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American Citizenship Is Precious

Birthright Citizenship, Dual Citizenship and the Meaning of Sovereignty were the subjects of a House hearing on September 30 presided over by Rep. John Hostettler (R-IN). It is unfortunate that this important subject received little media coverage.

Birthright citizenship statistics are shocking. At least 383,000 babies are born in the United States every year to illegal aliens; that's 10% of all U.S. births and about 40% of indigent births. The cost to the U.S. taxpayers is tremendous because all those babies, called **anchor babies**, claim birthright citizenship. Their mothers and other relatives then sign up for a vast stream of taxpayer benefits.

At least 12 million persons now live in the United States illegally. In addition, smugglers operate a thriving business of bringing in pregnant women from all over the world just in time to give birth and claim citizenship and citizens' benefits. Why does the United States allow this racket to continue? Congress has failed to do its duty to protect American citizenship, sovereignty, and taxpayers.

The Citizenship Clause of the Fourteenth Amendment states that U.S. citizens are "all persons born or naturalized in the United States and subject to the jurisdiction thereof." Federal law uses almost identical language. "Subject to the jurisdiction thereof" is an essential part of the definition. History emphatically confirms the importance and necessity of those five words.

American Indians with allegiance to their tribes, despite the obvious location of their birth, did not receive U.S. citizenship until it was conferred by congressional acts in 1887, 1901 and 1924. Babies born to diplomats or their wives who happen to be in the United States at the moment of birth are not U.S. citizens.

The purpose of the citizenship clause of the Fourteenth Amendment was to assure that blacks are citizens, thus overturning the U.S. Supreme Court's infamous *Dred Scott* decision that blacks could not be citizens. Congress thus rejected *stare decisis* in overruling that most supremacist decision in history.

The U.S. Constitution, in Article I, Section 8, and in the

Fourteenth Amendment, gives all authority over citizenship and naturalization to Congress, not to the courts. Congress should end its silence and pass a law stating that a child born to an illegal alien is not a U.S. citizen because his parent has not made herself subject to U.S. jurisdiction.

The peculiar notion that foreigners residing illegally in the United States should enjoy the same rights as American citizens is found nowhere in the U.S. Constitution or federal law. This anomaly was created by supremacist judges who encouraged and protected the large-scale entry of illegal aliens into the United States.

One of President Dwight Eisenhower's mistakes, Supreme Court Justice William Brennan, created a brand-new addition to the Fourteenth Amendment. Brennan's 5-4 opinion in the case of *Plyler v. Doe* (1982) struck down a Texas law and created the requirement that the State of Texas must provide free public education to illegal-alien children. The *Plyler* decision gave foreigners a powerful incentive to sneak into our country, enroll their children in our public schools, and start demanding other benefits paid for by U.S. taxpayers. This decision opened our borders to a stampede of illegal aliens, aided and abetted by one bad court decision after another.

Dual citizenship is a problem because some immigrants have falsely been led to believe that they are or can be dual citizens. Mexico has even named a cabinet minister whose mission is to encourage Mexicans (both illegals and naturalized U.S. citizens) to vote in Mexican elections and, as he said, to "think Mexico first."

Congress has never legislated a specific prohibition about dual citizenship and the Supreme Court has never ruled on this precise point. But to become a U.S. citizen, immigrants are required by our law to swear allegiance to the United States and to absolutely renounce any and all allegiance to the nation from which they came.

There is no ambiguity about the solemn oath that all naturalized Americans must take: "I hereby declare, on oath, that I absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty, of whom or which I have heretofore been a subject or

citizen; that I will support and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I will bear arms on behalf of the United States when required by the law; . . . and that I take this obligation freely without any mental reservation or purpose of evasion; so help me God."

Any naturalized U.S. citizen who claims dual citizenship with his native country betrays his solemn oath. We want immigrants to come to America and become Americans; we want patriotic assimilation.

Congress should pass a law stating that if naturalized U.S. citizens vote, hold office, or serve in the armed forces of their native country, they forfeit their American citizenship.

The Policy of Bait-and-Switch

Americans are not naive enough to believe the sensational headline and opening paragraphs of news accounts about Homeland Security Secretary Michael Chertoff's October 18 testimony to the Senate Judiciary Committee. He was reported to have said that Homeland Security will now "Return every single illegal entrant — no exceptions."

That's a correct quote, but Chertoff's prepared text proves that he certainly won't start tomorrow to expel and exclude "every single" illegal alien who crosses our border. His statement refers only to the Other Than Mexicans (OTMs) whom our undermanned Border Patrol agents actually catch. Those are the aliens who are the beneficiaries of a Bush Administration racket called "catch and release." OTMs are caught, charged as immigration law violators, and then immediately released on their own recognizance — which allows them to disappear into the American population.

On October 24, CBS Evening News showed pictures of these OTMs sneaking over the border. The announcer explained that these aliens don't try to evade capture but actually *want* to be caught because they know they will enjoy "catch and release" and then can immediately proceed to their destinations anywhere in the United States and live illegally indefinitely.

Chertoff admitted that 130,000 OTMs received this treatment in 2005 alone. He acts as though he just discovered this travesty when in fact "catch and release" has been government policy for years. Furthermore, Chertoff didn't promise immediate action; he is just "taking steps" to change it, "reengineering" our removal process, and expecting "significant progress in less than a year." Meanwhile, Chertoff admitted that "catch and release" acts as an enticement for additional illegals to enter our country.

Chertoff told the Senate committee that he already has "aggressive efforts underway" to ensure that employers who violate current laws "face appropriate punishment." Really? At least 12 million illegal aliens are now working in the United

States, but only three employers in the entire nation were fined in 2004. In President Bush's Saturday radio address, he bragged that "we've doubled the resources for work site enforcement since 2004." Does that mean we can expect six employers to be fined next year?

Obviously, Chertoff has no plans to do anything about the illegal entrants who already slipped over our border and are now living across the country from Maine to California.

It's hard to take Chertoff's promises seriously when they are prefaced by the false braggadocio that "President Bush has placed the utmost importance on border security." The latest 28-question opinion survey circulated to donors by the Republican Party does not include even one question about illegal aliens or immigration, further manifesting the Bush Administration policy of sweeping this issue under the rug. The latest 15-question survey distributed by the Democratic National Committee likewise has not a single question about illegal aliens or immigration. Both parties are pretending that this issue doesn't exist.

In signing the giant Homeland Security spending bill in October and in his Saturday radio broadcast, President Bush for the first time gave us some tough talk about getting "control of our borders," *but* tucked at the end of his border-security rhetoric was a renewed demand that we offer American jobs to "willing workers from foreign countries." The most accurate way to describe his salestalk is bait-and-switch.

Bush didn't put any numbers limit on the "willing workers" he would like to invite to come and join the U.S. job market. How many "willing workers" around the world would jump at the chance to come to the United States and work for a dollar an hour? Maybe 5,000,000,000?

Conservative Republicans in Congress have wised up to the Administration's bait-and-switch plan. More than 80 House members recently sent a letter to the President stating that "the American people need to see that the current laws against illegal immigration are being enforced before any guest-worker program can be considered."

The letter said we have lost control of our borders and endangered the lives of Americans by not enforcing existing immigration laws. The letter cited the 1996 Illegal Immigration Reform and Immigrant Responsibility Act that mandated a national exit-entry tracking system for all aliens but, nine years later, the system is still not near completion.

Illegal aliens are responsible for a terrible crime wave that includes the spread into our cities and suburbs of criminal gangs from El Salvador, Guatemala and Honduras. The gang called MS-13 (Mara Salvatrucha), with an estimated 10,000 members in 33 states, deals in narcotics, gun trafficking, prostitution, and murder by machete after torture and mutilation.

U.S. taxpayers are paying a heavy burden of costs to provide illegal aliens with health care, public schools, in-state college tuition, housing subsidies, and treatment for Third

World diseases. The failure to enforce our immigration laws results in a general disrespect for all laws, plus the destruction of private property of Americans along our southern border.

The President can no longer get by with saying "trust me." His record of failure to enforce our immigration laws is too scandalous and too costly for us to be satisfied with mere plans to do better sometime in the future.

Congressional candidates preparing for the 2006 elections should beware: amnesty, guest-worker, and willing worker are all red-flag words that voters find offensive.

A Phone Call from Newt Gingrich

I was sitting at my computer when I received a phone call asking me to listen to an important recorded message from our old friend Newt Gingrich. Expecting to get more information about his new alliance with Hillary Clinton to change health care as we know it, I stayed on the line.

But no, Newt was telling me about the danger from illegal aliens coming across our open borders. He talked about the threat this poses to our national security in an era of terrorism, the high costs to U.S. taxpayers, the follies of multiculturalism, and the urgent need for everyone in our country to be able to speak our English language.

The message was skillfully designed to appeal to Americans who are outraged at our government's failure to protect us from the invasion of illegals. But slyly buried in the middle of Newt's message was an endorsement of a "guest-worker" plan to invite even more aliens to take U.S. jobs.

The politicians and business executives, who are determined to continue bringing in foreigners to work for lower wages than Americans expect, have gotten smart. The plan to import "willing workers" from other countries is now being packaged in the language of concern about border security.

This strategy is obvious in the new White House-backed coalition called Americans for Border and Economic Security, organized by Republican lobbyist (and former Republican National Committee Chairman) Ed Gillespie. Admission to this coalition costs \$50,000 to \$250,000, fees that will finance a political-style campaign to sell the American people on a guest-worker program wrapped in a few border-security measures.

This bait-and-switch maneuver is also the approach of the legislation sponsored by Senators John Cornyn (R-TX) and John Kyl (R-AZ). It's called the "Comprehensive Enforcement and Immigration Reform Act," and it is very comprehensive; the advance summary runs a dozen pages of fine print.

The Cornyn-Kyl bill starts off with authorizing 10,000 more Border Patrol Agents. But more agents were congressionally authorized months ago and the Bush Administration refused to add them.

The Cornyn-Kyl bill increases criminal penalties for alien smuggling, document fraud, gang violence, and drug trafficking. But that only applies to criminals who are caught; our Border Patrol is catching less than half of the illegals coming over the border, and we inspect only a tiny percent of the Mexican trucks which NAFTA has forced us to allow on our highways.

What about the incredible costs to U.S. taxpayers of illegal aliens, such as health care at our hospitals, schooling for their children, subsidized housing, Earned Income Tax Credit subsidies, and in-state college tuition rates? The Cornyn-Kyl bill would deny taxpayer benefits only to aliens found to pose a threat to national security (not to those who threaten our pocketbooks).

The comprehensive Cornyn-Kyl bill contains dozens of excellent and necessary proposals that should have been ordered years ago, such as eliminating the Diversity Visa Program.

But buried in the middle of this vast bill is Title V, which creates a "Nonimmigrant Temporary Worker Category." That's the euphemism for giving amnesty to some 12 million illegal aliens already in the United States, plus creating "guest worker" status for them and for millions more aliens who will be invited into our country to take U.S. jobs.

"Amnesty" means a general pardon for offenses against the government. The Cornyn-Kyl bill includes no punishment whatsoever for the crimes committed by illegal aliens, by makers and users of fraudulent documents, or by employers who hire the cheap labor.

The Cornyn-Kyl bill would establish a new visa category called "W" that would allow aliens to enter the United States "when there are no available U.S. workers." The bill would require employers to pay "W" aliens the minimum wage but not require the market wage. In other words, Silicon Valley corporations could advertise in "America's Job Bank" for computer specialists *at the U.S. minimum wage*, no American engineers would apply, and thousands of computer specialists from India and Pakistan would board planes to take the jobs for which, allegedly, "there are no available U.S. workers."

The "W" workers would be allowed to extend their time in the United States up to six years, during which period their family members may come and visit for 30 days at a time. The bill doesn't answer the question of what happens when the "W" worker is visited by his wife and they produce an "anchor baby," *i.e.*, a U.S. citizen, with all the rights and taxpayer benefits for the baby and all his relatives.

Amnesty, even under the phony label "guest worker," is highly offensive to the American people. It cannot be made palatable by hiding it in a bill that pretends to be about "enforcement" or "reform" of border security.

Importing Third World Diseases

Dr. Madeleine Cosman, Esq. is a national authority on the diseases brought into our country by illegal aliens, who of course are not given health examinations required of all legal immigrants. Her message should be heard by all Americans. She says that 84 California hospitals closed between 1994 and 2003 because EMTALA, the Emergency Medical Treatment and Active Labor Act, requires every emergency room to treat every patient coming with an "emergency" (including childbirth) even if unable to pay and even if illegally in the United States. The law is tough; hospitals and doctors are fined up to \$50,000 for refusing to treat. This unfunded federal mandate has caused dozens of hospitals to go bankrupt.

Dr. Cosman, who is both a Ph.D. and a lawyer, describes the infectious diseases now spreading across the United States. The Centers for Disease Control reports that illegal immigrants account for over 65% of communicable diseases.

Contagious diseases that our country wiped out years ago, such as malaria, polio, tuberculosis, and hepatitis, and rare diseases of Third World poverty such as leprosy, Chagas disease, and Dengue Fever, are coming in. Seven thousand cases of leprosy have been reported in the U.S. since 2001, the majority of which came from Mexico, Brazil and India.

The Centers for Disease Control reported 38,291 California cases of tuberculosis that included Multiple Drug Resistant Tuberculosis, which is 60% fatal and for which treatment costs \$200,000 to \$1,200,000 per patient. Illegal aliens are also bringing in syphilis and gonorrhea. Bedbugs have invaded the United States for the first time in 50 years, with 28 states reporting recent infestations. Although bedbugs are common in many counties, they were all but eradicated in our country after World War II.

It is a mystery to those of us in heartland America what President Bush must be thinking of when he continues to push for his unpopular guest-worker/amnesty plan to allow millions of illegal aliens in our country to stay here without punishment, and to invite millions more "willing workers" to come on in. How many "willing workers" do you think there are in the rest of the world?

The Pew Hispanic Center has just provided a clue. A Pew survey in May of migration attitudes in 120 locations in Mexico showed that 46% of Mexicans (that means 49 million people) said they would live in the United States if they had the opportunity, and two out of ten are willing to come here illegally.

Two Democratic Governors, Bill Richardson of New Mexico and Janet Napolitano of Arizona, have declared a state of emergency and asked for federal help to deal with the costs of the violence and property damage caused by illegal aliens coming over their southern borders. If President Bush lets those partisan Democrats get to the right of him on the immigration issue, all Republicans will suffer in the 2006 election.

Words of wisdom from Theodore Roosevelt:

We should insist that if the immigrant who comes here does in good faith become 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 birth-place or origin. But this is predicated upon the man's becoming in very fact an American and nothing but an American. . . . There can be no divided allegiance here. . . . We have room for but one flag, the American flag, and this excludes the red flag, which symbolizes all wars against liberty and civilization, just as much as it excludes any foreign flag of a nation to which we are hostile. . . . 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. (Speech to American Defense Society, 1-3-19)

We should provide for every immigrant, by day-schools for the young and night-schools for the adults, the chance to learn English; and if after, say, five years he has not learned English, he should be sent back to the land from whence he came. . . . (New York Times, 9-10-17)

Never under any condition should this Nation look at an immigrant as primarily a labor unit. He should always be looked at primarily as a future citizen . . . (Kansas City Star, 12-1-17)

We cannot afford to continue to use hundreds of thousands of immigrants merely as industrial assets while they remain social outcasts and menaces any more than 50 years ago we could afford to keep the black man merely as an industrial asset and not as a human being. . . . We cannot afford the low wage rates and the merely seasonal industries which mean the sacrifice of both individual and family life and morals to the industrial machinery. (Speech to Knights of Columbus, 10-12-15)

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