



FAIR FEDERATION FOR AMERICAN IMMIGRATION REFORM

Immigration

REPORT

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Hold Their Feet to the Fire 2012:

FAIR Hosts National Radio Teach-In on Immigration Policy

For the sixth time, FAIR organized and hosted a sweeping national discussion of America's immigration policies on the nation's radio airwaves. On May 8 and 9, 44 talk radio hosts converged on Capitol Hill for Hold Their Feet to the Fire, a two-day event to deliver the message of true immigration reform to millions of listeners across the country.

Hold Their Feet to the Fire is always a timely event and this year was no exception. The event was held

against the backdrop of the Obama administration's implementation of its backdoor amnesty for millions of illegal aliens, renewed bipartisan efforts in Congress to revive the DREAM Act amnesty, and on the eve of an expected ruling by the U.S. Supreme Court that could give states the green light to discourage illegal immigration.

Over the course of two days, the 44 radio hosts had the opportunity to discuss immigration policy on air with dozens of members of Congress, law

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Senator Jeff Sessions (R-Ala.) stops by FAIR's Hold Their Feet to the fire to discuss immigration.

Reid Protects \$4.2 Billion Government Giveaway to Illegal Aliens (Again)

Over the past year, FAIR has reported regularly about a tax credit that, as of 2010, is putting \$4.2 billion a year of your money into the hands of illegal aliens. Last summer, the Inspector General for the Department of Treasury issued a report that concluded that people filing tax returns using Individual Taxpayer Identification Numbers (ITINs) were abusing the Additional Child Tax Credit (ACTC) and receiving checks from the government. Nearly all of the tax filers using ITINs are illegal aliens, who do not qualify for Social Security numbers (SSNs).

Since the release of the Inspector General's report, FAIR has been working to close this loophole. The House of Representatives has acted twice to require that tax filers claiming the ACTC have valid SSNs. Earlier this

A REPORT BY AN INDIANAPOLIS TELEVISION STATION FOUND THAT FOUR ILLEGAL ALIENS RECEIVED **\$29,608** FROM THE IRS BY CLAIMING TAX CREDITS FOR 20 NIECES AND NEPHEWS WHO LIVE IN MEXICO.



In May, the House acted again to end ACTC pay-outs to ITIN filers, approving legislation introduced by Rep. Sam Johnson (R-Texas). Companion legislation in the Senate, sponsored by David Vitter (R-La.) and Jeff Sessions (R-Ala.), was blocked by Sen. Reid. In a speech on the floor of the Senate, the Majority Leader argued that the Vitter-Sessions bill “literally takes a sledgehammer to a problem that deserves some fine-tuning — a scalpel.”

As a result of Sen. Reid's actions, illegal aliens will continue to reap huge benefits at the expense of American taxpayers. A report by an Indianapolis television station found that four illegal aliens alone, sharing a small trailer, took a sledgehammer to the American taxpayer last year. These illegal aliens received \$29,608 from the IRS by claiming tax credits for 20 nieces and nephews who live in Mexico.

A political analyst for the Indianapolis station summed up the reason for the Senate Democratic leadership's refusal to act to close the ACTC loophole: politics. “There are huge constituencies with Latino-Hispanic voters, and some of those are in areas with contested House seats in battleground states,” he noted.

year, the House included a provision closing the ACTC loophole in a bill that extended Social Security tax breaks for working Americans. That provision was gutted in a conference committee during which Senate Majority Leader Harry Reid (D-Nev.) and House Speaker John Boehner (R-Ohio) hashed out differences between the bills passed by their respective chambers.

Immigration REPORT

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Violence Against Women Act Becomes Vehicle for More Immigration

Within the last month, both the House and Senate have passed competing bills reauthorizing the Violence Against Women Act (VAWA). While typically thought of as a bi-partisan and non-controversial piece of legislation, the open-borders lobby is using the legislation as a means to help accomplish its immigration agenda.

In particular, the open-borders lobby is using the Senate version as a vehicle to increase immigration through the U visa program. As passed, the Senate's version of VAWA would increase the number of U visas issued over the next few years by tens of thousands.

On the other hand, while the House-passed version does not include provisions to increase the U visa program, special interest groups convinced House leadership and the bill's author to amend it in a last minute move to weaken several of the key immigration provisions in the original bill. As amended, the House bill now reinstates a provision granting legal and illegal aliens who are the victim of crimes a green card and weakens safeguards in the original bill to protect against fraud.

Legal and illegal aliens who are victims (or attempted victims) of crimes are eligible for a U visa if they are

likely to aid law enforcement in the prosecution of their assailant. The U visa allows them to remain in the U.S. for periods of 4-years at a time, grants their spouse and children legal status, and authorizes them to work.

FAIR has consistently opposed the U Visa program as unnecessary. Crime victims and witnesses do not need to fear coming forward to report crimes. Police do not ask about or investigate immigration status in those circumstances. Moreover, our immigration laws already grant the Department of Homeland Security the means to offer these aliens temporary legal status in order to help prosecute their assailant, without having to grant them legal permanent residency.

The House and Senate versions must now be reconciled before VAWA can be sent to President Obama to sign. However, even the substantial changes to the immigration provisions included in the House version of VAWA do not go far enough to satisfy the Administration, resulting in a threat to veto the legislation. A committee of House and Senate members is expected to address these provisions and come to a compromise within the coming weeks.

Gutierrez Willing to Work with Rubio on DREAM Act

By late May, after months of vague statements about a watered down version of the DREAM Act amnesty, Sen. Marco Rubio (R-Fla.) had still not produced a bill. What has been produced is an apparent alliance with Rep. Luis Gutierrez, Congress's arch advocate for amnesty for illegal aliens.

According to a blog written by Juan Williams of Fox News, Gutierrez

“told me he is working with [Rubio] on a version of the DREAM Act that will halt deportation of young, undocumented immigrants who are currently in school or serving in the military — but will not grant them citizenship.” The absence of a provision that puts DREAM Act beneficiaries on “a pathway to citizenship” has been the fig leaf Rubio has employed to deny that his

proposal amounts to amnesty. However, in numerous statements, Rubio has said that he would not rule out citizenship at some later point.

“I think [Rubio] is sincere” about allowing millions of illegal aliens to live and work in the U.S. legally, Gutierrez told Williams. Notwithstanding the fact that the Obama administration has publicly stated it will not deport illegal aliens

FEET TO THE FIRE 2010 *continued*

enforcement officials, and policy experts. With a national election just six months off, the event served as a reminder to political leaders that true immigration reform remains a priority with voters all across the country.

From FAIR's perspective, Hold Their Feet to the Fire is an important way to educate the American public about key immigration policy issues that are ignored by other media. While many leading newspapers and television news shows have chosen to ignore the Obama administration's policies of not enforcing immigration laws, or have assumed the role of cheerleaders for the DREAM Act and other amnesty proposals, talk radio provides an alternative perspective.

While the voices of legislators and policy experts are always important to listeners around the country, Hold Their Feet to the Fire also provides a forum for compelling personal stories of how immigration is affecting the lives of ordinary Americans. Among the guests who made the deepest impressions on the talk hosts and their audiences were:

- **Peggy and Fred Davis**, Arizona ranchers who live with the daily disruption and dangers of illegal aliens being trafficked across their property.
- **Dennis Lynch**, a documentary filmmaker from New York,

spoke about his cross-country odyssey detailing the ways in which government policies ignore the most basic interests of American citizens in order to accommodate illegal aliens.

- **Kirk Lippold**, a retired U.S. Navy Commander who was in charge of the U.S.S. Cole, the Naval destroyer that was blown up by terrorists in Yemen in 2000 taking the lives of 17 seamen and wounding 39 others. Commander Lippold reminded listeners about how American lives continue to be at risk as a result of our refusal to enforce immigration laws.

Perhaps the most compelling appearance of all was by **Ignacio ("Nacho") Ramos**, the former Border Patrol agent who spent two years in federal prison for wounding an illegal alien drug smuggler who attacked him and his partner Jose Campean in 2006. His cause was championed by FAIR and many of the talk radio hosts in attendance. Accompanied by his wife, Monica, Nacho had the opportunity to thank the people who helped him gain his freedom.

While talk radio listeners across the country were learning about the extent to which the Obama administration is allowing illegal aliens to remain in the U.S., and a new plan to grant formal amnesty to large

numbers of illegal aliens through the DREAM Act, FAIR activists from all over the country spent two days visiting congressional offices to remind legislators that they are being watched by the American public. Activists had the opportunity to express their views and concerns to dozens of members of the House and Senate and their staffs.

The activist component of Hold Their Feet to the Fire culminated with a mass visit to the office of Senator Marco Rubio (R-Fla.). During the weeks leading up to the event, Rubio was actively promoting the idea of a new DREAM Act, without disclosing details about his proposal or legislative language. Activists made it clear to Sen. Rubio's staff that they, and millions of Americans like them, would vigorously oppose any effort to grant legal status to illegal aliens in the United States.

Bob Dane and Kristen Williamson of FAIR's Media department deserve special recognition for organizing every detail of the two-day event. Special thanks also goes to Steve Kirsch and his team of audio engineers at Silver Lake Audio for the flawless technical service that got, and kept, 44 radio programs on the air for two days. FAIR also appreciates the efforts of the staff of the Phoenix Park Hotel for accommodating the needs of the broadcasters and invited guests.



Hold Their Feet to the Fire 2012



ACROSS THE
COUNTRY**Oregon**

In a letter addressed to May Day protesters, Gov. John Kitzhaber announced plans to have police accept the Mexican Matricula Consular ID card as a valid form of identification during a traffic stop if the person stopped does not have a driver's license. People who do not have driver's licenses, but possess Matricula cards are almost certain to be illegal aliens. Under the governor's plan, such individuals would still be cited for the traffic violation that led to the stop and for driving without a license, but as long as they showed a Matricula card as proof of identification, they would not be held. With no apparent sense of irony, Gov. Kitzhaber justified his proposed policy stating, "Right now too many Oregonians are traveling from home to work, or school, or church, in risk of violating the law" – ignoring the fact that they are already violating the law by being here, working here, and driving without a license.

California

California's projected budget deficit has ballooned back up to \$16 billion, and the state's unemployment rate stood at 11 percent in March, nearly three percentage points above the national average. None of this dire news, however, seems to have deterred lawmakers in Sacramento from seeking out new ways to reward illegal aliens. A bill sponsored by Assemblyman V. Manuel Perez and approved by the Labor and Employment Committee would grant legal status and work permits to illegal aliens who have worked in California for at least 150 days. Illegal aliens would have to pay a fee for the permit and demonstrate that they are trying to learn English. "We believe we can become a model" for the nation, said Perez. Actually, with a \$16 billion deficit and 11 percent unemployment, California already is a model few states would want to emulate.

New York

New York is facing a projected \$2 billion state budget deficit, modest in comparison to California's shortfall, but still requiring painful cuts to many state programs. The state has slashed its higher education budget by \$700 million over the past three years, while students encounter higher costs and many graduate with substantial debt. So, against this backdrop, the New York State Assembly took action in May to help illegal aliens pay for college. A bill approved by the Assembly establishes the New York DREAM Fund Commission, which will raise private money to fund tuition assistance for illegal aliens. This assistance comes on top of an estimated \$22 million a year in-state tuition benefits the state affords illegal aliens who attend public colleges and universities. The legislation awaits action in the New York Senate.

Instead of Weakening Alabama's Immigration Enforcement Law, Legislators Strengthen It

A funny thing happened on the way to the business lobby's effort to gut Alabama's effective immigration enforcement law, known as HB 56: The people of Alabama intervened, and the law was actually made stronger.

Under pressure from cheap labor interests in the State, the Alabama House of Representatives approved HB 658 in April, a bill that would have scaled back

penalties against employers who knowingly hired illegal aliens and made other substantive changes to the HB 56 law adopted last year. However, when the legislation reached the State Senate, the tables turned. Senator Scott Beason, co-author of HB 56, offered a substitute amendment that stripped roughly 95 percent of the House language and replaced it with new language. That new language was largely the original text of HB 56 plus some

DREAM ACT continued

who might qualify for amnesty under the DREAM Act, Rubio reportedly told Gutierrez, “You know, Luis, you want to end the deportations...I want to end the deportations.” Gutierrez also revealed himself to be a political pragmatist, willing to take what he can get and come back and fight another day. “Who am I to say, ‘Oh, I’ve got to have something perfect,’” said Gutierrez.

The involvement of Gutierrez in drafting legislation indicates that when a bill is finally unveiled it is likely to be far more generous to illegal aliens than Rubio suggests. There is also the strong likelihood that the Democratic majority in the Senate, under the leadership of Harry Reid and Dick Durbin, will offer amendments that would expand the scope and breadth of Rubio’s version of the DREAM Act.

Even without the involvement of Gutierrez, the legislation Rubio has been promoting would unnecessarily reward illegal immigration and encourage millions more people to bring children to the United States in the expectation that they too will be allowed to remain. Moreover, as Rubio has conceded, it is likely that beneficiaries of the DREAM Act he is proposing will eventually gain citizenship under subsequent legislation.

The protracted media campaign being waged by Rubio and the backroom negotiations with Gutierrez are reminiscent of the so-called “Grand Bargain” hatched by Democratic and Republic leaders in 2007, which included a comprehensive amnesty for nearly all illegal aliens in the U.S. That “Grand Bargain” amnesty was a featured topic in FAIR’s *Hold Their Feet to the Fire* 2007 and it subsequently went down to defeat.

ALABAMA LAW continued

technical changes made to help the bill stand up in court. The revised law was signed by Gov. Robert Bentley on May 18.

Sen. Beason also used the opportunity to add some additional provisions to discourage illegal immigration that had not been part of HB 56. The revised legislation approved by both houses of the legislature requires the Alabama Department of Homeland Security to report information on illegal aliens who are detained and subsequently appear in court for violations of state law. Another new section requires the state Department of Revenue to conduct record searches to find multiple tax returns filed under the same Social Security Number to help spot identity theft. A third new section requires the Attorney General to defend Alabama law enforcement officers against actions brought by the United States Department of Justice.

The revised version of HB 658 did include a few concessions to business interests. Under the legislation, a court would have to determine that an employer maintained a “policy or practice,” meaning repeated violations, of hiring illegal aliens before a business license could be suspended. Another provision would limit the ability of citizens or legal immigrants to take action against a public official who refuses to enforce the law.

At first, Governor Bentley refused to sign HB 658, calling instead for changes to several provisions. Alabama legislators, however, declined to make any additional changes to the law. The legislature’s resolve was bolstered by strong public support for preserving the essence of HB 56. A statewide poll, commissioned by FAIR in March, found that 75 percent of likely voters approved of HB 56, including 52 percent who said they “strongly supported” the existing law. In addition, when opponents of immigration enforcement pushed to weaken the law, citizens and activist groups across Alabama brought pressure on lawmakers and the governor to leave the law intact.

Enactment of the Senate’s version of HB 658 represents a huge victory for immigration reform advocates. In Alabama, the public’s strong desire for meaningful protections against mass illegal immigration successfully held back a well-financed effort by business and ethnic advocacy groups to undermine immigration enforcement.

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