



Rotten Boroughs

Immigration's Effect on the Redistribution of House Seats

The current national debate over immigration's impact on the United States has generally focused on its effect on wages, jobs, public coffers, and a broad array of cultural issues. Relatively little attention, however, has been paid to the question of how immigration affects the nation's political institutions.

In a new report published by the Center for Immigration Studies, *Remaking the Political Landscape: How Immigration Redistributes Seats in the House*, we examine how current immigration policy affects the allocation of seats in the U.S. House of Representatives. Because the current level of immigration is so high (eight to 10 million immigrants arrive each decade) and because immigrants settle unevenly across the country (75 percent live in just six states), immigration causes the population in some

states to increase much more rapidly than in others. Since seats in the House are reapportioned every 10 years based on each state's population relative to the rest of the country, and all persons – citizens, legal immigrants, and illegal aliens – who are counted in the census are included in the apportionment calculations, immigration is having a significant effect on the distribution of seats in the House. And as seats are redistributed, so is political power in Washington.

In the study, we calculated how many seats have changed hands or will do so because of immigration during the 20-year period from 1980 to 2000 (for the 2000 calculation we assume that immigration continues at its current level). The estimates made in this study were calculated by removing the recent immigrant population from the 1990 census and from

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Captive Workers

A Disturbing Trend in Immigration Policy

In a major victory for the nation's high-tech industry, the House on September 24 approved a measure aimed at bringing as many as 142,500 more skilled foreign workers into the United States on H-1B visas over the next three years. The 288 to 133 vote came after lawmakers added some provisions protecting domestic workers, without which the White House had threatened a presidential veto of the legislation.

The H-1B legislation is part of an implicit new model of immigration emerging from an accumulation of measures in Congress, wherein "nonimmigrants" (the technical term for those on temporary visas) are admitted for long periods of time to work for specific employers, without the ability to change the terms of employment or switch employers. Though most of today's immigrants are able

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Census Bureau projections for the 2000 census. Once the immigrants who arrived in the 10 years prior to each census were removed, the resulting distribution of House seats was calculated. To determine the direct consequences of immigration, the distribution of seats excluding recent immigrants was compared with the distribution that results when recent immigrants are included. The difference between the two represents the change caused by immigration.

The table on the next page shows only those seats that are redistributed because of immigration in the decade preceding each census. The top portion of the table reports the states that lose seats as a result of immigration, the lower portion lists the states that gain from immigration. For the 2000 census, we estimate that Michigan, Mississippi, Ohio, Pennsylvania, and Wisconsin will each lose one seat that they currently have and that Colorado and Kentucky will both fail to gain a seat that they otherwise would have had there been no immigration after 1990. In 1990, immigration in the 10 years prior to the census caused Louisiana, Michigan, Montana, and Ohio to

lose one seat that they had prior to the census, while Georgia and Kentucky both failed to gain a seat they otherwise would have. Of course, whether a state loses one of the seats it currently has or fails to gain a seat that it otherwise would have gained, the result is the same – less influence in Washington. We also estimate that the effects of illegal immigration account for perhaps four of the total of 13 seats redistributed by immigration in 1990 and 2000.

It should be added that the projections found in the table significantly understate the effects of immigration on congressional representation because they do not include estimates for the effect that the children born to recent immigrants have on the distribution of House seats. If such estimates were included, the impact of immigration would be even greater.

It is also important to keep in mind that none of the states that will lose seats in the next census are declining in population. Together these states have grown by over 100,000 people per year in the 1990s. While more people will be living in each of these states in 2000 than there were in 1990, the even more rapid population growth in other states caused by the arrival of immigrants causes the states listed at the top of the table to lose seats. As a result, in those states, as well as in the country as a whole, immigration-induced population growth creates ever more populous districts. With immigrants adding between eight and 10 million people to the nation's population each decade, not including their U.S.-born children, the average congressional district will have 40,000 more residents by 2000 than it had in 1980 as a direct consequence of immigration, with all that this implies about making representatives more distant and less in touch with their constituents.

Perhaps as important as the redistribution of political power that comes with mass immigration, however, is the way immigration can be seen as distorting democracy, and not just because it makes for ever-larger districts. Immigration takes representation away from states composed almost entirely of citizens and redistributes it to states with large numbers of non-citizen immigrants who cannot vote. In the seven states that will lose a seat (or fail to gain one) in 2000 because of 1990s immigration, the March 1997 Current Population Survey indicates that more than 98 percent of the residents are citizens. In contrast, in the states that will gain seats from immigration, one in seven residents is a non-citizen. This makes

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Immigration Review is published by the Center for Immigration Studies, 1522 K Street, N.W., Suite 820, Washington, DC 20005-1202, (202) 466-8185. The Center is a non-profit, non-partisan institute dedicated to research and policy analysis of the broad social, economic, environmental and demographic effects of immigration on American society.

ISSN # 1073-1997

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immigrant-induced reapportionment of House seats very different from the reapportionment that occurs when natives relocate to another state. Mass immigration has the unavoidable consequence of reducing the representation of American citizens in Congress so that non-citizen immigrants, none of whom can vote and many of whom are illegal, can be represented in the U.S. Congress.

There are now a number of districts in the country where the majority of adults are non-citizens. In the 1996 election, for example, only 55,000 votes were cast in the immigrant-heavy 33rd district of California, and in the 25th district of Texas only 51,000 votes were cast. This is about one-fourth the average vote count of 226,000 for the typical district in Michigan – one of the states losing the most from immigration. In fact, in 1996, there were a total of 11 districts in California and seven in Texas where the total number of votes cast was less than half the number cast in the typical Michigan district. The small number of votes cast in many California and Texas districts is almost entirely a by-product of mass immigration. In California alone, there were nearly six million non-citizen immigrants in 1997, enough to create eight or nine congressional districts. As a practical matter, this situation gives significantly more political power to voting citizens living in districts made up mostly of non-citizens.

In effect, the ballots of voters in high-immigrant districts carry far more weight than the ballots of voters who live in districts made up of citizens. This seeming contradiction of the principle of "one man one vote" exists because the courts have interpreted this principle to mean that districts should be equal in total population – not in eligible voters. This, coupled with the fact that some districts are drawn to ensure a Hispanic majority, makes for districts with very few citizens.

These districts composed of few eligible voters are likely to last for the foreseeable future for a number of reasons. First, it will be a very long time, if ever, before the majority of immigrants already liv-

ing in the country become citizens. In a 1997 survey, for example, only a third of the immigrants who entered the country in the 1970s or 1980s had become citizens, even though almost all were eligible to do so. While the number of immigrants applying for citizenship has risen dramatically in recent years – mainly because the pool of potential applications is now so large – the vast majority of immigrants in the country have not become citizens. Second, preliminary data from the current fiscal year indicate that the number of applications for citizenship has fallen significantly, suggesting that the increase in applications was at least partly caused by short-term considerations such as welfare reform, and not by a fundamental change in immigrant attitudes about citizenship. Most importantly, the situation will persist because, with over a million legal and illegal immigrants allowed to enter the country each year, there will always be a large population of non-citizen immigrants who will have new districts carved out for them every 10 years so that they can have "representatives" in Congress for whom they cannot vote.

Residents of low-immigration states tend to think that they have, for the most part, avoided the problems faced by states forced to deal with the consequences of mass immigration. However, as the esti-

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Table 1. The Effect of Recent* Immigration on the House.
(Current number of seats in parentheses)

	Immigration-induced Redistribution in 1990	Immigration-induced Redistribution in 2000	Total
Colo. (6)	0	-1	-1
Ga. (11)	-1	0	-1
Ky. (6)	-1	-1	-2
La. (7)	-1	0	-1
Mich. (16)	-1	-1	-2
Mont. (1)	-1	0	-1
Miss. (5)	0	-1	-1
Ohio (19)	-1	-1	-2
Penn. (21)	0	-1	-1
Wisc. (9)	0	-1	-1
Calif. (52)	+4	+5	+9
Fla. (23)	+1	0	+1
N.Y. (31)	+1	+1	+2
Texas (30)	0	+1	+1

*The effect of immigration in the 10 years prior to each census.

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mates in this study make clear, immigration is exacting a significant political price from those states. Because family connections and existing cultural ties determine where immigrants live, it is highly unlikely that there will be a substantial change in the settlement patterns of immigrants in the near future. Thus, without a change in immigration policy, states which currently have large immigration populations will continue to gain seats at the expense of low-immigration states.

It is important, then, when making decisions regarding immigration policy to take into consideration not only the economic, fiscal, cultural, and demographic impacts of immigration, but also the political impact, part of which is the realignment of power in Congress away from low-immigration

states. In addition, careful consideration should be given to the loss of representation suffered by citizens of those states so that new districts – composed largely of non-citizen immigrants who cannot vote – can be created in high-immigration states. This situation does not, of course, need to continue. Congress and the President could reduce legal immigration and do more to control illegal immigration if they chose to. With a lower level of immigration, immigrant-induced reapportionment would be correspondingly less. Lower levels of immigration would also allow time for the immigrants already here to become citizens, thereby reducing the distortion of democracy that comes from having districts composed largely of non-citizens. ♦

– Steven Camarota

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to participate freely in the labor market, the number of captive foreign workers has been growing steadily. In 1981, only 44,770 temporary workers and trainees were admitted to the United States; by 1990, the number had grown to 139,587, and by 1996, the most recent year available, the number admitted was 227,440. This is just the annual flow – the total number of captive workers present at any one time is in the hundreds of thousands (including many in other visa categories not included in the figures above), and the H-1B legislation will increase that number dramatically.

In the old model, which governed our immigration law for more than 100 years, immigrants admitted to the United States were free workers, able to compete in the labor market on par with everyone else. They did not have political rights until such time as they demonstrated their worthiness for citizenship, but their right to work, negotiate with employers, and change jobs was guaranteed from the moment they arrived.

This free-worker model of immigration was formally articulated in the Contract Labor Law of 1885, which prohibited the importation of aliens under contract for the performance of labor or services of any kind. This was a reaction to the importation of “coolie” labor from China, a practice itself a successor to the institution of indentured servitude so widespread in the 17th and 18th centuries. Indeed, just as indentured servitude was a manifestation of pre-capitalist labor relations, like vassalage or serfdom

or villeinage, the freedom of workers to negotiate wages and working conditions and to change jobs is an indispensable element of a free economy.

Today’s emerging immigration model harks back to those pre-modern arrangements. Like their predecessors, today’s captive workers come voluntarily, for the chance of earning more money or settling permanently, but they can’t complain, can’t strike, can’t switch jobs, and can’t form unions. Some critics compare this captive-worker model to slavery, but actually, for employers, it’s much better – employers don’t have to make large capital investments to procure the workers, nor do they have to feed and clothe the guestworkers, nor support them in their old age. Employers enjoy the benefits of a feudal relationship, without the costs.

The great exception to the free-worker model in this century is instructive: The Mexican Labor Program, commonly called the *bracero* program, was a scheme to import temporary Mexican farmworkers to meet the labor shortages caused by World War II. Like most government programs, it was continued after the immediate need passed and was finally ended 20 years later as the logical consequences of a captive labor program manifested themselves through exploitation and corruption. Even worse, the networks and momentum established by this “temporary” migration program yielded today’s illegal immigration crisis.

The bipartisan U.S. Commission on Immigration Reform was unequivocal in its opposition to

the captive-worker model of immigration. Commenting on farmworkers, but with an eye toward all nonimmigrant worker programs, the Commission wrote that it "unanimously and strongly agrees that such a program would be a grievous mistake.... Experience has shown that such limitations are incompatible with the values of democratic societies worldwide."

What are the components of today's emerging captive-worker model of immigration?

H-1B: High-tech Braceros

The H-1B visa program took its current form in 1990, stemming from panic over a labor shortage that never materialized. The program allows for 65,000 temporary visas (spouses and children usually add another 40-50,000), good for up to six years, for people in "specialty occupations" tied to a specific employer. In practice, computer programmers and physical therapists have accounted for the large majority of H-1B visa users.

The captive nature of this labor force doesn't start with the H-1B visa. Many of them arrive in the first place on student visas, then extend their visas for one year for purposes of "practical training" (tied to an employer), and only then get H-1B visas. What's more, the power the employer holds over an H-1B visa-holder stems not only from the difficulty in getting assigned to a different employer; more important is that, since the main payoff for an H-1B visa is being sponsored by one's employer for a green card, the worker doesn't want to have to start the green card process from scratch by switching jobs, possibly extending it so long that his temporary visa will expire first. Once the immigrant acquires a green card, he's free to work anywhere he wants, but his period of indenture is long enough for his employer to profit handsomely from the arrangement.

This power employers hold over H-1B workers is the primary reason high-tech companies are pushing for an increase in these visas rather than the re-allocation of some family-based green cards to the employment-based categories – a change which Congress would almost certainly approve if it were backed by business. Computer firms are looking for ways to prevent job-hopping, and simply increasing the number of programmers by handing out more green cards won't solve the problem, since immigrants with green cards are free to job-hop too.

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FYI



- The police in West Valley City, Utah, have found a solution to the problem of identifying illegal immigrants who commit crimes in the Salt Lake Valley. Rather than deputizing local officers as federal immigration agents – as the Salt Lake City police department unsuccessfully attempted to do recently – West Valley City wants to use technology it already has to plug into the Immigration and Naturalization Service (INS) database.

Once permission is granted for the department to access the INS database, it will be possible for officers to determine if a suspect is an illegal alien in a matter of seconds rather than waiting several weeks, as is often the case now. Officers also are writing grant proposals seeking funds to equip patrol cars – each of which is already equipped with a laptop computer – with portable, optical fingerprint readers, so that officers on the street can determine if a suspect is here illegally and/or a fugitive from justice.

The INS is considering West Valley City's request, in part, because the department uses the same sophisticated fingerprinting system as the INS. The department is, however, dismayed at the amount of time it is taking for their request to be granted. Given the common-sense nature of their request, department officials are confident it will be approved soon.

The Salt Lake City plan to "cross-deputize" officers was based on plan conceived by U.S. Attorney General Janet Reno and strongly supported by Sen. Orrin Hatch (R-Utah). The program was designed to make it easier to determine if a criminal was also guilty of being in the United States illegally so that he or she could be deported rather than released back into the community. The Salt Lake City Council, bowing to claims from Latino groups that the program was "racist," voted to abandon the program.

- In the first week of September, INS agents in Texas rounded up hundreds of legal immigrants who had been convicted of three or more drunk driving offenses, and are therefore aggravated felons. As such, the immigrants –

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To be fair, however, the desire for captive labor is not the only reason computer firms haven't promoted a re-allocation of family visas. To kill legal immigration reforms proposed in Congress in 1995, business interests and libertarians forged an alliance with leftists and ethnic advocates, and the main interest of the latter is in preserving and expanding family immigration. This alliance has not only persisted, but has become so intimate that representatives of the National Association of Manufacturers and the Cato Institute have joined representatives of the ACLU and the National Council of La Raza on the board of the National Immigration Forum, a re-packaged leftist organization founded in the 1980s with generous assistance from the Ford Foundation and the National Lawyers Guild.

Farmworkers: New Plan, No Limits

During every Congress, the indefatigable advocates for agribusiness float proposals for new agricultural guestworker programs, contending that the existing "H-2A" program is too unwieldy and bureaucratic, and thus allows for only a small number of temporary farmworkers to enter the country (around 20,000 a year). In July, these advocates finally succeeded in the Senate, which overwhelmingly approved a new program with neither numerical limits nor worker protections. It is no exaggeration to say that the measure would be a giant step toward *The Wall Street Journal's* stated desire to abolish America's borders.

Farmers perennially claim that without either illegal aliens or captive guestworkers, the crops will rot in the fields and American agriculture will implode. Guestworker programs thus become the only honorable means of feeding America's children.

Fortunately, this Hobson's choice is false. If deprived of both illegal workers and captive guestworkers, American agriculture would not only survive, it would thrive. (See Center for Immigration Studies Backgrounder No. 2-96, "How Much Is That Tomato in the Window? Retail Produce Prices Without Illegal Farmworkers" and Backgrounder No. 2-97, "Alternatives to Immigrant Labor? Raisin Industry Tests New Harvesting Technology.") While some marginal producers would go under, the industry as a whole would adapt and become stronger, as the smaller labor force becomes more stable (be-

cause of better pay and benefits) and productivity increases (through more-efficient use of labor and more-extensive mechanization). In any case, labor costs account for such a small portion of the retail price of fruits and vegetables that even the magical disappearance of all illegal farmworkers overnight would result in a barely perceptible increase in supermarket prices.

CNMI: Kuwait in the Pacific

The Commonwealth of the Northern Mariana Islands (CNMI) presents the most sobering look at the development of the captive-worker model of immigration. The United States wrested this island chain in the Pacific north of Guam from the Japanese in World War II and granted it commonwealth status, comparable to Puerto Rico, in 1986. Part of the commonwealth deal was that the islands would control immigration, in order to protect the indigenous culture from being overwhelmed by newcomers from nearby Asian countries (China is only 600 miles away).

Ironically, the local administration used this power to import a turnkey garment industry staffed entirely by guestworkers. These Chinese, Filipinos, and others now number 35,000, compared to only 25,000 U.S. citizens. The captive workers are subject to all the abuses one would expect, including payless paydays, sexual exploitation, coerced abortions, and, for some of the Chinese, no freedom to go to church. As for the native population, it is almost entirely employed by the government or on welfare, with foreigners accounting for more than 90 percent of the private-sector workforce. The only comparable examples in the world are Persian Gulf dictatorships like Kuwait and the United Arab Emirates.

Many Republican congressmen have resisted a Clinton Administration initiative to extend U.S. immigration and labor laws to the islands. This would make sense if a conservative alternative, like independence, were also on the table. But these conservatives – lawmakers, staffers, journalists, and others – have been seduced by the captive-worker model of immigration (not to mention scuba-and-luau junkets funded by the island government) and have touted the islands as a "phenomenal economic success" and an "experimental laboratory of liberty," as though the CNMI was Hong Kong with coconut trees instead of Kuwait without oil.

New Frontiers

There's more. New York City, reaping the rewards of 30 years of cultural revolution, can't find enough competent math and science teachers for its high schools. So it is airlifting hundreds of teachers from Austria, who will be labelled "research scholars" for visa purposes and allowed to work for three years – at wages and conditions set by their employer and without the right to seek employment elsewhere. These "research scholars" are being imported on J visas, a new frontier of captive labor.

And Sen. Alfonse D'Amato (R-N.Y.), up for re-election in November, has cooked up a bill – sponsored in the House by Rep. James Walsh (R-N.Y.) – that would establish a whole new nonimmigrant visa program, admitting 10,000 people each year from Ireland, north or south, for five-year stays, "for the purpose of providing practical training, employment, and the experience of coexistence and conflict resolution in a multicultural society" (as though they couldn't already do that in Dublin, London, or Berlin). Although the recipients of these visas would not be tied to a specific employer, their insecure status as temporary workers nonetheless gives their employers power over them which they would not have over a genuine immigrant.

What Is to Be Done

Now, there are plenty of reasons to oppose mass immigration of any kind: Immigration is running at historic highs of more than 1 million per year and the immigrant population now exceeds 27 million, about twice the peak around World War I and equal to about 10 percent of our population. With multiculturalism deeply rooted in every American institution, from the greatest corporation and foundation to the humblest local church and elementary school, we are in no position to properly Americanize our own children, let alone the children of so many strangers from overseas. Furthermore, 40 percent of the foreign-born are high-school dropouts, an "input" our high-tech economy doesn't need any more of. This unskilled immigration is also a significant drain on state and local tax coffers, thus concentrating yet more power in Washington. And even the immigration of skilled workers, other than the handful of genuine Einsteins, is helping turn certain

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FYI



most of whom are legal U.S. residents from Mexico – will have little chance of avoiding deportation and many are expected to be removed by the end of September. The Associated Press quoted INS spokesman Lynn Ligon as saying that "[L]iving in this country – if you're not a citizen – is a privilege. It is not a right."

The Mexican government protested the planned deportations as inhumane, claiming that Mexicans were being unfairly targeted and that families were being broken up by the action.

Ligon responded by pointing out that Korean, Chinese, Afghan, and Vietnamese immigrants were also arrested and that, while the action may split up families, they also "get split up when people are killed in a DWI accident."

Under federal legislation passed in 1996, the INS can deport legal immigrants who have been convicted of serious violent crimes. Earlier this year, the Board of Immigration Appeals added drunk driving to the list of offenses covered by the law. INS officials told Reuters that agents soon will be conducting similar operations in other states.

- A recent report by the Mexican government casts doubt on its ability to compile voting rolls in time to allow Mexicans living abroad to vote in the country's 2000 presidential elections. New laws passed this year give Mexicans living abroad the right to vote, but logistical problems – including the fact that about 15 percent of Mexicans have either inaccurate birth certificates or none at all – could delay implementation of the law for years. A survey by Mexican consulates estimates that 7.3 million Mexicans currently live in the United States, a third of them illegally.

- In response to U.S. raids on undocumented workers, the Mexican government has been paying closer attention to exotic dancers from the United States and Canada, many of whom have been working illegally in Mexico under North American Free Trade Agreement provisions for workers with special skills. Inspectors uncovered 140 women who were working illegally or had questionable visas.

occupations, such as nursing, physical therapy, and software design into "work Americans won't do."

But even if one believed there to be a need for foreign workers, importing indentured servants is precisely not the way to do it. Regardless of the level of permanent immigration, the captive-worker dilemma can be resolved by abolishing all long-term non-immigrant visa categories and ensuring that "temporary" visits by foreigners are truly temporary by limiting them to less than, say, six months. Since this would violate international agreements, particularly the General Agreement on Trade in Services (GATS), which prohibits Congress from cutting the H-1B visa program below 65,000 visas a year, the agreements would have to be changed.

The emerging captive-worker model is pro-immigration, but it is also explicitly anti-immigrant. And the anti-immigrant nature of these policies is hardly the way to win the hearts of newcomers to our country and their families, a group whom Republicans, the chief supporters of captive-worker immigration, have been particularly anxious to at-

tract in the past few years. Especially ironic is the role of Sen. Spencer Abraham (R-Mich.) — he has positioned himself as the champion of immigrants, going so far as to accept the 1997 Congressional Award from the National Council of La Raza for being "stalwart in his defense of legal immigrants," but is, at the same time, a stalwart defender of guestworker programs.

Proponents of captive-worker immigration forget the first principle of a free society: All of us, including immigrants, are human beings, created in the image of God, not mere factors of production to be used and discarded. After the failure of Germany's guestworker program, one writer lamented, "We asked for workers, but they sent us men." Some businesses may seek a labor force of captive workers, but the national interest demands a citizenry of free men. ❖

— Mark Krikorian

(An abbreviated version of this article appeared in the September 14, 1998 issue of *National Review*.)

No Sanctions

Governments Haven't Fulfilled Promises to Punish Rogue Employers

In February 1996, with intense debate and lobbying in Congress over immigration legislation, President Clinton signed Executive Order No. 12989, barring employers that knowingly hire illegal-alien workers from receiving federal contracts. The ban is to apply for one year, a period which may be extended if the employer continues to break the law. This is in addition to penalties already included in the Immigration and Nationality Act, which can include fines of \$250 to \$10,000 per illegal alien employed and/or imprisonment. This promised to be a potent new tool for immigration law enforcement, one more step toward turning off the magnet of jobs that attracts illegal immigrants to the United States.

At the time, presidential spokesman Mike McCurry said "there's no grounds to suggest that this is an executive order based on politics." But nearly three years later, with the political pressure gone, nothing has been done to implement the order.

Despite McCurry's comment that "it really represents a new sanction against those who violate the law," the order itself offers a more convoluted rationale: The move will "promote economy and efficiency in Federal procurement" because "contractors that employ unauthorized alien workers are necessarily less stable and dependable procurement sources than contractors that do not hire such persons," due to the Clinton Administration's "vigorous enforcement policy." (The entire order is on the Internet at <http://www.ins.usdoj.gov/law/fr1996.htm> and click on "Presidential Documents.")

Under the executive order, the attorney general is directed to report federal contractors that are knowingly employing illegal aliens to the appropriate contracting agency, which then may stop using that contractor. The contractor's name is also to be sent to the General Services Administration (GSA) and added to the "List of Parties Excluded from Fed-

eral Procurement and Nonprocurement Programs" (colloquially known as the Excluded Parties List and available on line at <http://www.amet.gov/epl/>), so that other agencies will know that the contractor has been barred.

None of this has happened.

Among the many reasons (assigned "cause codes") a contractor may currently be added to the GSA's Excluded Parties List are: embezzlement, theft, forgery, and bribery; various violations of antitrust, narcotics, labor, export-control, and environmental laws; and denying or preventing military recruitment on campus (for colleges). Even violations of the Buy American Act can trigger debarment, but no contractor has been barred for hiring illegal aliens since the executive order was signed. Carolyn Jones, a lawyer with the employer sanctions unit in the General Counsel's office of the Immigration and Naturalization Service (INS), recently confirmed that she is not aware that an employer has ever been barred for hiring illegal aliens, saying that the government is still trying to create a formal procedure for identifying and reporting violators. Bob Reed, the INS official in the investigations branch of worksite enforcement charged with implementing the executive order, wouldn't provide any details, saying it would be "imprudent" to do so at this stage. Since the GSA has not even added a cause code for employing illegal aliens to its Excluded Parties List, it appears that the executive order will not be implemented any time soon.

The same thing happened in Florida. In May 1996, Governor Lawton Chiles signed his own executive order barring employers of illegal aliens from state contracts. While Florida was the only state to follow in Clinton's footsteps, its efforts have remained in a "staggered" implementation phase, according to Mark Schlakman, head of immigration and refugee policy for Chiles. Schlakman said that the state's program, being handled by the Department of Management Services, should be ready by the next governor's term, next year. Schlakman felt strongly that the law would be implemented if Lieutenant Governor Buddy Mackay was elected, but was unsure of what Republican Jeb Bush's devotion would be to the policy. Since Florida will rely on the federal list of barred contractors, however, it can't do anything until the federal government acts, whoever is elected governor in November.

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CAPITAL CURRENTS

- At press time, Sen. Spencer Abraham (R-Mich.) was urging House members to quickly repeal a 1996 immigration law that is threatening to cause extensive delays at U.S.-Canadian border crossings. The law would require U.S. Customs inspectors to use an automated system to document every non-U.S. citizen arriving in or leaving the United States. The system is not yet available for use, however. Abraham contends that, even if each inspection took only 30 seconds, delays at the Ambassador Bridge in Detroit would exceed 24 hours, effectively closing the border. Repeal of the border-crossing change passed the Senate unanimously.
- The House was scheduled to consider a measure in late September that would allow about 12,000 mostly poor, elderly immigrants to keep Supplemental Security Income (SSI) and Medicaid benefits that were scheduled to be terminated October 1. The bill (H.R. 4558) covers those who have lived in the United States for many years, but cannot produce documents to prove it. Welfare benefits were terminated in 1996 for immigrants who could not prove that they were in the United States before a certain date.

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At the local level, the Butler County (Ohio) Board of Commissioners has taken similar action. In the wake of INS arrests of illegal aliens in the Cincinnati-area jurisdiction, the commissioners passed a December 1997 resolution barring companies that hire illegal aliens from county contracts or economic development incentives. The resolution said board members were "appalled and saddened... that illegal immigrants [were] being employed in [their] communities in occupations that might otherwise be filled by Butler County citizens." To bar a contractor, the county will rely not on federal records, but on county records. Derek Conklin, the county administrator, said the county has not yet found anyone in violation of the resolution, but now that it has been passed he not only is ready to enforce it, but also to make the list of barred contractors public. It's not clear, however, how the county's records can help it iden-

tify rogue employers among firms based outside the local area.

Thus the central problem with these initiatives: State and local authorities simply have no way of enforcing such bans without cooperation from the federal government, since it is Washington that identifies and fines the employers of illegal aliens. Thus one way the Clinton Administration can prove that Executive Order No. 12989 wasn't "an executive order based on politics" would be for the INS to make available on the Internet a database similar to the Employer Sanctions Database created by the Center for Immigration Studies (see below). With this information available to government at every level, as well as to the public, the process of punishing law-breakers and protecting American jobs would be underway. ❖

— By Daniel Jester

New On the Web: Employer Sanctions Database

In 1986, Congress finally prohibited the employment of illegal aliens. However, it failed to make the policy workable by providing for a quick and easy way for employers to verify the eligibility of new hires to work in the United States. This failure has given rise to a flourishing trade in fraudulent documents and widespread flouting of the law, as new hires present a bewildering variety of identification and work-authorization cards. Most employers caught employing illegal aliens simply claim that the documents the aliens used to prove their legal status looked real enough to them.

Even with these limitations, however, the Immigration and Naturalization Service (INS) has issued thousands of fines to companies which have intentionally broken the law. To facilitate identification of these rogue employers, the Center for Immigration Studies has developed the Employer Sanctions Database — www.cis.org/search.html — which includes fines for the knowing hire or continuing employment of illegal aliens. Violations for improper record keeping are not included.

The information goes back only to 1989; before that time, records were kept separately in each INS district office, and there hadn't been much enforcement yet in any case. The database

will be periodically updated with information obtained from the INS through the Freedom of Information Act. The database currently includes fines issued through September 1997.

In addition to the name and address of businesses cited, the database reports the number of violations, the total amount assessed in the original Notice of Intent to Fine (NIF), and the total amount collected (which is often less than the original fine after negotiations between the employer and the INS).

The database's search engine allows considerable flexibility; to conduct a search, go to the Web address listed above and enter at least one of the following: business name, city, state, ZIP code, or date range for the fine. Business names may be partial; for instance, searching for "farm" will yield 80 listings, including Atlantis Farms, Andrews Farm & Nursery, and Farmers Bazaar of Glen Cove.

With something like 4 million illegal aliens in the labor market, the Center for Immigration Studies offers the Employer Sanctions Database as a public resource. In addition to the uses for governments discussed in the accompanying article, journalists can use the database to generate local stories or to provide context for national stories.

Ben Zuckerman is a professor in the department of physics and astronomy at UCLA and a member of the UCLA Institute of the Environment. A Sierra Club member continuously for 30 years, he was one of three long-time members who initiated the petition drive to enable rank-and-file Sierra Club members to vote on whether the club's population policy should advocate for reduced immigration to the United States.

Immigration and the Sierra Club Did the Fuss Matter?

By Ben Zuckerman

Politically, U.S. population growth has been a non-issue. As America encounters social and environmental limits, however, eventually this must change. Traffic gridlock, loss of farmland, and exhaustion of ground water supplies are but a few of many concerns arising, while "growth" and "sprawl" already are major political issues in numerous western states. Unfortunately, these words are euphemisms for too many people.

Because human beings are able to tolerate enormously high population densities and because powerful economic and political forces profit from unending population increases, social and environmental limits to growth are very soft. As just one example, to compensate for water shortages in the U.S. southwest, river systems in the Canadian west may soon suffer gigantic water diversions. Most people are unaware of growth's impact, and therefore not concerned about the environmental havoc high population densities cause – as long as the damage is out of sight and out of mind.

For this reason, it is essential that environmentalists understand clearly the implications of endless U.S. growth for environments here and abroad – because if environmentalists don't, surely no one else will. Such understanding was tested in a vote earlier this year of the members of the Sierra Club, the only conservation organization with a structure that enables rank-and-file members to vote their opinions.

For decades, the Club's position had been population stabilization ASAP, "first in the United States and then in the rest of the world." Then, in February 1996, the Club's national board of directors voted to take no position on the level of immigration into the United States. Since immigration accounts for a continually increasing percentage of

U.S. population growth, this decision represented a major policy reversal for the Club which now, de facto, acquiesces to current rapid U.S. population growth.

In late 1996 and early 1997, rank-and-file members gathered petitions with sufficient signatures to enable a vote of the entire membership on the 1998 national ballot. The issue was: Should the Sierra Club adopt a comprehensive population policy for the United States that advocates reductions in both natural increase and net immigration?

Historically the media have ignored connections between population and the environment (see T. M. Maher: "How and Why Journalists Avoid the Population-Environment Connection" in *Population and Environment*, Vol. 18, No. 4, March 1997, 339-372). Hence, leaders of the petition drive, including myself, were surprised by the extensive national coverage that the vote garnered during the six months between November 1997 and April 1998, including articles in the *Los Angeles Times*, *The New York Times*, and the *Washington Post*. The media must love a good fight; the management of the Club pulled out all the stops, legitimate and otherwise, to defeat the ballot petition.

Ostensibly, the battle was between two different ways of protecting the environment. The petitioners argued that the causes of U.S. population growth – more births than deaths and more immigration than emigration – must be tackled directly. The board argued rather that the immigration component is just a symptom of the larger problem of global population growth and that the Club should focus its population efforts globally. Because America's impact on the biosphere is so enormous – we 270 million Americans inflict as much environmental damage as billions of people in the developing world – it is important to choose the better of these two paths.

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There is not space here to do justice to this complex debate, which encompasses fertility, consumption, immigration, politics, racism, and the health of the Sierra Club. The essence of the petitioners' position was that we must make hard choices to break the endless downward spiral of America's assault on the biosphere. Two of these hard choices

[I]t is essential that environmentalists understand clearly the implications of endless U.S. growth for environments here and abroad — because if environmentalists don't, surely no one else will.

are stabilizing U.S. population growth and reducing per capita U.S. consumption. The Club is not helping America to accomplish either.

The board and the executive director countered by arguing that only total global numbers count, not where people live. (But if it doesn't matter where people live, then why bother, for instance, fighting the conversion of undeveloped land and wilderness into shopping malls and housing developments?)

The board also argued against the ballot petition on pragmatic grounds, claiming, for example, that the Club would lose members, environmental allies of color, and funding support should the ballot petition win. Countering such claims is not difficult, but because the board established ground rules that minimized debate within the club, it was not possible for the petitioners to do so.

As just one example, consider the claim by supporters of the board that Hispanics are special friends of the environment. Not only is this claim not verified, but in so far as statistics are available, it is wrong. For example, Hispanic members of Congress scored, on average, only 59 percent on 1997 voting charts of the League of Conservation Voters, well below the average Democratic member's score of 69 percent.

A more fundamental question is: Should an environmental organization base critical policy decisions on what it perceives to be the position of politicians (whose actions, after all, often are driven by short-term considerations)? Or has the Sierra Club become part of the power structure and thus part of the problem?

Club leaders and their allies played the race card and portrayed those who supported the ballot petition as the tools or allies of racists such as David Duke. The typical liberal Club member feels very uncomfortable dealing with immigration for reasons related to race, unfortunately not realizing that studies by the Rand Corporation, the National Academy of Sciences, and the Center for Immigration Studies all arrive at the same conclusion: Mass immigration reduces the wages of the poorest among us, including disproportionate numbers of people of color. Thus, poll after poll shows that most U.S. citizens of color want substantially reduced levels of immigration. The typical Club member won't pay the price of our overly generous immigration laws; that burden will fall on the less fortunate.

The board of directors also structured the ballot in a way that violated club bylaws — but because only minimal debate was allowed in club publications, this could not be made clear to rank-and-file members.

When the ballots were counted, only 14 percent of Club members had voted. Of those, 60 percent voted with the board.

If this vote is representative of the U.S. environmental community, then endless immigration-driven U.S. population growth is virtually assured. Politically, excessive immigration is very difficult to deal with because, in states with large immigrant populations, politicians are afraid to appear anti-immigrant and, in states with few immigrants, the national level of immigration is not yet a political issue. (See "Rotten Boroughs" on page 1.)

Most premiere environmentalists understand this conundrum and many of them openly endorsed the ballot petition. By contrast, inspection of the list of endorsers of the board's position reveals mainly Club bureaucrats (past and present) and minor politicians. How might we interpret the outcome of the vote in this light? Is the average Sierra Club member so little acquainted with the environmental movement that he or she does not recognize or care about the different stature of the two lists of endorsers? Again, note that only 14 percent of Club members voted on what is arguably the single most important environmental issue in the United States — rapid population growth.

More generally, do Club members who voted against the petitioners' ballot understand that they are thus allied with the large corporations who want

lots of cheap labor to make their products and lots of consumers to buy them? These are the very same corporations that Club members love to criticize.

Whereas some might choose to see the three-to-two vote as a repudiation of the idea that the Sierra Club should confront U.S. population growth directly, others interpret it as a respectable initial showing by grassroots members up against virtually the entire club bureaucracy. In addition, leaders of the petition drive, myself included, believe that the 1998 vote was "rigged" by the board and have resolved to keep coming back until they get a fair hearing.

Most leading U.S. environmentalists believe that immigration levels must be reduced, although these opinions are surely not well known in Congress. So, why does the Sierra Club matter? It is large

and well known but, mainly, it is the only environmental organization where rank-and-file opinions have a chance to be heard. A vote in favor of U.S. population stabilization by the club membership would provide an additional voice encouraging Congress to address this critical environmental issue.

The next few years will determine the population future of the United States. If environmentalists fail to argue strongly for population stabilization then, just as U.S. population quadrupled during the 20th century, so we will witness a future doubling and then another doubling to over a billion people. Prof. Garrett Hardin's Law that "It takes five years for a person's mind to change" will sorely test the resolve of those who pray that such an environmental disaster will not come to pass. ❖



BOOK REVIEW



End Multiculturalism First

A Review of John Miller's *The Unmaking of Americans: How Multiculturalism Has Undermined the Assimilation Ethic* (New York: The Free Press, 1998, 293 pp., \$25, ISBN 0-684-83622-x)

By Mark Krikorian
Executive Director
Center for Immigration Studies

Assimilation must accompany immigration. Nothing could be more obvious, but nothing is more in need of repetition than this, the central message of John Miller's *The Unmaking of Americans*. The book comes at a good time, when the concept of assimilation is starting to be rehabilitated – not only have California's voters repudiated bilingual education but, thanks to the efforts of the late Barbara Jordan's Commission on Immigration Reform, even "Americanization" is no longer a four-letter word.

Miller, now a reporter for *National Review*, surveys the theory and practice of Americanization during the last great wave of immigration, then looks at the rejection of Americanization (not to mention America itself) by much of the elite over the past gen-

eration. The history lesson is valuable, especially since Miller makes use of popular literature from decades past which few contemporary readers of public policy books would ever encounter.

He concludes with a list of overdue policy changes that would help re-establish Americanization as a central feature of our immigrant policy. Miller's 10-point Americanization agenda draws together common-sense policy recommendations from a variety of areas, and adds a few new ones, to offer a more-or-less coherent approach to incorporating newcomers into America.

Refreshingly, Miller's book is genuinely pro-immigrant, unlike some other proponents of high immigration whose unspoken motto appears to be "More slaves, please." What's more, Miller has done extensive reporting, especially for the chapters on bilingual education and on Americanization in the workplace. This sets his book apart from a similar effort by Peter Salins, the breezy and superficial *Assimilation, American Style* (reviewed in *Immigration*

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Review No. 28, Spring 1997), and gives Miller's book more in common with a very different work, *The Case Against Immigration*, by Roy Beck (reviewed in *Immigration Review* No. 26, Summer 1996).

Despite its strengths, *The Unmaking of Americans* suffers from a blind spot that renders it incomplete. The core problem lies in the author's insistence on divorcing assimilation from the details of immigration policy (who and how many we let in). Miller's goal in writing the book appears to have been not only to remind us that assimilation must accom-

pany immigration, but also that we must never consider cuts in immigration in response to the assimilation crisis he describes in such lurid detail.

It's irrefutable that "the roughly 25 million immigrants who are already here" (it's grown to 27 million since the book went to press) need to be Americanized, even if we were to stop immigration altogether.

pany immigration, but also that we must never consider cuts in immigration in response to the assimilation crisis he describes in such lurid detail.

Granted, he makes some cogent points about the relationship between immigration and Americanization. It's irrefutable that "the roughly 25 million immigrants who are already here" (it's grown to 27 million since the book went to press) need to be Americanized, even if we were to stop immigration altogether. Furthermore, even an immigration flow of 200,000 or 300,000 per year still requires a vigorous policy of Americanization.

However, in response to the observation that crippled Americanization mechanisms require the admission of fewer people who need Americanizing, he has no good answer. All he can offer is clichés: "And what about the proud American tradition of being a nation of immigrants? Is the United States suddenly to abandon a key part of its Americanizing heritage because some political extremists have decided to make a lot of noise about multicultural education?" You'd think there would be more to the argument than this, but neither Miller nor any other defender of high immigration has been able to offer anything more substantive.

On the other hand, there is a strong case to be made that it's not 1910 anymore – both the immigration flow and American society have changed in ways that make immigration cuts a necessary,

though not sufficient, part of any renewed Americanization program.

First, today's immigration is different from the previous wave from the 1880s to the 1920s, and Miller never examines these differences, even to dismiss them. Although the foreign born represent a somewhat smaller proportion of the population than in 1910 (10 percent vs. 15 percent), the total number is twice as large. While Americans and immigrants were equally unskilled three generations ago, the foreign born are now three times more likely to be high-school dropouts than natives. Immigrants are more clustered geographically than in the past, with the top four immigrant states accounting for a 20 percent larger share of the immigrant population than just 25 years ago. And perhaps most problematic, the majority of post-1970 immigrants are from a single ethno-linguistic group – Spanish-speaking Latin Americans – representing a degree of ethnic concentration unprecedented in our nation's history.

Each of these differences complicates the Americanization of today's newcomers.

Not only is the immigration flow different, but so is America. More has happened in the past century than simply the passage of 100 years; the spread of religious and moral skepticism among the public at large, the weakening of community, and the decline of patriotism are fundamental changes wrought by modernity that make the re-establishment of a muscular Americanization project more difficult.

Of course, Miller devotes much of his book to execrating the manifestation of modernity most important to assimilation – multiculturalism (which, for these purposes, includes bilingualism). He rightly identifies it as a deviant ideology incompatible with Americanization. Ironically, however, he doesn't take multiculturalism seriously enough.

Miller's trivialization of multiculturalism is clear from the false dichotomy he repeatedly posits in order to represent his views as reasonable and moderate. He positions himself between multiculturalists of the Left and nativists of the Right, both of whom reject the Americanization of immigrants – the first because it is undesirable, the second because it is impossible. As tidy as this sounds, these two poles are not comparable. The right-wing proponents of an ethnically defined American identity (cutely labeled "Neo-Nothings"), whom Miller

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holds up as prominent participants in the debate, are marginal and easy to make fun of, but not representative of any major current of American thought. There are indeed people who seriously think the wrong side won the Civil War or that spaghetti is an alien abomination, but they can't even get picked up by the Washington Times, let alone National Review or Commentary. Miller's inordinate reliance on writers for Chronicles for his examples of "Neo-Nothings" puts Rockford, Ill. (where the magazine is published) closer to the center of American intellectual life than a fair reading of the facts would warrant.

At the same time, Miller fails to appreciate how deeply rooted are the assumptions underlying multiculturalism. In rightly emphasizing that immigrants themselves are not responsible for the assimilation crisis, he observes that "The real culprits are American institutions that advanced the interests of Americanization in the past ... but no longer do so today." But rather than a superficial phenomenon, which Miller suggests is confined to "self-appointed political and civil rights leaders" and ridiculous academic conferences, like one he describes in San Diego, multiculturalism is deeply rooted in every American institution — the schools, courts, media, churches, corporations, charitable institutions, chambers of commerce, fraternal organizations, local governments, etc. Despite recent encouraging signs, uprooting anti-assimilationism from American institutions will require a cultural revolution — and in the meantime, what about the un-Americanized immigrants and their children our institutions are producing?

It's not that Miller doesn't appreciate the dangers of high immigration without an active policy of assimilation. He writes, "If the schools miss their chance [to inculcate American language and values], un-Americanized children grow up to become un-Americanized adults — at which point their Americanization becomes much more difficult and unlikely." Since this is the case, and since even the rosiest of scenarios would not predict the immediate nationwide implementation of Miller's recommendations for change, why continue to admit a million immigrants a year?

In the long-ago age of budget deficits, some Republicans in Congress brandished the motto "cut spending first" — in other words, balance the budget by reducing the size of government as much as feasible before raising taxes. A sensible immigration/as-

similation policy would follow this example by having as its motto "end multiculturalism first," i.e., restore the integrity of our civic culture before allowing high immigration.

One needs only to read some of the Americanization material Miller quotes to sense how far we have to go in the long twilight struggle against multiculturalism. After a bitter 1912 strike involving immigrants, the town fathers of Lawrence, Mass., launched a vigorous Americanization program. One local group published a pamphlet, "Lawrence — Here She Stands: For God and Country!" The public schools developed an "American Plan for Education in Citizenship," which included lessons in history to teach "love and loyalty for America" and promoted things "which the American spirit holds dear." How many schools today, public or private, would admit to teaching "love and loyalty for America," or recognize that an "American Spirit" exists, at least in any positive sense?

Elsewhere in the book, Miller describes the North American Civic League for Immigrants, "a group of philanthropists, social workers, writers, and industrialists" who promoted Americanization by, among other means, a series of public lectures and pamphlets on such topics as "The Story of the American People," "Abraham Lincoln," and "George Washington." It should go without saying that few philanthropists, social workers, writers, or industrialists nowadays would think of teaching immigrants any-

"If the schools miss their chance [to inculcate American language and values], un-Americanized children grow up to become un-Americanized adults — at which point their Americanization becomes much more difficult and unlikely."

thing about these subjects, and if they were to do so, the immigrants would be presented with such a sickening tale of racism, sexism, homophobia, imperialism, and genocide that they would be justified in wondering why anyone would want to become an American.

Thus the missing item in Miller's "Americanization agenda" is immigration reform. This omission doesn't invalidate the other policy recommendations, but it does render The Unmaking of America an incomplete roadmap for future policy. ❖

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Immigration Statistics: Guidance on Producing Information on the U.S. Resident Foreign-born (GGD-98-155) and Immigration Statistics: Information Gaps, Quality Issues Limit Utility of Federal Data to Policymakers (GGD-98-164) have been released by the General Accounting Office (GAO). Both can be downloaded from the GAO's Web site at www.gao.gov

The Age of Mass Migration: Causes and Economic Impact, by Timothy J. Hatton and Jeffrey G. Williamson, Oxford University Press. A quantitative reexamination of the causes and consequences of migration in the late 19th and early 20th centuries. (ISBN 0-19-511651-8)

The Organization for Economic Cooperation and Development (OECD) has just published Trends in International Migration. Annual Report 1998 (ISBN 92-64-16116-3). An analysis of the recent trends of migration movements and policies of all OECD countries and certain others. A summary and ordering information are available at www.oecd.org

Huddled Masses, Muddled Laws: Why Contemporary Immigration Policy Fails to Reflect Public Opinion, by Kenneth K. Lee, Praeger Publishers. An explanation of why recent immigration policy has failed to reflect the public opinion. (ISBN 0-275-96272-5)

Paths to Inclusion: The Integration of Migrants in the United States and Germany, edited by Peter H. Schuck and Rainer Munz, Berghahn Books. The fifth and final volume in the "Migration and Refugees: Politics and Policies in the United States and Germany" series. (ISBN 1-57181-091-9)

Many of the papers from the recent American Political Science Association annual meeting are now available on line, including several relating to immigration policy. Go to: www.pro.harvard.edu/index.htm



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