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| <i>THIS SEARCH</i> | <i>THIS DOCUMENT</i> | <i>THIS CR ISSUE</i> | <i>GO TO</i> |
|--------------------------|----------------------------------|-------------------------------|-------------------------------|
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| Prev Hit | Back | Prev Document | HomePage |
| Hit List | Best Sections | Daily Digest | Help |
| | Contents Display | | |

**IMMIGRATION REFORM AND BORDERS OF INTEGRITY -- (House of Representatives -
October 10, 2001)**

[Page: H6498] [_GPO's PDF](#)

The SPEAKER pro tempore (Mrs. **WILSON**). Under the Speaker's announced policy of January 3, 2001, the gentleman from Colorado (Mr. **TANCREDO**) is recognized for 60 minutes.

Mr. TANCREDO. Madam Speaker, the issue I wish to address tonight is the issue that I have had the opportunity of addressing several times on this floor, it is the issue of immigration, immigration reform, and specifically the problems we are encountering in this country as a result of our inability to develop over the past several years a mechanism, some way or other, to actually have borders with integrity.

For quite some time, it has been the prevailing point of view in this body, I think, and certainly in the past administration, and, to a certain extent, even the present administration, that the concept of open borders was appealing, and appealing for a variety of reasons, some of which had to do with economic benefits that may accrue to the country as a result of having massive flows of individuals and goods and money back and forth across borders.

There is that kind of argument to be made with regard to the issue of immigration and open borders, and that argument held sway. There was also a political argument, and that was that, in fact, if we could get a large number of people into the country, and that those people could stay here without detection, eventually have children, and those children of course would become American citizens by virtue of

being born here, it was a long-term strategy, I agree, but nonetheless the strategy was that those people would become part of a political party and cast votes primarily for one of the political parties in the country. And, of course, that is the Democratic party.

That was another reason why it was so hard to ever affect change. It was so difficult to ever get anybody to pay attention for any call for immigration reform because we had those two sides. On the Republican side, we had a great deal of opposition to immigration reform from business and industries that wanted cheaper labor and that wanted to be able to access large numbers of immigrants, both legal and to a large extent, unfortunately, illegal immigrants in the country for the purposes of getting their labor and doing so for a sort of reduced price.

So with those two very powerful forces at work, it was very difficult to ever advance the idea of immigration reform. Anyone that attempted to was automatically subjected to derision, name calling, and the like for being both racist or xenophobic or a wide variety of other kinds of nasty names, because immigration was an important issue to them. To me certainly it is, and it has been for quite some time.

But there has been a huge shift in attitudes here, I think, in the Congress of the United States, and certainly, to a large extent, even in the country itself. That is to say, I think for the most part if we would have asked people before how they felt about immigration, especially illegal immigration, a majority would always say they were opposed to it and that they wished that we would do more to stop it. And this, by the way, interestingly, was a majority of white Americans and a majority of black Americans and a majority of Hispanic Americans. All of them felt the same way about the issue of illegal immigration.

Now, the majorities were not huge, but they usually were always the majority opinion; that we should do something about immigration, especially illegal immigration. But ever since September 11, of course, things have shifted dramatically. And I must say, Madam Speaker, that there is absolutely no way I would ever want to have this issue won in the halls of Congress or anywhere else because of the events that we had here on September 11.

[Time: 18:45]

But for whatever reason that is where we are. Things have changed, and I am glad they have. I am glad there has been at least now more and more emphasis placed on and attention paid to the whole issue of immigration and immigration reform.

As we approach the legislative process here and we begin to develop pieces of legislation to deal with the events of September 11, we will undeniably be looking at legislation emanating out of the Committee on the Judiciary that is sometimes referred to as the antiterrorist package of legislation. That is coming up relatively soon, I understand.

It is truly unfortunate that most of that package got watered down. It is almost incredible, as a matter of fact, to recognize that as part of the overall strategy that this government is going to employ to deal with the issue of terrorism, that we would not concentrate heavily on securing our borders and trying to do everything humanly possible to stop people from coming into the United States who have evil intent. This is not easy. It is not easy to do. It is not easy to identify people who are coming here with that kind of intention, but there are certain indicators that America may have a problem with various individuals.

It is amazing to recognize the following:

In 1990, the U.S. passed a series of immigration laws. They were sponsored by a member of the other body from Massachusetts, and it instructed the State Department employees that mere membership in a terrorist organization or advocacy of acts of terrorism should not exclude foreigners from receiving U.S. immigration visas. Mere membership in these kinds of organizations should not exclude anyone from getting a visa.

Again, in light of everything that has happened, this seems almost unbelievable that any Member of this body, this body or the other body, would ever say such a thing, would ever put such a thing into law, but that is exactly what happened. This is sometimes referred to as the fellow traveler law because for a period of time there was an immigration law that said foreigners may not come into the United States if you belong to an organization that has called for the overthrow of the United States Government. We were concentrating on members of the International Communist Party at the time. If you were a member of some organization that had committed an act of terrorism, you could not come into the United States.

But in the heyday of political correctness, at a time when we were searching our souls to figure out how we could possibly apologize for being who we are as Americans, when the philosophies of relativism, moral relativism were being breached in all of the campuses around the country and all of the textbooks were telling people our culture was no better than any other, and we could not possibly characterize another culture as being inferior to ours, that kind of what I would certainly call muddle-headed thinking ruled the day. It certainly did in the media, it certainly did in academia, and it certainly did in the halls of Congress. Political correctness.

One of the more bizarre aspects of that muddle-headed thinking to which this Nation went and to a certain extent still exists, even here in the halls of Congress, as evidenced by the fact that we watered down the terrorist bill, but as a result of that we passed this law that instructs the State Department employees that mere membership in a terrorist organization or advocacy of acts of terrorism should not exclude foreigners from receiving U.S. immigration visas.

In an article in "Human Events" it says, "Under the law as it is written,

someone who belongs to a Middle Eastern terrorist group and has publicly stated the desire that the World Trade Center towers be blown up, cannot, on those grounds alone, be denied permission to legally enter the United States as a prospective citizen. In such a case, the ultimate decision of whether to grant the immigration visa is up to the State Department officials, subjective evaluation of a person's knowledge and intent."

According to the official Foreign Affairs Manual posted on the State Department's Web site, immigration law requires that a foreigner must be denied a visa if he or she has, quote, ``indicated intention to cause death or serious bodily harm and/or incited terrorist activity."

If they come in and say I would like to apply to a visa to the United States of America, the consular office official says, here, fill this out. If you put down I intend to blow up your buildings, then I can keep you out. Then you can say it does not look like you have filled out this paperwork correctly because I cannot let you in as long as you state this.

These things would be funny if they were not so tragic and idiotic. It is just a manifestation of this goofball thinking of how dare we think that we cannot keep someone out of our country because their culture may be inferior. And I am going to state categorically there are cultures that are inferior to ours. There are cultures that do not put as much emphasis on human rights, on individual human rights, and on human freedom; and I believe that makes them inferior to ours. And I do not mind saying so.

I believe in the past we fought with cultures and political organizations inferior to ours. I believe that Nazism and communism were inferior in many ways, and certainly worthy of our disdain. And they rose to the level of those kinds of organizations and groups and philosophies that we should be wary of, and we should try our best to keep people out of the United States if, in fact, they proposed to advance these ideas.

It is not to our benefit that these people come in. Things happen when they come. Sometimes places get blown up. Sometimes people are killed. Sometimes governments teeter, thank goodness not ours, but certainly in other countries. These acts of terrorism have been successful in bringing governments down.

I am not suggesting for a moment that if tomorrow we were to be able to place troops on the border, which I hope we can do, or completely revise and improve the quality of the work done by the INS, which would be an astronomical undertaking, and improve the technology that we use as sensors to see whether or not people are coming across the border, I do not for a moment suggest if we did all of these things we would make our borders impervious to these incursions. Someone could get through.

What I suggest, Mr. Speaker, is that we have to try. We have to try. We have constructed a strategy, a military strategy to deal with the Taliban and Osama bin Laden and the al-Qaeda group that he directs, and any other terrorist organization that gets in our sights.

We have described in detail to the American public that strategy. We will go in initially with the assets

that we can deploy there in the air, both missile and airplanes; and we will try to destroy the infrastructure.

We hope that we can develop an indigenous population that will support our efforts and will act against the Taliban. We will seek out these organizations even if they are some place outside of Afghanistan and perhaps go after them also.

At the same time, we will use humanitarian efforts. We will drop food packages and leaflets and go into psychological operations, and we will broadcast into Afghanistan and drop pamphlets. This is a multifaceted

war on terrorism. All of that I agree to. I believe it is important.

But there is another important facet to the war, another important strategy that for some reason has not really developed into a well-publicized or even well thought out strategy as far as I can tell because I have not seen anything so far that would indicate that we have developed a strategy to indicate that we have tried to keep these people out to begin with. I have not seen a detailed, thought out, well-thought-out, well-delineated strategy to try to keep them out to begin with. That is amazing.

It is, of course, our responsibility to think of every imaginable way there might be in order to defend and protect the lives and property of the people of the United States. Well, it certainly seems to me only logical and only rational that part of that strategy be something to do with the protection of our borders.

There is no doubt about certain things that happened on September 11. One is that all 19 of the hijackers and terrorists were here from another country. I think, although we do not know this now because the INS and the Department of Justice will not tell us, but I think we will find that most of them were here on visas, various kinds of visas, and that many of them had violated their visas, and would have, therefore, been eligible, not just eligible, but would have been placed in a situation of being deported had we found them, had we known about it. We did not know about it, but that is not too surprising because there are, according to recent estimates, somewhere near 4 million people in the United States who have simply overstayed their visas, making them illegal immigrants into the United States.

So every time we talk about the number of immigrants who come across the border every year illegally, and how those numbers are added to the total numbers every year when we talk about illegal immigration into the United States, we do not, for official purposes, count the at least 4 million people who are here illegally as a result of visas infractions. People who have overstayed their visas, people who have just simply forgotten about it, walked away, they know there is nothing that is going to happen to them. There is not much fear in the heart of anyone out there who has simply decided to hang on, stay and live your life in the United States. Get a job, vote.

I know you are not supposed to, you are not supposed to do that if you are not a citizen, but it happens.

One of the individuals we know, we found out voted twice. No, they were not here illegally. I am saying one of the individuals, one of the hijackers. He was known to have voted. I am sure that we will find many more who did the same. It is not that unique. It is not that unusual.

We do not know exactly how much it happens, but we have this thing called the motor-voter law which is such a flimsy attempt to try and actually bring any degree of validity to our voting system.

[Time: 19:00]

Anybody can get a card. Anybody who wants to can get a driver's license. Anybody who wants to can get a Social Security card.

In Denver, one can go to a flea market, but there are a variety of places. I just happen to know about this one place because an ex-governor of the State of Colorado, Richard Lamm, will talk about it periodically. This is an issue with which he is involved also, the issue of immigration and immigration control.

He went to this flea market, and he purchased after about I think 15 minutes of haggling over the price, and I can't remember for sure, I think it was something like fifty dollars starting up to about a hundred, maybe got him down to fifty dollars, but he purchased a driver's license, a Social Security card and a variety of other documents right there on the spot. They can take one's picture in the little booth and ring up a little card and the person is off to the races.

With that, of course, a person can do almost anything, including, by the way, vote. So do we believe that these people who are here illegally do not vote simply because on the form that you fill out it says are you a U.S. citizen and you have to check that off, yes, I am; oh, okay, well now you are and therefore you can vote?

Well, that fraud is rampant in this arena, and the fact is that there is very little that any of these people who are here illegally, any of the millions of people who have overstayed their visas, very little they have to worry about. They can take up life just like any other American, and unfortunately, they can act in ways that are certainly detrimental to our health as a Nation.

[Page: H6500] [GPO's PDF](#)

The scope of the problem is almost mind boggling, and it is a result of the complete ineptness on the part of the INS to actually address their responsibility, the responsibility with which they have been charged for years, to try on the one hand to maintain the integrity of the borders and on the other hand to help people who want to come here legally. They have completely lost their way, Mr. Speaker.

I will tell my colleagues that in a debate I was having in Denver on the radio with a lady who was I believe was the public affairs person for the INS in Denver, she stated when asked by the moderator why is it the INS does not round up all these people who are here illegally and send them back home, she said that is not our job. That is not our job. Our job is to help them get here and get legal.

Now, I think she was confused about her job, but I also believe that she is not unique at all in thinking that that is her job. That was the job of the INS, to simply get people here as much as they could, get them legal because they put very little resources into actually sending people back who were here illegally, finding the ones who had violated their visa status or had come across the border recently, very little effort was placed in that, and almost all the effort was placed on getting people here, getting them legalized, getting them eventually to become citizens of the United States.

My colleagues may recall, Mr. Speaker, the previous occupant of the White House forced the INS to rush through as quickly as possible and as many as possible applications for citizenship and get them qualified to vote before the last election. I think it was in the congressional elections actually before that that this occurred, but there was such a press to get people into the ranks of voters who were here as immigrants, that a huge, huge faux pas occurred and thousands, estimates are up to 60,000 people were made citizens of the United States who had criminal records, had felony convictions against them. They became citizens because they were rushing them through so quickly.

So it was not just this lady who was arguing with me on the radio who has this concept about the INS. The INS is the culture because actually it is an old, established agency and a lot of bureaucratic inertia, and there are many, many good employees, many of them who have contacted my office by the way, many of them who have actually written us letters saying, Mr. **TANCREDO**, you are right to do what you are doing, to say what you are saying, because the INS is in bad shape; it needs to be reformed. All of its efforts are directed in areas not related to the actual security of our borders or the strength of the immigration control process.

For the most part these people feel as though they are crying in the wilderness and they are. It is true they are because that particular agency simply does not care about the fact, did not care and to a large extent I think still does not care about the possibility of having people come across this border who would do us harm.

Why do I say that? Well, let me give you another statistic that is almost amazing, and again, it goes to the scope of this problem.

Every year, as I say, there are millions of visas which are violated. We give out something near 30 million visas a year, and that only represents a small portion of the people who come to the United States. There are over 550 million visitors to the United States every year. So less than 10 percent of that number end up being required to have a visa. So 30 some million visas, 35 million approximately visas are handed out every year and somewhere near 40 percent of those are violated in the course of the year.

So somewhere near 12 million people every single year are here in some violated status; that is to say, they are here illegally.

A lot of them still do go back home at some point in time. It is true, we do not end up with 12 million people a year, but we have ended up with 4 million. Massive problem, 12 million a year violated. What do we expect the INS to do? Well, I know that it is tough, that is a tough job, how are we going to keep track of them. Very difficult to do. It is a matter of resource allocation.

How about this one, Mr. Speaker, forget about the 4 million who are here illegally, have simply walked away from their visa requirements and are just simply living life as they wanted to as an American citizen. Forget about that for a moment. Think about this.

Of the millions of people who are here and who have violated their visa, we do get some of them into the judicial system. They are brought to the bar. It is usually, by the way, not for simply overstaying their visa. Usually it is for committing a crime, and in the process of arresting and finding out about them we realize, oh, by the way, they are also here illegally because they overstayed their visa and so they were brought to court, an immigration court, and an immigration law judge listens to the case and a decision is made, and he or she hands down a verdict, and the verdict could be that they are to be deported.

So now we actually go through a couple of hundred thousand cases a year of people who violate their visa, come before a judge and are ordered to be deported, couple of hundred thousand a year approximately. Maybe 40,000 of that number annually will actually be deported. The rest walk away, turn around and walk away.

We know that there are about a quarter of a million of these people out there. I think it is probably far higher, but right now even the INS will attest to the fact that there is at least a quarter of a million people wandering around the country, not just as visa violators, not just as overstaying, but they have committed a crime and they have been ordered to be deported and they are simply walking around the country.

Why, Mr. Speaker? Because the INS could care less, pays absolutely no attention to it, turns around, walks away from the immigration control point and says you are essentially on your own. Why? Because they do not care. It really boils down to that. They do not care. It is not a big deal to them.

I have heard from individual agents. I have heard from retired agents. We had an INS agent in my office just last week. He has been on the job a long time. He is still afraid of being fired if he becomes known publicly, and we are supplying him right now with all of the information necessary so that we can protect him if we have to through whistleblower laws because if I can get him to come public with his stories, many years, I will not say how many because that would help identify him, but many, many years in the INS as an agent who has worked in almost every aspect of immigration control. If I could just get him to tell his story publicly, people would be amazed. We would be amazed. The general public

would be amazed. The INS would not even be slightly surprised because, of course, they know their own culture. They know that what I am saying here is accurate, that they do not care about people here illegally.

A lot of sound and fury is going to be directed toward the INS right now as a result of what happened on September 11, and let me go to another article here. This one appeared in the Los Angeles Times on September 30. It says, The September 11 terrorists did not have to steal into the country as stowaways on the high seas or border jumpers dodging Federal agents. No audacious enemy, quote, inserted them commando style. Most or all appeared to have come in legally on the kinds of temporary visa routinely granted each year to millions of foreign tourists, merchants, students, and others. Nothing in the backgrounds of these middle class men from Saudi Arabia, Egypt and elsewhere apparently aroused suspicion among the State Department's consular officers who review visa applications.

Let me point out once again that even if there is something suspicious that had come up, by law, that could not keep them out, like if they had belonged to some terrorist organization. Jot down al Qaeda, I am a member. That could not have kept them out.

Once here the 19 hijackers-to-be did not have to fret much about checkpoints and police stops, even after some of their visas expired and they became illegal immigrants. The suicide attacks that killed 6,000 and more have brutally exposed shortcomings in airline security and intelligence gathering, but the strikes also highlighted another vulnerability. This is the Los

[Page: H6501] [GPO's PDF](#)

| | | | |
|--------------------------|-------------------------------|----------------------------------|-------------------------------|
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| Prev Hit | Back | Prev Document | HomePage |
| Hit List | Best Sections | Daily Digest | Help |
| | | Contents Display | |

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