



THE AMERICAN LEGION **POLICY ON ILLEGAL IMMIGRATION**



**A STRATEGY TO ADDRESS ILLEGAL IMMIGRATION
IN THE UNITED STATES**

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INTRODUCTION

American Legion members have served in the U.S. Armed Forces throughout the world so that Americans can feel safe at home. They have seen Third World countries. They have seen poverty, political instability, disease and war. The sacrifices they have made give them a perspective on national security issues that many Americans do not have. And, today, they see the threat that open borders present to their homeland.

Legionnaires subscribe to a creed “To uphold and defend the Constitution of the United States of America; to maintain law and order and to foster and perpetuate a 100 percent Americanism.” These words are recited in unison at Legion meetings and represent a continuing contract of service to benefit America and it is this commitment by Legionnaires that is the fuel for action on illegal immigration and other national security concerns facing this country.

The American Legion has been a leader in mentoring candidates for U.S. citizenship, dating back to the beginning of the organization. Working closely with the U.S. federal courts, it conducted naturalization schools throughout the country, teaching immigrants how to become proficient in the English language and about lessons in U.S. history and about government. The Legion helped the new citizens become contributing members of our society.

Today, the American public is splintered on how to deal with illegal immigration. Solutions come from the far left to the far right, from strict enforcement to general amnesty, from fraternal and religious organizations, immigration reform groups and government agencies. How to address illegal immigration is driven by economic, national security and humanitarian concerns. Differences are so vast that it is unlikely any congressional immigration reform package will meet with widespread approval from the increasingly frustrated populace.

Recognizing the magnitude of the issue and with the best interests of the country in mind, The American Legion offers its assessment of the situation and a general plan on how to deal with the illegal immigration problems in the United States.

Situation Analysis

The security, economy and social fabric of the United States of America is seriously threatened by individuals who have illegally entered this country. They are undocumented, live in the shadows of our society and, by failing to assimilate into our culture, divide America into ethnic conclaves. Included among the illegals are those who enter undetected across our nation's borders, and many more who enter legally and then overstay their visas.

The number of illegal immigrants currently in the United States is uncertain. Estimates range from 11 million (Pew Hispanic Research Center, 2005), 10 million to 12 million (Federation for American Immigration Reform, 2005) and up to 20 million (Bear Stearns Report, January 2005). It is also not known who these people are, where they are from or what their intentions might be. But they are here, and the issue now before this country is how to deal with them.

There are many proposals to reform the nation's immigration laws, ranging from strict enforcement provisions to an across-the-board amnesty. The two sides of the issue are miles apart and it is unlikely that any solution will be acceptable to all parties. Whichever way that Congress may move on the issue, those that disagree with its action will likely continue to keep the issue alive.

The American Legion, a veterans organization of 2.7 million members, supports an immigration policy that eliminates social, economic and population problems resulting from illegal immigration. But above all, the Legion views illegal immigration as a national security issue in its truest sense. It demands of Congress that it act responsibly in addressing the issue by accepting its responsibility as outlined in the U.S. Constitution. That is "*to provide for the common defense*," and, most importantly, to provide for the safety of the citizens of this country.

Illegal immigration is a crime. Title 8, Section 1325 of the U.S. Code, "Improper Entry by Alien," says any citizen of any country other than the United States who: 1) enters or attempts to enter the United States at any time or place other than as designated by immigration officers; or 2) eludes examination or inspection by immigration officers; or 3) attempts to enter or obtains entry to the United States by a willfully false or misleading representation or the willful concealment of a material fact; **has committed a federal crime.**

Violators may be fined or imprisoned for up to six months. Repeat offenders may be imprisoned for up to two years. Additional civil fines may be imposed at the discretion of immigration judges.

The U.S. Code also addresses those groups and individuals who assist aliens in illegally entering or residing in the United States. Section 274 says:

A person (including a group of persons, business, organization, or local government) commits a federal felony when she or he:

- Assists an alien s/he should reasonably know is illegally in the U.S. or who lacks employment authorization, by transporting, sheltering, or assisting him or her to obtain employment, or
- Encourages that alien to remain in the U.S. by referring him or her to an employer or by acting as employer or agent for an employer in any way, or
- Knowingly assists illegal aliens due to personal convictions.

Persons convicted of these crimes may be penalized with criminal fines, imprisonment and forfeiture of vehicles and real property used in committing the crime. Persons convicted of employing or contracting with an illegal alien without verifying his or her work authorization status is guilty of a misdemeanor.

That's stated in simple language; to the point and should not be inviting to contrary judicial interpretation. So what's the problem? In a word – enforcement. It is a law that is “on the books” but a law that many government and law enforcement officials have chosen to ignore through both Democratic and Republican administrations. The result of this inaction is the dilemma this country faces today.

Illegal immigration is not a victimless crime. The poor, minorities, children and individuals with little education are particularly vulnerable. It causes an enormous drain on public services, depresses wages of American workers, contributes to population growth that, in turn, contributes to school overcrowding and housing shortages. Directly and indirectly, U.S. taxpayers are paying for illegal immigration.

It has been estimated by the National Research Council that the net fiscal cost of illegal immigration in the United States ranges from \$11 billion to \$22 billion per year, with most of the costs being picked-up by state and local governments while most of the taxes paid by the illegal aliens are sent to the federal government. According to the Center for Immigration Studies (CIS), the net deficit results from a low level of tax payments made

by immigrants, because they are disproportionately low-skilled and thus earn low wages while, at the same time, consuming government services at a disproportionately higher level than native born citizens.

The costs of illegal immigration in terms of government expenditures for education, criminal justice, and emergency medical care are significant with California reporting a net cost to the state of providing such services to illegals at almost \$3 billion during a recent fiscal year. Whereas states must pay the high cost of providing such services, illegal immigration has become one of the largest “unfunded” federal mandates.

According to a CIS report, illegal alien households in 2003 paid approximately \$4,200 in federal taxes while, on average, used \$7,000 in taxpayer-funded services. Even though federal laws require public assistance agencies to verify that a recipient of services is in this country legally, most agencies fail to verify that eligibility.

The most compelling figures relating to the illegal alien crisis can be found on the internet site www.immigrationcounters.com. Utilizing “real-time data” from a variety of sources, the site listed the following numbers on November 19, 2007.

Number of Illegal Aliens in U.S.	21,218,615
Money Wired to Mexico Since Jan. 2006	\$42,363,149,000
Cost of Social Services for Illegals Since 1996	\$397,480,946,017
Children of Illegal Aliens in Public Schools	4,184,824
Cost of Illegals in K-12 Since 1996	\$14,828,106,397
Illegal Aliens Incarcerated	351,087
Cost of Incarceration Since 2001	\$1,477,239,843
Illegal Alien Fugitives	663,347
Anchor Babies Since 2002	2,148,175
Skilled Jobs Taken by Illegal Immigrants	10,232,441

Immigrationcounters.com sources and the formulas used in computing the figures are shown on their website and include reports issued by both government agencies and private sector organizations.

CRIME AND TERRORISM

Lax enforcement of immigration laws has invited the criminal element to our society. Alien gangs operate in most, if not all, major U.S. cities. Human and drug smuggling operations are numerous along our southern border. And throughout the country, our prisons are crowded or full because of the illegals convicted of committing crimes against the people of the United States.

It is widely reported that approximately 30 percent of the prison population in this country are non-citizens and that they are being incarcerated at a cost, to U.S. taxpayers, of approximately \$13 billion annually. Estimates on the number of incarcerated illegal aliens is closer to 17 percent, which is a huge number when considering illegals account for only 3 percent of our population.

In California, the cost to incarcerate illegals was \$1.4 billion during a 5-year period and in Indiana, \$28 million annually, according to the Indiana Federation for Immigration Reform and Enforcement (IFIRE). This does not include costs related to law enforcement and expenses incurred by the judiciary or the cost of their crimes that led to their incarceration.

Investors Business Daily reported in March 2005:

“The U.S. Justice Department estimated that 270,000 illegal immigrants served jail time nationally in 2003. Of those, 108,000 were in California. Some estimates show illegals now make up half of California’s prison population, creating a massive criminal subculture that strains state budgets and creates a nightmare for local police forces.”

A Justice Department audit conducted last year reported that, on average, each incarcerated illegal alien was re-arrested six times, for crimes ranging from traffic violations to assault. During the same year, a Department of Homeland Security (DHS) official said he expected that most of the 300,000 illegal and legal immigrants eligible for deportation would be released. The reason; they would need 34,000 additional beds at a cost of \$1.1 billion to detain and remove them from the country.

A year earlier, the General Accounting Office (GAO) issued the findings of their audit of 55,322 incarcerated illegal aliens. It reported the following:

- They were arrested for a total of about 700,000 criminal offenses, averaging about 13 offenses per illegal alien;

- 49 percent had previously been convicted of a felony, 20 percent on a drug offense; 18 percent for a violent offense and 11 percent for other felony offenses;
- 81 percent of the arrests occurred after 1990;
- 56 percent of those charged with unlawful reentry had the most extensive criminal histories;
- 90 percent had been previously arrested.

The GAO interviewed only about 21 percent of the incarcerated aliens for their report. To get the full extent of the collateral damage, applying the average number of offenses across the full population of incarcerated illegals results in a whopping 1,288,619 crimes.

Children are becoming victims in an alarming number of crimes perpetrated by illegal aliens in the United States. Department of Homeland Security officials reported in January 2007 that arrests during the first two years of a DHS program called “Operation Predator” aimed at child predators netted more than 6,000 arrests of illegal aliens. That averages about 250 arrests per month and eight arrests per day.

Dr. Deborah Schurman-Kauflin, who operates the Violent Crimes Institute in Atlanta, Georgia, participated in a 12-month investigative study of illegal aliens who committed sex crimes and murders from January 1999 through April 2006. The study found approximately 240,000 illegal alien sex offenders reside in the United States while, at the same time, 93 sex offenders and 12 serial sex offenders come across U.S. borders illegally every day.

Schurman-Kauflin, quoted on WorldNetDaily.com, said “illegal immigrants who commit sex crimes first cross the U.S. border illegally, then gradually commit worse crimes and are continually released back into society or deported. Those who were deported simply returned illegally again. There is a clear pattern of criminal escalation. From misdemeanors such as assault or DUI, to drug offenses, illegal immigrants who commit sex crimes break U.S. laws repeatedly.”

To further illustrate the effect that the illegal population is having on our society, consider this: **more Americans are killed by illegal aliens than die in the Iraq War.**

The vulnerability of this country to acts of terrorism because of our porous borders and lack of enforcement of immigration laws has most Americans concerned, and rightfully so. Last year, thousands of illegal immigrants

were apprehended entering the United States from countries with known terrorist connections. These countries included Afghanistan, Angola, Jordan, Pakistan and Yemen. It was reported by The Christian Science Monitor that 44,000 OTMs (Other Than Mexicans) entered the United States illegally in 2004.

In 2005, U.S. Representative Silvestre Reyes (TX) said in a news release issued from his office “this year alone, more than 75,000 immigrants from countries other than Mexico have illegally crossed the U.S.-Mexico border, with approximately 36,500 crossing in the Border Patrol’s Rio Grande sector. This is a 226 percent increase from the same time period in 2004.”

In March 2007, *The Washington Times* reported that violence along the U.S.-Mexico border has increased in what was called “an unprecedented surge.” Mexican gangs operating along the border are reportedly arming themselves with assault rifles, grenades and grenade launchers, handguns and assault vests in order to protect their drugs and human smuggling operations.

T. J. Bonner, President of the National Border Patrol Council, told the media that rival gangs in Mexico are battling to control smuggling routes into this country and that it has spilled over into some U.S. communities. He said the gangs are “far more inclined to utilize violence as a means of achieving their goals of smuggling contraband and people.”

The American Legion strongly supports the enforcement of immigration laws by law enforcement agencies at all levels (Res. 23, NEC May 2007, Strategy to Address Illegal Immigration). **Section 287(g) of the Immigration and Nationality Act (INA)** was made law in 1996 as a result of the Illegal Immigrant Reform and Immigrant Responsibility Act. Section 287(g) authorizes the Secretary of the Department of Homeland Security to enter into agreements with state and local law enforcement agencies, permitting designated officers to perform immigration law enforcement functions. Under 287(g), ICE provides state and local law enforcement with the training and subsequent authorization to identify, process, and when appropriate, detain immigration offenders they encounter during their regular, daily law enforcement activity.

EDUCATION

Immigration, both legal and illegal, is having a profound effect on public schools nationwide.

The federal government requires public schools to include English as a Second Language (ESL) programs in their curriculum to accommodate the needs of the non-English speaking students, regardless of their legal status. Additionally, special programs for non-English speaking students is, according to education groups, a hindrance to the overall learning environment in the schools.

Enrollments are projected by the U.S. Department of Education to reach 55 million by 2020 and 60 million by 2030. Immigration will account for 96 percent of the future increase in the school-age population over the next 50 years. **Without school-age immigrants and the children of immigrants, school enrollment would not have risen at all during the past decade.** As it was, school enrollment increased by 14 percent between 1990 and 2000, putting it at an all-time high. Current enrollment exceeds the record set in 1970 when the children of “baby boomers” entered the country’s school systems.

The U.S. Supreme Court ruled in Plyler v. Doe in 1982 that illegal alien students are entitled to enroll in U.S. public schools at taxpayer expense. The ruling was made immediately prior to the 1986 amnesty and it was believed at the time that the illegal alien students would be amnestied as a result of that program. Also, the number of these students was small enough at that time that it would not create a significant hardship on the United States taxpayers.

The Court provided an escape from this directive. It noted in the decision that the Congress could reverse the decision if the illegal alien students prove to be a financial hardship to the taxpayers and if the students who are legally residing in this country begin to have their own education negatively impacted by the presence of the illegal alien students. **Both of these conditions apply today.**

The impact of illegal immigration on education extends beyond the secondary school level. Several states, including California, Kansas, New Mexico, Oklahoma, Texas, Utah and New York, have passed laws granting in-state tuition rates for illegal aliens, an action in direct defiance of federal laws. Title 8, Chapter 14, Sec. 1623 states: “an alien who is not lawfully present in the United States shall not be eligible on the basis of residence

within a State ... for any postsecondary education benefit unless a citizen or national of the United States is eligible for such a benefit.”

Despite the federal statute, U.S. House Speaker Nancy Pelosi (CA) said in February 2007 that she intends to move legislation that would improve citizenship and education opportunities for illegal immigrant students. The proposed federal legislation reverses Arizona’s Proposition 300 requiring public colleges and universities to charge illegal immigrants out-of-state tuition rates.

The Colorado Alliance for Immigration Reform describes in-state tuition for illegals as “an amnesty disguised as an educational initiative.” The American Legion agrees.

DISEASE

Another way that illegal immigration has unfavorably impacted American society is the spread of communicable disease. With no health screening provided to those who slip across our borders undetected, there is no way of knowing how many are spreading serious disease to unsuspecting Americans. In March of 2005, the *Journal of American Physicians and Surgeons* published an article by Madeleine Perner Cosman, Ph.D., Esq., that addresses the severity of this problem.

In that report she writes “many illegal aliens harbor fatal diseases that American medicine fought and vanquished long ago, such as drug-resistant tuberculosis, malaria, leprosy, plague, polio, dengue and Chagas disease. The influx of illegal aliens has serious hidden medical consequences. We judge reality primarily by what we see. But what we do not see can be more dangerous, more expensive, and more deadly than what is seen.”

The New York Times reported in February of 2003 that leprosy has become a major health problem in this country and it placed the blame on illegal immigration as the cause. According to the article, 900 cases were reported in the U.S. in the 40 years prior to 2000. Between 2000 and 2003, leprosy infected over 7,000 people in the U.S., brought to this country by illegal immigrants from India, Brazil, Mexico and the Caribbean.

A drug-resistant form of tuberculosis, carried by illegal immigrants, is also impacting our country’s health care system. The number of such cases is up 25 percent in this country. The cost of treating the disease is approximately

\$250,000 per patient, with the American taxpayer footing the bill. According to the Center for Disease Control's *Morbidity and Mortality Weekly Report*, "TB cases among foreign-born individuals remain disproportionately high, at nearly nine times the rate of U.S.-born persons."

Dr. Cosman in her report to the Journal of American Physicians and Surgeons wrote the following as her prescription for protecting the health of Americans:

- Close America's borders with fences, high-tech security devices and troops;
- Rescind the U.S. citizenship of "anchor babies";
- Punish the aiding and abetting of illegal aliens as a crime; and
- Put an end to amnesty programs.

Sound familiar?

Legal immigrants are required to be screened for contagious diseases before entering the United States. Illegal aliens on the other hand are not screened with many found to be carrying serious contagious diseases. It's not an alarmist's theory, it has already happened, in restaurants, schools and police forces. Who and what will be next?

EMPLOYMENT AND WAGES

Proponents of open borders and guest worker amnesty programs say illegal immigrants take jobs that Americans won't do. Such statements are demeaning to the general population of this country and especially demeaning to immigrants who enter this country legally, stereotyping them as a lower class of people. What proponents of open borders fail to add is that they take the jobs that Americans can no longer afford to do because of illegal immigration.

To illustrate that point, the Center for Immigration Studies (CIS) issued a report in March of 2006 about the effect of illegal immigration on the labor market. In that report, CIS said that there were almost four million unemployed adult natives (age 18 to 64) with just a high school degree or less and another 19 million that were not working nor looking for work. The number of these less-educated adult natives in the labor force has declined steadily since 2000.

According to the report "between March 2000 and March 2005 only 9 percent of the net increase in jobs for adults (18 to 64) went to natives. This

is striking because natives accounted for 61 percent of the net increase in the overall size of the 18 to 64 year old population. As for the less educated, using the same period of time, the number of adult immigrants (legal and illegal) with only a high school degree or less in the labor force increased by 1.6 million.”

Steven Camarota, who authored the report, said there are 11.6 million less-educated adult immigrants in the labor force, with nearly half being illegal aliens. Of perhaps greatest concern, the percentage of adult natives without a high school degree who are in the labor force fell from 59 percent to 56 percent during the five-year period, and for adult natives with only a high school degree, participation in the labor force fell from 78 percent to 75 percent.

According to Camarota, “there is some direct evidence that immigration has harmed less-educated natives; states with the largest increase in immigrants also saw larger declines in natives working; and in occupational categories that received the most new immigrants, native unemployment averages 10 percent (twice the national average).”

There are native workers in this country that can do the jobs being held by immigrants. The national unemployment rate was recently reported to be 4.6 percent. At the same time, the number of illegal aliens currently employed in the labor force was 4.9 percent. The numbers tell the story. Illegals cost Americans jobs; employers exploit cheap labor to increase profits. That, combined with the increase of illegal immigrants living below the poverty line, shrinks the U.S. middle class and weakens our economic security.

American Legion Resolution 132, 89th National Convention, Reno, Nevada “Oppose Amnesty for Illegal Aliens and Their Employers” urged the federal government to hold accountable employers who knowingly hire illegal workers, especially those aliens showing suspected fraudulent documents, thus suggesting the possibility that identity theft may have occurred. It also put The American Legion on record as adamantly opposed to any legislative bill that grants amnesty or forgiveness to the employers of illegal aliens.

THE AMERICAN LEGION'S PROPOSAL FOR U.S. IMMIGRATION REFORM

STEP ONE

Secure the borders and other points of entry.

There can be no effective immigration reform without first securing the borders and the coastline boundaries to this country. When the U.S. shows it has control of its borders, then and only then should Congress consider guest worker or temporary worker initiatives.

Securing the borders and coastlines will require additional frontline Border Patrol agents, the newest surveillance technology, fences or barriers in some locations, support from U.S. military units and a commitment of cooperation from federal, state and local governments. A plan, including legislation for implementation, will not work if there is no funding or enforcement. That was a painful lesson learned from the Immigration Reform and Control Act of 1986 (IRCA) amnesty when legalization occurred without securing the borders. The result was a stampede of illegals across our borders to take advantage of our government's benevolence.

U.S. Border Patrol agents, during a recent 5 month period, detained 46,058 non-Mexican migrants along the U.S.-Mexico border, up 12 percent from the 40,953 caught during the same period the previous year. And, according to a recent Denver Post article, non-Mexican migrants detained from 2002 to 2004, the latest years that data could be obtained, included Pakistanis (113), Egyptians (41), Jordanians (55), Iranians (39), Iraqis (22), Yemenis (15) and Saudis (13).

The American Legion proposes to Congress that it take the following action to secure the borders:

- Hire and train a sufficient number of U.S. Border Patrol agents to meet assigned objectives. It is The American Legion's position that employment preference be afforded former members of the U.S. Armed Forces.
- Acquire and utilize the latest technology to monitor border activity and search cargo containers, both on the borders and through our nation's seaports.
- Employ U.S. military resources along the borders, whereby units can train in a real world scenario, in support of the U.S. Border Patrol and local law enforcement agencies. Department of Defense surveillance equipment

should be authorized for use in border security operations.

- Build fences or other barriers in certain locales along the border to impede easy access to the U.S. It may not be feasible to build a fence the entire length of the southern border with Mexico but fencing is recommended for certain high traffic areas of the border country.
- Build or acquire sufficient detention bed space at border locations.
- Authorize and encourage law enforcement agencies at all levels to cooperate by entering and sharing database information on individuals who are thought to be a threat to our nation's security. Additionally, such agencies should be further authorized and encouraged to arrest and detain individuals, including illegal aliens, who are suspected of violating the immigration laws of the United States.

Step No. 1 is to secure the borders and other entry points into the United States.

Sources: American Legion Res. 340, Illegal Aliens, 2006 National Convention; Res. 341, Immigration Reform, 2006 National Convention; Res. 38, Improve U.S.-Canada Border Security, NEC May 2003.

STEP TWO

Eliminate the jobs magnet and social services benefits for illegals.

The second step in immigration reform is the elimination or reduction of employment opportunities in this country for illegal immigrants. If the number of available jobs were reduced, there would be less incentive for illegals to remain in this country. There are native workers available to work in most jobs currently being held by the illegal workforce, if they were given a decent wage.

The American Legion supports mandatory eligibility verification of all employees. It calls upon the federal government to require the Department of Homeland Security and the Social Security Administration to develop a system providing electronic verification of work eligibility and an annual re-verification of aliens.

Employer sanctions put into place following the 1986 amnesty programs were not enforced, a principal reason for the current immigration crisis. The American Legion supports enforcement of immigrant hiring laws and advocates significant civil penalties for employers who knowingly hire illegal workers. The law is clear on the subject:

In simple language, it is unlawful to hire, recruit or refer an alien knowing the alien is not authorized to work in the United States. It is also unlawful to continue to employ an alien if it is known by the employer that the alien is not authorized to work.

It is also illegal for nonprofit or religious organizations to knowingly assist an employer to violate employment sanctions, regardless of any claims that “their convictions” require them to assist aliens. Harboring or aiding illegal aliens is not protected by the First Amendment of the U.S. Constitution.

The American Legion has long held the position that all legal aliens should be required to carry U.S. government issued identification documents that are made as secure as technology allows and that are verifiable by any employer or benefit agency through an easy-to-access central database. Other positions include restricting the eligibility of illegal aliens for certain forms of publicly-funded assistance and educational benefits.

Step No. 2 is to eliminate the jobs magnet and to cease awarding illegal aliens taxpayer sponsored social services benefits.

Sources: American Legion Res. 132, Oppose Amnesty for Illegal Aliens and Their Employers,” 2007 National Convention; Res. 340, Illegal Aliens, 2006 National Convention; Res. 341, Immigration Reform, 2006 National Convention; Res. 351, Immigration Policy for the 21st Century, 2006 National Convention.

STEP THREE

No amnesty.

The American Legion is opposed to any policy that would give illegal immigrants legal permission to remain in the United States, whether such a policy is referred to as “legalization,” “regularization,” “a guest worker program,” “earned status adjustment,” or “earned access.”

The United States, for over 200 years, only granted amnesty in individual cases and did not give a blanket amnesty to large numbers of aliens until 1986. That was the year Congress passed the Immigration Reform and Control Act (IRCA) that legalized all illegal aliens who met certain criteria, resulting in 2.8 million illegal aliens being admitted as legal immigrants. It was supposed to be a “one time only” amnesty but six more followed:

- 1) Section 245(i) The Amnesty of 1994 – a temporary rolling amnesty for 578,000 illegal aliens.

- 2) Section 245(i) The Extension Amnesty of 1997 – an extension of the rolling amnesty created in 1994.
- 3) Nicaraguan Adjustment and Central American Relief Act (NASCARA) Amnesty of 1997 – An amnesty for close to one million illegal aliens from Central America.
- 4) Haitian Refugee Immigration Fairness Act Amnesty (HRIFA) of 1998 -- An amnesty for 125,000 illegal aliens from Haiti.
- 5) Late Amnesty of 2000 – An amnesty for illegal aliens who claim they should have been amnestied under the 1986 IRCA amnesty, an estimated 400,000 illegal aliens.
- 6) Life Amnesty of 2000 – A reinstatement of the rolling Section 245(i) amnesty that legalized an estimated 900,000 illegal aliens.

The total net cost of the 1986 IRCA amnesty was more than \$78 billion in the ten years following the amnesty, according to a study released by the Center for Immigration Studies. Today, more amnesty programs are being considered, even though it has been proved that they do not work.

Vernon Briggs, a Cornell University labor and economics professor stated: “The toleration of illegal immigration undermines all of our labor; it rips at the social fabric. It’s a race to the bottom. The one who plays by the rules is penalized ... a guest worker program guarantees wages will never go up, and there is no way American citizens can compete with guest workers.”

The American Legion is not opposed to the legal temporary workers programs when administered with established numerical limits so as to prevent labor market distortions. Application for such programs must originate from the worker’s home country and only after a criminal background check has been conducted.

Step No. 3 is no amnesty for illegal aliens

Source: American Legion Res. 132, Oppose Amnesty for Illegal Aliens and Their Employers, 2007 National Convention; Res. 348, Oppose Amnesty for Illegal Immigrants, 2006 American Legion National Convention.

STEP FOUR

Reduce the number of illegals in the United States.

Roughly 10 million to 20 million individuals are currently in this country illegally. No one knows for sure the exact number, but it is safe to say that the

majority of these individuals are both welcomed and scorned by the country's legal population. These illegals live on the fringe of our society, on one hand adding strength to some segments of our economy while on the other hand, drawing from our public assistance pool at the expense of American workers.

No one can dispute the need to reduce and control the illegal population in the United States. Some wish to deal with the problem by simply granting amnesty and providing an avenue towards citizenship. Others seek to address the problem by reducing the number of illegals in this country through the enforcement of existing and new immigration laws. Included in this group is The American Legion.

The American Legion recognizes that mass deportation of all illegals is not a realistic option. Deportation of select groups is an option and one that should be used. The continuing threat of deportation and possible incarceration would serve as a deterrent to many who may be considering entering the U.S. illegally.

The American Legion endorses the plan to reduce the illegal population as outlined in a paper titled "Attrition Through Enforcement – A Cost-Effective Strategy to Shrink the Illegal Population" that was written by Jessica M. Vaughan, a Senior Policy Analyst at the Center for Immigration Studies (CIS). The plan calls for a strategy of attrition through enforcement of new and existing laws in combination with increased border security efforts. The American Legion adopted Vaughan's plan as part of its strategy for reform of U.S. immigration policy when delegates to the Legion's 2006 National Convention assembled in Salt Lake City, Utah passed Resolution 362, "A Plan to Reduce the Illegal Population in the U.S."

The resolution called upon The American Legion to work with CIS to obtain Congressional approval and national acceptance of a plan that includes the following objectives:

- Mandatory workplace verification of immigration status
- Measures to curb misuse of Social Security numbers and IRS identification numbers
- Cooperation between federal, state and local law enforcement officials
- Increased screening of foreign visitors
- Increased non-criminal removals through increased interior enforcement

- Discourage illegal settlement by adopting additional state and local legislation.

Included in the CIS plan were the following findings, several of which echo previous positions of The American Legion:

- A strategy of attrition through enforcement could reduce the illegal population by as many as 1.5 million illegal aliens each year. Currently, only about 183,000 illegal aliens per year depart without the intervention of immigration officials, according to Department of Homeland Security statistics;
- Voluntary compliance works faster and is cheaper than a borders-only approach to immigration law enforcement. For example, under the controversial National Security Entry Exit Registration System (NSEERS) program launched after September 11, 2001, the Department of Homeland Security removed roughly 1,500 illegally-resident Pakistanis; over the same time period, in response to the registration requirements, about 15,000 illegal Pakistani immigrants left the country on their own;
- Requiring employers to verify the status of workers could deny jobs to about three million illegal workers in three years, affecting at least one-third of the illegal population. (Res. 351, Immigration Policy for the 21st Century, American Legion National Convention, August 2006);
- The Internal Revenue Service knows the name, address, and place of employment of millions of illegal aliens, and issues hundreds of millions of dollars in tax refunds and tax credits to illegal aliens. Changing the laws to provide for information-sharing would help boost immigration law enforcement at minimal cost;
- US-VISIT is a critical tool in curbing illegal immigration. Screening must be expanded to include Mexicans and Canadians, and DHS must move forward to deploy an exit-recording system. These steps should be a pre-requisite to adding or expanding any visa program. (Res. 355, Reform of the Non-Immigrant Visa Program, American Legion National Convention, August 2006);
- Less than 10 percent of Immigration and Customs Enforcement (ICE) investigative resources are devoted to fraud, workplace violations, and overstayers.
- Laws enacted by the state governments of Florida and New York to prevent illegal immigrants from obtaining driver's licenses have induced more illegal aliens to leave than have federal enforcement efforts against certain illegal populations in those states, and have come at virtually no cost to the federal government.

The elimination of the reason(s) for remaining in the United States could be the most obvious, effective and best long term solution to the illegal population problem in the United States. Actions supported by American Legion resolutions include: 1) Eliminate employment opportunities; 2) Restrict eligibility for publicly-funded assistance; 3) Stop awarding financial aid benefits to illegal alien students; 4) Empower law enforcement at all levels to enforce immigration laws; 5) Seek diplomatic solutions through relations with foreign governments; 6) Do not issue driver's licenses to illegal aliens; and 7) Designate English as the official language of the U.S. government and print all documents, including election ballots, in the English language.

Step No. 4 is to reduce the illegal population in the United States by a program of attrition through enforcement.

Source: American Legion Resolution 362, A Plan to Reduce the Illegal Population in the United States, 2006 American Legion National Convention.

STEP FIVE

Effectively screen and track all foreign visitors.

Much of the illegal population in the United States entered the country by legal means and then overstayed their visas or other entrance documents. Such was the case of several of the September 11, 2001 terrorists who came into the country via legal means and then dropped out of the government's sight until they flew airplanes into the World Trade Center, the Pentagon and into a Pennsylvania farm field, killing almost 3,000 people.

Historically, it has, for the most part, been those who have exploited weaknesses in this country's legal immigration system that have committed acts of terrorism in the United States. They include several individuals involved in the first World Trade Center attack, conspirators in plots to bomb the New York subway system and the plot to destroy New York City landmarks.

The American Legion supports comprehensive screening and background checks on all foreign visitors and a means to track their whereabouts and monitor their intentions while physically in the United States. Releasing them in our society, as has often been the case in the past, is not in the best interest of our national security.

In 2006, delegates to The American Legion's National Convention in Salt Lake City, approved a resolution to urge the Congress of the United States to reform the non-immigrant visa program to establish numerical limits in all categories, especially for temporary workers. Non-immigrant visas

are issued to foreign nationals who come to the United States for a specific period of time for reasons that include study, employment and tourism.

Non-immigrant visas are issued by the State Department. Visitors from 27 countries can enter the U.S. on a “visa waiver,” meaning their entry into the country does not require an application. That alone is reason to question the NIV program, especially because of the thousands who annually exceed their authorized time in the U.S. and remain in country as illegal immigrants.

The Diversity Visa Lottery is a program that should be eliminated, especially at this time when the country is challenged with increasing illegal population and with the threat of terrorism. The program issues 50,000 immigrant visas each year to people who supposedly come from countries with low rates of immigration to the U.S. A computer randomly selects winners from the list of applicants. Winners are able to file for permanent residency and can bring a spouse and unmarried children under the age of 21.

Mark Krikorian of the Center for Immigration Studies, testifying before the U.S. House of Representatives Subcommittee on Immigration, Border Security and Claims in June 2005, said “it’s long past time to get rid of the lottery.” His research indicated that the nation’s total immigrant population (legal and illegal) had actually become less diverse during the course of the lottery.

Citizenship, permanent residency or just admittance into the United States should not be decided by the “luck of the draw.”

The Department of State should complete a thorough background check and, prior to issuing a visa, interview each candidate seeking admittance into the United States. It should also be the Department of State’s responsibility to track and, if necessary, arrange for the apprehension of visa recipients who perpetrate fraud and/or overstay their visa. It would be the responsibility of the Department of Homeland Security to then initiate removal/deportation processing.

It is estimated that as many as 40 percent of illegal aliens or more than 4 million people entered the United States legally but did not leave when their authorized time in country expired.

CONCLUSION

The American Legion has long opposed any great influx of immigrants but, instead, has encouraged a path of moderation, embracing a concept that immigration should be regulated so that immigrants could be readily absorbed into the general population. Assimilation was important to both the government and The American Legion in the 1920's and 30's but it lost some of its luster in recent years as America directed its attention to the illegal migrant population and homeland security issues.

Assimilation into our society by new citizens remains important to the welfare of the United States. The failure of this country to absorb new immigrants into its society divides the nation and promotes racial and cultural bias. Immigration into the United States should be based on a two-way contract; that being a commitment by the United States to treat the new immigrants with respect and provide them with the rights and privileges guaranteed all citizens by rule of law. Nothing more, nothing less. The immigrants must pledge their loyalty and allegiance to the United States and that allegiance must take precedence over and above any ties they may have with their native country.

Candidates for citizenship express that allegiance in a naturalization ceremony when they are asked to take an oath – An Oath of Renunciation and Allegiance. That oath has elements that are important to The American Legion and were outlined in Resolution 356, Oath of Renunciation and Allegiance, passed by delegates to the 88th National Convention of The American Legion in 2006 in Salt Lake City, Utah. Those elements are:

- Renunciation of all allegiances to foreign states or sovereignties;
- Support for and defense of the United States Constitution and laws of the United States of America against all enemies, foreign and domestic;
- Bear 'true faith and allegiance' to the United States of America; and
- Bear arms, perform noncombatant service, or perform work of national importance on behalf of the United States of America; and
- Take the oath without mental reservation or purpose of evasion.

The American Legion believes strongly in maintaining the sanctity of the oath and supports language in the oath that is prescribed by the Congress of the United States for purposes as outlined in the Immigration and Nationality Act. The Legion also calls upon Congress to reject dual allegiance in principle and restrict and narrow its application in practice.

The American Legion is not opposed to legal immigration. There are, however, provisos to that statement. For example, The American Legion –

- Voices long-standing opposition to any great influx of legal immigrants and has called for immigration quotas be set on a moderate and regulated scale in numbers that enable the immigrants to be readily absorbed into the culture and life stream of the United States (Res. 48, Reduce Immigration Levels, NEC, May 2003).
- Works with the Hudson Institute to make the intellectual and moral case for a substantively strong and ceremonially rich citizenship naturalization process. The partnership jointly supports the position that candidates for U.S. citizenship possess a level of proficiency with the English language and an understanding of our country's history and its government (Res. 45, Citizenship Naturalization Process, NEC, May 2003).
- Believes that a naturalization ceremony should be made mandatory and conducted in a U.S. District Court. The American Legion also believes that all citizenship naturalization ceremonies in the United States should be conducted in the English language (Res. 339, English Language be Used in Naturalization Ceremonies, 2006 National Convention, Salt Lake City, Utah).
- Supports legislation that allows non-citizen veterans with less than three years of active duty service and who were legally in the United States at the time of enlistment, to seek naturalization if they are injured or their injuries were aggravated while on active duty with the U.S. Armed Forces, resulting in a discharge under honorable conditions (Res. 342, Injured or Disabled Non-Citizen Veterans Applying for Naturalization, 2006 National Convention, Salt Lake City, Utah).
- Asks Congress to mandate an effective reporting system to track foreign students and that it be aggressively administered. The Legion supports sanctions against institutions of higher education who fail to cooperate with the federal government in monitoring and tracking foreign students. Similarly, The Legion encourages the Congress to provide agencies of government with the necessary resources to track the arrival and departure of foreign visitors (Res. 350, Reform of the Student Visa System, and Res. 353, Tracking Arrival and Departure of Foreign Visitors to the United States, 2006 National Convention, Salt Lake City, Utah).

The American Legion is not specifically opposed to guest-worker programs that are intended to fill labor shortages in the U.S. Such programs, however, must not reward illegal immigrants with an amnesty or forgiveness for previous unlawful behavior and they must be directed at jobs that are unable to be filled by U.S. citizens and other legal residents.

There can be no homeland security until the United States takes control of its borders. There can be no fair labor practices with a workforce comprised of illegal workers. As a nation of laws, the United States sends a wrong message by forgiving and rewarding those who break our laws by invading our sovereign nation. We cannot be secure when 10 million to 20 million individuals whom we don't know are in this country illegally.

There is no simple solution to this complex challenge. Contrary to what some of our leaders may believe, we must put our own citizens first. Today, Americans are paying a huge price for our government's benevolence and open door policies. It's reflected in our schools, in our taxes, at the workplace and in our personal and national feeling of security.

This report alone will not solve the illegal population problem in this country. It will require strengthening the U.S. societal infrastructure. Reform education by offering incentive for high tech professions, thus reducing the outsourcing of American jobs. The U.S. should pursue diplomatic solutions with foreign countries that encourage illegal entry into the United States. We should seek English language initiatives and promote good citizenship through naturalization classes for legal immigrants.

President Theodore Roosevelt expressed his ideas on immigrants and what it means to be an American in a speech in 1907.

"In the first place, we should insist that if the immigrant who comes here in good faith, becomes an American and assimilates himself to us, he shall be treated on an exact equality with everyone else for it is an outrage to discriminate against any such man because of creed, or birthplace, or origin. But this is predicated upon the person becoming in every facet an American, and nothing but an American ... There can be no divided allegiance here. Any man who says he is an American, but something else also, isn't an American at all. We have room for but one flag, the American flag ... We have room for but one language here, and that is the English language ... and we have room for but one sole loyalty and that is a loyalty to the American people."

One hundred years ago ... and the words of Teddy Roosevelt are still appropriate today. Let us not forget them.

APPENDIX A

AMERICAN LEGION POSITIONS ON ILLEGAL IMMIGRATION

SUBJECT	POSITION
Border Security	<p>Res. 38, NEC May 2003 "Improve US – Canada Border Security"</p> <p>"... That The American Legion encourages the Congress of the United States to provide the Department of Homeland Security with the necessary resources to perform its responsibilities and adequately secure the border between the United States and Canada."</p> <p>Res. 340, Nat'l Convention 2006 "Illegal Aliens"</p> <p>"... That the Department of Homeland Security be provided the monies necessary to ensure both the thorough performance of its responsibilities and to ensure the security of the borders of the United States."</p> <p>Res. 341, Nat'l Convention 2006 "Immigration Reform"</p> <p>"... (1) Hire and train additional U.S. Border Patrol agents with employment preference afforded former members of the U.S. Armed Forces."</p> <p>"... (6) That, as appropriate, military resources be employed to assist in stopping the flow of illegal aliens into this country, and all of the resources of the United States of America be utilized to enforce the security of our country's borders..."</p> <p>Res. 351, Nat'l Convention 2006 "Immigration Policy for the 21st Century"</p> <p>"... (5) Provide necessary resources for effective border management and interior enforcement."</p>

SUBJECT	POSITION
<p>Interior Enforcement</p>	<p>Res. 22, NEC October 2005 "Maintaining and Sharing Federal Immigration Databases"</p> <p>"... That state and local law enforcement agencies be authorized and encouraged to arrest and detain individuals, including illegal aliens, who are suspected of violating the immigration laws of the United States and that policies, whether written or implied, that are contrary to this position, be opposed by The American Legion."</p> <p>Res. 418, Nat'l Convention 2004 "Illegal Immigration Compromises National Security."</p> <p>"... That this country's law enforcement agencies at the local, state and federal levels be empowered with the authority to apprehend and incarcerate individuals who are in this country illegally."</p> <p>Res. 362, Nat'l Convention 2006 "A Plan to Reduce the Illegal Population in the U.S."</p> <p>"... That The American Legion work with CIS to obtain Congressional approval and national acceptance of the plan which includes increased non-criminal removals through increased interior enforcement..."</p> <p>Res. 341, Nat'l Convention 2006 "Immigration Reform"</p> <p>"... (5) Grant law enforcement agencies at the local, state and federal levels the authority to work together to apprehend and incarcerate, where appropriate, illegal immigrants, especially those determined to have ties to terrorist groups and organizations."</p> <p>Res. 351, Nat'l Convention 2006 "Immigration Policy for the 21st Century"</p> <p>"... (5) Provide necessary resources for effective border management and interior enforcement."</p>

SUBJECT	POSITION
<p>Employer Sanctions and Work site Enforcement</p>	<p>Res. 132, Nat'l Convention 2007 "Oppose Amnesty for Illegal Aliens and Their Employers":</p> <p>"... That The American Legion urge the federal government to hold accountable those employers who knowingly hire illegal aliens, especially those aliens showing suspected fraudulent documents, thus suggesting the possibility that identity theft may have occurred;"</p> <p>"... That illegal aliens convicted of felonies relating to the use of fraudulent identity documents, especially those of children, in order to obtain employment in the United States be promptly deported to their country of origin;"</p> <p>"... That The American Legion adamantly oppose provisions of any comprehensive immigration reform legislation that grants amnesty or forgiveness to the employers of illegal aliens."</p> <p>Res. 362, Nat'l Convention 2006 "A Plan to Reduce the Illegal Population"</p> <p>"... That The American Legion work with CIS to obtain Congressional approval and national acceptance of the plan which includes mandatory workplace verification of immigration status..."</p> <p>Res. 340, Nat'l Convention 2006 "Illegal Aliens"</p> <p>"... That The American Legion supports strict enforcement of employer sanctions as called for in current employment laws that assess heavy penalties on employers who knowingly hire illegal aliens..."</p>

SUBJECT	POSITION
<p>Amnesty for Illegal Aliens</p>	<p>Res. 132, Nat'l Convention 2007 "Oppose Amnesty for Illegal Aliens and Their Employers"</p> <p>"... That The American Legion reiterates its opposition to any and all forms of amnesty for individuals in this country illegally."</p> <p>Res. 348, Nat'l Convention 2006 "Oppose Amnesty for Illegal Immigrants"</p> <p>"...That The American Legion opposes all legislation that would result in the granting of amnesty and legal residency, in any form or by any name, to millions of illegal immigrants currently in the United States."</p>
<p>Oppose Granting Benefits to Illegal Aliens</p>	<p>Res. 340, Nat'l Convention 2006 "Illegal Aliens"</p> <p>"... That aliens illegally in the U.S. should be denied Social Security benefits, unemployment compensation, and other types of public assistance..."</p> <p>Res. 349, Nat'l Convention 2006 "Oppose Financial Aid for Illegal Alien Students"</p> <p>"... That The American Legion opposes any legislation or executive order that would allow illegal aliens and others who are in this country illegally to receive in-state tuition rates, federal or other government education grants and/or financial assistance to attend a college or university in the United States."</p> <p>Res. 351, Nat'l Convention 2006 "Immigration Policy for the 21st Century"</p> <p>"... That The American Legion reiterates its support for measures that will (3) Restrict the eligibility of illegal aliens for publicly-funded assistance."</p>

SUBJECT	POSITION
<p>Forms of Identification as they relate to Illegal Aliens</p>	<p>Res. 357, Nat'l Convention 2006 "Prohibit Use of Foreign-Issued Forms of Identification"</p> <p>"... That The American Legion encourages the Congress of the United States and the state legislatures to pass legislation that would prohibit acceptance of certain foreign-issued forms of identification, to include the Mexican government issued Matricular Consular card, when it is determined said documents lack credibility, authenticity and accuracy of information when used in the application process for federal, state and local government-sponsored public services, and</p> <p>"That The American Legion encourages businesses in the private sector, including financial institutions, to refrain from accepting as valid identification, foreign issued documents that are not determined to be acceptable forms of identification; and</p> <p>"That an agency of the federal government, determined by Congress and working in cooperation with other agencies having responsibilities for the administration and enforcement of immigration laws and policies, be tasked with determining the acceptability of forms of identification issued by foreign governments."</p> <p>Res. 46, NEC May 2003 "Prohibit Use of Matricular Consular ID Cards"</p> <p>"... That The American Legion encourages the Congress of the United States and state legislatures to adopt legislation to invalidate the Matricular Consular card as a legal form of identification."</p>

SUBJECT	POSITION
<p>Accountability by Public Officials</p>	<p>Res. 359, Nat'l Convention 2006 "Call for Action on Illegal Immigration Issue"</p> <p>"... That The American Legion seize every opportunity to request an accountability of our elected officials in implementing and enforcing federal and international laws and treaties to stem the flood of illegal aliens across our borders, and</p> <p>"That all candidates seeking public office and the two major party platforms express publicly to the American people their positions and solutions to this grave danger to our country's stability..."</p>

APPENDIX B

THE AMERICAN LEGION AND ILLEGAL IMMIGRATION MESSAGE POINTS – Q & A

Why is The American Legion involved with the illegal immigration issue?

Many of our members are concerned that our country is self-destructing because of the perceived ambivalence of our federal government on the issue. From an organization standpoint, the Legion has called for quotas on legal immigration dating back to the very beginning of our organization. Obviously, with this mind-set it makes no sense to limit legal immigration but leave the back door open for individuals to enter this country illegally.

But, aren't you a veterans organization? What's that got to do with illegal immigration?

American Legion members have served in the U.S. Armed Forces around the world so that Americans can feel safe at home. The sacrifices they have made give them a perspective on national security issues that many Americans do not have. They have seen Third World countries. They have seen poverty, political instability, disease and war. Now, they see these dangers on our back doorstep in our porous borders and our country's lack of enforcement of immigration laws.

What's wrong with accepting these people? Aren't they only taking jobs that Americans won't do?

The United States is a country of laws that establish our standards of behavior. These individuals broke our immigration laws and are trespassing on our sovereign soil. They are mostly unskilled workers with little formal education. By taking low paying jobs, they effectively hold down wages of low skilled and middle class Americans. If they were not here, our economy would adjust and more Americans would be working.

Why is The American Legion opposed to making the illegals legal? Won't that solve the problem?

Rewarding criminal behavior is not in the best interest of this country. It is amnesty plain and simple, and The American Legion is adamantly opposed to blanket policies of forgiveness that would pardon millions who have entered the U.S. illegally. Granting amnesty to illegals will ultimately result in granting admittance into this country of the amnestied individual's family members. Our country cannot absorb this number of low skilled

immigrants without feeling the effects in the drain on our public services, education, health care and personal security.

Why not grant a one-time amnesty to the illegal population currently in the United States?

History has proved that amnesty programs do not work. The United States, for over 200 years, only granted amnesty in individual cases and did not give a blanket amnesty to large numbers until 1986 when it passed the Immigration Reform and Control Act (IRCA) that legalized 2.8 million people. It was supposed to be a one-time only amnesty, but six more followed. The total cost of the 1986 IRCA amnesty was more than \$78 billion in the ten years following the amnesty. Amnesty programs promote more illegal immigration.

Does The American Legion have a solution to the illegal immigration issue?

Yes, but no effective immigration reform can occur without first securing our borders. Once that is done, the second step would be to eliminate the jobs magnet. Without going into specifics, the Legion's plan calls for removing the incentives for the individual to remain in this country. That could include workplace verification of immigration status, cooperation between federal, state and local law enforcement, increased screening of foreign visitors, non-criminal removals through increased interior enforcement and by discouraging illegal settlement by adopting additional state and local legislation.

Is The American Legion in favor of building a fence along our southern border?

The American Legion has no specific position on building physical barriers. It does, however, urge Congress to "secure the borders against those individuals attempting to enter this country illegally." Legion positions also state that "all of the resources of the United States of America be utilized to enforce the security of our country's borders." If it is determined by Congress that a fence is necessary, The American Legion will likely support its construction.

Should military resources be used to secure our borders?

The U.S. Border Patrol is tasked with that responsibility, but they are often understaffed and lack the firepower when confronted with the drug gangs and smugglers operating along our southern border. The American Legion has held the position for several years that where appropriate, military resources be employed to assist in stopping the flow of illegal aliens into this

country. Our troops are being called upon to guard the borders of other countries, it seems only appropriate that they be available for our own borders security.

Does The American Legion support the citizen watch groups like the Minutemen?

As an organization, it does not. It is the responsibility of our government to protect us from invasion. If the government fails to do that, then it must be held accountable. That can be done at the ballot box. Many of our members are sympathetic to groups like the Minutemen who have brought attention to the issue of illegal immigration. But it is not our policy – as an organization -- to endorse such groups. Individual members may support these groups as they see fit.

Who should enforce our immigration laws? The Feds? State or local law enforcement?

The American Legion believes it should be all three. It's position is "... that this country's law enforcement agencies at the local, state and federal levels be empowered with the authority to apprehend and incarcerate individuals who are in this country illegally." If this was the case several years ago, there may have been no September 11, 2001 attack as several of the terrorists had been stopped by local authorities while in this country illegally for minor traffic violations prior to the attack.

What should be done about those who give aid and sanctuary to individuals in this country illegally?

That is up to our government and not The American Legion. These groups, whether they are driven by humanitarian reasons, economic reasons or for any other reason are treading on dangerous ground when they provide sanctuary to illegals. It should be the responsibility of our government and, more specifically, our court system to decide how to deal with them.

Has The American Legion always been opposed to immigration?

The American Legion is NOT opposed to legal immigration. It is adamantly opposed to illegal entry and it is opposed to lax enforcement of immigration laws that allow individuals, who may have entered this country legally but overstayed their visa, to remain in this country. The American Legion has long opposed any great influx of immigrants but, instead, has encouraged a path of moderation, embracing a concept that immigration should be regulated so that immigrants can be readily absorbed into the general population.

Several states have passed laws authorizing illegal aliens to attend colleges and universities in their state by paying “in-state” tuition rates. What’s The American Legion’s position on this?

The American Legion opposes any legislation or executive order that would allow illegal aliens and others who are in this country illegally to receive in-state tuition rates, government education grants and/or financial assistance to attend a college or university in the United States. Title 8, Chapter 14, Sec. 1623 states: “an alien who is not lawfully present in the United States shall not be eligible on the basis of residence within a State ... for any postsecondary education benefit unless a citizen or national of the United States is eligible for such a benefit.” Unfortunately, some states have chosen to ignore the federal statute.

How does The American Legion plan to change current policy concerning illegal immigration?

American Legion National Convention delegates in August 2006 voted to seize every opportunity to request an accountability of our elected officials in implementing and enforcing federal and international laws and treaties to stop the flood of illegal aliens across our borders. The convention delegates also called on all candidates seeking public office and the two major political parties to express publicly to the American people their positions and solutions to the problems of illegal immigration.

APPENDIX C

THE AMERICAN LEGION
NATIONAL EXECUTIVE COMMITTEE
INDIANAPOLIS, INDIANA 46206
MAY 9-10, 2007

RESOLUTION NO. 23 STRATEGY TO ADDRESS ILLEGAL IMMIGRATION

COMMISSION: **Americanism**

WHEREAS, The American Legion is a federally-chartered veterans organization of about 2.7 million members, who have served in the U.S. Armed Forces during a period of armed conflict; and

WHEREAS, The American Legion, since its inception in 1919, has expressed concern that legal and illegal immigrants arriving in this country in large numbers would be unable to effectively assimilate into our society unless numerical quotas were established and enforced; and

WHEREAS, The American Legion's concern is exacerbated by the estimates by immigration reform groups and reports by news sources and others that as many as 12 to 20 million individuals are in this country illegally; and

WHEREAS, The influx of illegal aliens into this country presents a national security concern at a time when acts of terrorism perpetrated by individuals and factions opposed to the United States are occurring worldwide; and

WHEREAS, Americans are becoming increasingly frustrated by what they see as the federal government's reluctance and/or failure to stop this large influx of illegals and the actions by some states to provide taxpayer funded services and other benefits to illegal aliens thus providing additional incentives for more people to enter this country illegally; and

WHEREAS, The American Legion has passed numerous resolutions calling for the enforcement and/or reform of the government's immigration laws, policies and procedures and now seeks to combine many of the positions into a single resolution concisely stating The American Legion's positions and strategy to resolve this complex matter; now, therefore, be it

RESOLVED by the National Executive Committee, The American Legion, in regular meeting assembled in Indianapolis, Indiana, May 9-10, 2007, That The American Legion, on behalf of all Americans and future generations of Americans, urge the Congress and the federal government to authorize and fund the following strategy in addressing the issue of illegal aliens in the United States:

1. Secure the borders and other points of entry in the United States:
 - a) Construct physical barriers, as appropriate,
 - b) Acquire and utilize latest technology to monitor border activity,
 - c) Employ and train a sufficient number of U.S. Border Patrol Agents to effectively patrol border regions with employment preference given to former members of the U.S. Armed Forces,
 - d) Utilize National Guard troops to assist in providing border security,
 - e) Insure all vessels and their cargo arriving at our seaports are thoroughly searched;
2. Eliminate the jobs magnet and social services benefits:
 - a) Mandate verification of employment eligibility,
 - b) Enforce employer sanctions,
 - c) Make illegal residents ineligible for Social Security and other government-sponsored public services,
 - d) Eliminate governmental financial aid for illegal alien students;
3. Enforce existing laws and pass new laws to reduce U.S. illegal population:
 - a) Reject amnesty or “legalization” programs for illegal aliens,
 - b) Enforce immigration laws and promote cooperation between federal, state and local law enforcement officials, with emphasis on interior enforcement,
 - c) Establish parameters for non-criminal deportations,
 - d) Prohibit eligibility to services offered by financial institutions in the United States,
 - e) Issue no drivers licenses to illegal aliens,
 - f) Designate English as the official language of the U.S. government and print all documents, including election ballots, in the English language only,
 - g) Work with state and local governments to discourage illegal settlement;

4. Revise legal immigration procedures; screen and track foreign visitors legally entering the U.S.:
 - a) Eliminate the Visa Lottery Program,
 - b) Restrict the number of countries participating in the Visa Waiver Program,
 - c) Create new visa categories or expand the H-2A and H-2B Visa Categories for temporary agricultural and temporary and seasonal workers as necessary to replace illegal workers eliminated from employment opportunities in the U.S.,
 - d) Create and enforce a reporting system to track the whereabouts of foreign visitors to include students at academic institutions, members of a country's diplomatic corps, aircraft and vessel crews, foreign press representatives, exchange visitors, H-1B Workers, L-1 Intracompany Transferees and those individuals categorized as humanitarian entrants

AND, BE IT FINALLY

RESOLVED, That The American Legion seize every opportunity to request an accountability of our elected officials in implementing and enforcing federal and international laws and treaties to eliminate the large numbers of individuals from foreign countries entering the United States illegally and that all candidates for public office and the Democratic and Republican National Committees express publicly to the American people their positions and solutions to this grave danger to our country's stability.

POLICY ON ILLEGAL IMMIGRATION



THE AMERICAN LEGION

National Americanism Commission

700 N. Pennsylvania St.

Indianapolis, IN 46204

www.legion.org