



# THE AMERICAN LEGION **POLICY ON ILLEGAL IMMIGRATION**



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

*The American Legion is opposed to any person or persons being in this country illegally, regardless of race, sex, creed, color or national origin. We believe the current laws governing immigration should be enforced impartially and equally.*

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**This booklet is not intended to be a technical manual or an extensive compendium on the many aspects of illegal immigration. The items brought out in this brief review reflect, in the opinion of The American Legion, the more recurring concerns raised in debate on the issues of illegal immigration, whether the debate be within the halls of Congress or among the American people.**



# INTRODUCTION

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

Legionnaires subscribe to a creed, “To uphold and defend the Constitution of the United States of America; to maintain law and order, and to foster and perpetuate 100 percent Americanism.” These words represent a continuing contract of service to America and this commitment by Legionnaires drives the call for action on illegal immigration and other national security concerns facing this country.

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

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

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

# SITUATION ANALYSIS

The security, economy, and social fabric of the United States of America is seriously threatened by individuals who are illegally in this country. They are undocumented, live in the shadows of society and by failing to assimilate into our culture divide America into ethnic enclaves. The words “undocumented” and “illegal” are synonymous and describe those immigrants who: 1) enter illegally across our nation’s borders; and 2) those who enter legally and illegally overstay their visas.

The number of illegal immigrants currently in the United States is uncertain. Estimates range from nearly 12 million (Pew Hispanic Research Center, 2008), to 13 million (Federation for American Immigration Reform, 2007), up to 20 million (Bear Stearns Report, January 2005). It is also not known just who these people are, exactly where they came from or what their intentions might be.

There are many proposals to reform the nation’s immigration laws, ranging from strict enforcement provisions to an across-the-board amnesty. The two sides, however, are miles apart and it is unlikely that any solution will be fully acceptable to all concerned.

The American Legion, a war-time veterans organization of 2.4 million members, supports an immigration policy that eliminates social, economic and population problems resulting from illegal immigration. But above all, the Legion views illegal immigration as a national security issue in its truest sense. It urges Congress to act responsibly in addressing the issue by accepting its responsibility as outlined in the U.S. Constitution. “To provide for the common defense.” More importantly, to provide for the safety of the citizens of this country.

Illegal immigration is a violation of the law. Title 8, Section 1325 of the U.S. Code – Improper Entry by Alien, states:

*Any alien who:*

- 1) *enters or attempts to enter the United States at any time or place other than as designated by immigration officers; or*
- 2) *eludes examination or inspection by immigration officers; or*
- 3) *attempts to enter or obtains entry to the United States by a willfully false or misleading representation or the willful concealment of a ma-*

*terial fact shall be fined or imprisoned for up to six months. Repeat offenders may be fined or imprisoned for up to two years, or both.*

The U.S. Code also addresses those groups and individuals who assist aliens in illegally entering or residing in the United States. Summarizing the law against hiring or harboring illegal aliens, the Federation for American Immigration Reform [FAIR]<sup>1</sup>, notes:

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

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

*Penalties upon conviction include criminal fines, imprisonment, and forfeiture of vehicles and real property used to commit the crime.*

*Anyone employing or contracting with an illegal alien without verifying his work authorization status is guilty of a misdemeanor.*

The code is clear and to the point. So, what's the problem? In a word: **ENFORCEMENT**. It is a law that is on the books, but is not widely imposed.

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

The costs of illegal immigration in terms of government expenditures for education, criminal justice, and medical care are staggering. In California alone illegal immigration is "costing the state's taxpayers more than \$10.5 billion per year," according to the Federation for American Immigration Reform.<sup>2</sup> Since states must pay the high cost of providing such services, illegal immigration has become one of the largest "unfunded" federal mandates.

Although many of the largest costs are at the state and local level, there are also significant costs at the federal level. According to a 2010 report by the Federation for Immigration Reform, the combined federal/state outlay for services and benefits provided to illegal aliens totals more than \$108 billion annually.<sup>3</sup> Even though federal laws require public assistance agencies to verify that a recipient of services is in this country legally, some agencies fail to verify that eligibility.

## Overstays

There is within the illegal alien population, a large segment that is often overlooked and under reported. With government attention and the media spotlight on our southern border, it would seem that the illegal alien problem is centered there. It isn't. The illegal population now in the United States is near equally split between those who evaded detection on entry and those who entered legally, but remained long after their legal status expired. They are referred to as "overstays," and they are then residing in the U.S. illegally.

Legal entry by various modes of travel allows access through seaports, airports and border crossings north and south. In effect, our front door is wide open to the world with entry monitored by government. But the inability of government to oversee the outflow and account for those who remain beyond their allotted time, feeds the growth of the illegal population.

According to a May 2006 Congressional Research Report [CRS] to Congress<sup>4</sup>, "It is estimated that each year hundreds of thousands of foreign nationals overstay their non-immigrant visas or enter the country illegally (with fraudulent documents or bypassing immigration inspections). The most recent published estimate based upon the March 2005 Supplement of the Current Population Survey (CPS) is that 11.1 million unauthorized aliens were residing in the United States in 2005. Reliable estimates of the number of non-immigrant overstays are not available, and sample estimates range from 31 percent to 57 percent of the unauthorized population (depending on methodology)."

In their May 2006 study "Modes of Entry for the Unauthorized Migrant Population," the Pew Hispanic Center<sup>5</sup> reported that as much as 45 percent of the 11.5 million to 12 million illegal aliens they estimate to be in the United States came legally. The rest, "somewhat more than half," entered illegally.



## Crime and Terrorism

Lax enforcement of immigration laws has invited the criminal element to our society. Alien gangs operate in most, if not all, major U.S. cities. Human and drug smuggling operations are numerous along our southern border.

In a 2008 news release<sup>6</sup> the Department of Homeland Security states: “ICE (Immigration and Customs Enforcement) estimates that about 300,000 to 450,000 criminal aliens who are removable are detained each year at federal, state and local prisons and jails.”

The vulnerability of this country to acts of terrorism because of our porous borders and lack of enforcement of immigration laws has most Americans concerned, and rightfully so. Last year, thousands of illegal immigrants were apprehended entering the United States from countries with known terrorist connections. These countries included Afghanistan, Angola, Jordan, Pakistan and Yemen. It was reported by *The Christian Science Monitor* that 44,000 OTMs (Other Than Mexicans), most of which are from Central America, entered the United States illegally in 2004 alone.

The chaotic situation in Mexico makes lax border enforcement a national security threat. At least two major rings have been uncovered, which smuggled Middle Easterners into the United States via Mexico. In 2001, Iraqi-born smuggler George Tajirian pled guilty to forging an alliance with a Mexican immigration officer, Angel Molina Paramo, to smuggling 1,000 Palestinian, Jordanian, Syrian, Iraqi, Yemeni, and other illegals into the country from Mexico.<sup>7</sup> Until his arrest in 2002, Salim Boughader Mucharrafille, who ran a café in Tijuana, Mexico, also smuggled Lebanese illegal immigrants into the United States.<sup>8</sup>

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

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

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

The American Legion strongly supports the enforcement of immigration laws by law enforcement agencies at all levels (Res 23, National Executive Committee Oct 2010, “Immigration Reform to Enhance National Security”). Section 287(g) of the Immigration and Nationality Act (INA) was made law in 1996 as a result of the Illegal Immigrant Reform and Immigrant Responsibility Act. Section 287(g) authorizes the Secretary of the Department of Homeland Security to enter into agreements with state and local law enforcement agencies, permitting designated officers to perform immigration law enforcement functions. Under 287(g), ICE provides state and local law enforcement with the training and subsequent authorization to identify, process, and, when appropriate, detain immigration offenders they encounter during their regular, daily law-enforcement activity.

## **Education**

The Center for Immigration Studies [CIS] estimated that in 2007 there were 1.5 million school-age [5 to 17] illegal aliens in the country. There were also 1.8 million U.S.-born school-age children of illegal aliens in the country. The CIS report points out that because per-student expenditures in the United States are about \$10,000 a year, the costs of educating illegal alien children is roughly \$15 billion annually. If the U.S.-born children are also counted, the costs likely exceed \$30 billion each year.<sup>9</sup>

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

The Court noted in the decision that the “Congress could reverse the decision if the illegal alien students prove to be a financial hardship to the taxpayers and if the students who are legally residing in the United States begin to have their own education negatively impacted by the presence of the illegal alien students. Both of these conditions apply today...”<sup>10</sup>

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

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

## **Employment and Wages**

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

The numbers tell the story. As employers exploit cheap labor to increase profits, illegals cost Americans jobs. That, combined with the increase of illegal immigrants living below the poverty line, shrinks the U.S. middle class and weakens our economic security.

American Legion Resolution 302, 92<sup>nd</sup> National Convention, Milwaukee, Wisconsin, “Strategy to Address Social, Economic and Population Problems Related to Illegal Immigration” urged the federal government to hold accountable employers who knowingly hire illegal workers, especially those aliens showing suspected fraudulent documents, thus suggesting the possibility that identity theft may have occurred. It also put The American Legion on record as adamantly opposed to any legislative bill that grants amnesty or forgiveness to the employers of illegal aliens.

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

## STEP ONE: SECURE THE BORDER POINTS OF ENTRY

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

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

U.S. Border Patrol agents during a five-month period in 2005 and 2006 detained 46,058 non-Mexican migrants along the U.S.-Mexico border, up 12 percent from the 40,953 caught during the same period the previous year.

According to a Department of Homeland Security Report published in 2010<sup>11</sup>, after Mexico the next leading source countries for unauthorized immigrants in the United States in 2009 included El Salvador, Guatemala, Honduras, and the Philippines. Between 2000 and 2009, the unauthorized immigrant population from El Salvador increased 25%; Guatemala 65%; Honduras 95%; and Philippines 33%.

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

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

train in a real world scenario, in support of the U.S. Border Patrol and local law enforcement agencies. Department of Defense surveillance equipment should be authorized for use in border security operations.

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

Step No. 1 is to secure border points of entry into the United States.

Source: American Legion Res. 23, "Immigration Reform to Enhance National Security," National Executive Committee Oct 2010.

## **STEP TWO: ELIMINATE THE JOBS MAGNET AND SOCIAL SERVICES BENEFITS FOR ILLEGALS**

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

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

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

In simple language, it is unlawful to hire, recruit or refer an alien knowing the alien is not authorized to work in the United States. It is also unlawful

to continue to employ an alien if it is known by the employer that the alien is not authorized to work.

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

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

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

Source: American Legion Res. 302, “Strategy to Address Social, Economic and Population Problems Related to Illegal Immigration,” 2010 National Convention.

### **STEP THREE: NO AMNESTY**

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

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

1. Section 245(i) The Amnesty of 1994 – A temporary rolling amnesty for 578,000 illegal aliens.
2. Section 245(i) The Extension Amnesty of 1997 – An extension of the rolling amnesty created in 1994.
3. Nicaraguan Adjustment and Central American Relief Act (NACARA) Amnesty of 1997 – An amnesty for close to one million

illegal aliens from Central America.

4. Haitian Refugee Immigration Fairness Act Amnesty (HRIFA) of 1998 -- An amnesty for 125,000 illegal aliens from Haiti.
5. Late Amnesty of 2000 – An amnesty for illegal aliens who claim they should have been amnestied under the 1986 IRCA amnesty, an estimated 400,000 illegal aliens.
6. Life Amnesty of 2000 – A reinstatement of the rolling Section 245(i) amnesty that legalized an estimated 900,000 illegal aliens.

The total net cost of the 1986 IRCA amnesty was more than \$78 billion in the 10 years following the amnesty, according to a study released by the Center for Immigration Studies. Today, more amnesty programs are being considered, even though it has been proved that they do not work.

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

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

#### Step No. 3 is no amnesty for illegal aliens.

Sources: American Legion Res. 302, “Strategy to Address Social, Economic and Population Problems Related to Illegal Immigration,” 2010 National Convention; American Legion Res. 23, “Immigration Reform to Enhance National Security,” National Executive Committee Oct 2010.

### **STEP FOUR: REDUCE THE NUMBER OF ILLEGALS IN THE UNITED STATES**

Ten million to 20 million individuals are currently in this country illegally. No one knows for sure the exact number, but it is safe to say that the majority of these individuals are both welcomed and scorned by the country’s legal population. These illegals live on the fringe of our society on one hand adding strength to some segments of our economy, while on the other hand drawing from our public assistance pool at the expense of American workers.

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

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

The American Legion endorses the plan to reduce the illegal population as outlined in a paper titled “Attrition Through Enforcement – A Cost-Effective Strategy to Shrink the Illegal Population” that was written by Jessica M. Vaughan, a Senior Policy Analyst at the Center for Immigration Studies (CIS). The plan calls for a strategy of attrition through enforcement of new and existing laws in combination with increased border security efforts. The American Legion reiterated its support for Vaughan’s plan as part of its strategy for reform of U.S. immigration policy when delegates to the Legion’s 2010 National Convention assembled in Milwaukee, passed Resolution 302, “Strategy to Address Social, Economic and Population Problems Related to Illegal Immigration.”

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

- Mandatory workplace verification of immigration status
- Measures to curb misuse of Social Security numbers and IRS identification numbers
- Cooperation between federal, state and local law enforcement officials
- Increased screening of foreign visitors
- Increased noncriminal removals through increased interior enforcement
- Discourage illegal settlement by adopting additional state and local legislation



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

- A strategy of attrition through enforcement could reduce the illegal population by as many as 1.5 million illegal aliens each year. Currently, only about 183,000 illegal aliens per year depart without the intervention of immigration officials, according to Department of Homeland Security statistics.
- Voluntary compliance works faster and is cheaper than a borders-only approach to immigration law enforcement. For example, under the controversial National Security Entry Exit Registration System (NSEERS) program launched after September 11, 2001, the Department of Homeland Security removed roughly 1,500 illegally resident Pakistanis; over the same time period, in response to the registration requirements, about 15,000 illegal Pakistani immigrants left the country on their own.
- Requiring employers to verify the status of workers could deny jobs to about three million illegal workers in three years, affecting at least one-third of the illegal population. (American Legion Res. 302, “Strategy to Address Social, Economic and Population Problems Related to Illegal Immigration,” 2010 National Convention)
- The Internal Revenue Service knows the name, address, and place of employment of millions of illegal aliens, and issues hundreds of millions of dollars in tax refunds and tax credits to illegal aliens. Changing the laws to provide for information-sharing would help boost immigration law enforcement at minimal cost.
- United States Visitor and Immigrant Status Indicator Technology (US-VISIT) is a critical tool in curbing illegal immigration. Screening must be expanded to include Mexicans and Canadians, and DHS must move forward to deploy an exit-recording system. These steps should be a prerequisite to adding or expanding any visa program. (American Legion Res. 23, “Immigration Reform to Enhance National Security,” National Executive Committee Oct 2010.)
- Less than 10 percent of Immigration and Customs Enforcement (ICE) investigative resources are devoted to fraud, workplace violations, and overstayers.<sup>12</sup>
- Laws enacted by the state governments of Florida and New York to prevent illegal immigrants from obtaining driver’s licenses have induced more illegal aliens to leave than have federal enforcement

efforts against certain illegal populations in those states, and have come at virtually no cost to the federal government.

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

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

Source: American Legion Res. 302, "Strategy to Address Social, Economic and Population Problems Related to Illegal Immigration," 2010 National Convention.

## **STEP FIVE: EFFECTIVELY SCREEN AND TRACK ALL FOREIGN VISITORS**

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

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

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

interest of our national security.

In 2010, delegates to The American Legion's National Convention in Milwaukee, approved Resolution 302 to urge the Congress of the United States to reform the non-immigrant visa program to establish numerical limits in all categories, especially for temporary workers. Non-immigrant visas (NIV) are issued to foreign nationals who come to the United States for a specific period of time for reasons that include study, employment and tourism.

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

The Diversity Visa Lottery is a program that should be eliminated, especially at this time when the country is challenged with increasing illegal population and with the threat of terrorism. The program issues 55,000 immigrant visas each year to people who supposedly come from countries with low rates of immigration to the United States. A computer randomly selects winners from the list of applicants. Winners are able to file for permanent residency and can bring a spouse and unmarried children under the age of 21.

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

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

# CONCLUSION

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

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

Candidates for citizenship express that allegiance in a naturalization ceremony when they are asked to take an oath – An Oath of Renunciation and Allegiance. That oath has elements that are important to The American Legion and were outlined in Resolution 313, “Oath of Renunciation and Allegiance,” passed by delegates to the 92nd National Convention of The American Legion in 2010 in Milwaukee. Those elements are:

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

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

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

- Voices longstanding opposition to any great influx of legal immigrants and has called for immigration quotas to be set on a moderate and regulated scale in numbers that enable the immigrants to be readily absorbed into the culture and life stream of the United States (American Legion Res. 48, “Reduce Immigration Levels,” National Executive Committee, May 2003).
- Works with the Hudson Institute to make the intellectual and moral case for a substantively strong and ceremonially rich citizenship naturalization process. The partnership jointly supports the position that candidates for U.S. citizenship possess a level of proficiency with the English language and an understanding of our country’s history and its government (American Legion Res. 45, “Citizenship Naturalization Process,” National Executive Committee, May 2003).
- Believes that a naturalization ceremony should be made mandatory and conducted in a U.S. District Court. The American Legion also believes that all citizenship naturalization ceremonies in the United States should be conducted in the English language (American Legion Res.305, “English Language be Used in Naturalization Ceremonies,” 2010 National Convention).
- Asks Congress to mandate an effective reporting system to track foreign students and that it be aggressively administered. The American Legion supports sanctions against institutions of higher education that fail to cooperate with the federal government in monitoring and tracking foreign students. Similarly, The American Legion encourages the Congress to provide agencies of government with the necessary resources to track the arrival and departure of foreign visitors (American Legion Res. 302, “Strategy to Address Social, Economic and Population Problems Related to Illegal Immigration,” 2010 National Convention).

The American Legion is not specifically opposed to guest worker programs that are intended to fill labor shortages in the United States. Such programs, however, must not reward illegal immigrants with an amnesty or forgiveness for previous unlawful behavior.

There can be no homeland security until the United States takes control of its borders. There can be no fair labor practices with a workforce composed of illegal workers. As a nation of laws, the United States sends a wrong message by forgiving and rewarding those who break our laws by invading

our sovereign nation. We cannot be secure when 10 million to 20 million individuals whom we don't know are in this country illegally.

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

Solving the illegal population problem in this country will require strengthening the U.S. societal infrastructure. Incentives should be provided for students to pursue high-tech professions to reduce the outsourcing of American jobs. The United States should pursue diplomatic solutions with foreign countries that encourage illegal entry into the United States. We should seek English language initiatives and promote good citizenship through naturalization classes for legal immigrants.

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

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

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

# APPENDIX A

## AMERICAN LEGION POSITIONS ON ILLEGAL IMMIGRATION

SUBJECT	POSITION
<b>Border Security</b>	<p><b>Res. 23, "Immigration Reform to Enhance National Security," National Executive Committee Oct 2010</b></p> <p>"... That the Department of Homeland Security be provided the monies necessary to ensure both the thorough performance of its responsibilities and the security of the borders of the United States."</p> <p>"... Hire and train additional U.S. Border Patrol agents with employment preference afforded former members of the U.S. Armed Forces ..."</p> <p>"... That, as appropriate, military resources be employed to assist in stopping the flow of illegal aliens into this country, and all of the resources of the United States of America be utilized to enforce the security of our country's borders..."</p> <p>"... That The American Legion, urges Congress to adopt an immigration reform policy which emphasizes border security against those individuals attempting to enter this country illegally..."</p>

SUBJECT	POSITION
<p><b>Interior Enforcement</b></p>	<p><b>Res. 22, "Maintaining and Sharing Federal Immigration Databases," National Executive Committee Oct 2005</b></p> <p>"... That state and local law enforcement agencies be authorized and encouraged to arrest and detain individuals, including illegal aliens, who are suspected of violating the immigration laws of the United States and that policies, whether written or implied, that are contrary to this position, be opposed by The American Legion."</p> <p><b>Res. 418, "Illegal Immigration Compromises National Security," 2004 National Convention</b></p> <p>"... That this country's law enforcement agencies at the local, state and federal levels be empowered with the authority to apprehend and incarcerate individuals who are in this country illegally."</p> <p><b>Res. 302, "Strategy to Address Social, Economic and Population Problems Related to Illegal Immigration," 2010 National Convention</b></p> <p>"... That The American Legion work with CIS to obtain congressional approval and national acceptance of the plan which includes increased noncriminal removals through increased interior enforcement..."</p> <p><b>Res. 23, "Immigration Reform to Enhance National Security," National Executive Committee Oct 2010</b></p> <p>"... Grant law enforcement agencies at the local, state and federal levels the authority to work together to apprehend and incarcerate, where appropriate, illegal immigrants, especially those determined to have ties to terrorist groups and organizations."</p>



SUBJECT	POSITION
<p><b>Employer Sanctions and Worksite Enforcement</b></p>	<p><b>Res. 302, " Strategy to Address Social, Economic and Population Problems Related to Illegal Immigration," 2010 National Convention</b></p> <p>"... That The American Legion urge the federal government to hold accountable those employers who knowingly hire illegal aliens, especially those aliens showing suspected fraudulent documents, thus suggesting the possibility that identity theft may have occurred."</p> <p>"... That The American Legion urge Congress and the federal government to promptly deport to their country of origin those illegal aliens convicted of felonies related to the use of fraudulent identity documents, especially those of children, in order to obtain employment in the United States."</p> <p>"... That The American Legion adamantly oppose provisions of any comprehensive immigration reform legislation that grants amnesty or forgiveness to the employers of illegal aliens."</p> <p>"... That The American Legion work with CIS to obtain congressional approval and national acceptance of the plan which includes mandatory workplace verification of immigration status..."</p> <p>"... That The American Legion support strict enforcement of employer sanctions as called for in current employment laws that assess heavy penalties on employers who knowingly hire illegal aliens..."</p>

SUBJECT	POSITION
<p><b>Amnesty for Illegal Aliens</b></p>	<p><b>Res. 302, "Strategy to Address Social, Economic and Population Problems Related to Illegal Immigration," 2010 National Convention</b></p> <p>"... That The American Legion be unalterably opposed to illegal immigration and oppose legislation that would result in the granting of amnesty and legal residency, in any form or by any name, to illegal immigrants currently in the United States."</p> <p><b>Res. 23, "Immigration Reform to Enhance National Security," National Executive Committee Oct 2010</b></p> <p>"... That The American Legion opposes legislation that would result in the granting of amnesty and legal residency, in any form or by any name, to illegal immigrants currently in the United States."</p>
<p><b>Oppose Granting Benefits to Illegal Aliens</b></p>	<p><b>Res. 302, "Strategy to Address Social, Economic and Population Problems Related to Illegal Immigration," 2010 National Convention</b></p> <p>"... That aliens illegally in the United States should be denied Social Security benefits, unemployment compensation, and other government sponsored public services and public assistance."</p> <p>"... That The American Legion opposes any legislation or executive order that would allow illegal aliens and others who are in this country illegally to receive in-state tuition rates, federal or other government education grants and/or financial assistance to attend a college or university in the United States."</p>

SUBJECT	POSITION
<p><b>Forms of Identification as they relate to Illegal Aliens</b></p>	<p><b>Res. 23, "Immigration Reform to Enhance National Security," National Executive Committee, Oct 2010</b></p> <p>"... That The American Legion encourages the Congress of the United States and the state legislatures to pass legislation that would prohibit acceptance of certain foreign-issued forms of identification, to include the Mexican government issued Matricula Consular card, when it is determined said documents lack credibility, authenticity and accuracy of information when used in the application process for federal, state and local government-sponsored public services,"</p> <p>"That The American Legion encourages businesses in the private sector, including financial institutions, to refrain from accepting as valid identification, foreign issued documents that are not determined to be acceptable forms of identification."</p> <p>"That an agency of the federal government, determined by Congress and working in cooperation with other agencies having responsibilities for the administration and enforcement of immigration laws and policies, be tasked with determining the acceptability of forms of identification issued by foreign governments."</p>

SUBJECT	POSITION
<p><b>Accountability by Public Officials</b></p>	<p><b>Res.302, "Strategy to Address Social, Economic and Population Problems Related to Illegal Immigration," 2010 National Convention</b></p> <p>"... That The American Legion seize every opportunity to request an accountability of our elected officials in implementing and enforcing federal and international laws and treaties to eliminate the large numbers of individuals from foreign countries entering the country illegally."</p> <p>"That all candidates seeking public office and the two major party platforms express publicly to the American people their positions and solutions to this grave danger to our country's stability..."</p>

# APPENDIX B

## THE AMERICAN LEGION AND ILLEGAL IMMIGRATION MESSAGE POINTS

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

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

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

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

### **What's wrong with accepting illegal immigrants? Aren't they only taking jobs that Americans won't do?**

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

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

Rewarding criminal behavior is not in the best interest of this country. It is amnesty plain and simple, and The American Legion is adamantly opposed to blanket policies of forgiveness that would pardon millions who

have entered the United States illegally. Granting amnesty to illegals will ultimately result in granting admittance into this country to the amnestied individual's family members. Our country cannot absorb this number of low skilled immigrants without feeling the effects in the drain on our public services, education, health care and personal security.

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

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

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

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

### **Is The American Legion in favor of building a physical barrier along our southern border?**

The American Legion does urge Congress to construct physical barriers, as appropriate, in order to "secure the borders and other points of entry into the United States" against those individuals attempting to enter illegally. Legion positions also state that "all of the resources of the United States of America should be utilized to enforce the security of our country's borders."

### **Should military resources be used to secure our borders?**

The U.S. Border Patrol is tasked with that responsibility, but they are often understaffed and lack the firepower when confronted with the drug gangs and smugglers operating along our southern border. The American Legion

has held the position for several years that, where appropriate, military resources should be employed to assist in stopping the flow of illegal aliens into this country. Our troops are being called upon to guard the borders of other countries, it seems only appropriate that they be available for our own border security.

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

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

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

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

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

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

### **Has The American Legion always been opposed to immigration?**

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

be regulated so that immigrants can be readily absorbed into the general population.

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

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

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

American Legion National Convention delegates in August 2008 and again in September 2010 voted to seize every opportunity to request an accountability of our elected officials in implementing and enforcing federal and international laws and treaties to stop the flood of illegal aliens across our borders. The convention delegates also called on all candidates seeking public office and the two major political parties to express publicly to the American people their positions and solutions to the problems of illegal immigration.



# APPENDIX C

NINETY-SECOND NATIONAL CONVENTION  
THE AMERICAN LEGION  
MILWAUKEE, WISCONSIN  
AUGUST 31, SEPTEMBER 1, 2, 2010

RESOLUTION NO. 302

## **STRATEGY TO ADDRESS SOCIAL, ECONOMIC AND POPULATION PROBLEMS RELATED TO ILLEGAL IMMIGRATION**

COMMITTEE: AMERICANISM

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

WHEREAS, The American Legion's concern is exacerbated by the estimates by immigration reform groups and reports by news sources and others that as many as 10 to 20 million individuals are in this country illegally; and

WHEREAS, Numerous authoritative studies have shown that mass immigration has harmed the interests of millions of Americans, including veterans, by undercutting wages and working conditions, increasing welfare costs, overburdening local schools, public health care facilities and other vital social institutions; and

WHEREAS, The American Legion has urged the Congress of the United States to adopt an immigration policy that will eliminate social, economic and population problems resulting from our country's failure to secure our nation's borders and to enforce its immigration and employment laws; and

WHEREAS, The American Legion is opposed to any amnesty or legalization program, policy or directive that would grant illegal immigrants legal permission to remain in the United States, thereby rewarding them for criminal behavior while penalizing those immigrants following lawful immigration channels and increasing the financial burden on law-abiding taxpayers who would ultimately pay for these services; and

WHEREAS, It is universally thought by both proponents and opponents of illegal immigration that immediate deportation by force of all illegal aliens in the United States is not a workable solution to the issue, with estimates for such action totaling perhaps as much as \$215 billion over the next five years according to the Center for Immigration Studies, an independent non-partisan 501(c)(3) research think tank devoted exclusively to research and policy analysis of the impacts of immigration on the United States; and

WHEREAS, A 2006 study by the Center for Immigration Studies, found that as a result of illegal aliens accessing government programs upon being granted amnesty, the government's net fiscal burden would increase an additional \$20.2 billion; and

WHEREAS, The Center for Immigration Studies, has proposed an alternative to mass deportation or mass legalization of illegals, seeking instead the attrition of the illegal population and efforts to encourage illegal aliens to leave the U.S. of their own accord; and

WHEREAS, The Center for Immigration Studies plan, which uses the government's own cost estimates, could cut the illegal population by nearly half in five years with an additional investment of less than \$2 billion, or \$400 million per year; and

WHEREAS, The provisions of the Center for Immigration Studies plan have been reviewed by the National Americanism Commission and are determined to be compatible with the provisions of American Legion resolutions on the subject of illegal immigration; and

WHEREAS, Few candidates for public office or their political parties address the issue of illegal immigration or express a willingness to take a position – either pro or con – as to their stand on illegal immigration in the United States because of the likelihood of alienating a significant number of voters in their jurisdiction; and

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

WHEREAS, The American Legion has passed numerous resolutions calling for the enforcement and/or reform of the government's immigra-

tion laws, policies and procedures and now seeks to combine many of the positions regarding social, economic and population problems into a single resolution concisely stating The American Legion's positions and strategy to resolve this complex matter; now, therefore, be it

RESOLVED, By The American Legion in National Convention assembled in Milwaukee, Wisconsin, August 31, September 1, 2, 2010, That The American Legion be unalterably opposed to illegal immigration and oppose legislation that would result in the granting of amnesty and legal residency, in any form or by any name, to illegal immigrants currently in the United States; and, be it further

RESOLVED, That The American Legion, on behalf of all Americans and future generations of Americans, urge the Congress and the federal government to authorize and fund the following strategy in addressing the issue of illegal aliens in the United States:

1. Eliminate the jobs magnet and social services benefits:
  - (a) Mandate verification of employment eligibility,
  - (b) Enforce employer sanctions as called for in current employment laws and assess heavy penalties on employers who knowingly hire illegal aliens,
  - (c) Make illegal residents ineligible for Social Security benefits, unemployment compensation, and other government-sponsored public services and public assistance,
  - (d) Eliminate governmental financial aid for illegal alien students;
2. Enforce existing laws and pass new laws to reduce U.S. illegal population:
  - (a) Reject amnesty or "legalization" programs for illegal aliens,
  - (b) Prohibit eligibility to services offered by financial institutions in the United States,
  - (c) Issue no drivers licenses to illegal aliens,
  - (d) Designate English as the official language of the U.S. government and print all documents, including election ballots, in the English language only,
  - (e) Work with state and local governments to discourage illegal settlement;

3. Revise legal immigration procedures; screen and track foreign visitors legally entering the U.S.:

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

4. Hold accountable those employers who knowingly hire illegal aliens, especially those aliens showing suspected fraudulent documents, thus suggesting the possibility that identify theft may have occurred; and

5. Promptly deport to their country of origin those illegal aliens convicted of felonies relating to the use of fraudulent identify documents, especially those of children, in order to obtain employment in the United States; and

6. Assist victims of identify theft perpetuated by illegal aliens by providing the victims with assistance in reclaiming their identity while erasing derogatory information, such as criminal convictions resulting from the misuse of the victim's identity records; and,

7. Make institutions of higher education who fail to cooperate with the federal government in monitoring and tracking foreign students ineligible to receive federal student loan monies benefiting foreign students, and, be it further,

RESOLVED, That The American Legion adamantly oppose provisions of any comprehensive immigration reform legislation that grants amnesty or forgiveness to the employers of illegal aliens; and, be it further

RESOLVED, That The American Legion opposes any legislation or execu-

tive order that would allow illegal aliens and others who are in this country illegally to receive in-state tuition rates, federal or other government education grants and or financial assistance to attend a college or university in the United States; and, be it further

RESOLVED, That The American Legion endorses the report by the Center for Immigration Studies (CIS) titled “Attrition Through Enforcement – A Cost-Effective Strategy to Shrink the Illegal Population” and adopts the action as proposed in the report as a portion of its strategy for reform of the U.S. immigration policy; and, be it further

RESOLVED, That The American Legion work with CIS to obtain Congressional approval and national acceptance of the plan which includes the following:

- Mandatory workplace verification of immigration status
- Measures to curb misuse of Social Security numbers and IRS identification numbers
- Cooperation between federal, state and local law enforcement officials
- Increased screening of foreign visitors
- Increase non-criminal removals through increased interior enforcement
- Discourage illegal settlement by adopting additional state and local legislation; and, be it further

RESOLVED, That The American Legion encourages the United States government to hold respective agency heads accountable in guaranteeing the desired communications and exchanges of technical information concerning the various aspects of the illegal alien issue, and, be it further

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

RESOLVED, That The American Legion continue an information cam-

paing to alert its members, federal and state elected officials, and the general public of the massive influx into the country of illegal immigrants, the consequences of mass immigration and how it will affect the standards of living in these United States; and be it finally

RESOLVED, That The American Legion use all possible means to bring forth a solution to the challenges faced by the United States because of illegal immigration.

NATIONAL EXECUTIVE COMMITTEE  
OF THE AMERICAN LEGION  
INDIANAPOLIS, INDIANA  
OCTOBER 13-14, 2010

RESOLUTION NO. 23

## **IMMIGRATION REFORM TO ENHANCE NATIONAL SECURITY**

ORIGIN: NATIONAL SECURITY COMMISSION

SUBMITTED BY: NATIONAL SECURITY COMMISSION

WHEREAS, The American Legion respects the authority of the United States Government to apply the existing rules and regulations which govern immigration to maintain law and order within the United States; and

WHEREAS, Immigration and Customs Enforcement (ICE) estimates that there are 11.5 million illegal immigrants who currently reside within the U.S.; and

WHEREAS, In 2006 the Department of Homeland Security, Office of Audits stated that each year more than one million aliens attempt to illegally enter the United States without proper documentation or enter legally and violate the provisions of their visa; and

WHEREAS, The United States currently has the systems and the technology in place to track foreign visitors and illegal aliens for the duration of their tenure in the United States; and

WHEREAS, A need exists for a broad exchange of intelligence and related action between regulatory agencies which govern immigration policy,

social services, and the Department of Justice; and

WHEREAS, The terrorist attacks of September 11th were not isolated events, but is a continuation of a long series of unprovoked terrorist attacks aimed at destroying American lives, and the very basic core values of freedom, democracy and respect for human life; and

WHEREAS, Aggressively tracking foreign visitors is a deterrent to terrorist activities and failing to effectively utilize the available systems and technology to track illegal aliens threatens the security and future of the U.S.; now, therefore, be it

RESOLVED, By the National Executive Committee of the American Legion in regular meeting assembled in Indianapolis, Indiana, on October 13-14, 2010, That The American Legion urges Congress to adopt an immigration reform policy which emphasizes border security against those individuals attempting to enter this country illegally and internal tracking of all resident aliens and illegal immigrants; and, be it further

RESOLVED, That The American Legion opposes legislation that would result in the granting of amnesty and legal residency, in any form or by any name, to illegal immigrants currently in the United States; and, be it further

RESOLVED, That the Department of Homeland Security be provided the monies necessary to ensure both the thorough performance of its responsibilities and the security of the borders of the United States; and, be it further

RESOLVED, That The American Legion opposes any change to “Title V of the Immigration and Nationality Act” (8 U.S.C. 1531-1537) that would require revealing the source(s) of secret evidence used in the Bureau of Citizenship and Immigration Services, Department of Homeland Security, administrative deportation hearings; and, be it further

RESOLVED, That The American Legion encourages the federal government to provide the needed resources to enforcement agencies tasked with curtailing illegal immigration in this country; and, be it further

RESOLVED, That The American Legion encourages the Congress of the United States to mandate that the U.S. Immigration and Customs Enforcement (I.C.E.) Student and Exchange Visitor Information System (SEVIS)

continue and be aggressively administered by the responsible agency of the federal government; and, be it further

RESOLVED, That The American Legion encourages the Congress of the United States to provide agencies of the federal government with the necessary resources to track the arrival and departure of foreign visitors to the United States; and, be it further

RESOLVED, That the U.S. Department of State be required to enforce the completion of a thorough background check and also interview each candidate for a U.S. visa prior to issuing said visa; and, be it further

RESOLVED, That the U.S. Department of State be responsible for tracking and arresting those visa recipients who perpetrate fraud and/or are visa overstays and that they be turned over to the Department of Homeland Security for removal/deportation processing; and, be it further

RESOLVED, That The American Legion encourages the Congress of the United States and the state legislatures to pass legislation that would prohibit acceptance of certain foreign-issued forms of identification, to include the Mexican government-issued “Matricula Consular” card, when it is determined said documents lack credibility, authenticity and accuracy of information when used in the application process for federal, state and local government-sponsored public services; and, be it further

RESOLVED, That The American Legion encourages businesses in the private sector, including financial institutions, to refrain from accepting as valid identification, foreign issued documents that are not determined to be acceptable forms of identification; and, be it further

RESOLVED, That an agency of the federal government, determined by Congress and working in cooperation with other agencies having responsibilities for the administration and enforcement of immigration laws and policies, be tasked with determining the acceptability of forms of identification issued by foreign governments; and, be it further

RESOLVED, That The American Legion, on behalf of all Americans and future generations of Americans, urge the Congress and the federal government to authorize and fund the following strategy in addressing the issue of illegal aliens in the United States:

Secure the borders and other points of entry in the United States:



- (a) Construct physical barriers, as appropriate,
- (b) Acquire and utilize latest technology to monitor border activity,
- (c) Employ and train a sufficient number of U.S. Border Patrol Agents to effectively patrol border regions with employment preference given to former members of the U.S. Armed Forces,
- (d) Utilize National Guard troops to assist in providing border security, only if authorized to use deadly force,
- (e) Insure all vessels and their cargo arriving at our seaports are thoroughly searched;

Enforce existing laws and pass new laws to reduce U.S. illegal population:

- (a) Reject amnesty programs for illegal aliens,
- (b) Enforce immigration laws and promote cooperation between federal, state and local law enforcement officials, with emphasis on interior enforcement,
- (c) Establish parameters for non-criminal deportations; and, be it further

RESOLVED, That The American Legion encourages the Congress of the United States, state governments, the U.S. Justice Department and the Department of Homeland Security to take necessary action to stop the massive flow of illegal immigration into this country by means that include, but are not limited to, the following:

1. Hire and train additional U.S. Border Patrol agents with employment preference afforded former members of the United States Armed Forces; and
2. Encourage the United States Congress to require the Department of Homeland Security to work with state and local law enforcement agencies to enforce immigration laws in this country; and
3. Require that all legal aliens carry U.S. Government issued identification documents that are made as secure as technology allows and that are verifiable by any employer or benefit agency through an easy-to-access central database; and
4. Petition the President of the United States and the Congress to enact measures to effectively halt the smuggling of illegal immigrants into this country; and

5. Grant law enforcement agencies at the local, state and federal levels the authority to work together to apprehend and incarcerate, where appropriate, illegal immigrants, especially those determined to have ties to terrorist groups and organizations; and

6. That, as appropriate, military resources be employed to assist in stopping the flow of illegal aliens into this country, and all of the resources of the United States of America be utilized to enforce the security of our country's borders; and, be it finally

RESOLVED, That The American Legion use all possible means to bring forth a solution to the challenges faced by the United States because of illegal immigration.

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# POLICY ON ILLEGAL IMMIGRATION



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