INTRODUCTION


Bush is to be commended for having had the courage to detail his position on the many different aspects of the immigration issue. No issue is so critical to the economic, social, and environmental future of the U.S.

BUSH’S PREFACE

Separate prefaces by the authors constitute the first 14 pages of the book and give much insight into “where they are coming from.”

Bush talks family, describing falling in love with a pretty young Mexican girl, Columba Garnica de Gallo, getting married, becoming “bicultural and bilingual,” and eventually ending up in Miami and becoming governor of Florida. He acknowledges “the tragedy our immigration system had become,” and the many negative impacts of that system in his own Miami Dade County, including the fact that the majority of county residents are foreign-born and that its crime rate is very high. He praises his father’s (President G.H.W. Bush) administration for the 287(g) Cross Designation Program that allowed—until President Obama disallowed—strong cooperation of local and state law enforcement with the Border Patrol and other federal law enforcement officials. He does not acknowledge his own brother’s (President G.W. Bush) gross mishandling of immigration policy and enforcement.

With respect to the economy, Bush makes clear his beliefs on this issue: (1) We must import cheap foreign labor forever and in industrial quantities. (2) “Comprehensive immigration reform” legislation is the way to go, despite the recent legislative shipwrecks occasioned by the “comprehensive” bills of 2006, 2007, and 2013, not to mention the negative consequences of “comprehensive” bills actually passed in 1965 and 1986. (3) “Reform” requires large increases in legal immigration and in the rate of U.S. population growth.

In his own words,

Florida’s three largest industries—hospitality, construction, and agriculture—could not
endure without immigrant workers. The 80 million visitors per year, the $8.26 billion of agriculture produced, and the construction business—Florida is historically one of the top home-building states in the country—will all be impacted, unless we achieve comprehensive immigration reform.

Lord help us if we stop bulldozing the landscape to keep the construction industry in high gear, providing housing and shopping centers for tens of millions of new immigrants and their progeny far into the future.

BOLICK’S PREFACE

Clint Bolick currently is vice president for litigation at the Goldwater Institute in Phoenix, Arizona, and a research fellow with the Hoover Institution at Stanford University. He describes growing up as a “white bread” Polish-Italian kid in New Jersey who got his first multicultural creds via immersion in the family life of his older brother’s “beautiful and even exotic” Filipino-American wife in San Francisco. As a convenience store clerk while working for his law degree at the University of California in Davis, Bolick interacted with Mexican migrant farm workers. He says his “views on immigration were imprinted indelibly from that experience.”

On moving to Arizona, Bolick was puzzled by “Arizona’s widespread hostility toward Mexican immigration, not just illegal but legal as well.” He notes that “the Arizona GOP was so strident on the issue of illegal immigration that it led me to leave the Republican Party and become an independent nearly a decade ago.” He claims Arizona “has earned the unfortunate reputation of being decidedly inhospitable to immigrants.” It doesn’t just have that reputation, it “earned” it, he says.

Bolick’s puzzlement about antagonism toward Mexican legal immigrants had and has no excuse. Legal Mexican-American residents, citizen and non-citizen alike, have often been the strongest and most vocal advocates in Arizona for illegal immigration and more mass amnesties. The antagonism they confront results from their anti-law enforcement political positions, and from the loud, occasionally racism-tinged voice in which some Mexican and Mexican-American activists announce these positions, in legislatures, in the street, and in the media. These chauvinists are a minority in the Mexican-American community, but, unfortunately, have an outsized influence on how the entire Mexican-American community is perceived by those not part of it.

Bolick says he doesn’t want “to minimize the legitimate concerns raised by many [mass] immigration critics.” Yet his list of such concerns is oblivious to what some of the largest of those concerns are. Most importantly, what will be the negative economic and environmental consequences of never-ending U.S. population growth, driven, not by our current unsustainably high immigration rates, but by the much higher ones championed by every politician who voted for the comprehensive immigration expansion bills of 2006, 2007, and 2013?

The subtitle of this essay signals the tone-deafness of both Bolick and Bush on that question. They know there will be no net negative economic or environmental consequences of increased levels of immigration. They know that with freer markets, reduced governmental regulations, freer international movement of labor, and advancing technology, the U.S. population can grow forever, and all will be good. This is their religion and Julian Simon is their prophet. It is an extreme libertarian view of reality, though neither author admits to being libertarian. The widespread acceptance of such views within the Republican Party contributes strongly to that party’s image as being anti-science and anti-environment. But we must assume that every statement in the book has Bush’s own firm seal of approval.

A PROPOSAL FOR IMMIGRATION REFORM

A first chapter of 61 pages with this title lays out The Plan, and later chapters mostly provide more detailed rationale for it and background information. The specific policy changes advocated by Bush are based on what he considers should be the objectives of immigration policy and on certain assumptions he makes. Let’s list these. If they don’t make sense or accord with reality, many of the policy changes he desires are not likely to make sense either.

Objectives and assumptions

1. Increased immigration can provide “a remedy for an inadequate K-12 educational system” (p. 4). Until that system is improved, we should be “attracting and welcoming large numbers of students and professionals from foreign countries, if we are to have any hope of maintaining American prosperity in the world economy” (p. 90).
2. Those favoring increased immigration levels are reasonably labeled the political “left” and those favoring decreased levels are reasonably labeled the political “right” (pp. 6-7).

3. There is potential for a “bipartisan consensus” on immigration policy (pp. 5-6)—and such should be sufficient despite the fact that a plurality (ca. 40 percent) of the electorate finds neither major party worthy of its loyalty.

4. Individuals who favor the halting of mass amnesties and the lowering of legal immigration quotas are “extreme elements” and “demagogues” and have been demanding the “deportation of all illegal immigrants” (pp. 6-8).

5. Most “Americans support a process by which illegal immigrants can obtain lawful status, so long as they learn to speak English, pass background checks, and pay restitution” (p. 8).

6. The great majority of “Americans favor reducing the number [of immigrants admitted each year] or keeping it the same” (p. 10).

7. “Left to its own devices and without immigration, America’s population is shrinking and aging. We need more immigrants to stem that debilitating demographic tide” (p. 10). We need to keep increasing the size of our workforce and population (p. 73).

8. “[W]e cannot sustain a generous social welfare program…if we do not increase the numbers of productive, contributing participants in our workforce”—We can reduce the nation’s dependency ratio if we “increase the number of immigrant workers” (pp. 75, 77).

9. Only “comprehensive reform” will work because the “various parts of the immigration puzzle are interrelated” and because “bipartisan consensus” will not be achievable by dealing transparently with one policy issue at a time (pp. 12-13), as wiser members of the Republican party are attempting to do at the moment (April 2015).

10. “[W]e are locked in a stiff global competition for immigrants. … We are not bringing in highly skilled immigrants in sufficient numbers to meet our needs and to maximize future American prosperity” (pp. 17-18).

11. “The total number of family reunification immigrants is far greater than the numbers forecast by proponents of the current immigration law. When parents and siblings are given immigration preference, their entry in turn creates an entitlement to vast numbers of other extended family members to gain preference as well—a phenomenon called ‘chain immigration’.” (p. 20).

12. The fiscal and social costs of illegal immigration and of poor legal immigrants are high and fall especially on state and local governments and their taxpayers (pp. 33-35, 106-108).

13. “The continuing desire among Mexicans and other Latin Americans to emigrate to the United States is a blessing” because they have larger families and “are necessary to revitalize our nation’s aging lifeblood…” (p. 86).

14. “[I]t is so important not to reward those who have entered our nation unlawfully. … [C]omprehensive reform proposals that include anything resembling amnesty provoke widespread skepticism and opposition” (p. 108).

15. “There is one reason above all others that we have millions of illegal immigrants in our country: because under our current immigration system, there is no lawful avenue for them to enter the country…. If we do not provide a lawful mechanism for immigration for such people, we can expect a continued flow of illegal immigration during good economic times, no matter how many fences we build or how many obstacles we put in their path” (pp. 114-115).

**Proposed policies**

From the above, Bush and Bolick deduce and recommend the following policies:

A. “[I]mmigration and naturalization functions…[should] be placed either in a stand-alone agency or within an existing department (such as the Department of Commerce) whose mission is consistent with a national policy of promoting immigration” (p. 16).

B. Reduce chain immigration by “limiting guaranteed admission to spouses and minor children of U.S. citizens” and the “spouses and unmarried minor children of legal permanent residents” and by denying guaranteed immigration to the children and parents of such citizens and legal permanent residents (p. 21).

C. Eliminate the “diversity lottery,” which admits 55,000 immigrants per year with no regard to their family connections, education level or job skills (p. 23).

D. Foreign students “who obtain advanced degrees [in the U.S.] in STEM fields—science technology, engineering, and mathematics—should automatically be entitled to work visas if they obtain jobs in their fields following graduation…. [W]orkers in especially important occupations requiring specialized skills should be given green cards after a specified time…” (p. 26).
E. “Student visas should be plentiful and readily accessible, not only for the talent that many foreign students bring as possible future Americans, but for the goodwill toward America they engender if they return to their native countries” (p. 27).

F. Increase the number of temporary visas for foreigners who are willing to invest at least $500,000 in distressed areas or who “attract $250,000 in capital from American investors.” If they create some minimum number of new jobs and/or exceed “$1 million in revenues or new capital,” they should be given permanent residency. There should be no limit on the number of such visas given. (pp. 26-27).

G. “Work-based visas [need to be] vastly expanded beyond current numbers…” (p. 23). Establish “a guest worker program linked to market demand. … The temporary guest-worker visa should be renewable on an annual basis so long as the work relationship continues. … [A]fter five years of working pursuant to renewable temporary work visas, guest workers should be entitled to green cards if they have obeyed the law and paid taxes. … [N]umbers for worker-based visas should be automatically adjusted…on an annual basis to reflect changes in market needs” (pp. 27-29). “[O]ur immigration policy [should be] freed from the shackles of predetermined visa quotas and allowed to respond to economic demand… [T]he only sure way to secure our borders is to create an immigration policy that is fair and predictable, and allows sufficient opportunities for lawful immigration” (pp. 116-117).

H. “[E]xisting employer sanctions laws should be aggressively enforced. … The immigration agency should be empowered to use whatever technology it deems appropriate to maximize adherence to the law, such as E-verify… That system has the potential to be improved sufficiently that it could be made mandatory” (pp. 30).

I. “For all forms of immigration, the current restrictions on government benefits should remain in effect. Indeed…we believe states should be given greater latitude in setting rules for government benefits. … [I]n our view, it would not only greatly improve immigration policy, but also greatly increase the odds for broader political buy-in for positive comprehensive immigration reform … Congress should confer express authority to states to determine which services should be provided to immigrants, both illegal and those who have not yet acquired permanent legal residency or citizenship, and under what terms and services they may receive those services. … [T]his should be] a core component of comprehensive immigration reform…” (pp. 30-35, 40).

J. “Federal authorities should be obligated to initiate and prosecute deportation proceedings against any noncitizen immigrant, whether that person is here illegally or on a temporary visa, who has committed any violent crime, a serious property crime, or a serious crime involving fraud” (p. 37).

K. “[S]tates should be allowed to protect the integrity of the franchise with voter identification laws, which are supported by a large minority of Americans, including Hispanics. So long as states make it simple for citizens to obtain such forms of identification, they should have the latitude to require such identifications for voting or to secure welfare benefits” (pp. 38-39).

L. “We believe that under our Constitution, children born within the boundaries of the United States are citizens, so we do not address that issue, because that status can only be changed by constitutional amendment.” In other words, Bush would not attempt to change this flawed interpretation of the Constitution (p. 41).

M. “We propose a path to permanent legal resident status for those who entered our country illegally as adults and who have committed no additional crimes of significance. The first step in obtaining that status would be to plead guilty to having committed the crime of illegal entry, and to receive an appropriate punishment consisting of fines and/or community service. … [P]ermanent residency in this context, however, should not lead to citizenship.” (p. 43)

N. “[W]e propose that those who were brought illegally into the United States under the age of eighteen, who have resided in the United States for at least five years, and who have committed no significant crimes also should be entitled to permanent legal residency [and ultimately citizenship], without having to plead guilty to a crime or suffer legal consequences” (p. 46).

O. “We need to swiftly deport individuals who overstay their visas rather than allowing them to stay indefinitely or to pursue multiple appeals” (p. 49).

P. “We would give federal authorities broad discretion to meet the border security challenge with the most cost-effective combination of real and virtual fencing, aerial surveillance, and increased Border Security staffing. We also support giving the Department of Homeland Security authority to take security actions in the fifty national parks
within one hundred miles of U.S. borders” (p. 52).

Q. We should require that all visitors to the U.S. “provide biometric identification upon entry and exit. …Biometric data can be quickly compared to the Department of Homeland Security database to detect security risks. … [There should also be] a biometric electronic verification system, featuring tamper-proof fingerprint identification cards, for all visa holders” (p. 56).

R. Make the citizenship exam testing applicants’ understanding of the English language and American history and civics stronger, more rigorous. Then make passage of that exam a condition of graduation for all American high school students (pp. 58-59).

THE BROAD MIDDLE GROUND?

Bush and Bolick state that “there is a broad middle ground on immigration that commands the support of a large majority of Americans” (p. 8). Do their assumptions and recommendations as outlined above constitute such a “middle ground”? They do not, for the following reasons.

Of the 15 enumerated assumptions, only four (nos. 6, 11, 12, 14) accord with reality, one is debatable (9), and the other ten lack factual or logical support. Of their 18 policy recommendations, eleven (B, C, E, H, I, J, K, O, P, Q, R) would indeed improve our immigration system and enhance future American prosperity broadly defined. But the other seven policies would be so bad as to cancel out most of the benefit to be derived from the others.

There is not room to defend my opinions on these matters here by citing and reviewing the large amounts of data and analysis supporting them. A reviewer cannot compensate for all the “homework” that Bush and Bolick left undone, or for their cherry picking of the literature in order to support libertarian apologetics. But a few brief comments are in order.

The assumption I characterize above as “debatable” is that only a comprehensive mega-bill addressing all the major immigration issues will work. That is a position that many pragmatic, fair-minded persons hold: either the usual cynical, non-transparent horse trading must be allowed or nothing will happen. On the other hand, the electorate has seen vividly how unsatisfactory the results were with the comprehensive immigration legislation bills of 2006, 2007, and 2013. The electorate has close to zero confidence in the U.S. Congress.
being able to do better with a new “comprehensive” bill. Further, a much stronger claimant to represent “a broad middle ground” is now a reform program outlined in a January 2015 23-page document by U.S. Senator Jeff Sessions, advocating the one-small-bill-at-a-time approach. Though the document is titled *Immigration Reform for the New Republican Majority*, its proposals are so pro-American worker, pro-population stabilization, pro-environment that it has strong appeal to the mostly non-Republican political center.

Second, a key assumption (no. 8) underlying Bush and Bolick’s scheme is that high immigration rates will lower the dependency ratio, obviating the need for other adjustments, such as means testing for Social Security and Medicare, later retirement ages, increased payments into pension plans, and/or smaller pensions. This is the only road to Bush and Bolick’s notion of “prosperity.” In fact, as demographers and economists have documented for the U.S.\(^1\) and other western countries,\(^2\) even very high immigration rates have only small and temporary effects on the dependency ratio.

Another major oversight is Bush and Bolick’s failure to consider reports on immigration and population matters put out by broad-based governmental commissions over recent decades. These commissions gave much more inclusive consideration of all the factors important to setting of immigration levels and policy. They include the reports of Nixon’s *Commission on Population Growth and the American Future* (1972), Carter’s *Select Commission on Immigration and Refugee Policy* (1981), Clinton’s *President’s Council on Sustainable Development* (1996), and G.H.W. Bush’s *U.S. Commission on Immigration Reform* (the “Jordan commission”, 1997). Bush and Bolick knew of these reports but preferred to ignore them in *Immigration Wars*, presumably because their collective consensus that immigration rates need to be greatly reduced is radically at odds with what Bush and Bolick propose.

In a nutshell, the thesis of *Immigration Wars* boils down to ten core or implicit propositions that may be baldly stated as follows:

1. The objective of immigration policy should be to increase the size of the U.S. population, to increase national GDP, and to increase U.S. economic dominance in the world.
2. The number of work-based visas issued should be greatly increased and allowed to fluctuate with market demand, with no upper limit or “cap” imposed, and essentially all recipients of such visas will be offered, after a certain period of time, a path to permanent residency and citizenship.
3. All foreign students obtaining an advanced degree in the U.S. in a STEM discipline and then getting a job offer in the U.S. will be offered such a work-based visa.
4. Every multimillionaire in the world willing to invest $1 million in a new enterprise and create some minimum number of jobs in the U.S. will be offered an entrepreneur visa and ultimately a path to citizenship, as will their spouses and children.
5. Foreign-born parents and siblings of U.S. citizens and permanent residents will no longer be eligible for guaranteed admission to permanent residency in the U.S.
6. Citizenship will continue to be awarded automatically to all children born in the U.S. to illegal aliens or to persons on temporary worker, student, tourist, or business visas.
7. Illegal aliens who entered the U.S. *before* they were 18 and have not been convicted of any “serious” crimes will be given a pathway to permanent residency and citizenship, as will any spouses or children they may have in their home country.
8. Illegal aliens who entered the U.S. *after* they were 18 and who have not been convicted of any “serious” crimes will be given a pathway to permanent residency but not allowed to become citizens.
9. Enforcement of immigration laws needs to be stepped up with much greater use of technology and much greater cooperation of state and local law enforcement with federal immigration officials.
10. The negative consequences of increasing the U.S. population for environmental quality, natural resources, wildlife, and wildlands in the U.S. are irrelevant to immigration policy.

**THE IMMIGRATION IMPERATIVE AND THE RULE OF LAW**

These are the titles of Chapters 2 and 3 of *Immigration Wars*, respectively, but a more apt joint title would be “Population stabilization would bring economic doom to America.” Here are some of their main propositions that have not already been cited and that seem particularly misinformed:

- “[M]illions of people around the world cherish [our American] ideals and strive toward becoming Americans,” so we should give a green card to anyone who can find an employer willing to hire them.
- The population of the U.S. and our GDP need to keep growing forever; otherwise we cannot be a prosperous nation.
- We’ve accommodated large numbers of immigrants in the past and so can and should keep doing so to honor our “ideals” and “core values.”
An enduring debate

Chapter 4 (An enduring debate) is a brief, superficial, and 

We should work to prevent “other countries [including their own, from] reaping the benefit [from] …the enormous investment our schools have made in these [foreign] students” getting STEM degrees in the U.S.

“If we do not provide a lawful mechanism for immigration [for all workers who wish to come here] …, we can expect a continued flow of illegal immigration” that we will not be able to stop.

With respect to the “enormous investment,” of course, the biggest investment has typically been made by the K-12 and university systems of the students’ home countries and by their parents before the students even come to the U.S. The value added by their graduate work in the U.S. is just frosting on the cake. The fact that China has brought its population growth rate down to little more than half that of the U.S. is just one reason why China’s economic strength relative to that of the U.S. seems likely to increase. Despite all its problems, the average standard of living is rising faster in China than in the U.S.

And it is seriously disconcerting to hear a U.S. presidential candidate claim that even consistent and firm enforcement of fair immigration laws would be incapable of controlling illegal immigration. Even if legal immigration quotas were reduced by 80 percent, as many have recommended, the Department of Homeland Security would be perfectly capable of keeping illegal immigration very low without having to resort to draconian measures.

THROW-AWAY CHAPTERS

Three chapters do nothing to add to the value of the book as a guide to true immigration reform. Chapter 4 (An enduring debate) is a brief, superficial, and tendentious history of past debates and legislation concerning immigration. Chapter 5 (The human dimension) consists of vignettes about seven persons. Six immigrated or tried to immigrate, legally or illegally, to the U.S., encountered various obstacles, and, when and if they managed to complete the process, met with some success here. The seventh person was a U.S. citizen, who, after her husband, a Phoenix policeman, was killed by an illegal alien, went on to become an activist working to achieve amnesty for illegal aliens. Bush and Bolick commend her for her “sensitivity and compassion.” Go figure.

What is one to make of this string of anecdotes? Should there be no obstacles to immigration? No punishments for breaking the law? Is it news that immigrants to the U.S. can be good and successful people? Isn’t analysis by anecdote and hard luck story supposed to be a prerogative of biased and uninformed journalists and editors in the mainline media?

Chapter 6 (Immigration and education) is not about immigration reform, but rather about how to improve our educational systems so that, inter alia, we can supply more of our own STEM workforce rather than importing it from other countries. No matter how much we might improve our educational systems, however, it is doubtful that utopian free marketeers like Bush and Bolick would ever give up their demand for unlimited access to foreign labor. The chapter focuses on educational innovations in Florida and Arizona, advocating, among other things, vouchers for private schools.

HISPANDERING TO THE MAX AND THE GOP AS THE PARTY OF GOD

This seems a more accurate title for Bush and Bolick’s Postscript chapter which they title A prescription for Republicans. Like Sessions’ Immigration Handbook, mentioned earlier, it is aimed at Bush’s fellow Republicans. Bush says the GOP’s biggest problem is the pro-law enforcement rhetoric of the populist wing of the party, that increased pandering to Hispanics is called for, and that the religiosity of many Hispanics should mesh nicely with the religiosity of the Republican Party.

The postscript opens with a critique of Mitt Romney and his 2012 presidential campaign. After brief reference to the “extraordinary business acumen…[of ] the talented former Massachusetts governor,” Bush and Bolick go on the attack. Romney’s position that illegal aliens should not get in-state tuition rates in universities and his advocacy of achieving “attrition [of the illegal alien population] through enforcement” by modest increases in the enforcement of immigration laws are attacked by the authors as being “far to the right,” “anti-immigration,” “nativist” positions expressed in a “hostile tone” and “toxic rhetoric.” Bush and Bolick play the “race card” with all the gusto of journalists in the mainline media.

Despite his tough, principled stand against illegal immigration, Romney still got 27 percent of the Hispanic vote. Considering how much of the Hispanic population consists of poor persons with low educational levels and of persons in “mixed immigration status” families, that 27 percent was something to celebrate. It was not the cause of Romney’s defeat. No doubt a Bush and Bolick platform of massive amnesties and almost unlimited worker visas would get more than 27 percent of the Hispanic vote—but probably far less than 50 percent of the rest of the electorate.
Bush and Bolick are shocked that Romney received an even smaller percentage (26 percent) of the Asian vote in 2012. They cannot explain it, but imply that it may have been because of Romney’s favoring enforcement of existing immigration law.

In addition to adopting an essentially open borders immigration policy, Bush and Bolick argue that the GOP “should put the immigration issue behind us” and talk about other things where Hispanic attitudes are more concordant with “conservative” political positions. One of the more interesting of these areas is religion. The religiosity of the Republican Party is evident and its platform makes clear that non-believers are not particularly welcome in the party. Thus Bush and Bolick see hope in the fact that “Only 8 percent of Hispanics are atheist, agnostic, or unaffiliated with a church, …[t]hat most Hispanics pray every day, … [and] almost half of Catholic Hispanics believe the Bible is the literal word of God.” Bush and Bolick note that “a large part of Republican successes since 1980 [are] attributable to mobilization of religious voters, particularly evangelicals.”

A less insultingly paternalistic way for the GOP to make headway not only with Hispanics but with many larger segments of the electorate would be for it to confront how narrow its “big tent” has actually become. What does a party supposedly standing primarily for small government gain from the anti-science, anti-environment, anti-church-state separation rhetoric that issues so relentlessly from its leaders and members?

Nothing in their Postscript chapter indicates the least awareness on the part of either Bush or Bolick that those are real problems for the GOP. Or that they can account for many phenomena and events, including Romney’s loss, the low Asian vote for Romney, and the scarcity of academics, scientists, and environmentalists in the Republican Party.

If pander it must, the GOP should consider pandering to the most educated, most pro-American, most civic-minded, most scientifically literate, most pro-environment segments of the electorate, Hispanic and non-Hispanic alike.

CONCLUSION

In sum, Immigration Wars comes across as a poorly researched and poorly argued, one-sided paean to the sort of mass immigration and population anarchy long favored by institutions such as the Wall Street Journal and Cato Institute and their many fellow travelers. The clarity and specificity of the book’s recommended policies combined with its authorship by a presidential contender make it an especially useful and timely book, however. It should be digested by all with an interest in immigration policy. Other political candidates will resist, as usual, giving us more than vague, soporific platitudes on most policy matters treated in Immigration Wars. But this book and Sen. Sessions’ equally specific Immigration Handbook for the New Republican Majority provide a diabolically good opportunity for the electorate to hold all 2016 presidential pretenders’ feet to the fire, if enough honest and bold journalists, editors, columnists, debate moderators, and other pundits rise to the challenge and grip firmly the usual squirming “greased pigs.”

Endnotes