

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.

The American Legion members have served in the U.S. Armed Forces throughout the world. We know Third World countries. We have seen poverty, political instability, disease. Today, we see the threat that open borders present to their homeland. The American Legion has been a leader in mentoring candidates for U.S. citizenship, from the beginning of the organization. The Legion helped new citizens become contributing members of our society. 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. 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). The American Legion, a war-time veteran's 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 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.

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 material 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 [*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: 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. Since states must pay the high cost of providing such services, illegal immigration has become one of the largest "unfunded" federal mandates. 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. 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 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. 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 post secondary education benefit unless a citizen or national of the United States is eligible for such a benefit." Next step is to eliminate the jobs magnet and to cease awarding illegal aliens taxpayer sponsored social services benefits. 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. The American Legion recognizes that mass deportation of all illegal's is not a realistic option. 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. 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; The failure of this country to absorb new immigrants into its society divides the nation and promotes racial and cultural bias. 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 and money being given to the illegal immigrants should be provided for American students to pursue high-tech professions to reduce the outsourcing of American jobs.