

Common Sense Immigration Reform

Over Thanksgiving, I was talking to my brother about some of our favorite subjects, namely politics and the upcoming election.

During the course of this discussion we happened to start up on the immigration problem. Breaking down the various candidates plans we came to the conclusion that none of them were the complete answer, and most were not realistic.

Then my brother had a genius stroke, “Why not deal with the problem in a logical and direct manner?” Cool, let’s define the problem.

1. The border is Swiss Cheese

2. Criminals are creating most of the problems

2a. Sanctuary Cities, what to do?

3. Illegals drive down the cost of labor, thus creating an inequity of pay that the market takes advantage of.

4. The idea of “anchor babies” creates a magnet that encourages more illegal immigration.

5. Illegals consume public resources.

6. What about the existing illegal population?

OK, now let’s start fixing them.

Now, what follows here is just my idea of how to take care of things. If I was in charge, had both Houses of Congress, and was unencumbered by a bunch of WLBs. (Whiny Little Bitches)

1. The border is Swiss cheese

The Fence, or as I like to call it, The Great Wall of the Southwest.

Currently the rhetoric moves towards this: If you build a 30 foot fence someone will build a 31 foot ladder.

Here's what I say: Build the Great Wall of the Southwest. Start at the Pacific, and go to the Gulf. High, wide and long. Make it so we can station our Border Patrol ON it, not behind it. We have the tech to do it, and the manpower to build it.

But, those inclined to whine will whine, "Who will pay for it?"

The Constitution defines one of the roles of the Government is to provide for the Common Defense, and to create infrastructure. The Great Wall of the Southwest is both.

It creates jobs in every State that has a portion of the construction. Companies to do the construction. Materials companies will be needed to supply the construction workers. Workers will need housing, food, roads, entertainment, banks and fuel to power it all. Equipment companies will flourish, as will companies to maintain that equipment. And trucks, lots of trucks.

But, those inclined to whine will whine, "Who will pay for it?"

That is the Trillion Dollar question, isn't it?

I say we de-fund the EPA, Department of Energy, Department of Education, FCC, and the Department of Agriculture, leaving just critical personnel in place until the completion of the project. Given that the Government believes that in the event of a National Emergency, they could run on 20% of existing personnel, I say give them the chance to prove it. And if it turns out to be true, we know where we can find massive spending cuts at the completion of the

project. A Government worker who actually has to work, has less time to create mischief.

We can then divert these funds to this massive project, constitutionally sound, and a part of the National Defense.

I would attach some caveats to this process.

There would be a moratorium on EPA regulations during the execution of this project. The benefits of this would be two-fold, you would have a grace period to do some long overdue upgrades to existing oil refineries, and start to build some new ones to handle the needs of an energy rich Nation that needs and wants to become energy independent. At the same time, you would have an opportunity to expand exploration and start processing natural gas, and shale oil. The Keystone Pipeline could well be executed during this time as well.

The project would be planned and executed by the Army Corps of Engineers, and an independent non-governmental entity would be in charge of the bidding process. This entity would be audited by an independent firm on a quarterly basis, with the audits available to the public at any time. Audits would be simple P+L statements, showing what has gone out, and who it went to. In addition, the Army Corps of Engineers would also supervise infrastructure development in the immediate areas surrounding the GWS.

All companies working in the physical portions of the GWS project must be American owned, and will have to employ American Citizens exclusively. If an unscheduled audit turns up any undocumented workers, that Company's contract will be terminated on the spot, and all employees of that Company will be removed from the site immediately. Legal employees of the existing company would be allowed back as employees of the Company that takes over the vacated contract.

This is a open invitation to innovation, with the EPA out of the equation, we would be free to update and add refineries to fuel the project, and have a chance to bring more nuclear power plants online.

Imagine a project to capture the imagination of engineers, logistic planners, and all the support workers as well. Win-Win in my mind.

True, it will not last forever. The short term benefits will far outweigh the negatives. By the time the project is completed, there will be hundreds of thousands of jobs created, and large boost to our energy independence. Thousands of people will be given a shot at their American Dream. And tax revenues will increase from that employment, providing enough income to ultimately pay for the project itself.

2. Illegal criminals are creating most of the problems.

Let's get one thing straight right from the start, when you come into this Country without observing the established protocols of this Country for immigration you are an illegal alien. You have no rights under our Constitution, and as far as I am concerned you should be dealt with in a way that any other person that jeopardizes the security of our Nation. And if you kill a US Citizen, and are convicted with eyewitness' testimony. You die, no exception, no appeal. 30 days from your conviction. We don't care where you are from.

We now have a huge problem with illegals involved with crime. Drug Cartels, and their associated gangs are creating havoc on the border, and have infiltrated cities throughout the country. The reflexive action would be to deport them as they are found, per existing laws. I think a more prudent action would to take some of the large tracts of land that the Government has been accumulating since the Clinton administration, and build a large, really large Sheriff Joe style camp. When completed, start moving the illegal criminals to the camp for

holding until the completion of the GWS project. Once the GWS is complete, load 'em up and send 'em back.

This will create a bunch of jobs during construction, and seeing how we have a bunch of returning veterans who once out of the service, may be looking for something to do. Once again, these projects will be under the supervision of the Army Corps of Engineers, with an independent non-governmental entity handling the details of construction. Audits would again be done on a quarterly basis by an independent firm with results available on demand by anyone. Once again, as this project goes on many jobs would be created to support the project, both during and after its completion.

2a. Sanctuary Cities, what to do?

In this Country there are currently 24 States that contain Sanctuary Cities, There are 3 States that offer sanctuary to illegals outright. They are Alaska, Oregon, and Maine. Here's a link to a website that documents these States and Cities.

<http://www.sanctuarycities.info/>

Seeing how this is my plan, and I can do whatever the hell I want without getting bogged down in technicalities, here is my solution.

Until a State comes into compliance with the existing Federal Law in regards to illegal immigration, no Federal Money will be dispensed directly to the Cities that have declared themselves to be Sanctuary Cities. By no money, I mean NO money, for anything. In addition, each State that allows Sanctuary Cities will have an immediate 10% reduction in funds from the Federal Government. That reduction will double every year that the State is not in compliance with Federal Law. That means 10% the first year, 20% the second year, 40% the third year. And so on.

Face it, there is nothing like the prospect of losing your funding to bring things into prospective.

3. Illegals drive down the cost of labor, thus creating a inequity of pay that the market takes advantage of.

Here's a link to a great article by Victor Davis Hanson in the National Review Online, I encourage you to check it out, and I will be lifting some quotes from it throughout.

<http://www.nationalreview.com/articles/285087/illegal-immigration-immoral-victor-davis-hanson?pg=1>

“Entry-level labor.

Real wages for the working poor in the United States have been stagnant for decades, especially in the Southwest — largely because of the influx of millions of illegal aliens, who, at least for a time, will work for considerably lower wages than Americans. In the last three decades, we have written off an entire class of Americans on the premise that “They won’t do the work.” Here in a California of 10 percent-plus unemployment, everyone from farmers to landscapers complains from experience that the citizen poor cannot or will not work manually. But in theory, why should they, when employers have a constant option of undercutting their wages, and when expanding entitlements make entry-level work an unattractive alternative, both financially and socially? We have expanded social services and decreased workers’ incentives, and then we wonder that a subsidized welfare class lacks the spunk of people crossing the border illegally from an impoverished Mexico. Yet there is something abhorrent about the present American notion of giving up on incentives to promote American labor — among which would be the prevention of cheaper foreign workers entering the country illegally and undercutting wages. Advocacy for illegal immigration is now a de facto lack of concern for the American underclass.”

What to do? Damned if I know. The start should be enforcement of the current laws on the books. Sweep the companies that are known to employ illegals, and offer them a deal. Get rid of the illegal work force, and you will not face charges. In return for not going to jail and being forced to close your business, we will provide you with workers off of the welfare rolls, and subsidize the difference between what you are paying the illegals and the prevailing minimum wage. Good things come from this.

One, you get welfare people off the couch and on the way to becoming productive members of society.

Two, if they decide they don't want to work, too bad. Time to cut them loose, and relieve the productive people of the society of the burden of paying for slackers who do nothing but take the fruits of our labor.

4. The idea of “anchor babies” creates a magnet that encourages more illegal immigration.

Fourteenth Amendment to the US Constitution - Rights Guaranteed Privileges and Immunities of Citizenship, Due Process and Equal Protection

AMENDMENT XIV of the UNITED STATES CONSTITUTION

Passed by Congress June 13, 1866. Ratified July 9, 1868.

Section 1. All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Section 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But

when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Section 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

Section 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

Section 5. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

Section 1 is the part of the 14th Amendment that seems to propagate the idea of anchor babies, so let's look at it further. The original text will be in black, and **my response will be in red.**

Section 1. All persons born or naturalized in the United States and subject to the jurisdiction thereof,

and here lies the rub, to my way of thinking a child of illegal aliens is NOT under the jurisdiction of the United States because it's parents are not under the jurisdiction of the United States up until the point they are KNOWN to be illegal aliens by the legal authorities. Referring to my 2nd point made above ANYONE who enters this Country without observing the established protocols of this Country for immigration is an illegal alien. They have no rights under our Constitution, and as far as I am concerned you should be dealt with in a way that any other person that jeopardizes the security of our Nation.

are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Here is a link to some interesting reading on the 14th Amendment.

<http://www.14thamendment.us/index.html>

What follows is the text about the Original Intent of the 14th Amendment from the above site.

The 14th Amendment to the U.S. Constitution reads in part:

"All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and the State wherein they reside."

Babies born to [illegal alien](#) mothers within U.S. borders are called *anchor babies* because under the 1965 immigration Act, they act as an anchor that pulls the illegal alien mother and eventually a host of other relatives into permanent U.S. residency. (*Jackpot babies* is another term).

The United States did not limit immigration in 1868 when the Fourteenth Amendment was ratified. Thus there were, by definition,

no illegal immigrants and the issue of citizenship for children of those here in violation of the law was nonexistent. Granting of automatic citizenship to children of illegal alien mothers is a recent and totally inadvertent and unforeseen result of the amendment and the Reconstructionist period in which it was ratified.

Post-Civil War reforms focused on injustices to African Americans. The 14th Amendment was ratified in 1868 to protect the rights of native-born Black Americans, whose rights were being denied as recently-freed slaves. It was written in a manner so as to prevent state governments from ever denying citizenship to blacks born in the United States. But in 1868, the United States had no formal immigration policy, and the authors therefore saw no need to address immigration explicitly in the amendment.



In 1866, Senator Jacob Howard clearly spelled out the intent of the 14th Amendment by stating:

"Every person born within the limits of the United States, and subject to their jurisdiction, is by virtue of natural law and national law a citizen of the United States. This will not, of course, include persons born in the United States who are foreigners, aliens, who belong to the families of ambassadors or foreign ministers accredited to the Government of the United States, but will include every other class of persons. It settles the great question of citizenship and removes all doubt as to what persons are or are not citizens of the United States. This has long been a great desideratum in the jurisprudence and legislation of this country."

This understanding was reaffirmed by Senator Edward Cowan, who stated:

"[A foreigner in the United States] has a right to the protection of the laws; but he is not a citizen in the ordinary acceptance of the word..."

The phrase "*subject to the jurisdiction thereof*" was intended to exclude American-born persons from automatic citizenship whose allegiance to the United States was not complete. With illegal aliens who are unlawfully in the United States, their native country has a claim of allegiance on the child. Thus, the completeness of their allegiance to the United States is impaired, which therefore precludes automatic citizenship.

Supreme Court decisions

The correct interpretation of the 14th Amendment is that an illegal alien mother is subject to the jurisdiction of her *native* country, as is her baby.

Over a century ago, the Supreme Court appropriately confirmed this restricted interpretation of citizenship in the so-called "Slaughter-House cases" [83 US 36 (1873) and 112 US 94 (1884)]¹³. In the 1884 *Elk v. Wilkins* case¹², the phrase "subject to its jurisdiction" was interpreted to exclude "children of ministers, consuls, and citizens of foreign states born within the United States." In *Elk*, the American Indian claimant was considered not an American citizen because the law required him to be "not merely subject in some respect or degree to the jurisdiction of the United States, but completely subject to their political jurisdiction and owing them direct and immediate allegiance."

The Court essentially stated that the status of the parents determines the citizenship of the child. To qualify children for birthright citizenship, based on the 14th Amendment, parents must owe "direct and immediate allegiance" to the U.S. and be "completely subject" to its jurisdiction. In other words, they must be United States citizens.

Congress subsequently passed a special act to grant full citizenship to American Indians, who were not citizens even though they were born within the borders of the United States. The Citizens Act of 1924, codified in 8USCS§1401, provides that:

The following shall be nationals and citizens of the United States at birth:

(a) a person born in the United States and subject to the jurisdiction thereof;

(b) a person born in the United States to a member of an Indian, Eskimo, Aleutian, or other aboriginal tribe.

In 1889, the *Wong Kim Ark* Supreme Court case^{10,11} once again, in a ruling based strictly on the 14th Amendment, concluded that the status of the parents was crucial in determining the citizenship of the child. The current misinterpretation of the 14th Amendment is based in part upon the presumption that the *Wong Kim Ark* ruling encompassed illegal aliens. In fact, it did *not* address the children of illegal aliens and non-immigrant aliens, but rather determined an allegiance for *legal immigrant* parents based on the meaning of the word *domicil(e)*. Since it is inconceivable that illegal alien parents could have a *legal* domicile in the United States, the ruling clearly did not extend birthright citizenship to children of illegal alien parents. Indeed, the ruling strengthened the original intent of the 14th Amendment.

The original intent of the 14th Amendment was clearly not to facilitate illegal aliens defying U.S. law and obtaining citizenship for their offspring, nor obtaining benefits at taxpayer expense. Current estimates indicate there may be between 300,000 and 700,000 anchor babies born each year in the U.S., thus causing illegal alien mothers to add more to the U.S. population each year than immigration from all sources in an average year before 1965. (See [consequences](#).)

American citizens must be wary of elected politicians voting to illegally extend our generous social benefits to illegal aliens and other criminals.

The above makes the case much more eloquently than I ever could.

5. Illegals consume public resources.

This isn't really debatable. It's a fact. Therefore, the fix is simple. If you can't prove you are a legal citizen, you get nothing. And you and your family will be deported to your Country of Origin. That day.

Every person who gets public aid will have to come in and be vetted by an independent, non-governmental agency.

And if you are a public servant that knowingly aids and abets an illegal getting public monies, you get fired. Simple as that.

6. What about the existing illegal population?

This really is the biggest question of all, isn't it?

Here is a link to a report aggregator web site concerning Illegal Immigration. It is disturbing at best, blood pressure raising generally, and if you don't have blood spurting out of your eye sockets by the time you are done with looking it over, maybe you shouldn't be reading this blog.

<http://immigrationcounters.com/>

And if you want to know how they are arriving at those numbers, go here:

<http://immigrationcounters.com/datasource.html>

I will be using their numbers in this discussion, and if you disagree with them send me a note telling me why, and show me figures that prove your point.

From the numbers there are 23,790,493 illegals in this country currently. Of those, 23,175,242 are from Mexico. If we emptied all the prisoners in our custody to our fancy new Sheriff Joe camp we would have 466, 822 inmates in it now. That leaves us with 22,708,420 illegals on the street. If we captured the fugitive illegals (791,941) we would still have a net population of illegals counted at 21,916,479. And by the way, that makes our Sheriff Joe camp population 1,258,763, which is just a bit less than the current population of Hennepin County, Minnesota which covers about 600 square miles.

That is Twenty One Million, Nine Hundred Sixteen Thousand, Four Hundred and Seventy Nine. For those of you in Rio Linda, that's a freakin' bunch.

So let's try to whittle this down a bit more.

So we are starting from 21,916,479. Out of this number, there are currently 5,175,127 anchor babies currently. For our purpose here, let's assume a 3 person family. That equals 15,525,381, which leaves 6,391,098 unaccounted for.

Or, we could assume a 4 person family, which at 20,700,508 would leave us with 1,215,971 unaccounted for.

So what do we do now?

You may say, well they are paying taxes and contributing to local economies, so let's leave them alone, eh?

Here's what it has cost us so far.

Social services since 1996,	\$397,484,425,550
Cost of illegals in k-12 education since 1996	\$186,624,554,741
Cost of incarceration since 2008	\$ 30,938,594,582
Total as of this minute?	\$615,047,574,873

But that's not all we have lost, money has been leaving this country for Latin America and Mexico by the ton.

Money wired to Latin America since 2001	\$347,330,853,911
Money wired to Mexico since 2006	\$ 44,143,591,886
Total as of this minute?	\$391,474,445,797

So what has it really cost us? \$1,006,522,020,607

That's right, over 1 Trillion dollars.

So how far are you willing to go now to solve this problem?

Need a little more motivation?

Currently there are 12,482,911 skilled jobs, being taken from American Citizens by illegal aliens.

How does that stack up against the current unemployment situation?

My conclusions.

Seems to me, that if we start chipping away at the points I have made so far, we can easily cut these numbers down by half within 5 years. Will it be easy? No, it will not be easy, it will require a sense of determination and will that hasn't been shown since the Greatest Generation quite literally saved the world.

I'm afraid that as high as the stakes were the last time, they are just as high this time, if not greater. Our culture is at stake as well as our energy independence.

We can no longer afford either financially or culturally to ignore this problem. In the early 1900's when there were great waves of immigrants coming to America, they came to America to fit in to the new land. They assimilated into society, and most of all they had a desire to find their own way in their new home. English was the language they learned, and there was pride in learning to speak it, for it meant they were becoming part of, rather than standing apart from.

None of these things are going to be easy. As I read through the proposals I have made, I am struck by how much it reminds me of our response when entering WW2. Harsh, even.

Remember that when you think about this situation, that these people are criminals stealing from you and your fellow citizens. Would you voluntarily let a thief into your house and take your stuff? Of course not. And yet some will turn their heads and let the thievery go on and on. I say it's time to not turn our heads the other way. I tire of subsidizing criminals, both overt and covert. Time to set it straight, and get back to We, the People being in charge.