



## Founder of Tea Party Express Calls to Fix Immigration System

Tea Party Express co-founder Sal Russo wrote an op-ed piece for *Roll Call* on May 14 entitled “Conservatives Need to Fix the Broken Immigration System.” In his commentary, Russo addressed what he sees as several major problems with our current immigration system, including the fact that immigration laws are not enforced, our present visa system is inadequate to supply our economic needs, border security is ineffective, and there are rich incentives for illegal immigration.



Russo expanded on these problems in language that is especially appealing to conservatives focused on the economic aspects of immigration, both legal and illegal. For example:

- “Our laws today are unenforced and citizens and companies who play by the rules are undermined by bad actors who do not. This undermines our rule of law and slows our economic growth. In today’s global economy, we cannot afford the status quo.”
- “Our economy has long outgrown the visa programs we have now. In high-skilled industries such as engineering and medicine, we do not have the talent we need to fill the jobs. These industries are the fastest growing in the country and we depend on them for job creation and economic growth.”
- “Visa limits for seasonal workers, such as those needed by farmers, cannot keep up with demand. And those visas that are available are too cumbersome, complex and cost prohibitive for many employers to use. That means fewer fruits and vegetables per season, lost revenue and an increased reliance on imports”
- “According to the Partnership for a New American Economy, only 7 percent of green cards are granted based on economic grounds. In other countries, it’s as high as 50 percent — and they will win in the long term if we do not adapt our policies to the global marketplace.”

While pointing out some of the economic problems that might be improved by “fixing our broken system,” Russo does not identify specific pieces of legislation that might correct those problems. He warns that “doing nothing now means hurting businesses just as we are coming out of the Great Recession,” but only hints at what exactly should be done. One suggestion he offers is “instituting worker visa programs that adequately address our farm labor demands.”

This proposal, in itself, should not trouble those concerned with the problem of illegal immigration, since — by definition — a visa constitutes permission granted by authorities of a country for a person who is not a citizen of that country to enter its territory and to remain there for a limited duration. A visa holder, therefore, is a legal immigrant. If it is in the economic interest of our nation to grant more visas in specific areas where the immigrants will not take jobs away from Americans, then granting more visas should not require immigration “reform,” but more common sense in administering our



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present immigration policies.

Russo again resonates with conservatives (his intended audience) by observing that “border security must be an essential element of any immigration reform” and states that “in addition to using physical barriers, surveillance and enforcement, we have to stop the biggest problem — the rich incentives for illegal immigration.”

During the Republican presidential debates in 2012, constitutionalist-libertarian candidate Ron Paul (a Tea Party favorite) also addressed the topics of border security and incentives, noting:

Yes, we do have a national responsibility for our borders. We need better immigration services, obviously. But if you subsidize something or give people incentives, you get more of it. So if you give easy road to citizenship, you’re going to have more illegals. If you have a weak economy, which is understandable and we should have prevented, that’s understandable. But mandating to the states that we have to provide free medical care and free education, that’s a great burden to all the border states. So I would say eliminate all these benefits and talk about eliminating the welfare state because it’s detrimental not only to here but the people that come because that’s the incentive to bring their families with them.

However, Russo parts company with Paul and Republicans such as Senators Jeff Sessions (R-Ala.) and Ted Cruz (R-Texas) with another proposal he suggests: “Finally, we need to make the 11 million people who are here illegally obey the law, pay taxes and come out of the shadows. We have to get them right by the law in exchange for legal status, but not unbridled amnesty.”

Unfortunately, granting legal status to those who have broken the law by entering our country illegally is exactly that — amnesty. While our Constitution protects us from ex post facto laws (actions deemed illegal by laws passed *after* they were committed) the reverse is not true. We do not have ex post facto legality, which is amnesty by whatever name it is called.

“Is the Gang of Eight Plan ‘Amnesty?’” is asked rhetorically in the title of an article by Steven A. Camarota for the Center Immigration Studies website on Ma 3, 2013. In deciding the answer, Camarota compares the bill’s provisions to amnesty programs offered by various municipalities for infractions such as overdue taxes and parking tickets. Camarota concludes: “Members of the Senate’s Gang of Eight have argued that S.744 is not an amnesty. On his web site promoting S.744, Sen. Marco Rubio (R-Fla.) [states](#) that, ‘No one gets amnesty.’ ”

However, notes Camarota:

Despite claims to the contrary, S.744 is similar to the tax and parking ticket amnesties discussed above. The normal penalty for being in the United States illegally is that the alien must leave the country. Under S.744 this penalty is set aside and illegal immigrants who arrived prior to January 1, 2012, are given legal status and can remain in the country. They must also pay a fee of \$500 initially, and undergo a background check. Like all the amnesties discussed above, S.744 has conditions and payments. If S.744 is not an amnesty, then none of the tax and parking ticket amnesties discussed above are amnesties, even though everyone involved with them considers the programs to be amnesties.

Last January, Cruz blasted his Republican colleagues in the House for crafting an immigration plan that he denounced as “amnesty.” “I think it would be a mistake if House Republicans were to support amnesty for those here illegally,” he said when asked about a proposal to be included in the House Republicans’ immigration principles statement.



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On April 18, Sessions issued a statement expressing his apprehension about a possible House immigration vote. After noting that President Obama and congressional Democrats have “put their collective weight behind an immigration bill that delivers a sweeping amnesty for open borders groups and a huge guest worker surge for corporations,” Sessions observed that — according to the Wall Street Journal report — “House GOP leaders are considering a plan to move an apparently similar immigration plan this summer.”

In his bid to “fix our broken system” and to avoid “doing nothing,” Russo does not specifically promote H.R. 15, the “Border Security, Economic Opportunity, and Immigration Modernization Act,” which House Speaker Nancy Pelosi said contains the “best of the Senate bill.” (A review of H.R. 15 by the Federation for American Immigration Reform notes that it “still contains S. 744’s core amnesty-first, enforcement-later (probably never) approach.”

H.R. 15, with 199 cosponsors, is the most likely immigration bill to pass the House and as Sessions noted, is “apparently similar” to the Gang of Eight Bill passed by the Senate.

An article in *Roll Call*, the same website that published Russo’s commentary, noted:

Russo did not single out the House Republican Conference for its lack of consensus on whether to move forward with immigration overhaul legislation, nor did he name-check members of GOP leadership on whom the onus lies to move such legislation forward.

But Russo’s support for a comprehensive immigration fix that includes a legal status pathway — plus his suggestion that “conservatives need to seize on immigration reform” in order to “reaffirm who we are and what makes our country great” — is likely to raise eyebrows on all sides of the immigration debate.

Those opposed to immigration “reform” that includes amnesty might hope that Russo’s statements will do more than “raise eyebrows,” but also open eyes and raise awareness that any plan passed by the House will contain the same flaws as the Senate “Gang of Eight” bill.

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