say, Romney, Gingrich, Thompson, the American Legion, most major conservative columnists, have all said border, employment, then we'll talk about it.

MR. NORQUIST: Now, wait a minute —

MR. TERZIAN: Diana.

MR. NORQUIST: One second, border security means building a wall; local enforcement means deporting everybody who isn't here with papers, but we're not for deportation —

MR. FONTE: No, it means —

MR. NORQUIST: Excuse me, that's the present law. That is your stupid law. That is the present law that you wish to enforce — (cross talk) —

MR. FONTE: It means deporting people as you come across them; it doesn't mean rounding up 12 million people. It means that —

MR. NORQUIST: No, keep going, this is very helpful. Slow motion deportation, of 12 million people.

MR. FONTE: It means, for example — Fort Dix, you had 75 — you had the terrorists who were involved in Fort Dix, they were stopped 75 times by the local police. Mohamed Atta who led the attack on the World Trade Center, he was stopped for

speeding. Yes, Mohamed Atta should have been deported. Yes, the Duka brothers should have been deported the 75 times. That's what we're talking about. So three Duka brothers go home, not 12 million people at once. Mohamed Atta goes home. Yes, when you stop people who are out of status from terrorist countries, yes, you do send them home. That is one thing that Ashcroft did do. Of course, now Ashcroft is gone and the policy is somewhat deteriorated.

MR. NORQUIST: Okay, not from Mexico, though. Not from Mexico.

MR. FONTE: If you have people who have committed crimes, they go. If they're gang members or if they're a member of a gang, they should go home. It's not 12 million at once.

MR. NORQUIST: Now, the present law is if you're here out of status, you get deported. That's the present law —

MR. FONTE: You have to find them.

MR. NORQUIST: — you can either decide not to enforce it or you can enforce it, but your argument that we're going to enforce present law but not do deportation is inaccurate.

MR. FONTE: Yeah, you would deport them, not 12 million all at once, when you run into people who are violating the law.

MR. NORQUIST: Are you going to be looking for them?

MR. TERZIAN: Okay, Diana gets the —

MR. FONTE: You certainly could ask Mohamed Atta at a traffic light.

MR. TERZIAN: Okay, thank you, that's —

MR. NORQUIST: Deportation as soon as you can find them, that's their position, unless he wants to disassociate himself from this lunacy. (Laughter.)

MR. TERZIAN: Could we have another question, please?

Q: Sorry, Adrian Muldrich here from *The Economist*. Is your position that we should enforce the current law, but do it badly and lazily, Mr. Fonte?

MR. TERZIAN: Who are you asking?

Q: Mr. Fonte.

MR. KRIKORIAN: I'll take it. It's the — the question is not just — see, the way it's presented is that either we deport everybody in 1930s news reel style or we have a legalization in one form or another, either a silent amnesty or a sloppy and half-assed enforcement that results in de facto amnesty or in actual amnesty. Those aren't the options. The third option, which is what John was talking about, and is, in fact, the only alternative that can work, is a policy of attrition of the illegal population through enforcement. It's not silent amnesty; it's not sloppy and half-assed enforcement. It's prioritizing enforcement, but actually undertaking it in a consistent, comprehensive, across the board fashion.

We've never even attempted to enforce the law. Grover says, well, the law says that if you're out of status you should be deported. Is somebody suggesting we change that? Should we —

MR. NORQUIST: Yeah, that's what this bill's about. That's what this bill is about.

MR. KRIKORIAN: No, no, it doesn't, Grover. This bill changes the people's definition of who's out of status, but if you're out of status — and millions of illegals, several million will still be illegal aliens when this bill, if it were passed and implemented, would still be the case, there would be several million illegal aliens — are those deportable or not? And this gets back to the question of trust. There is good reason for no one to trust the political class in this country to actually enforce the law, and that's why you need to earn the trust of the public by enforcing the law before you try a second attempt at a bait-and-switch, which is what this bill is.

MS. FURCHTGOTT-ROTH: But in enforcing the law, the current law, as it is would bring our economy to a halt. It would hurt consumers; it would hurt businesses. I mean, these people —

MR. KRIKORIAN: It would, in fact, hurt businesses who are being subsidized by what amounts to corporate welfare, with the government passing laws that the public demands, but making sure that it responds to the interests of highly organized, motivated constituencies, whether they're business organizations that employ cheap labor or whether they're the racial chauvinist groups that, in the long run, benefit and, in a sense, kind of buy the rope from the capitalist rope-sellers to create a socialist society in the long run, because that's really what this is about, those interests are highly organized, very interested, and make sure that the language of the legislation looks tough, but the reality of the legislation, reality of the laws, are never implemented and that's . . . and implementation has to come first before anybody's going to agree to even discuss legalization.

MR. FONTE: So if we enforce the law against the Fort Dix terrorists, it would have closed the economy, Diana, is that what you're saying? The Fort Dix people, I guess they had a landscaping business —

MR. KRIKORIAN: No, roofing.

MR. FONTE: Roofing business, sorry.

MR. KRIKORIAN: They were entrepreneurs.

MR. FONTE: They were entrepreneurs, that's right, with a roofing business. So I guess if we had deported them, that would have shut down the economy?

MS. FURCHTGOTT-ROTH: The reason we need this bill or something like it and the probationary period is we need to give people some kind of ID card so we know who they are and we can separate people who want to be terrorists from the normal majority of people who don't want to be terrorists. And it's not just business interests. It's everybody who benefits. It's consumers; it's people who don't have to take vacation to paint their houses, for example; it's women who can go out to work because they have household help at home. I mean, it's throughout the economy and the reason —

MR. FONTE: It's not native-born Hispanics and African Americans who are competing directly, it's not low-skilled workers who are competing with the illegal immigrants, they certainly don't benefit from it.

MS. FURCHTGOTT-ROTH: A lot of low-skilled workers don't want to pick fruit. They don't want to do certain jobs that immigrants do want to do. They have higher career paths in mind; they have different kinds of career paths in mind. We don't have a lot of adults in the United States without high school diplomas. We don't have a lot of adults with PhDs in math and science —

MR. FONTE: So let's import some more.

MS. FURCHTGOTT-ROTH: — immigrants fill — yeah, exactly.

MR. KRIKORIAN: The NEA can do a great job in creating more illiterates if we need more illiterates. A modern society, a 21st century society, doesn't need a flow of 19th century peasantry to make its economy function. That's what we're talking about.

MR. FONTE: This bill talks about high skilled immigration, you get 20 points as a scientist, but you get 16 points for a janitor. So even the merit-based skill system is a fraud. As Tom Sowell said, every aspect of this bill is a fraud.

MS. FURCHTGOTT-ROTH: Well, I mean, John, do you want to be a janitor? Would you prefer to be a janitor or a senior fellow at the Hudson Institute?

MR. FONTE: I don't think we should be giving 16 points because we need more janitors. I don't think that helps our economy in the 21st century.

MS. FURCHTGOTT-ROTH: Americans don't want to be janitors.

MR. KRIKORIAN: Diana, the Americans that you know don't want to be janitors, but there are plenty of Americans who, in fact, do this work. Every single job category in the United States, every single one, is dominated by native-born workers. This doesn't mean that in Tucson, the valet parking attendants are native-born Americans, but nationally, in our 150 million person, highly mobile, highly adaptive labor market, every single job category is dominated by the native-born. And so the idea that we need to beggar those of our own countrymen who don't have the cognitive abilities or have family experience or drug problems or jail backgrounds who don't have the ability to get PhDs and get high skilled jobs that we should somehow undermine their ability to bid up their wages and improve their working conditions, is a moral abomination.

MS. FURCHTGOTT-ROTH: Immigrants allow native-born Americans to improve their working conditions. Someone who 40 years ago —

MR. FONTE: It allows upper class Americans to improve their conditions.

MS. FURCHTGOTT-ROTH: — someone who 40 years ago would have been a gardener is now a landscape contractor because there are people available who can work for him. I mean, if you want to go back to 40 years ago, if you want all native-born Americans to have these low-skilled jobs —

MR. KRIKORIAN: Well, I think we did go back to 40 years ago talking about the 1920s immigration bill.

MR. TERZIAN: Okay, that's —

MR. KRIKORIAN: Does the market work or doesn't it work? Of course, the market works.

MS. FURCHTGOTT-ROTH: Well, it does work and that's why we have immigrants.

MS. KRIKORIAN: It works because what happens is when the labor market gets tight, labor costs go up so two things happened: low-skilled Americans do better and employers find ways of using the labor efficiently, whether it's through mechanization, whether it's through reorganizing the way they do work, that is the whole history of 500 years of economic development. And what we're talking about by importing a 19th century workforce into a 21st century society is attempting to slow or short circuit that process.

MR. NORQUIST: Actually, the periods of where you've had most restriction on immigration have not been periods of growth and they haven't been periods of rising wages. As a matter of fact, we are having rising wages and a stronger economy now. But again, this has — again, you're not concerned about the economy of organized

labor's ability to make more money off of these people, you're against having them come in the first place or stay in the first place. This is about the 12 million staying, minus the criminals and the terrorists who should all be arrested, if you robbed a bank or if you're a terrorist, but if you're a decent and honest person, you should stay, and we should have accommodation for a rational and reasonable level of immigration.

There are people in this country, including you, who think we should have fewer people in the country and lower rates of immigration and you're wrong. That's bad for America and it's bad for the country and all the various arguments you use are just opportunistic. I mean, I've been in all these debates, as have you, a long time before September 11th, and now terrorism is the new reason why you want to deport 12 million people. But it's just the latest. I'm all in favor of arresting terrorists, but you don't need to throw everybody here from Mexico in order to keep the country secure.

MR. TERZIAN: The next question. Please, the young lady here?

Q: Oh, Yanica Vlatzl (ph) with — (unintelligible) — Foundation. You were talking a lot — (off mike) — you were talking a lot about security, but how are you actually resolving the flow of illegal immigrants, because I don't know if you've down to the border, but the wall or the fence isn't working. People are still coming and they will come, they will find a way, because there's work here and there isn't work over there. So that's how it goes.

MR. FONTE: You're absolutely right. I mean, that's the whole point. Let's do that first; let's secure the border. And then we can talk about these other issues. Diana?

MS. FURCHTGOTT-ROTH: Right, but I mean, if you build 300 miles of fence or 500 miles of fence, if you fence the whole Mexican border, people could still come across from Canada, need a fence there and most people, believe it or not despite their rhetoric, they don't come across the Mexican border. They fly into New York or Orlando or Los Angeles. They overstay a tourist visa or a student visa. So we need a process in place for that. It's not — it just doesn't meet with the reality that most illegal immigrants walk across the border from Mexico.

MR. KRIKORIAN: Well, could I introduce some reality here? Seventy percent of the illegal population snuck across the border from Mexico, 30 percent overstayed visas, and Mexicans are the largest group of visa over-stayers as well, though they don't dominate that population the way they dominate the border-jumper population. But the basic assertion is something that needs to be debated. I mean, you're saying that the flow of people is inevitable and we need to lie back and pretend to enjoy it. That's sort of the motto of the high immigration side, especially sort of the anti-enforcement side. And the fact is —

MR. NORQUIST: No, but —

MR. KRIKORIAN: — that immigration, illegal immigration or legal immigration, is an artifact of government policy. It is not some flow like the tides or the weather that we need to kind of accommodate ourselves to; we have created the immigration flow from Mexico over the past 60 or 70 years. The immigrants disproportionately, to this day, come from the states of west central Mexico where the Bracero guest worker program drew its recruits, not from northern Mexico, which is — they simply go through northern Mexico. Immigration is an artifact of state policy and it can be influenced by state policy. You can't just turn it on and off. It's not the VCR or the TV. But it is a function of our policies and we can change our policies if we choose to, rather than simply have to go along with the geist of history and surrender to it.

MR. TERZIAN: Grover, did you want to say something?

MR. NORQUIST: Well, that's not my argument or anyone's I know. Immigrants are good for the country. People who come here to work are helpful to the country. They strengthen the country. We certainly need many more high-skilled workers than we do. We should be treating Poland differently than we do and allowing more Poles to come to this country. We have restrictions on levels of immigration from a number of countries that we ought not to. Immigrants are an asset: the ones who are here are an asset; the ones who are coming are an asset. And we should do it in a way that's legal; they should be allowed to come over here legally.

Immigration is a function of people's decision to want to come here, part of which is economic, part of which is fleeing tyranny in various places around the world. Legal immigration is a function of the government. Immigration is a function of the way the world works. And this is a question of whether you think the country's better off, stronger with more immigrants or whether you want to shut the border . . . and this idea we're going to shut the border and then talk, you ever watch those movies where the guy says, put the gun down and we'll talk, okay, if the person is stupid enough to put the gun down, the movie goes on for another half hour. The reason why nobody trusts the restrictionists who say, let us build the wall and have interior security . . . I used to love to live in a country that didn't have an interior minister — we'll have interior security, which means deportation, slow motion deportation so it won't look bad for the cameras, and then we'll talk about levels of immigration.

You know what? I don't believe them. I think they're lying because every time I talk to them and they say, how many immigrants do you want, they all say less. So they don't want a reasonable flow of immigration. They're not interested in securing the border first. They're interested in securing the border only. Have a conversation with Tom Tancredo and he'll explain this to you. There is no after for the secure the border first people, which is why they're not part of the conversation in the Congress and why they're not trusted and why — because everyone knows they have a different agenda which they're not honest about.

MR. FONTE: Grover . . . let me, let me . . . Grover raised an interesting philosophical point, sort of a core question that I'd like to answer. And that is who

decides immigration policy. Grover said these are people's decisions; peoples in foreign countries come here. In other words, we have a choice of how to decide immigration policy. It'll be decided by we, the people of the United States, government by consent of the governed. We decide immigration policy. Or, in Grover's terms, it's decided by foreigners; autonomous individuals in foreign countries decide to come here against the consent of the governed. So this is really a core question of American democracy, whether we determine immigration policy or it's determined by people in Pakistan, in Mexico, in China, in Ireland, in Poland, any country you want. That's really a core question: whether it's government by consent of the governed or people come here without the consent of the governed.

MR. TERZIAN: Okay, our next question, please. Yes, sir? Right here in the front.

Q: (Off mike) — I want to get crassly economical for just — (off mike) — hasn't really been fully addressed. The vast majority of the people who will receive amnesty in this are a net drain. This is a government subsidy for the vast majority of these people. They don't have . . . grape-pickers are not going to pay enough taxes to offset the costs of the education system, the social services system, the hospitals system, the healthcare system, that they're going to take out of the system. So this is much like Ted Kennedy would want to subsidize the horse buggy whip industry and curse Henry Ford because he's wiping out the horse buggy whip industry. Perhaps these — you talk about a global economy. A global economy is shifting away, perhaps, from us farming as much here as we did in the 1850s and the 1790s. And to subsidize them with low cost workers at the expense of government services is perhaps not the answer to a 21st century evolving global economy.

MR. NORQUIST: Well, two points. First of all, I'm not in favor of an extensive welfare state for people born in this country.

Q: But it exists now.

MR. NORQUIST: Well, we need to fix it. We also have 12 million immigrants in the country.

Q: Let's fix it before we let all these people in

MR. NORQUIST: Okay. This argument that everything ought to happen before we address the levels of immigration that we as a country need and should have legally . . .

Q: We don't need it if government's subsidizing it.

MR. NORQUIST: Okay, two things. We need to deal with the welfare system, we need to deal with the flawed government system, a government education system. But remember, the restrictionists are just opposed and have fought us on all H1B visas

and the effort to dramatically increase the number of immigrants who come here with PhDs and very high skills. So they're not just concerned . . . if we could solve . . . if we said, okay, everybody who comes here and gets a PhD as a student can stay and people that want to come and write software here rather than India can move here and do that, you could solve some of the economic challenges of our 55 mile an hour speed limit. But the restrictionists are against that, too. And people like Tom Tancredo have fought against those reforms. So don't turn around and tell . . . well, we're concerned about the poor people coming, because the restrictionists are against everybody.

Q: (Off mike) — the vast majority of amnesty recipients targeted by this bill are a net drain on this society.

MR. NORQUIST: And that's not the objection from the restrictionists, as pointed out by the fact that that they're equally opposed to the Gates' coming in. You want to help us with H1Bs because you've been opposing it, Krikorian?

MR. KRIKORIAN: And I have —

MR. NORQUIST: Yeah, okay.

MR. KRIKORIAN: But, Grover, Grover, listen, John and I —

MR. NORQUIST: But you're not in charge of the restrictionist movement.

MR. KRIKORIAN: No, no, no, excuse me, John and I probably don't agree on immigration. I've got to say, I don't agree on immigration with Charles Krauthammer, who execrates this bill as a pile of garbage. I don't agree on immigration with Bill Kristol, who thinks this is an abomination. I don't agree, probably, on immigration with George Will, who's a big fan of large-scale immigration and he's on the record as thinking it's a great thing and agreeing with you in that respect.

But the point is, is this bill going to result — is this bill better than no bill? Is this bill a step in the right direction, improving our immigration system so that we can then have a debate about what it should be, and I think . . . I have my views on it, or is it not? And so the question is, are you saying that Charles Krauthammer is a racist, hating, restrictionist? Is Tom Sowell a racist? That's a novel one. Is George Will a racist? Yes or no? And if the answer is no, then the point is criticism of this bill is legitimate or is not legitimate. That's the issue.

MR. NORQUIST: Those are two different issues you're meshing. One is the people who want to deport 12 million people through slow motion deportation —

MR. KRIKORIAN: Who are those people?

MR. NORQUIST: You just said you were. (Laughter.)

MR. KRIKORIAN: No, I don't want to deport 12 million. I want deport over time —

MR. NORQUIST: The 12 million, one at a time, as you find them.

MS. FURCHTGOTT-ROTH: Anyone who gets a speeding ticket.

MR. KRIKORIAN: No, they're not deporting — some people will self deport.

MR. NORQUIST: I think we've discovered your position on this.

MR. TERZIAN: We have time for one more question. Sir, you had a question in the back? Yes.

Q: I'm Doug Holsaken (ph), policy director, John McCain 2008 campaign. I want to thank you for the entertainment. (Laughter.) One clarification: the 24-hour period that you've lambasted so thoroughly is actually — you've stated it incorrectly. There's an initial check which is done in 24 hours. Nothing stops then. And no one is given a visa until there's a full background check, regardless of the time required. That's a matter of fact. Second thing is —

MR. TERZIAN: Thank you.

MR. FONTE: They get a probationary visa, so within 24 hours.

Q: Second thing is a question.

MR. FONTE: That's a matter of fact.

Q: You have stated that it's an issue of getting the border secure and that that enforcement has to happen. When would you know the border was secure and what would we look at to —

MR. FONTE: Well, a 90 percent drop off in people crossing the border. There's all kinds of — there's legitimate —

Q: So 90 percent would be —

MR. FONTE: Well, there's a legitimate trigger. That could be . . . that's a better trigger than hiring 3,000 more border patrolmen that Senator McCain did —

Q: The bill says —

MR. FONTE: That's a better possibility than simply putting trucks on the border that Senator McCain wants to do.

Q: The bill states that the secretary of HHS, or DHS, has to certify operational control — the term of art says zero crossings — before the trigger is satisfied.

MR. KRIKORIAN: No, Chertoff is saying they're almost at operational control now. I mean, I don't believe it. Would you believe Secretary of Homeland Security Barbara Mikulski —

Q: I thought we were discussing what's in the bill.

MR. KRIKORIAN: — saying she has operational security of the border?

Q: Your statement was let's discuss the bill. I just made a point about the bill.

MR. KRIKORIAN: Okay.

Q: That's a fact of the bill.

MR. KRIKORIAN: My point is that the word operational security is already being —

Q: Operational control.

MR. KRIKORIAN: Operational control is already being used now by Michael Chertoff and it's false.

MR. FONTE: It's five-and-a-half years after 9/11, why haven't Senator McCain, the president worked on securing the border long before this time?

Q: My question is what's in the bill? I thought that's what we were going to discuss.

MR. FONTE: We've been talking — we've actually been talking about the bill. The other side hasn't.

MR. KRIKORIAN: Your point about operational control of the border is a good — okay, I mean, that's a good idea. That's fine. I mean, I understand that's at least a trigger if it's a results trigger, which is measured by — no, no, it's a term of art that Chertoff is saying he is already almost at operational control now. That means to me that operational control doesn't mean to him what it means to me. The term operational control has to mean something. It's in the bill and I'm telling you what it means. What it means to Chertoff is whatever it takes for political purposes to get this amnesty, the set phase two of the amnesty, functioning. That's why I don't believe it.

You want a real trigger? Say two independent organizations assessing that the illegal population has declined for four years consecutively by 10 percent or something like that. In other words, actual progress before anything happens. And frankly, when

that happens, Grover is then going to be able to beat me in the argument for legalizing illegal immigrants because then enough of the public, including Charles Krauthammer, including George Will, et cetera, will say, well, okay, maybe they're not lying to us this time, maybe we will trust them. Nobody trusts them and nobody should trust them.

MR. TERZIAN: Thank you, Mark. I'm now going to invite the members of our panel to speak for five minutes —

MR. FONTE: No, a minute or two, I think —

MR. TERZIAN: All right, a minute or two, depending on who's speaking in summary. And we'll start with Grover.

MR. NORQUIST: I think we have serious troubles, challenges in the country. We have a welfare system that creates dependency. We need to fix it for people born in this country as well as for people who come across the border. We have an education system that doesn't do assimilation; it's run by people whose grandparents came over on the Mayflower and went to Harvard and Yale and invented multiculturalism. I understand the concerns of the people who don't like that. I don't like it, but it doesn't have anything to do with immigrants coming to the country. They're the ones who decided they wanted to be here, as opposed to the guys who just showed up when they got born and didn't make that decision.

This is also a political issue. This is — restrictionism is a lousy political issue. We should have on this panel President Pat Buchanan. We should have on this panel Senator Tom Tancredo who is unelectable state-wide in a red state of Colorado because the only thing people know about him is his position on immigration and he goes around telling Republican congressmen – fewer now than before he advised this in 2006 — (laughter) — to run around bashing immigrants and being against amnesty and for restrictionism and so on.

We have tried this; in 2006, the Republican Party ran on it and it did not do well. If you look at presidential elections, the people who are for – respectful of immigrants and immigration and recognize its benefits to the country are the ones leading in the polls. In 2000, that was the case and in 2008.

Are there criticisms of this bill? Yes. I'm critical of the bill: I don't think it allows for enough legal immigration in the United States and I think we need to have growing levels of immigration in the United States. And I don't think we should have point systems. I think companies that want to hire people shouldn't have to look at somebody's point system to see whether Bill Gates wants to hire someone; they know what point system works or what real system works for them in terms of hiring.

This is the debate between restrictionists who, as we've heard, want to slow motion deport 12 million people and those people who say that all of the honest 12 million can and should stay and work and we can look at how one gets to citizenship or

not and that we should be having more people who come to the country legally. And I'm in favor of more people coming legally, living permanently, becoming part of the United States. And should we reduce welfare? Absolutely. Should we worry about assimilation and people learning what it means to be an American and learning American history and respecting the Constitution? Yes, and we should probably start with members of the administration and Congress. (Laughter.)

MR. TERZIAN: John?

MR. FONTE: Well, we were going to have a debate about this immigration bill. We haven't heard too much about that. At least from the other side, we've heard a lot about Rum, Romanism, and Rebellion. We've heard a lot of words like restrictionism, nativism, and so on. They still — they haven't defended the bill because you can't; basically it's indefensible. It doesn't do what it promises which is we're going to secure our borders, we're going to make secure employment verification and we're going to legalize people and everything will be fine.

That was what we were offered in 1986; this is just a large version of 1986. At the time they said there were a million and a half. It turned out there was about 3 million. Now, they're saying about 12 million, probably closer to 20. So this is simply a repeat. We hear a lot about the Republican Party. Well, I'm an American first; I'm interested in what's good for the United States of America. I'm interested in government by consent of the governed and Americans deciding immigration policy. Grover and Diana apparently want immigration policy decided by foreigners, autonomous individuals that come here against the will of the people.

This bill will not solve the problem. There is an emerging consensus, an alternative suggested by Romney, suggested by Thompson, suggested by Gingrich, suggested by the American Legion, suggested by the House Republican leadership, that can actually do some . . . start passing some realistic measures and do something realistically to pass this. This bill does not do this.

Other thing I'd like to remind you: it's not 1900 anymore. This continuous discussion of what the story of Ellis Island — my father actually came through Ellis Island, so I'm all for the Ellis Island generation and what that represented. However, people now don't necessarily cross an ocean. People in those days didn't get home. We didn't have an anti-assimilation policy in practice. It's all very well for Grover and Diana to say they're not in favor of bilingual education or voting in foreign ballots. That's what we have. So let's end that as we're really carrying out a serious assimilation policy.

In 1907, we had a president who was serious about assimilating people. In 2007, we have someone who's talking about family values don't stop at the Rio Grande and, let's face it, not seriously been addressing this problem for six or seven years. So there is a solution that has . . . I think it's going to be coming out of the House very shortly. You're going to hear about it in the next couple of weeks and it will be supported by most Republican presidential candidates — if we're talking about the Republican Party, but

I'm more concerned actually with America — but most Republican presidential candidates will be supporting this. The American Legion will be supporting it. And so we should be realistic. This bill is not realistic.

MR. TERZIAN: Diana?

MS. FURCHTGOTT-ROTH: This bill isn't perfect, but this bill is a good starting point. America is a moral beacon to the world; it's always been a moral beacon to the world. And America has particularly high growth and that's why it's a jobs magnet as well as a moral beacon, it's a jobs magnet. And the best way to stop illegal immigrants coming here is just to close down our economy. If our unemployment rate went to about 10 to 15 percent, we wouldn't be getting very many illegal immigrants or any legal immigrants. But we should be glad that it isn't; we should be glad we have an unemployment rate of 4.5 percent. And immigrants are contributing to the strength of our economy.

And that's why I can't understand people like John and Mark because what they want to do is they want to basically close down the American economy. By talking about enforcing our borders first and then moving on immigration means they just want to cut down the supply here. And that's going to be . . . that's going to drive up all kinds of prices, it's going to drive up wages, it's going to make bottlenecks in firms ranging from construction to hotels to computer chip manufacturers. And that's not the kind of economy we want and it's also not the kind of message we want to send to the outside world.

In terms of the problems that Mark and John describe — welfare, national security — these problems are helped by a bill such as this, which will enable us to track the 12 million people who are here. In terms of welfare, the Congressional Budget Office has just estimated that over the . . . in a 10 year period, over the next 10 years, immigrants legalizing the status of the people who are will bring an extra \$26 billion to the economy. This is quite apart from the fence construction which we would have done anyway.

In terms of welfare, taxing people, requiring illegal immigrants to have some kind of health insurance stops the drain on public hospitals. Collecting more tax revenues means that the burdens on schools go down. In terms of national security being able to track people means that we can spot terrorists. They have ID numbers; we can track them; we know who people are. These people, by and large, have come in search of the American values that we all have, which is a better life, the pursuit of liberty, the pursuit of happiness, and we should be welcoming them to our country.

MR. TERZIAN: Thank you, Diana. Mark?

MR. KRIKORIAN: This bill isn't about restrictionists versus expansionists. I wish it were because I wish I could claim Charles Krauthammer on my side. I wish I could claim Senator Cornyn on my side or George Will. They're not restrictionists. They're patriots and they know that this bill is an abomination and a dishonest package

designed only to legalize illegal immigrants and the rest of it is the spoonful of enforcement to help the amnesty go down.

This is a question of trust. The promises in this bill, as thin and phony as they are, will be abandoned — will be abandoned — if the amnesty comes up front. What we essentially have is the president and Congress holding enforcement hostage to legalization. And the public is saying no, we want legalization held hostage to enforcement. The realistic approach that can actually fix this system is what John and I have described and has become a broadly shared consensus, not just among Republicans, but among the public, too, when you present them the alternative — consistent enforcement of the immigration laws to induce illegal immigrants to go home over time: attrition through enforcement. It is not a consequence of magical thinking, like this bill is, that magically illiterates will start paying into the welfare state, that magically a government that is utterly unable to administer current immigration laws will somehow actually be able to know who's who and give ID cards to the right people and weed out the bad guys.

But ultimately what this gets down to, the reason there is this debate, this political conflict, is that immigration is one of those issues where the gap between public views and elite views is wider than on anything else. The Chicago Council on Foreign Relations actually did research on this and even issues like support for the U.N. and support for foreign aid had smaller gaps between elite views and public views than immigration did. And the core reason for that is not that upper middle class women high servants and upper middle class men disdain mowing their own lawn. The real source of this concern is that we, as well as — this is true with Europe and elsewhere — we have a patriotic public and a post-American elite, an elite that is no longer primarily concerned with the interests and the goals of the American nation as opposed to broader transnational goals. And immigration is the area where that conflict between a patriotic elite . . . a patriotic public and a post-American elite comes into relief most noticeably and most frequently,

MR. TERZIAN: Thank you, Mark. Before we adjourn, I want to exercise my prerogative and ask the panel a quick question or a question eliciting a quick answer. And that is, all things considered, do you think that an immigration bill, in some form or another, will end up on the president's desk and, if so, what will it contain? Grover?

MR. NORQUIST: It's the stated hope of Rahm Emanuel who runs the Democrat -- (unintelligible) -- in the House and Schumer who did the Senate that this bill will be defeated and they will blame the Republicans for it and run in 2008 on the subject. I hope they're wrong. I think they're wrong.

MR. TERZIAN: John?

MR. FONTE: I don't really know what's going to happen and I just hope it's defeated.

MR. TERZIAN: Diana?

MS. FURCHTGOTT-ROTH: One of the president's priorities is immigration. He really wants to get a bill through. I think a lot of members of Congress know that this is broken and needs to be fixed. And I would hope that they would get together to come up with some kind of solution.

MR. TERZIAN: Mark?

MR. KRIKORIAN: Well, I can tell you, I hope that it's going to fail. I hope it fails. But I got to say, I really don't know. I mean, it could go either way and I'm not going to venture a guess, otherwise we'll know the end of the story and it won't be interesting to follow it.

MR. TERZIAN: Well, thank you very much. I think we've had a good illustration of how difficult this issue is and we've had a learned and lively discussion. Please join me in thanking the panel for their time and effort. (Applause.) And thank you for coming.

(END)