COMPREHENSIVE IMMIGRATION REFORM: BECOMING AMERICANS—U.S. IMMIGRANT INTEGRATION (CONTINUED)

HEARING

BEFORE THE

SUBCOMMITTEE ON IMMIGRATION, CITIZENSHIP, REFUGEES, BORDER SECURITY, AND INTERNATIONAL LAW

OF THE

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COMPREHENSIVE IMMIGRATION REFORM: BECOMING AMERICANS—U.S. IMMIGRANT INTEGRATION (CONTINUED)

WEDNESDAY, MAY 23, 2007

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON IMMIGRATION, CITIZENSHIP,
REFUGEES, BORDER SECURITY, AND INTERNATIONAL LAW
COMMITTEE ON THE JUDICIARY,
Washington, DC.

The Subcommittee met, pursuant to notice, at 5:45 p.m., in Room 2226, Rayburn House Office Building, the Honorable Zoe Lofgren (Chairwoman of the Subcommittee) presiding.

Present: Representatives Lofgren, Jackson Lee, King, Goodlatte, and Gohmert.

Staff Present: Ur Mendoza Jaddou, Chief Counsel; Andrea Loving, Minority Counsel; George Fishman, Minority Chief Counsel; and Benjamin Staub, Professional Staff Member.

Ms. LOFGREN. This hearing of the Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law will come to order. This is a continuation of our hearing from last Wednesday scheduled at the request of our minority Members pursuant to clause 2(J)(1) of House Rule XI so as to provide additional perspectives on the topic of that hearing. Our witnesses today have been chosen by the minority, and we look forward to hearing their testimony.

The Chair now recognizes the Ranking Member, Steve King, for his opening statement.

Mr. KING. Thank you, Madam Chair. Thank you for holding this hearing today, and I thank the witnesses for being here to testify. The title of this hearing is integration; to me, that means assimilation. I found in one of our previous hearings there were witnesses on the other side that weren't quite pleased with that expression, assimilation.

I would reflect back when I was first elected to Congress, I held a meeting in my office with a group of minority leaders in my largest city, there were 14 of them, and as I listened to each, and I brought them in because I wanted to open the dialogue, all around that table of 14 it was a continual demand upon the taxpayers for benefits, and finally I asked what are you going to do. Well, we pay taxes, and you have to listen to us. Well, everyone who consumes in America pays taxes of some kind.

And so then I said I am going to ask you to respond instantaneously to one word I am going to use, everyone get up on the front

of the chair and be ready when I say the word, because I don't have time to listen to all 14 of you give me your opinion. They all got ready, and I said, "Assimilation." They sat back, put their hands up, gave every expression of rejection you can imagine, all 14, and they said that means we have to give up our culture, you are trying to take away our culture, force us to accept your culture. And I said what you have done by your body language and by your spontaneous responses, you have rejected American culture by that response to the word "assimilation."

Assimilation is the foundation of American culture, and the other cultures in the world, the other nations in the world would dream to have the kind of success that we have had here. I look across at the Israelis who, in 1954, adopted Hebrew as their official language. And I asked them why did you do that, they said we saw the model of successful assimilation in the United States. We wanted a language that identified us as a people so they resurrected a 2,000-year-old language so that they could identify themselves as Israelis. No matter where they come from in the world, they speak the same language, they make sure that they do, and they put them through the assimilation process when they arrive in Israel, whether it is Africa or Asia or wherever it is.

So when I look through, I sat down myself and went through the World Book Encyclopedia because that was the only document that I could find that actually identified whether a country had an official language or not.

I opened up the Almanac, went to every flag there, and then I went to the World Book Encyclopedia. There in that research it doesn't always concur with some of the other research, and every single country had at least one official language except the United States.

I will say tying ourselves together with one language, one common form of communication, currency has been the strongest, most powerful bond known to humanity all throughout history, from Qin Shi Huang, the first emperor in China, who in 245 B.C. determined he was going to bind all the Chinese together by hiring scribes to draft the Chinese language and unify them for 10,000 years. He is a fourth of the way along. We need to tie ourselves together, we need to have a successful immigration and assimilation program. If you call it integration, let's make sure we are really talking about the blending of all cultures together under one overall form, one form of common culture that binds us together, then we have some cultures underneath that we respect.

So if we move down this path correctly, we can have a strong Nation and if we move this pathway by dividing ourselves, then we will collapse as a Nation. That would be the viewpoint that I bring to this, and I look forward to the testimony of the witnesses, and I thank you, Madam Chair, and I yield back the balance of my time should there be any.

Ms. LOFGREN. Thank you. We now turn our attention to the minority witnesses to provide their perspective. In the interest of proceeding to our witnesses I will place my opening statement into the record, and without objection, the Chair is authorized to declare a recess of the hearing.

I would like to introduce Dr. Stanley Renshon, Professor and Coordinator of the Interdisciplinary Program in the Psychology of Social and Political Behavior at the City of New York Graduate Center. He received his doctorate from the University of Pennsylvania, completed a post-doctoral fellowship in Psychology and Politics at Yale University, and did additional graduate work and psychoanalytic training at the Training and Research Institute for Self-Psychology at Long Island University, and the International Society of Political Psychology elected him as its President during the 2003–2004 academic year.

I would also like to introduce Tim Schultz, Director of Government Relations and Staff Counsel for U.S. English. Mr. Schultz has worked for 4 years with U.S. English, focusing on legislation. He holds his bachelor's degree from Kansas State University and law degree from Georgetown.

We would also like to welcome Mark Seavey, Director of the National Legislative Commission at the American Legion. He served in Afghanistan for over a year as an infantry squad leader in the 3rd Battalion, for which we are very grateful, and he is a graduate of the Citadel, the Military College of South Carolina.

And finally, we would like to welcome Roger Clegg, President and General Counsel of the Center for Equal Opportunity. Prior to beginning his work at the Center 10 years ago, Mr. Clegg served as Vice President and General Counsel to the National Legal Center for the Public and as Deputy Assistant Attorney General at the Justice Department. He earned his bachelor's degree from Rice University and his law degree from Yale University.

Each of your written statements will be made part of the record in its entirety. We ask that you summarize your testimony in 5 minutes. When you have 1 minute left, the yellow light will go on; and when the red light flashes, it means time is up. It always come faster than you think.

I would ask that you try and live within those time limits. We are expecting a series of votes, and if we are prompt, we can actually keep you from sitting here for an hour while we vote.

So let me begin, Mr. Renshon, with you.

TESTIMONY OF STANLEY RENSHON, PROFESSOR, CITY UNIVERSITY OF NEW YORK GRADUATE CENTER

Mr. RENSHON. Thank you very much. Is the mike on? Can you hear? Thank you.

Ms. LOFGREN. If you could move it a little bit closer.

Mr. RENSHON. Madam majority Chairman and minority Members and members of the group, thank you for having me here again today. I am honored to discuss something that is very important to America's long-term national security and civic well-being.

Part of my work is on the psychology of immigration and American national identity and some of the results of that are published in a book called *The Fifty Percent American.* The focus of that book and the foundation of my remarks here today is that a core but neglected issue facing the American immigration policy is our ability to integrate tens of millions of new immigrants into the American national community. That ability turns largely on our success in helping immigrants form and develop emotional bonds with this

country. Governments certainly can't mandate attachments, but they can facilitate or impede them.

I understand national attachment to include warmth and affection for and appreciation of, a justifiable but not excessive pride in, and a commitment and a responsibility to the United States, its institutions and way of life and its citizens. The success of American democracy and its cultural and political institutions have always depended on these kinds of emotional attachments.

Yet the degree of attachments, emotional attachments, that immigrants feel toward their new country is rarely discussed and almost never directly measured. Instead, we rely on surrogate measures like whether they say they speak English or whether they own property. Caution is in order for both of those because self-reports are, after all, only self-reports and owning a house is not the same thing as loving your country.

There is in our country today an attachment gap. That gap is the result of centrifugal forces that have buffeted the emotional attachments of the American national community by immigrants and Americans alike over the past four decades. Domestically some multiculturalists have sought to substitute ethnic and racial attachments for national ones, while international cosmopolitans, in quotes, seek to transcend what they see as narrow and suspect nationalist connections to the American national community.

It is having an effect. To give you one statistic out of many in my book, in 2002 the Pew Center asked a large sample of Hispanics what terms they used to describe themselves. They found about 88 percent identified themselves from their country of origin, that is either Mexican or Cuban or Latino or Hispanic. They were much less likely to use the term "American." Surprisingly, this was true even if they were American citizens. They were more likely to identify with their country of origin.

This is no longer confined just to ethnic groups. I just read yesterday a recent Pew poll on Muslim Americans. An estimated 2.5 million Muslims, 47 percent of whom think of themselves as Muslims first and not Americans.

Globalization and technology have allowed foreign governments to maintain and foster the attachments of their immigrant nationals to their, quote, unquote, home country. My favorite illustration of this is the temporary protected status granted to El Salvadorans in March 2001 because earthquakes had devastated their country. It was extended for 1 year and set to expire. At that point almost

Seven hundred and fifty thousand Salvadorans living in this country got a recorded message from their President urging them to urge our Government to continue on with the temporary protected status.

We are in the midst now of a long delayed and much needed national debate regarding immigration. In my view, any new immigration bill should be crafted with a sharp focus to this question, what should we ask of immigrants who want to become Americans? My answer to that is really straightforward. We should prefer those who come here to invest in this country as well as in their own ambitions. We should prefer those who invest more in learning our language, culture and politics than they do in retaining their attachments to the countries of their origin. We should prefer peo-

ple who work hard to realize their own ambitions and opportunities but reinvest some of that gain back into the American community.

That said, what practically can the government do to help this process along? First, and I would really urge this one, I guess I will say this and that will be that, we need to understand that becoming an American is a process that begins when people first contemplate coming here and ends only when they and their children feel more attached to this country rather than any other.

I have some other comments about how we might do that.

[The prepared statement of Mr. Renshon follows:]

PREPARED STATEMENT OF STANLEY A. RENSHON

HEARING ON COMPREHENSIVE IMMIGRATION REFORM: BECOMING AMERICAN, U.S IMMIGRATION INTEGRATION

Statement of Stanley A. Renshon
Professor of Political Science, City University of New York, Psychoanalyst
Fellow, The Center for Immigration Studies

House Committee on the Judiciary
Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law
5:30 p.m., Wednesday, May 23, 2007
2226 Rayburn House Office Building

Summary
We are in the midst of a too long-delayed and much-needed national debate regarding immigration. However, there is in danger of missing an essential point. A central question of American immigration policy is how this country can help facilitate the emotional attachments of immigrants and citizens alike to the American national community. Given the centrifugal pulls of our society and the government's current laissez faire and somewhat sporadic efforts to help our citizens, new and old, develop and maintain their attachments any new immigration bill should be crafted with a sharp focus on this question.

This country faces catastrophic dangers from abroad and major policy issues at home. In such circumstances, pervasive public feelings that reflect instrumental, shallow, or ambivalent emotional national attachments are not only undesirable, but also dangerous. But what can be done? Feelings of attachment cannot be mandated by legislation or instilled by clarion calls to patriotism. My remarks spell out a set of proposals to help facilitate and deepen the attachment of immigrants and Americans alike to our national community.

But there is a prior question we must address. We need to understand that the immigration system is a process that begins when people contemplate coming to America and ends only when they are comfortably integrated into the American national community, and they and their children feel more attached to this country than any other. In between there are many steps, and at each step the question should be asked and answered: What can this government do, in partnership with public and private institutions at all levels of society to help facilitate the more effective integration of new immigrants and Americans alike into our national community. This will require us to pose and answer a profoundly serious and fundamental question: What do we want to ask of immigrants who want to become Americans? This is a question political leaders have been hesitant to ask publicly. My own answer is rather straightforward. We should prefer those who come here to invest themselves in this country as well as in their own

ambitions. We should prefer those who invest in learning our language, culture and politics. We should prefer those who work hard to realize their own ambitions and opportunities, but reinvest some of what they gain back in the American community. And we should expect that they will not only be law abiding, but culture abiding—that is they will respect and honor the cultural elements of American society, as well as expected that their cultural views will be respected.

Statement-Becoming an American

Madam Majority Chairman, Minority chairman, and members of the committee, I am deeply honored to be invited here to speak with you today regarding a subject vital to America's long-term national security and civic well being.

I am here today as an American who both studies and loves this country and is concerned about its future. I am by first training a political scientist, by second training a clinical psychologist and by third training a psychoanalyst. I've been invited here today. I suspect, because of my work on the psychology of immigration and American national identity some results of which are found in my book The 50% American: Immigration and National Identity in an Age of Terror published by Georgetown University press.

The focus of the book, and the foundation of my remarks here today is that the core issue facing American immigration policy is our ability to integrate tens of millions of new immigrants into the American national community. That ability turns largely on our success in helping immigrants form and develop emotional bonds with this country—its way of life, its ideals, its people, and its institutions. Government certainly can't mandate such attachments, but it certainly can facilitate or alternatively, impede them.

America has begun a long-delayed and contentious national immigration debate that has been building for over a decade. It has been stimulated by the confluence of three critical national developments: the terrorist attacks of 9/11 that destroyed the comforting assumption that "it can't happen here" while underscoring American vulnerability caused in part by an easily exploited immigration control system; the unprecedented numbers of new immigrants from diverse cultural and political traditions that have raised important questions about this country's capacity to integrate them into the American national community, how best to do so, and immigrants' interest in doing so; and the increasing awareness that the issue of illegal immigration represents not only a national security challenge but also a challenge to the very fabric and nature of American democratic life.

The new immigration debate has been crystallized by the Bush administration's guest-worker program proposal that would "regularize" the status of millions of illegal immigrants already here, and provide a framework for their eventual citizenship.1 That proposal has sparked fierce debate.2 The Republican Party is split between those who do not want to reward illegal immigrants with an amnesty for their violation of American immigration laws and those who see an economic benefit from the labor of immigrant workers. The Democratic Party is eagerly anticipating the prospect of adding 10 million

new illegal immigrants/citizens to their voting rolls and have criticized any plan that does not include allowing most or all of the illegal immigrants here now to "regularize" their status and be put on the road to full citizenship.3 As often happens in such tense political standoffs, "grand bargains" emerge; in this case, 10 million illegal immigrants (and their families) become legal in exchange for as-yet-unspecified "enforcement."

"Enforcement will be the key" to any new border deal, asserts one typical news story.4 The new policies will be "tough as nails" promises another grand bargain advocate.5 Past experiences with such calming reassurances should leave skeptical anyone with even an ounce of realism. The bilingual education program that is at the center of so much difficulty in teaching immigrants English in school started out as a measure to further English, not home languages, but was derailed and hijacked as it was implemented after congressional passage.6 Sanctions against businesses that hired illegal immigrants, part of the 1986 Immigration Reform and Control Act (IRCA), also contained a grand bargain consisting of enforcement and legalization, but as the Manhattan Institute's Tamar Jacoby notes, "Not only on the border, but also in the workplace, enforcement of our immigration law is close to meaningless."7

Moreover, IRCA stimulated more illegal immigration, as amnesties do,8 since the anticipation of future "status adjustments" is historically realistic and the incentives high. Why the current suggestions for a grand bargain would differ is not made clear. The current debate springs from one basic fact and one unexamined premise. According to a report on immigration policy from the Chicago Council on Foreign Relations, the only point of agreement among those who study, are affected by, or wish to change American immigration policy is that "the system is broken."9 The clearest and most obvious reflection of this fact is the presence of an estimated 12 million illegal immigrants living in this country and the estimated 750,000 who enter every year.

This demographic fact leads many to a premise that has yet to be tested, much less verified. It is that illegal immigrants come here primarily to work at jobs "Americans won't do." I say this is a premise because, since there has never been adequate enforcement of our immigration laws, the United States has never really tested the proposition that legal immigration, now averaging nearly one million per year, will not satisfy our economic needs. It seems highly unlikely that the United States needs eight to 10 million farm workers, construction workers, restaurant workers, or gardeners (occupations that attract many illegal immigrants), or that if we did need more of these kinds of workers, raising salaries wouldn't provide them.

While these problems ought to be enough to caution against the easy but untested claims of grand bargain advocates, I want to make a different argument here: That the focus on grand bargains that trade legalization for enforcement misses the most important part of the immigration debate entirely. The grand bargain — however much enforcement or legalization is in the final deal — fails to get to the heart of America's immigration dilemma, what remains the hidden core of the issue.

Attachment: The Hidden Core of the Immigrant Debate

What is America's central, core immigration issue? It is this: How is it possible to integrate the almost one million new legal immigrants who arrive here each year, on average, into the American national community? How do we help them to feel more at home here, while at the same time developing the emotional attachments that will truly help them think of themselves as more American than otherwise? Before the United States adds 12 million illegal immigrants and their families to our citizenship rolls, stimulates the inevitable yearly increase in illegal aliens who will wish to be strategically placed for the next "status adjustment," and adds them to the already record-breaking numbers of legal immigrants who arrive each year, it should seriously consider the "attachment gap."

That gap is the result of centrifugal forces that have buffeted emotional attachments to the American national community by immigrants and Americans alike over the past four-plus decades. Domestically, some multiculturalists have sought to substitute ethnic and racial attachments for national ones, while international cosmopolitans seek to transcend what they see as narrow and suspect nationalistic connections to the American community with international ties, including encouraging new immigrant ties to their "home" countries.

A just published PEW Poll found that among America's estimated 2.5 million Muslims, 47% think of themselves as Muslims first, not American.[10] That is better than the 81% of British Muslims whose religion trumps their nationality, but almost half is still worry some. The Pew study believes this to be as much a statement of religiosity as of American identity and points out that the same holds for religious Christians. However, the Pew poll also suggests that high levels of religiosity are not only associated with low levels of attachment to an American identity but to political views that give pause. For example, highly religious Muslims are more supportive of suicide bombing than those Muslims who have an American first identity[11]. The numbers are not large and I am not raising an alarm, I'm simply making the point that the lack of a strong American identity can have consequences.

All of this has unfolded as America's major cultural, political, and social institutions and practices have been under relentless pressure during our decades-long culture wars.

The focus on the emotional attachment and psychological integration of both new immigrants and those who are already American citizens into the American national community is, paradoxically, both fundamental and novel. Immigration is a policy area that has been dominated by economic arguments. Do immigrants pull their own economic weight? Do they use more economic resources than they contribute? Do they depress wages for working-class Americans? The degree of emotional attachment that immigrants feel toward their new country is hardly mentioned and never measured. Instead, we rely on surrogate measures like self-reports on English language faculty (which focus on speaking, not reading or writing), education, or home ownership. Caution is merited on all these substitute measures since few like to publicly admit their language limitations, education is not synonymous with national attachment as even a

casual perusal of informed punditry will reveal, and owning a house is not the same as loving your country.

The immigration debate also has had its share of hyper-charged political rhetoric. Is helping immigrants to become attached to their new country a form of racism and cultural condescension? Are people who voice any concerns about immigration policy "anti-immigrant?" Facilitating the psychological attachment of immigrants and Americans alike to their country is too important an issue to allow it to be sidetracked by baseless accusations.

The Emotional Underpinnings of American Life

Emotional attachment to the American national community is the foundation of U.S. citizenship, this country's institutions, its way of life, and, in the wake of 9/11, a matter of national security. Liberals and conservatives alike believe that a commitment to the American ideals of democracy and justice are what unites us. According to the Manhattan Institute's Tamar Jacoby, "every schoolchild knows we are a unique nation not by blood or ancestry, but by a set of shared ideas."12 Or again, what holds America together? "The ineluctable common core," Jacoby says, "is a set of ideas about how the American people ought to govern themselves."13

The political theorist Michael Walker has argued that it is citizenship and the fact that it is easy to become an American that binds us together.14 It is possible, of course, to have the rights of a citizen but to feel little emotional attachment to the country that provides them. This is one reason why a "guest worker" program that allows foreign workers to focus on higher paychecks that can be sent "home," takes American immigration policy in the wrong direction. In such cases citizenship is primarily instrumental, sought for the advantages it confers. Yet a community requires more than instrumental membership and a "what's in it for me?" calculus to function and prosper. Emotional attachments provide a community with the psychological resources to weather disappointments and disagreements and to help maintain a community's resolve in the face of historic dangers. Emotional attachment and identification are the mechanisms that underlie sacrifice, empathy, and service.15

Citizenship without emotional attachment is the civic equivalent of a one-night stand. The power of the American Creed itself rests on a more basic psychological foundation. That foundation is the set of emotional attachments that often are disparaged and very misunderstood. The bonding mechanisms through which "pluribus" becomes "Unum" are the diverse emotional attachments that are ordinarily summarized by the term "patriotism."

Patriotism is much more complex than the adages "my country right or wrong" or "dissent is the highest form of patriotism." And, contrary to the widely misquoted and misunderstood aphorism of Samuel Johnson, patriotism is not the "last resort of scoundrels," but an absolutely essential part of emotional bonding between Americans and their country. His oft-repeated quote referred only to those who misused the public

trust, not to the virtues of patriotism. Johnson's real, less reported, sentiment was that, "no man can deserve a seat in parliament who is not a patriot."16

I understand patriotism or national attachment to include warmth and affection for, an appreciation of, a justifiable but not excessive pride in, and a commitment and responsibility to the United States, its institutions, its way of life and aspirations, and its citizens.17 These attachments define the basis of our identification as Americans. We don't often think about it except when events like 9/11 remind us that our attachments to this country are profound and much deeper than simply believing that democracy is the best form of government. And they are much more extensive and nuanced than the caricature of lazy patriotism, summed up by the phrase "my country right or wrong."

The success of American democracy and its cultural and political institutions has always depended on these kinds of emotional connections. Yet over the past four-plus decades those attachments have been profoundly challenged, and in many ways weakened, by domestic and international developments. Within the United States, decades of cultural warfare over everything from the nature of families to civics curriculums have weakened America's primary social, political, and cultural institutions. At the same time, multiculturalism has successfully championed the primacy of racial and ethnic identities over more national attachments. Internationally, the ease of global movements of information and people have allowed immigrants and citizens alike to be in much closer touch with their "home" countries — and allowed their home countries to be more in touch with them, primarily for self-interested reasons.18

New and old immigrants have understandable attachments to their countries of origin. The question is: How can the United States facilitate attachments to this country? The answer to that question does not concern new immigrants alone. These are American national community issues. Both old citizens and new immigrants have an important stake in increasing the extensiveness and depth of attachments to the American national community. And of course, the government, representing all Americans, has a critical role to play in helping to foster American national identity and attachment — a role it has so far declined to play.

If national attachments are the psychological glue that holds this country together, how is it possible to help develop and consolidate these feelings? Certainly no laws can mandate them. Nor can we halt or reverse the march of technology and international connectedness. The truth is that such feelings can only develop out of experiences that foster them. The question is whether we can help put into place experiences that do just that.

In these remarks, I suggest six basic ways to accomplish this important goal. These suggestions take the form of affirmative steps toward some things and equally affirmative steps away from others. Among the former are measures to facilitate cultural, economic, and political integration. Among the latter are measures dealing with blurring the political distinctions between citizens and legal resident aliens, and between legal resident aliens and citizens on one-hand and illegal aliens on the other.

Addressing both sets of issues is critical to ensuring a fuller integration of immigrants and Americans into our national community. It cannot be stated too strongly that these proposals are not put forward with the view that there is one kind of American, or one way to think about America to which everyone must or should adhere. Each immigrant and citizen will have to find his or her own entry into the vast array of ways to be and live life as an American. There are a million stories in the big city, as the old television tag line began, or to update it, 300 million American stories and counting.

Finding points of attachment between Americans, old and new, and this country's history, institutions, and traditions so that immigrants can see how their lives and that of the country intersect provides one strong basis for emotional attachment and the development of an American identity. Government, as well as private and civic organizations at all levels, has an important, helping role to play in this process.

Psychological Integration Policies

Immigration policy reform proposals are not new. The Center for Immigration Studies' report, Blueprint for an Ideal Immigration Policy, draws recommendations from across the political spectrum.19 For example, the authors suggest diversifying the immigrant stream, looking more closely at the issue of family preferences, and examining immigrant work programs as a method of increasing flexibility. These, and similar proposals, seem useful. However, they will not be my focus here. Instead I will focus on the particular question of emotionally integrating new immigrants and citizens alike into the American national community.

That concern is not new. Barbara Jordan and the U.S. Commission on Immigration Reform used very strong and direct language to underscore the point that Americanization was not a dirty word and that it was, in fact, a key element of successfully integrating new immigrants into the American national community. The Commission's report to Congress, "Becoming an American: Immigration and Immigrant Policy," is an overlooked treasure of sensible ideas.20 Regretfully, little has been done to implement the Jordan Commission's important insights. A 2004 study and policy proposals sponsored by the Chicago Council on Foreign Relations contain a few useful suggestions on this issue which parallel the Jordan Commission suggestions of a decade earlier: to develop federal, state, local, and civic partnerships to help immigrants and to ensure that they learn English.21 Yet they also add some new ideas that are less central: streamlining and speeding up naturalization, disabusing American "misperceptions" about immigrants, and giving health insurance benefits to new immigrants. These suggestions do not seem to get to the heart of the issues.22

In the years since the Jordan Commission report, the United States has demonstrated that it still is not serious about helping immigrants become Americans. Nor has much thought been given to how we can help Americans themselves consolidate their connections with their home country. The two are certainly related. If Americans have difficulty understanding and appreciating their country, how can we expect new immigrants to fare much better? In the post-9/11 age of catastrophic terrorism, this is a dangerous gap. The

failure to affirmatively act in this matter is not primarily the result of public indifference; there is overwhelming support among Americans for integrating immigrants into American life. Indeed, what upsets Americans most about immigration, aside from the continuing surge of illegal immigration, is the sense that the traditional expectation of immigrant integration into the American national communities is no longer valued by some or expected by many — among them our political leaders.

Not all of the suggestions made about reforming immigration policy further the integration of new immigrants. Some feel that the burdens of becoming an American citizen are already too heavy, and they propose to lighten them. Some want to lessen, or do away with, the requirement that immigrants learn English.23 Some want to include illegal aliens in a new general amnesty.24 And some want to do away with the renunciation clause in the Naturalization Oath, arguing that you cannot legislate feelings. These suggestions, for what amount to the immigrant citizenship version of automobile EZ passes for toll collection, do not seem designed to foster attachment. On the contrary, they promise to further fracture the American national community and the feelings of emotional connection that underlie it.

Like my suggestions for reforming the incidence and effects of dual citizenship, my remarks are ultimately aimed at increasing the identification of immigrants and Americans alike with an American national identity and the attachments to the national community that flow from it. Specifically, the recommendations focus on cultural adaptation, language acquisition, civics integration, and the difficult problem of illegal immigration. There are numerous smaller and important ways that American immigration policies can be improved, however these four areas represent the foundation, the bedrock of efforts to integrate immigrants into the American national community.

Integration into the American National Community

Like any tentative relationship, that between an immigrant and his or her new community is an uneven experience. The process normally begins with an extensive application for a visa. Increasingly, there is a formal interview. An applicant may wait many months, even years, before a permanent visa is approved. The person, upon receiving the visa, may enter the United States but still must normally wait for a period of five years before he or she can stand for naturalization. At that time the prospective immigrant must present evidence that he or she is of good moral character and has a working knowledge of English and of American history and civics. If immigrants are able to successfully present such knowledge, they are then asked to take an oath of allegiance in which former attachments are "renounced."

The process is long, but not extraordinarily demanding. English facility tests are not very difficult, nor are the civics tests. Immigrants may have to "renounce" their former allegiances, but there is no check whatsoever on whether they have followed through on this commitment. The length of the process, while frustrating, is a natural result of the enormous numbers of visa applications, national security concerns, and the workings of a large bureaucracy with varied and conflicting demands made on it. Critics call all of these

difficulties "unwelcoming" and propose doing away with, or lessening, a number of requirements. The easier, the better, is their view.

Yet, so long as the United States is serious about retaining some judgment about the enormous numbers of people who wish to live here, the process will not be short. So long as the United States wishes to protect those already here, the process of inquiry cannot be shallow. The best it can be is transparent and understood. The United States must ask for patience and understanding from those wishing to come here, but a transparent and explained process is only the first, introductory step to what the government might and should do to help immigrants become Americans.

We need to understand that the immigration system is a process that begins when people contemplate coming to America and ends only when they are comfortably integrated into the American national community, and they and their children feel more attached to this country than any other. In between there are many steps, and at each step the question should be asked and answered: What can this government do, in partnership with public and private institutions at all levels of society to help facilitate the more effective integration of new immigrants and Americans alike into our national community. This will require us to pose and answer a profoundly serious and fundamental question: What do we want to ask of immigrants who want to become Americans? This is a question political leaders have been hesitant to ask publicly. My own answer is rather straightforward. We should prefer those who come here to invest themselves in this country as well as in their own ambitions. We should prefer those who invest in learning our language, culture and politics. We should prefer those who work hard to realize their own ambitions and opportunities, but reinvest some of what they gain back in the American community. And we should expect that they will not only be law abiding, but culture abiding—that is they will respect and honor the cultural elements of American society, as well as expected that their cultural views will be respected.

Cultural Integration: A Real Welcome for Immigrants

A real welcome begins before immigrants arrive in this country. The American government now maintains a "Welcome to America Pamphlet" on its immigration website. It covers some, but by no means all, of the basics of American life: social security, where to look for a job, and so on.25 This document should be translated and distributed overseas to all foreigners applying for green cards. Videos could supplement this introductory America material either on websites or at libraries. More and deeper orientation needs to be done before immigrants arrive here.

What do many immigrants need most immediately upon their arrival? One could say orientation and help navigating the many complexities they confront. Those who arrive with high-education job placements waiting, or to take up advanced education, generally need less help with orientation. Others — the majority — need help finding a job, finding housing, and finding their way around. Generally this has been the domain of civic organizations — churches, advocacy groups, and the ethnic communities with which arrivals may already have some contact. The trouble with some of these organizations is that they are too few, too poor, and often not sufficiently attentive to the broader

community interest in fostering attachment to the American national community. Government should join with a range of immigrant-orientated groups, on a non-partisan basis, to develop a nationwide network of hosting institutions in major cities and geographical hubs that could act as clearing houses for jobs, training, and housing as well as orientation centers. This would be an excellent place to develop an Immigration Corps — young and old people who give of their time and effort to help orient new immigrants.

Business also could be tapped, as it has in the past, to help new immigrant employees. This would include not only the very important role of workplace socialization, but also voluntary after-hours orientation to the wider society. Government-business partnerships could be forged for this effort, and extra costs to businesses redressed with tax credits or rebates. This will hardly be possible if businesses continue to employ illegal immigrants, with few questions asked, and government turns a mostly blind eye to the practice.

High schools and junior colleges could also been enlisted. After-school, evening, and weekend classes could be developed for immigrants and their families covering a number of aspects of American life. This would help many immigrants understand how our culture works. Consider one such effort, the newcomer centers in Chicago, where in addition to academic subjects, "students also learn the ropes of U.S. schools: when to raise their hands, how to react to freshman hazing, what to expect on the lunch menu . . . students learn the basics about a school culture, from lunchroom to locker room, that is alien to them. It isn't unusual for a student from rural Mexico to go directly from a one-room schoolhouse to a 1,500-student high school that holds more people than his hometown. Cold milk at lunch might be new. So might coed classrooms. Perhaps students have never used a locker. Maybe they are used to being lectured for an entire class and feel uncomfortable working in small groups."26

American students hardly think twice about these matters, and most do not have to: They grew up here. Immigrants cannot take very much for granted, and that in itself requires a level of adjustment that few Americans appreciate. The Chicago centers are focused on students and helping them to develop success in schools. Yet there are adults — fathers, mothers, sisters, brothers — who also would benefit from learning the ins and outs of American society as they gradually find their place within it. Macomb Junior College in Michigan, for example, runs a free twice-a-week class called "Living in America."27 The class teaches such things as how to get a drivers license, how insurance is handled in the United States, how to fill out a job application, how to shop in an American store, and how to make an appointment at a doctor's office. There are so many things Americans take for granted in navigating our culture. Learning about them would make immigrants' transition much easier and, as a result, make them feel more a part of this society and culture, a building block for an attachment to the community.

English, English, English

It is difficult to imagine a more basic ingredient for feeling at home and doing well in a new society that knowing the language. Knowledge of English is so central to life in the United States and so obviously a key element in "feeling at home" that one hesitates to mention it. Yet, astoundingly, some argue that learning English is a "barrier" that must be

dismantled. This makes no sense. Walk down the street of any city in Hong Kong, Germany, or India. If you don't speak the language, the street names, stores signs, ads, announcements, building functions, and so on are lost to your understanding. This is even before you attempt any written or spoken transactions. Could you apply for a job in Italy without speaking Italian? Could you read a lease in Germany if you wanted to rent an apartment? A working knowledge of English — reading, speaking, and writing — is a critical element in easing what will always be to some extent a difficult transition.

The United States began as an English-speaking country and it has remained so despite having no official language policy and despite welcoming speakers of many foreign languages.28 Between 1840 and 1924, two-thirds of the immigrants to this country spoke a language other than English. Yet, as the sociologist Stanley Lieberson notes, "despite efforts on the part of all immigrant groups to maintain their ancestral languages, their descendants soon contributed to the growing number of English monologs in the United States. The shift was rapid . . . and in most cases it was final."29 There are a number of reasons for this. Schools taught English, and occupations required it.30 Yet, in the end, Schiffman agrees with his colleague Kloss31 that the ultimate reasons are neither to be found in nationality laws unfavorable to other languages, nor in government policy or coercion, rather in ". . . the absorbing power of the highly developed American society . . . the manifold opportunities for personal advancement and individual achievements which this society offered were so attractive that the descendants of the 'aliens' sooner or later voluntarily integrated themselves into this society."32

The same remains true today. English facility does function as a common bond and facilitates the connections between the country and its people. It underlies an understanding of, and therefore facilitates a connection to, the shared social and political values of the country and an understanding of them. A working knowledge of English is the foundation of a basic understanding of republican democracy. Indeed, it is hard to see how the iconic American Creed can play much of a unifying role if people don't understand the language upon which it is built and operates.

At one time, government, civic organizations, and industry took this responsibility seriously. They no longer do. The original legislation for the Bilingual Education Act of 1967-68 developed by Texas Senator Ralph Yarborough was specifically designed to increase English facility. Ethnic advocates and their allies gutted the English learning provisions.33 As a result, the integration of generations of immigrants into the American national culture was slowed. Given the large number of immigrants who arrive in this country, both legally and illegally, every year and the diversity of their backgrounds, there are probably more foreign languages spoken here than ever before. In those circumstances, a common standard language is even more important to developing and maintaining a cohesive and integrated national community.

Historically America conducted its national, political, economic, and social business in English. The same is true today. Therefore it is a matter of central importance both on community, economic, political, and psychological grounds to encourage English language skills. The government could, and should, take the lead in fostering partnerships

with colleges, schools, businesses, churches, and civic organizations to ensure that there are enough free or low-cost English language classes available for those who want them and that the classes are scheduled evenings, mornings, weekends, or whenever people can get to them. They should not be strictly tied to passing the English portion of the nationalization test.

As should be the case with welcoming centers, language instruction should be strictly non-partisan. The point of these initiatives is to ease immigrant transition, not to facilitate political recruiting. Furthermore, there is no reason to wait until an immigrant arrives in the United States to begin this process. Some countries base their immigration decisions on a point system with points awarded for a number of things, like knowing the country's language. Perhaps such a point system would be worth considering. However, such a system need not be in place in order to encourage the development of English language skills before immigrants arrive. English-language schools could be set up abroad for those who have been given provisional visa clearance and await final approval. Their English-language classes could act as a form of anticipatory orientation for life in America.

Those who wish to immigrate to the United States and are in the process of applying, or who might do so in the future, could receive a plus factor of some sort on evidence that they have taken or are taking English-language courses. In helping immigrants to master English, Americans would be offering a welcoming hand in a manner that also gives immigrants the tools they need for a productive and independent life in the United States. It is an investment in the well being of the immigrants who come here. Language acquisition and mastery is also a vehicle for helping to develop attachments — to fellow Americans, to what the country stands for, to its institutions, to its way of life, and to the national community more generally. It is not that immigrants will necessarily be grateful for such help, although they might certainly be appreciative. Rather, it is that a person develops attachments through experiences that are shared to some degree and in that process a commonality is established. This is very difficult if two people don't speak or understand the same language.

Given these compelling reasons to help immigrants, it is surprising that more has not been done. Perhaps some worry about being criticized for trying to "Americanize" — as if that were an act of cultural imperialism and not a vehicle for the realization of immigrant hopes and aspirations. Perhaps the lessons of the Bilingual Education Act are still a haunting memory for some. Whatever the reason, the laissez-faire approach to learning English damages immigrant mobility and attachment.

It is important to be very clear here. This is not a suggestion for a national law making English the language of the land. It is not a suggestion that we have an English-only policy. It is not a brief in favor of doing away with bilingual education. Immigrants and others are, in my proposal, welcome to their languages. This is a suggestion that it is very important for immigrants to master English as well as possible and as quickly as possible. It is a suggestion that this country pursue an English First policy. However, if forced to choose between immigrants learning English to facilitate their entry into, and ability to

thrive in, the American national community, and a commitment to maintain their native languages, I would opt for the former.

Hairdressers in Nevada: Spanish Sunsets?
One special issue that arises in connection with immigrants is the use of their native languages in the workplace and in earning government certifications that allow them to work and participate in American society. Almost all private and public sector jobs require knowledge of English unless a person is specifically hired for outreach to specific language communities. So generally, immigrants who would like to maximize their occupational access and mobility would be well advised to know English. Yet, there is another arena of access and integration in the American national community. This involves government licenses, permits, and ultimately participation in America's civic system. Consider the case of Hispanic hairdressers in Nevada.34

A number of Spanish-speaking immigrants were practicing professional hairdressers in their home countries. Naturally, when they arrived here they hoped to take up the work they already knew. Yet the state of Nevada, like other states, licenses hairdressers because of the chemicals and dyes involved in the work and many immigrants failed a 125-question exam written in English. The issue also had come up with licensing used car salesmen and plumbers in California, and increasingly has and is likely to further find its way into a number of state licensing examinations — as, for example, with drivers licenses.

Nevada previously had allowed exam interpreters, but accusations were made of cheating. The new debate in Nevada centered on public safety and fairness. One concern was that workers would be using chemicals and dyes labeled in English but be unable to read what they were using. Another was the fairness of not offering the test in other languages besides Spanish. In fact, it turned out that there were more Asian than Hispanic hairdressers. In the end, the licensing body allowed persons to take the exam in a language other than English with advanced (six months) notice and allowed an interpreter to be present — but paid for by the applicant.

The issue was framed as a clash among three values: encouraging and facilitating work, public safety, and fairness to all groups. We want immigrants who come to this country to become part of it by working, making a living, and becoming integrated into the productive work community. Yet the immigrants who wanted to practice their trade as hairdressers and other licensed professions did not speak English well enough to take and pass an English-language test of subject competency. The Nevada solution was typically pragmatic and flexible. Yes, you could work. Yes, you needed to take the exam. Yes, members of any language group could take the exam in their language if they provided a translator at their own cost.

So, is this a perfect resolution? Not quite. Lost in the debate were questions about doing something important to encourage cultural and psychological integration as well as encouraging economic self-sufficiency. What if, instead of granting persons a license in field x gained with the language aide of an interpreter, the licensing board introduced a

language sunset provision? The licensing board would grant a provisional license gained with the aid of a language interpreter, with the understanding that the person would have to retake the exam in English in two, three, or however many years was deemed appropriate.35 Exemptions could be made for older immigrants as they are in the English portion of the citizenship test. Such an approach could be used in almost all cases in which language facility, not substantive competence, is an issue. It also could be easily accommodated in circumstances in which competency must be retested after a period of time.

Such a proposal has much to recommend it. It would honor America's interest in and facilitation of the immigrant work ethic. It would be fair to all language groups. It would stimulate the acquisition of a competency that would advance mobility. Importantly, by being time limited, it would encourage people to master the language in which they will conduct most of their lives in America's work and civic culture. And finally, in adapting such a measure the responsible governmental licensing agencies send a message in support of learning English.

The same approach could be used in the political system. The Supreme Court has ruled that people cannot be discriminated against on the basis of their language ability. As a result, bilingual voting machines, voters' guides, and ballots are becoming regular features of American civic life.36 This is paradoxical since to vote you must be a citizen and to become a citizen you must demonstrate competency in the English language. How it is possible to demonstrate enough English sufficiency to become a citizen but not know enough English to understand the issues before you is one of the hazy mysteries of American immigration policy. What if a sunset provision were put in place for bilingual voting? New citizens must have a five-year residency (generally) before taking the citizenship exam and becoming naturalized.37 What if, thereafter, they were allowed bilingual ballots for a limited period of time, say eight or even 10 years, with a suitable exception for older immigrants?

Surely a decade gives immigrants ample opportunity to learn English. No foreign language ballots should be given to persons born in this country. Critics will argue that this deprives immigrants of their political rights. Yet, as a matter of public policy, it well could be argued that the state has an investment in encouraging all its citizens to understand the language in which civic and political discourses are conducted. With rights come responsibilities as well.

Critics might also argue that the message being sent by such a policy is disrespect for an immigrant's home language. This might be an appealing argument to some, but it fails to draw a distinction between disrespect and preference for good reason. I can prefer A to B without any necessary disrespect or dislike of B. Inherent in the disrespect argument is a demand for parity that would result in foreign languages being put on an equal governmental basis with the language of the country. The argument is disingenuous given the degree of language diversity in many areas. It would essentially require the United States to be a multilingual country. It is clear that many advocates of ethnic language rights want others to learn theirs. It is not as clear that they are willing to learn others'. At

any rate, if the integration of a national community is an important goal, splintering the country into multiple, government-sanctioned language groups seems a poor vehicle to accomplish this important purpose.

Civic Integration

Becoming part of the American national community is not only a matter of cultural adaptation or language acquisition. It is not only coming over here with the psychological elements like ambition, determination, resilience, and optimism that help lift new and native-born Americans alike through the trials and opportunities of freedom and capitalism. New immigrants and Americans alike need to become more integrated in the American national civic community. For many new immigrants, it will be hard enough for them to culturally adapt, become familiar with the language, and earn a living. That is the commitment they made in coming here as working age adults. Yes, cultural centers and language classes can provide some helpful orientation to the country and its operation, including its political life. But the real focus of American integration policy should be on immigrant children, and this means a focus on schools.

The civics curriculum in American public schools has been a battleground for 30 years, and remains so. Education, like other fields, has its enthusiasms and fads, but here the failures result in life-long disabilities. The battle over civics books and classroom content has been, and remains, intense. Well-meaning and some not-so-well-meaning advocates insist that ethnic contributions, real and sometimes imagined, be given prominence, even primacy, in learning American history. Others, wanting to ensure that children never forget each and every historical and contemporary wrongdoing committed by this country and its leaders insist that critical material should be repeatedly emphasized. Still others are equally insistent that Americans are insular and insufficiently tolerant and demand that we learn more about other cultures. As a result of these centrifugal pulls, students gain very little appreciation of their common heritage or why America remains a beacon for the millions who come here and many millions more who would like to do so.

Going back to the theory of patriotism touched upon earlier, immigrants find, or are given, little basis for appreciating what this country has accomplished, and why it might be worth supporting, maybe not in every single instance, but in general. Having little appreciation of its virtues, along with its stumbles, there is less of a basis for feeling that the country merits a commitment toward it, its institutions, and its way of life. After all, if our history, institutions, and way of life are essentially corrupt in some fundamental way, whether because of consumerism, racism, or other failures, how could an immigrant, or an American, possibly develop a commitment and responsibility for it? And if our identities are primarily tied to our particular racial, ethnic, or religious group, how can we develop a warmth and affection for our fellow Americans — those who do not share our skin color, country of origin, or the other categories that are used to set us apart from each other? In fact, one of the primary lessons that American education needs to keep in focus is that we are all, or should be, more American than otherwise. We need a curriculum that comes to grips with our failures, to be sure. But more than that, students need to be reminded that no country is perfect, no group an identity island, and aspiration, effort, and perseverance are the quintessential American narrative of which every

immigrant and citizen has his or her own version. In this central fact, we truly are more American than otherwise.

Along with the themes that help immigrants and citizens alike to understand the ways in which they share a common heritage of aspirations and experiences, Americans need to know more about their own country. The state of civic knowledge in our public schools can only be described as dismal. To give just one reminder of that data, in a recent survey more than half of American high school seniors thought that Italy, Germany, or Japan was a U.S. ally in World War II.38

Lest this be seen as an issue affecting only public schools with their mixed record of academic performance, the results of a survey conducted at America's most elite colleges is instructive. A report by the American Council of Trustees and Alumni, a group that supports liberal arts education, recently asked a randomly selected group of graduating seniors at the nation's most elite colleges, including Harvard, Princeton, and Brown, a series of high-school-level, multiple-choice questions. The results were sobering. Of our nation's best students, 71 percent did not know the purpose of the Emancipation Proclamation; 78 percent were not able to identify the author of the phrase "of the people, for the people, by the people;" and 70 percent could not link Lyndon Johnson with the passage of the historic Voting Rights Act.

Yet 99 percent correctly identified Beavis and Butthead and 98 percent could correctly identify Snoop Doggy Dog.39 Studies at 55 elite universities found that over a third of students were unable to identify the Constitution as establishing the division of powers in our government, only 29 percent could identify the term "Reconstruction," and 40 percent could not place the Civil War in the correct half-century.40

A survey carried out by the Columbia School of Law found that almost two-thirds of Americans think Karl Marx's maxim, "From each according to his ability, to each according to his needs" was or could have been written by the framers and included in the Constitution.41 Of the 50 top colleges and universities in the country, none require the study of American history, and only 10 percent require students to study any history at all.42 There can be little or no warmth or affection for, appreciation of, or pride in this country if citizens are ignorant or misinformed. There can be little informed support of the country, or its way of life, its institutions, and its fellow members if the country is covered over by a vast swath of historical amnesia.

Non-Citizen Voting

New York City's Charter Revision Commission recently met to consider a resolution calling on the Governor to give the city the right to allow non-citizens to vote in local elections. A bill to that effect was also introduced in the State Assembly. Many may be surprised to learn that non-citizen voting is already on the books in several localities and is being pushed in many more.

Advocates advance many arguments for this change.43 It is only fair, they say, since non-citizens already pay taxes and can serve in the military; it provides an ideal way for new

immigrants to learn about citizenship; it helps new immigrants feel more welcomed and included; it ensures that those who are not yet citizens will be represented; and it will help to increase declining rates of political participation.

These arguments seem reasonable. To advocates they are compelling. Yet, a closer look at each suggests they are neither.

Voting has always been a critical element of full citizenship. One can trace America's moral and political development through the expansion of suffrage — to the poor and members of different religions, races, and ethnic groups. It is true that over America's 230 years of existence, a few localities allowed resident non-citizens to vote. However, this was always a minuscule exception to a general rule that reserved voting for citizens. By the late 1800s, this practice, limited as it was, had almost wholly died out, and with good reason.

Voting is one of the few differences between citizens and non-citizens, and it is a major one. Citizenship itself, and open access to it, is one of the major unifying mechanisms of E Pluribus Unum. When citizenship loses its value — and it would if voting were not an earned privilege — a critical tie that helps bind this diverse country together will be lost. Given the challenges that face us, this ought not to be done lightly.

Some will ask about fairness. One premise of the fairness argument is that new immigrants suffer from a benefits gap. It is often overlooked that immigrants from most countries enjoy an immediate rise in their standard of living because of this country's advanced infrastructure —hospitals, electricity, and communications, for example. Immigrants also get many services for their taxes, such as public transportation, police, and trash collection. As for serving in the armed forces, non-citizens earn this country's gratitude and, by presidential order, a shortening of the period before they can become citizens.

Moreover, no law bars non-citizens from learning democracy in civic organizations or political parties. No law keeps them from joining unions or speaking out in public forums. Indeed, no law bars them from holding positions of responsibility within any of these groups. In all of these many ways, legal immigrants can learn about their new country and its civic traditions. Voting is not the only means to do so, and may not even be the best; it can be done from start to finish with the merely pull of a lever.

Some will ask how non-citizens are to be represented if they cannot vote. The very fact that advocates push non-citizen voting undercuts the argument that this group's interests are not represented. We depend on our representatives to consider diverse views. The views of legal non-citizen residents are no exception. The more such persons take advantage of the many opportunities to participate in our civic and political life, the more their voices will be heard.

As to those who argue that allowing non-citizens to vote will encourage more participation, the record of non-citizen voters should lead advocates to pause and reflect.

Takoma Park, Md. — often cited as a model by advocates — refuses to ascertain whether non-citizen voters are in the country legally. Even so, their non-citizen voting participation went from a high point of 25 percent in 1997 to 12 percent in the next election and 9 percent in the election thereafter. The actual number of persons is very, very small, and it raises the question of whether it is worthwhile to abandon such an important distinction so that a few score people do not have to wait a bit before being able to vote as citizens.

Every effort ought to be made to integrate legal immigrants into our national community. Yet, isn't it fair to ask that they know something about it before they fully take up the responsibilities — not just the advantages — of what has been the core of citizenship?

Advocates of non-citizen voting do not discuss whether these new voters would need to demonstrate language proficiency or even knowledge of this country, as they now must do for naturalization. Would that requirement be waived? Nor have advocates said what they would do if many non-citizens decided that there was no longer a need to become citizens since they already can vote. We do immigrants no favor by giving in to demands for ever-thinner forms of citizenship.

Dual Citizenship

American citizens should be actively discouraged from voting in foreign elections. This discouragement should take the form of making such a prohibition a stated condition of green card applications, including such an affirmation as part of the oath of citizenship, and placing pressure on foreign countries not to make efforts to enroll American citizens in foreign voting. It might well also include making such an act a misdemeanor punishable by a fine.

Next to voting, holding office is among the most critical and important public privileges of citizenship. Individuals have many reasons for wishing to gain public office. American citizens should be actively dissuaded from seeking or serving in elective or appointive offices abroad. They should be actively discouraged from serving on policy making legislative or executive government entities of foreign governments. This discouragement should take the form of making such a prohibition a stated condition of visa applications, including an affirmation to this effect as part of the oath of naturalization, making it a finable offense while an American citizen and placing pressure on foreign governments not to make efforts to enroll American citizens in standing for or serving in the governments of foreign countries. American citizens who do should incur financial penalties.

American citizens should be actively dissuaded from seeking to serve in a foreign military service of whatever kind unless specifically authorized by competent federal authorities. This discouragement should take the form of making such a prohibition a stated condition of visa applications, including an affirmation to this effect as part of the oath of naturalization, making it a finable offense while an American citizen and placing pressure on foreign governments not to make efforts to enroll American citizens in

standing for or serving in foreign armies. American citizens who do should incur financial penalties.

American citizens, whether naturalized or not, who desire to serve in elective or appointive office, or positions of governmental responsibility should help establish the community norm of primary attachment to the American national community, or the local portion of it. In the specific case of dual citizenship such persons should adhere to a standard that includes not holding or retaining dual citizenship while in American office, not taking part in foreign elections while so serving, detailing and severing all advisory positions with foreign governments.

Illegal Immigration: A Misplaced Welcome

"Welcoming" is a word and trait that appeals to American psychology. Americans are by nature open and generous. They are also, as a rule, pragmatic and generally orientated toward productive results. And, as the sociologist Alan Wolfe found in his classic study, they are also increasingly disinclined to make adverse judgments about others' tough choices.44 It is difficult for many Americans to be tough-minded when it comes to politics and life. We can see these characteristics in operation concerning illegal immigration. Americans do not like it. Yet, there is some ambivalence associated with those feelings.

For example, a 2002 survey conducted by the Chicago Council on Foreign Relations asked Americans to name and assess a number of possible threats to the United States and some possible responses to them. Seventy percent of the respondents expressed the desire to "control and reduce illegal immigration." Interestingly, only 48 percent of an "opinion leader" sample felt this way. 45 Along similar lines, a 2003 poll conducted by the Roper Organization found that 85 percent of Americans believe that illegal immigration is a "problem," 47 percent believe it is a "serious" problem, and 68 percent would support the goal of completely halting it.46 A large majority, 64 percent, was willing to support strict enforcement of laws against illegal immigrants that would make that status inhospitable. More specifically, 68 percent agree that Congress should pass laws requiring state and local officials to notify immigration officials when they determine that someone is here illegally or has presented a false document. Additionally, a majority of respondents said they would support the passage of laws requiring verification of legal immigration status for persons applying for a driver's license (82 percent), opening a bank account (75 percent), or enrolling in a school or college (73 percent). Eight-seven percent want current laws against employers who hire illegal immigrants to be strictly enforced. Seventy-nine percent would like employers to be required to verify the immigration status of those they hire.

Still, there is an undercurrent of sympathy for those who endure the hardship of illegal status for a better life. Most illegal immigrants are drawn by the wish for a better life and the hope that once they are here they will be able, somehow, to stay. That is not a far-fetched hope, as many past "status adjustments" and amnesties suggest. Moreover, the

untested view that illegal immigrants perform jobs that "Americans don't want to do" adds certain sympathy to their status.

Is Illegal Immigration Victimless?
Some, like Yale Professor Peter Schuck, go so far as to call illegal immigration a "victimless crime."47 It isn't. Some people believe that illegal immigrants provide a pool of willing and cheap workers for jobs that no American wants. That is not quite true. Not all jobs that illegal immigrants hold are jobs that no American would do. CIS director of research Steven Camarota's recent work illustrates that literally millions of Americans work in the occupation categories with the highest concentration of foreign-born workers.48 Again, the question is raised: How many Americans would apply for jobs that "no Americans want" if the wages were higher? We are unlikely to be able to answer this question, however, so long as there is a large pool of unskilled illegal immigrants ready to do that work.

Illegal immigration is most certainly not a victimless crime. It fuels criminal transport gangs. It makes some immigrants into the modern version of indentured servants. It subjects some to death in passage. It results in bribes to officials, which in turn corrupts government. It breeds an underground of illegal activity, including document forgery and identity theft. It allows exploitation of workers by their employers. It promotes disrespect for the country's laws. It creates enormous costs for the United States in terms of hospital and other service uses. It breeds a sense of insecurity among Americans that their borders are unsafe and insecure.

And it is dangerous. In the age of catastrophic terrorism, unverified identities are a source of potential disaster. The federal inquiry into 9/11 revealed many disturbing facts about the state of the American immigration system. The terrorists were smart and exploited every loophole they could find. One of these was the ability to get a driver's license in Virginia by having someone vouch for you in an affidavit, without having to present proof of residency in person. Several men were charged and convicted for helping some of the terrorists obtain identity documents. One of them was Martinez Flores, a native of El Salvador who entered the United States illegally in 1994 and worked as a day laborer in northern Virginia. His lawyer said that Mr. Flores was in need of money, so he helped the two terrorists obtain their Virginia driving license documents.49 Living and taking part in a culture of illegality fosters more illegality with results that can be catastrophic to this country.

Institutional Interests vs. Community Interests
Many American institutions have been unhelpful in addressing the issues of illegal aliens. Some churches have set up refreshment stands along the paths that several immigrants take to get into the United States. They view their primary mission as helping people. Yet, they are also helping people contribute to the general set of problems noted above and below.

In the wake of the first World Trade Center bombing, the INS and federal officials realized that the terrorists had made use of student visas to enter the United States. When

they set out to try and tighten this potential source of danger, schools were reluctant to get involved.

When the federal government asked schools with large foreign student populations to report the collection of the fees they charge these students in electronic form, making keeping track of such students easier, a number of universities demurred. Their job, they said, was to be student advocates, not regulators. Dixon C. Johnson, executive director of the office of international services at University of Southern California, was quoted as saying, "We don't want to be a bill collector or policeman for the government." The idea that university administrations don't regulate students seems counterintuitive.50

Two years before 9/11, the INS asked colleges and universities to help them upgrade their background checks on the many foreign students who come to the United States each year. The schools complained that it was a privacy violation to conduct in-depth checks of applicants whose backgrounds raised red flags of possible terrorist involvement. They objected to scrutinizing students' bank accounts, parentage, birthplaces, and travel histories. The vice president of the American Council on Education was quoted in an article saying, "We, like most Americans, are very uncomfortable with any form of profiling, we are not law enforcement officers."51

Even law enforcement officers, however, cannot be wholly counted on in this matter because they perceive a conflict between their roles of enforcement and protection when it comes to illegal immigration. In Austin, Texas, the assistant police chief said, "our job is to protect and serve the residents of Austin, legal and illegal. It's not our job to deport anyone, or report them to INS." That report continues, "This year, police joined Mexican consular officials to publicize the department's 'we-won't-tell' pact with immigrants."52

While it is unclear how many illegal immigrants actually come forward to report crimes, the police are caught between two conflicting obligations: to protect every person regardless of immigration status, and not to turn a blind eye on the breaking of the law. The issue, however, became much more complicated after 9/11. Among the many failures of the INS was an inability to track people who had been before a judge in an administrative hearing and had been ordered to leave the country. At least 314,000 simply then disappeared — absconders. After 9/11 highlighted the holes in the immigration system that had been exploited, Congress mandated a tightening of controls. A list of all absconders was put in a nationwide police database that local police can use to check on individual status when they are following through on an infraction. In theory, this law should only worry absconders, not those who are reporting a crime. In practice, the knowledge that local police were checking on violations of immigration law might well give rise to the same reticence that led to the "we won't tell" pacts. Should the police then desist in checking for absconders? No; absconders have compounded their law breaking. What to do about the large number of illegal immigrants living in American communities is a somewhat different question. Certainly, a large-scale "roundup" is not a pressing need or sensible public policy. On the other hand, having police ignore evidence of law breaking while carrying out their public safety responsibilities doesn't seem sensible or appropriate either.

Defining Lawbreaking as Legal

These are familiar issues to those in the immigration field. However, there is another issue that gets less attention. Speaking to immigrants at a ceremony at Ellis Island, President George W. Bush reminded those assembled to take the naturalization oath that, "Our democracy's sustained by the moral commitments we share: reverence for justice, and obedience to the laws."53 One could ask whether illegal immigrants who begin their lives here by not respecting the immigration laws of the country are good candidates for citizenship. The view that illegal immigration is a victimless crime rests on a basic error. The premise is wrong. Illegal immigration is deeply corrosive and corrupting — of the national community; of trust in government's ability to secure the country and enforce the laws; of institutions that turn away or flout such laws, that allow large anomic pools of unconnected individuals to be loose in the United States; and in others ways as well.

Borders and boundaries have deep psychological as well as cultural and political significance. Establishing boundaries is a key element in developing and maintaining a coherent personal identity. Psychologists have long established that separation and individualization are essential elements of human development. Symbiotic or enmeshed relationships are inconsistent with personal autonomy and independence. This does not mean that everyone must become his or her own island. Obviously, others enter into our lives, and we share ourselves in a variety of circumstances. Still, the clinical point is clear: The ability to develop and maintain boundaries is a key element of personal identity and psychological functioning.

Boundaries also play a critical role in the development and maintenance of a country's national identity. For those living within and identifying with a particular geographical space, boundaries are one element of the commonality that underlies a national culture and identity. That is one reason why you can live in New Mexico or New Jersey and still consider yourself an American. The rules of entry from outside to inside this boundary are obviously important. Critics focus on the fact that at different times and in different ways the rules of inclusion in the United States have been biased against certain groups. That is true. Yet, critics have failed to appreciate that on balance the rules of inclusion have not been inflexible, and have changed periodically. One could ask, with equal relevance, how the United States discriminated against Eastern Europeans, Asians, or other groups, but also why they no longer do so. Both are part of the American story.

But critics miss a larger point about restrictions. No society can maintain viable national identifications and attachments without having some guidelines about who is or is not a member, and the basis by which the latter can gain entry. Boundary-less countries, like boundary-less persons, are recipes for severe identity diffusion. It is because individuals do identify as Americans and are willing to perform the hard but necessary tasks of citizenship that this country is able to survive. The question is not, therefore, whether a country has rules for entry and inclusion — all do. The question is how generous, fair, and transparent these rules are. On these grounds the United States does very well indeed. It admits enormous numbers of people every year. And it does so without regard to

language faculty, education level, or economic status. No other country matches the United States on these composite criteria.

Aside from helping to demarcate here from there, a country's borders represent the range of home within which citizens can expect their government to take appropriate and necessary steps to ensure their safety. Millions and millions of illegal immigrants breach that understanding and lead citizens to conclude that their government either cannot or will not effectively address and resolve this issue. It is not a good development for the American national community when its citizens view their government as either helpless or hopeless in matters that affect people's basic sense of territorial and personal security.

Nor are matters helped when public officials substitute their personal views for national immigration law and policies. There are federal laws that require illegal aliens convicted of crimes to have their immigration status reported to the Federal government. Yet, there are at least five major American cities — Chicago, Houston, San Francisco, Seattle, and New York — that have refused to comply with this requirement, making themselves so-called "sanctuary cities."

Several important issues are raised by these facts. Let's assume the city mayors and other leaders who support a de facto amnesty for illegal aliens in their jurisdiction do so out of sympathy and a wish not to make life harder than it already is for those who come here illegally. On the other side of the ledger, those leaders are sending a signal of acceptance and encouragement to illegal aliens — not only in New York, but also in the many places abroad where people pay close attention to these issues. That message is that if you make it to New York, or San Francisco, or other cities, you are safe from deportation.

Another signal is being sent as well. That signal is that although the United States has laws against illegal immigration, some of the country's highest elected officials don't really plan to enforce them. I'm referring here not only to mayors of big cities but also to Congress itself. When the U.S. House of Representatives was considering allocating money to cities to help with homeland security in 2003, a resolution to financially penalize cities that retained their "sanctuary status" was turned back 322 to 104.54 Understandably, many no doubt felt that homeland security was more important than forcing cities to adhere to the law on illegal immigration. Yet, there is unlikely to be much federal pressure against such state or local stances in the future because there has been little in the past. This sends the clear message that major players in the American political system disregard the law and thereby encourage others to do the same.

Illegal Incentives

Few people realize that the Social Security Administration tracks the Social Security payments of persons with invalid Social Security payments in separate accounts that can be adjusted if the person gets a legitimate Social Security card — that is, if the person becomes legalized.55 Former Mexican President Fox asked that Mexicans who have worked in the United States, including illegal aliens, be credited with the money they paid in these holding accounts. Aside from the difficulties of ascertaining whether the

person claiming a false Social Security number was the person who used it, there is another important issue involved. The ability to come to the United States using forged documents, including Social Security cards, and then to receive this money, would create an enormous incentive for more illegal immigrants to come here.56 Being forced to forfeit such payments would clearly operate as a disincentive.

In truth, however, incentives are already stacked in favor of making illegal immigration more attractive, and the incentives are growing. True, immigrants who cross the borders, especially the southern one, undertake an arduous and dangerous journey. But once here their economic lives take a turn for the better. It is true that they are often offered low paying jobs and are not able to rely on many of the protections available to legal workers. At the same time, even comparatively low wages and hard work may be better that the dismally low wages or no work in their home countries. In one recent three-month period, illegal immigrants deposited $50 million in California banks.57

Moreover, as noted, every immigrant who comes to the United States, whether legally or not, has the advantage of this country's infrastructure, things that Americans take for granted but that persons who live in many other countries cannot. Among other things they include such basics as running water, sanitation, electricity, modern hospitals with well-trained doctors, and free public education. These "basics" are provided by a tax infrastructure that illegal immigrants have difficulty contributing to because they often work off the books.

Even college education is increasingly becoming an incentive for illegal immigrants and their families throughout the country.58 One of the controversies that have sprung up in a number of states is whether illegal-immigrant college students should pay "in-state" rates, which are appreciably lower, that out-of-state tuition. In some respects, the former are subsidized by the latter and additionally by state taxpayers.

A 1988 federal law required such students to pay the out-of-state rate. Yet California, Texas, Utah, Oregon, Washington, and most recently New York adopted legislation that circumvented that federal law.59 It did this by granting in-state tuition to any graduate of a high school within the state, regardless of immigration status. New York had not complied with the law until it conducted a review of it after 9/11. It then raised the tuition of illegal immigrants attending the City University to be in conformity with federal law.

One response to these changed circumstances came from the president of one of these schools, who wrote to The New York Times as follows: "Hunter College was one of the first City University of New York schools to ensure that no student's studies would be adversely affected by an increase in tuition charged to CUNY students who are illegal immigrants. When the tuition changes were announced, Hunter College immediately made available a generous package of grants, interest-free loans, and other payment plan assistance according to the individual needs of the students." In other words, illegal immigrants were now guaranteed a generous package of grants and other financial incentives. Since the pot of such aid is limited, illegal immigrants became, in effect, a preferred group for the distribution of financial support.60

Welcoming Illegal Immigrants — Revisited

Americans are a generous people. They are also people, as Boston University sociologist Alan Wolfe found, who dislike making judgments about others' choices.61 Illegal immigrants and their families force Americans at all levels to make tough choices that most would prefer not to make. There is little support in the United States for illegal immigration — less so since 9/11. Yet Americans retain an image of immigration that has much to do with its iconic place in American history. It is easy to imagine that the future will resemble the past, that immigrants will become part of the American community. Yet the issues raised by illegal immigration will not disappear. Long-term solutions like making the many countries that fuel illegal immigration to America more attractive to their own citizens are just that — long-term propositions. In the meantime, illegal immigrants keep arriving at the rate of about 750,000 per year. Illegal immigration is not a victimless crime. The victims are American institutions and the sense of safety and security that is the basis for any well-functioning community. Americans, and many of their leaders, do not wish to be or appear ungenerous or intolerant. So, at a time when the country's sense of physical and psychological security remains shaken, the fact that some political leaders turn a blind eye toward illegal immigrants is not reassuring.

At a time when there are major questions about how well the massive influx of post-1965 immigrants is integrating into American society, several Democratic presidential candidates in 2004 called for blanket amnesties for over eight to eleven million illegal immigrants.62 At a time when the physical safety of tens, perhaps hundreds, of thousands of Americans is dependent on better knowledge of who is coming into the country and why, some institutions decline to do things they have defined as "outside" of their traditional roles. In doing so, they wash their hands of their larger community responsibilities.

Should there be another round of amnesties to "regularize" illegal immigrants? Should illegal immigrants be given drivers licenses? Should they pay less tuition? What do all these issues suggest about Americans' stance toward these issues in the future? If America and its leaders fail to act, has the country not essentially just become a new home to all those who can come and overstay or slip across the borders? What are the implications of that stance for the American national community and attachment to it?

These are all difficult questions. However, they are made more so by a failure to ask and answer a prior one: Why hasn't this country done more to stem the flow and make it less attractive to break our immigration laws? Why aren't businesses required to check the Social Security numbers of their employees and to require verification of correct information? Why isn't more pressure placed on the top sending countries of illegal immigrants to help stop the flow? Why don't we have better tracking information so that we know who is in the country and whether or not they have overstayed their visas?

These questions lead to difficult, and perhaps tough, policies. Some people will not be able to come to the United States. That is an understandably difficult fact. Yet, we cannot have open borders — regardless of the editorial views of the Wall Street Journal and a

few "progressive" liberal theorists. Open borders are a moronic and unsustainable immigration policy. So long as we have a fair, balanced system of immigration, the United States has gone a long way toward protecting its borders and its citizens and their communities from being the victims of what is assuredly not a victimless crime. So-called "grand bargains" like those envisioned by the Bush plan or the McCain-Kennedy plan are tempting, but don't work. They are neither grand, nor bargains — at least for Americans. Under these schemes, illegal immigrants will "earn" their legality by paying a fee or perhaps stopping in at their local consulates now maintained in many American cities before "returning" to the United States. In return they will have access to all the benefits that U.S. citizenship can and does confer on them, their families, and their relatives. The benefits are immense, and all you have to do to receive them is break the law. Surely, other illegal immigrants will not be deterred by the prospect of achieving an unimaginable increase in their standard of living and those of their family by simply paying a relatively small fine.

Another approach is desperately needed.

On Being an American

Americans don't often think about what it means to be an American. Lawrence Fuchs, whose magisterial work, The American Kaleidoscope,63 is a landmark in immigration research, writes in another context, "I recently read an essay written by a Massachusetts woman, who said: 'I was well into adulthood before I realized that I was an American. Of course, I had been born in America and had lived here all my life, but somehow it never occurred to me that just being an American citizen meant that I was an American. Americans were people who ate peanut butter and jelly on mushy white bread that came out of plastic bags. Me, I was an Italian.'"64

"This woman came to her realization late in life," Fuchs wrote. "She had first confused acculturation to products with her identity. She then substituted for that mistake another, that being an American was 'just being an American citizen.'"

Americans live in a time when there is conflict between cultural and national identifications and attachments. Yet, it has always been an important matter for the health and well being of the United States to integrate ethnic and other national cultural affinities with the psychology, attachment, and cultural affinities of the American national community. National attachments do not happen primarily by accident. Nor are the best results achieved by a lassez-faire approach. This is especially true given the variety of powerful incentives both within and from outside the United States that all pull in the direction of weakening that attachment and those connections.

The United States faces determined enemies both at home and abroad. It will do so for the foreseeable future. In that truly dangerous climate, it is increasingly important that citizens become aware of their county — what it is, how it works, and most importantly, their relationship to it. Doing so will not be easy. Citizens will be swimming against the tide domestically, where many argue that multiculturalism and the primacy of ethnic group attachment is the preferred identification. And they also will be swimming against the tide internationally, where liberal cosmopolitans of all types encourage them to look

beyond their "parochial" national attachments. Along the way, they will have to endure the view that they are insufficiently sensitive or tolerant to "the other." They will be told they are not skeptical enough about America's professed ideals or sufficiently cynical about their realization. And they will be reassured that as long as they affirm their general belief in democracy, nothing further is needed.

Immigrants and their families, not understanding that these views are recent developments and having little relationship with the country's real history and development, will surely be perplexed. Their former counties will entice them. Their new country will generally stand mute rather than helping and guiding them toward becoming more integrated and attached in their new home. If that happens it will be hard, if not impossible, for new, or even older Americans, to connect their personal histories with the now centuries-old tradition of freedom and opportunity. They will, as a result, be cut off from an important source of attachment and connection to their new country.

Most Americans long to be united, to have a sense of community and attachment that transcends political, ethnic, racial, gender, and other differences that have been the primary feature of American public life since the 1960s. Americans want a president who will lead the charge to protect them in a world they now understand to be very dangerous. But they also want one who will reunite the long frayed strands of the American national community. Mr. Bush has proven he can provide the first. But he must understand that the most fundamental vision that unites is not a new policy paradigm but our sense of ourselves, all of us, as Americans. Attachment to the American national community is not just an "immigrant problem." A lack of knowledge, understanding, and heart-felt attachment affects all of us, no matter how long we have lived here.

The question of American national identity and the strength of our attachments to the American national community is, given our diversity, perhaps the most important domestic national question facing this country. Some dismiss these concerns as being based on "outdated theories."65 Others urge Americans to accept other possible platforms for solidarity like "new diasporas, transnational civil society, and other identity groups" and the "thinning out of national ties" and argue "it is time to accept an America . . . whose bonds are secondary to other forms of association." 66

For the sake of the viability of this republic and its people and institutions, let us hope not.

End Notes

[1] Mike Allen, "Bush Proposes Legal Status for Immigration Labor," The Washington Post, January 8, 2004, p. A01.

[2] Robert Pear and Michael Luo," Critics in Senate vow to Alter Immigration Bill," New York Times, May 22, 2007; see also Donna Smith, "Bush Immigration Plan Draws Democratic Fire," The Boston Globe, January 7, 2004.

[3] 3 Carl Hulse and Rachel L. Swarns, "Blame and Uncertainty as Immigration Deal Fails," New York Times, April 8, 2006.

[4] Michelle Mittelstadt, "Enforcement is called the key to border deal," Dallas Morning News, June 23, 2005.

[5] Tamar Jacoby, "Getting Beyond the 'A-Word,'" Wall Street Journal, June 20, 2005, p. A15.

[6] Noah M.J. Pickus, Truth Faith and Allegiance: Immigration and the Politics of Citizenship, Unpublished Ph.D. dissertation, Princeton University, 1995.

[7] Tamar Jacoby, "Immigration Reform: Politics and Prospects," AEI Bradley Lecture, January 11, 2005, http://www.aei.org/include/pub_print.asp?pubID=21803

[8] A comprehensive empirical analysis of IRCA's effects concluded, "We find little evidence that IRCA has significantly deterred undocumented Mexicans from entering the United States." See Katharine M. Donato, Jorge Durand, and Douglass S. Massey, "Stemming the Tide? Assessing the Deterrent Effects of the Immigration Reform and Control Act," Demography, Vol. 29, No. 2,

[9] Jim Edgar, Doris Meissner, and Alejandro Silva, Keeping the Promise: Immigration Proposals From the Heartland, Chicago: Chicago Council on Foreign Relations, 2004, p. 7. How it is specifically broken has been a matter of debate in the past. Some have pointed to the asylum system, others to family reunification policy. Poor naturalization rates concern some, while long waits concern others. Some critics complain that immigrants use more resources than they generate, while others argue that they ought to have immediate access to the safety net.

[10] Pew research Center for the People and the Press," Muslim Americans: Middle Class and Mostly Mainstream, May 22, 2007. (http://pewresearch.org/assets/pdf/muslim-americans.pdf)

[11] Ibid., p. 32.

[12] Tamar Jacoby," What It Means To Be American in the 21st Century," in Tamar Jacoby (ed.) Reinventing the Melting Pot, New York: Basic Books, 2004, p. 294.

[13] Ibid.

[14] Michael Walzer, "What Does It Mean to Be an 'American,'" Social Research, Vol. 57, No. 4, 1990, 591-614. His use of quotes around the word American and a close reading of his article leaves one unsure whether he believes there is anything distinctive about those who live in the United States other than that fact.

[15] This view runs contrary to Fein who argues that, "Dual allegiances do not imminently threaten the fabric of the United States. But they fuel a yawning indifference to American customs and civic spirit indispensable to national vitality." See Bruce Fein, "Dual citizenship folly," Washington Times, March 1, 2005.

[16] Samuel Johnson, The Works of Samuel Johnson, Vol. 14. Troy, N.Y.: Pafraets & Company, 1913, p. 81.

[17] For a fuller discussion of the complex psychology of patriotism/national attachment, see Stanley A. Renshon, The 50% American: Immigration and National Identity in an Age of Terror, Washington, D.C.: Georgetown University Press, 2005, Chapter 3.

[18] A more comprehensive discussion of these issues is found in The 50% American: Immigration and National Identity in an Age of Terror.

[19] Richard D. Lamm and Alan Simpson (eds.), Blueprints for an Ideal Legal Immigration Policy, Washington, D.C.: Center for Immigration Studies, 2001.

[20] U.S. Commission on Immigration Reform, Becoming an American: Immigration and Immigrant Policy-Final Report to Congress, September 1997.

[21] Keeping the Promise: Immigration Proposals From the Heartland, op.cit., pp. 34-35.

[22] Ibid., pp. 35, 36.

[23] Peter J. Spiro, "Questioning Barriers to Naturalization," Georgetown Immigration Law Journal, Vol. 13, No. 4, 1999, pp. 479-517

[24] Keeping the Promise: Immigration Proposals From the Heartland, op.cit., p. 54.

[25] Available at: (http://www.uscis.gov/files/nativedocuments/M-618.pdf)

[26] Oscar Avila, "New Centers Try to Soften Immigrants' School Shock," Chicago Tribune, February 26, 2002.

[27] Mike Wowk, "Class offers immigrants tips on American culture: Daily life sessions are tuition free at MCC," The Detroit News, February 21, 2002.

[28] Harold F. Schiffma, Linguistic Culture and Language Policy, New York: Routledge, 1966, pp. 21-247; Juan F. Perea, "Am I an American or Not?: Reflections on Citizenship, Americanization and Race," in Noah M.J. Pickus (ed.) Immigration & Citizenship in the 21st Century, Lantham, Md.: Rowman & Littlefield, 1998, p. 66; James Crawford, Language Loyalties: A Source Book on the Official English Controversy, Chicago, Ill.: University of Chicago Press, 1992.

[29] Stanley Lieberson with Timothy J. Curry, "Language Shift in the United States: Some Demographic Clues," International Migration Review, Vol. 5, No. 2 (1971), p. 125.

[30] Linguistic Culture and Language Policy, op.cit., pp. 210-247. Other languages—most notably German—were widely spoken by waves of immigrants in the 1820s and especially in the 1870s. Sections of Pennsylvania and the Midwest had thriving German language communities, but by 1842 German was one more subject of academic instruction among many others and not the language school instruction itself.

[31] Heinz Kloss, The American Bilingual Tradition, Rowley, Mass.: Newbury House, 1997, p. 284.

[32] Linguistic Culture and Language Policy, op.cit., p. 227

[33] Truth Faith and Allegiance, op.cit.

[34] Timothy Pratt, "Hispanic Hairdressers Will Be Tested in Native Tongue," Las Vegas Sun, July 27, 2001.

[35] A student in my immigration seminar, Ms. Marie Camacho, suggested wisely that language classes could be offered free of charge as a condition for a temporary waiver of the examination in English requirement.

[36] "Hispanic Hairdressers Will Be Tested in Native Tongue," op.cit.

[37] This number may be reduced for legal immigrants who serve in the American armed forces.

[38] These and other civics finds can be found at: (http://www.nces.ed.gov/nationsreportcard/ushistory/results)

[39] S. Veale, "History 101: Snoop Doggy Roosevelt," New York Times, July 2, 2000.

[40] Ibid.

[41] The Columbia law school survey may be found at: (http://www2.law.columbia.edu/news/surveys/survey_constitution/index.html)

[42] An American Council of Trustees and Alumni (ACTA) report available at http://www.goacta.org/

[43] Ron Hayduk, "Democracy for All: Restoring Immigrants Voting Rights in the U.S.," New Political Science, Vol. 26, No. 4, 2004, pp. 499-523. Hayduk's concern turns out to be less about democracy that forging a "progressive" political agenda which he believes

allowing noncitizens to vote will help to bring about. A similar perspective is found in Lisa Garcia Bedolla, "Rethinking citizenship: Noncitizen Voting and Immigrant Political Engagement," paper presented at the Nation of Immigrants Conference, Berkeley Calif., May 2-3, 2003. More scholarly views on this issue and its history can be found in Jamin B. Raskin, "Legal Aliens, Local Citizens: The Historical, Constitutional and Theoretical Meanings of Alien Suffrage," University of Pennsylvania Law Review, Vol. 141, 1993, pp. 1391-1470; Gerald M. Rosenberg, "Aliens and Equal Protection: Why Not The Right To Vote?," Michigan Law Review, April-May 1977, 1092-1136; and Ko-Chih R. Tung, "Voting Rights for Alien Residents: Who Wants It?," International Migration Review, Vol. 19, No. 3, 1985, pp. 451, 467.

[44] Alan Wolfe, One Nation After All: What Middle-Class Americans Really Think About: God, Country, Family, Racism, Welfare, Immigration, Homosexuality, Work, the Right, the Left, and Each Other, New York: Penguin Books, 1998.

[45] Chicago Council on Foreign Relations, World View- 2002, (http://www.worldviews.org)

[46] Roper Organization, 2003.

[47] Peter M. Schuck, Citizens, Strangers, and In-Betweens: Essays on Immigration and Citizenship, Boulder, Colo.: Westview Press, 1998.

[48] Steven Camarota, "Immigrants at Mid-Decade," Center for Immigration Studies Backgrounder, December 2005,(http://www.cis.org/articles/2005/back1405.html)

[49] Josh White, "21 Months in Jail for Man Who Helped Terrorists Get IDs," Washington Post, February 16, 2002, p. A16.

[50] "Colleges Oppose Collecting Fee to Assist INS," Los Angeles Times, March 22, 2000, p. 2.

[51] James Grimaldi, "Planned INS Probes Of Students Blocked: Schools Opposed In-Depth Checks," Washington Post, March 16, 2002, p. A12.

[52] 54 Quoted in Deborah Tedford, "Police Say 'Protect and Serve' Extends to Illegal Immigrants," Boston Globe, December 30, 2001, p. 18.

[53] George W. Bush, "Remarks at an Immigration and Naturalization Service Ceremony on Ellis Island" (July 10, 2001), Weekly Compilation of Presidential Documents, Vol. 37, No. 28, p. 16.

[54] John Gonzales, "Measure to Help Illegal Immigrants: Lawmakers Push Bill to Ease Driver's Licensing," New York Newsday, April 21, 2003.

[55] The following Q & is taken from the Social Security Administration website:

Question: When I came to this country, I purchased a Social Security card from someone on the street. I used it when I obtained employment. What happens to all those earnings?

Answer: Each year employers send their W-2 forms to SSA and a match is performed against the name and Social Security number on the forms and SSA's records. If the information does not match, the earnings are held in a suspense file until we can determine to whom they belong. Once you have obtained authorization to work in this country from INS, and you have applied for and received your Social Security number, you should contact Social Security to have all your earnings posted to your correct SSN.

[56] Jonathan Weisman, "U.S. Social Security May Reach to Mexico," Washington Post, December 19, 2002, p. A01; Editorial, "No Social Security for Illegal Immigrants," The Intelligencer and Wheeling (WV)New Register, December 22, 2002.

[57] Jacobs Stevenson, "Mexican Migrants Saving Record Amounts in U.S. Banks," TheNewsMexico.com, February 7, 2002.

[58] Lori Montgomery, "Ehrlich Vetoes Tax, Tuition Bills," The Washington Post, May 22, 2003, p. A01. Ricardo Sanchez, "Immigrant Scholars Deserve a Break," Seattle Post-Intelligencer, November 8, 2002, p. B9.

[59] Joyce Purnick, "Ads Can Show Two Faces of a Candidate," New York Times, November 14, 2002.

[60] Jennifer Raab, "Letter to the Editor," New York Times, February 18, 2002.

[61] One Nation After All, op.cit.

[62] Oscar Avila, "Legalization for migrants proposed; legislation merely an election ploy, Gephardt foes say," Chicago Tribune, October 11, 2002. Ruben Navarrette, "Bush Drops Mexico Initiative-and Leiberman Picks It Up," Dallas Morning News, June 11, 2003.

[63] Lawrence H. Fuchs, The American Kaleidoscope: Race, Ethnicity, and the Civic Culture, Middletown, Conn.: Wesleyan University Press, 1990.

[64] Lawrence H. Fuchs, "Citizenship, Identity, and Loyalty," Keynote Address to the Conference on Dual Citizenship and Identity in the Global Context, Boston University, May 6, 2000.

[65] Jeffrey O'Brien, "U.S. Dual Citizenship Voting Rights: A Critical Examination of Aleinkoff's Proposal," Georgetown Immigration Law Journal, Vol. 13, No. 4, 1999. pp. 573-595, 578.

[65] Peter J. Spiro, "The Citizenship Dilemma," Stanford Law Review, Vol. 51, No. 597, 1999, pp. 597-639, 601.

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Web page:
(http://web.gc.cuny.edu/dept/POLIT/pages/faculty/m_z.htm#renshon)
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Ms. LOFGREN. All of which will be in the record.

Mr. RENSHON. I will defer.

Ms. LOFGREN. I wonder if we should try—well, we have got 15 minutes to get there to vote and we have 35 minutes of votes and 15 minutes of testimony so there is really—unless you want to abbreviate the testimony. I would defer to the judgment of the Ranking Member. We will have to return.

Mr. KING. From my view, as much time as they have invested, I would like to hear their testimony.

Ms. LOFGREN. Alright. We shall return at the end of our voting. This hearing is recessed. Please return promptly after the votes so that we can conclude.

[Recess.]

Ms. LOFGREN. The hearing will come back to order and as Mr. Schultz is not here at the moment, we will move to—Mr. Seavey is not here. We will go to Mr. Clegg in the hopes that the other witnesses will be here in time to testify. You are recognized for 5 minutes.

TESTIMONY OF ROGER CLEGG, CENTER FOR EQUAL OPPORTUNITY

Mr. CLEGG. Thank you very much, Madam Chairwoman, for inviting me to testify today. I am especially glad that you are holding hearings at this time on the issue of assimilation. The current debate over immigration has not given assimilation the attention that it deserves.

Americans need not all eat the same food, listen to the same music, or dance the same dances, but assimilation does mean that we must all aim to have certain things in common. America has always been a multiracial and multiethnic society, but it is not and should not be multicultural. You can come to America from any country and become an American, but that means accepting some degree of assimilation. It is not diversity that we celebrate most but what we hold in common: *E pluribus unum.*

Accordingly, it makes sense to set out some rules essential for a multiracial, multiethnic America, rules that all Americans should follow wherever they or their ancestors came from.

In fact, these 10 rules apply to all of us, native and immigrant alike. Let me just run through them quickly.

One, don't disparage anyone else's race or national origin. If we are to be one Nation, we cannot criticize one another's skin color and ancestors.

Two, respect women. Just as we do not tolerate a lack of respect based on race or ancestry, we also demand respect regardless of sex. Some cultures, foreign and domestic, put down women. That is not acceptable. If you come from a country or a culture where women are second-class citizens, you must leave that behind.

Three, learn to speak English. This doesn't mean that you can't learn other languages, too, or keep up a native language, but you and your children must learn English, standard English, as quickly as you can, and if you expect to be accepted, you should avoid speaking another language when you are with people who don't understand it. We have to be able to communicate with one another.

Four, don't be rude. Some people apparently view it as unmanly or uncool to be polite. Too bad. Customers, coworkers, fellow students, strangers all expect to be treated courteously, and rightly so.

Five, don't break the law. If you want to participate in this republic, if you want a say in making the rules and electing those who make them, you have to follow the laws yourself. That means among other things that you can't use illegal drugs, which is just as well since there is no surer way to stay at the bottom of the heap or to find yourself there in a hurry.

Six, don't have children out of wedlock. Moral issues aside, illegitimacy is a social disaster for women and children alike. Here again, it is a sure way to stay poor and raise poor children. I should note that the pathology of illegitimacy is more widespread among some native-born groups than among some immigrants.

Seven, don't demand anything because of your race or ethnicity. You have the right not be discriminated against because of these factors, and it follows that you also cannot demand discrimination in your favor. The sooner you can stop thinking of yourself first as a member of a particular demographic subset, and instead as human being and an American, the better.

Eight, working hard in school and on the job and saving money are not "acting White." Bill Cosby is right; America owes her success to a strong work ethic and to parents instilling that ethic in their children. Here again, this is an area where some immigrant groups have much to teach some nonimmigrant groups.

Nine, don't hold historical grudges. There is not a single group in the United States that has not been discriminated against at one time or another. But we are all in the same boat now, and we all have to live and work together. Your great, great grandfather may have tried to kill or enslave mine, but we are a forward-looking country and so we cannot afford to dwell in the past.

Finally, number ten, be proud of being an American. You can hardly expect to be liked and accepted by other Americans if you don't love America. This is not a perfect country and it does not have a perfect history—and there are lots of other countries that have good qualities—but there is no country better than the United States. If you disagree, then why are you here? Be a patriot.

Now obviously not all of these 10 items are suitable for Federal legislation, but in my written statement I have mentioned a number of things that Congress should and shouldn't do to encourage rather than discourage successful assimilation.

In conclusion, let me just emphasize some of the most important, which should be included in the immigration legislation you are now debating.

First, you should declare English to be the official language of the United States. Make clear that Federal law does not require foreign languages to be used, and create incentives for the provision of English instruction.

Second, you should make clear that no immigrant ought to be discriminated against or given a preference on account of his or her race, color, or national origin.

Third, greater civic literacy should be encouraged both in the naturalization process and, again, in instruction provided by public and private entities besides the Federal Government.

Thank you very much, Madam Chairwoman, for inviting me to testify today. I look forward to trying to answer any further questions you have.

[The prepared statement of Mr. Clegg follows:]

PREPARED STATEMENT OF ROGER CLEGG

Thank you very much, Mr. Chairman, for the opportunity to testify today. My name is Roger Clegg, and I am president and general counsel of the Center for Equal Opportunity, a nonprofit research and educational organization that is based in Falls Church, Virginia. Our chairman is Linda Chavez, and our focus is on public policy issues that involve race and ethnicity, such as civil rights, bilingual education, and immigration and assimilation.

I am especially glad that you are holding hearings at this time on the issue of assimilation. The current debate over immigration has not given assimilation the attention that it deserves. This is unfortunate not only because assimilation is an extremely important component of the immigration question, but also because it ought to be an issue on which some who are divided on other immigration problems can find common ground.

Left versus Right versus Right

Frequently political differences are about means rather than ends. For instance, no one likes war and we all prefer peace, but folks have very different ideas about the best foreign and defense policies to achieve that end. Likewise, no one desires an impoverished nation and everyone wants prosperity, but there is much disagreement about which policies are best for the economy.

But it's not so clear that this is the case with respect to racial and ethnic relations. There may have been a brief moment when there existed something of a national consensus—a shared vision eloquently articulated in Martin Luther King, Jr.'s "I Have a Dream" speech, with deep roots in the American Creed, distilled in our national motto, *E pluribus unum*. Most Americans still share it, but by no means all.

There is now a lot more disagreement about the kind of society that people envision—a disagreement not just about means, but also about ends.

It is fair to say that we have a tri-polar model with respect to these visions. The hard left sees an American society that is not only multiracial and multiethnic, but multicultural as well. People will speak different languages and have very different traditions, behaviors, and lifestyles. Governments, universities, companies, and other institutions—even statues—must ensure that these different groups are all represented. "Underrepresentation" of a group is unacceptable, and it is groups that are the focus, not individuals.

This multicultural vision is rejected by the right, but in two different ways. The first vision on the right tries to avoid multiculturalism by avoiding multiethnicity. The best way to ensure that Americans continue to share a common culture is by being extremely careful about admitting very many people from non-Western, non-Anglo countries.

The third vision is conservative and also rejects multiculturalism, but without rejecting multiethnicity. It envisions an America of many racial and ethnic groups, but with a common language, common values, and a common culture. It favors relatively liberal immigration policies, but insists on the assimilation of immigrants. In this vision, no group is entitled to a particular degree of representation in any institution; the standards are based on merit and are applied evenhandedly to individuals, and the chips are allowed to fall where they may.

The Center for Equal Opportunity embraces the third vision.

Assimilation: The Unaddressed Issue

Assimilation is the unaddressed issue that needs to be addressed, at whatever level of immigration we have. If the American economy needs relatively high levels of immigration (and we believe it does), and if social conservatives are right to be concerned if there are large numbers of unassimilated immigrants (and we believe that can be a legitimate concern), then we must do a better of job of figuring out how to improve our assimilation policies.

It should be acknowledged at the outset that a successful immigration policy will require some use of generalizations. At some level we must look at immigrants group by group, rather than assuming that an immigrant is an immigrant is an immigrant. That said, however, it does not follow that the U.S. can go back to a quota system where immigration from some countries is welcomed more than immigration from other countries.

On the one hand, of course there are some cultures that are more easily assimilable than others, and there are some individual immigrants who are more welcome than others. On the other hand, it cannot be the case that immigrants from any country are completely unassimilable, nor is it realistic to think we will begin barring all immigrants from any country for no reason other than their national origin. It is too late in the day, and too inconsistent with the American Creed, to have a racially exclusive immigration policy. We cannot announce, "People from Freedonia are, by and large, not welcome, because they come from a hopelessly backward culture." No: The task is to have a realistic, market-driven ceiling on immigration, standards that are nonracial and apply to all countries, and a better policy for assimilation.

We should welcome people who want to come here, work hard, and build better lives for themselves and families. Instead of turning such people into temporary sojourners with no stake in our society, we ought to do what we've always done, which is turn them into good Americans. There's no reason to believe that the Mexicans, Guatemalans, Salvadorans and others arriving now are any less capable of that feat than were the Germans, Italians, or Poles of previous eras. Although these Latino newcomers arrive with very low education levels, their children quickly catch up with other Americans. Second-generation Latinos, those who parents were immigrants, complete high school at nearly the same rate as non-Hispanic whites, 86 percent compared to 92

percent. By the third generation, the overwhelming majority can't even speak Spanish. According to a recent study by Ruben Rumbaut, Douglas Massey, and Frank Bean, only 17 percent of third-generation Mexican Americans living in Southern California can still speak Spanish and 96 percent prefer to speak English at home. (On the assimilation of recent Latino immigrants, see also Linda Chavez's article, "The Realities of Immigration," in the July/August 2006 issue of *Commentary*.)

Defining "Assimilation"

I should note early on that a general defense of American values is beyond the scope of this testimony. Of course the members of this subcommittee agree with me that, in general, the American way of life is worth preserving. Others who disagree will of course see no reason to worry if that way of life is threatened, and will certainly see no reason to worry if many immigrants do not conform to it. To those people we have nothing to say; they will have to be educated elsewhere.

American culture is not perfect. But it is extremely successful in bringing freedom and prosperity to its millions of citizens. There is no call for junking it and starting from scratch. The improvements that need to be made can be made from within by those who choose to live here, and prior to changing it they should learn and understand what it is they are changing.

Assimilation is important not only for immigrants, but also for those who have been here for a generation or two—or more—but have never joined America's culture or have more recently rejected it.

Those of us who share the third vision discussed above have to grapple with the issue of how to encourage assimilation. If assimilation is unattainable, then the third vision is unrealistic.

To the left, we say that the process of assimilation requires the rejection of racial and ethnic preferences, as well as the mind-set that sees oneself as a member of a racial or ethnic group first and as an American only second. And to the right we say that, since in our view the process of assimilation has and can take place efficiently, effectively, and rather quickly, relatively high levels of immigration can be tolerated, even of non-Western, non-Anglo groups.

First, however, we have to define what we mean by assimilation. The correct definition, we think, will assure those on one side that we are not requiring the obliteration of all ethnic differences, while also assuring the other side that what is being required is what's needed to preserve the America we love.

Americans need not all eat the same food, listen to the same music, dance the same dances, or celebrate all the same holidays. But assimilation does mean that we must all aim to have certain things in common.

The Top Ten List

There are ten basic principles to which all Americans must subscribe. They are not outrageous, but they are irreducible (and they apply to *all* of us, native and immigrant alike):

1. Don't disparage anyone else's race or ethnicity;
2. Respect women;
3. Learn to speak English;
4. Be polite;
5. Don't break the law;
6. Don't have children out of wedlock;
7. Don't demand anything because of your race, ethnicity, or sex;
8. Don't view working and studying hard as "acting white";
9. Don't hold historical grudges; and
10. Be proud of being an American.

America has always been a multiracial and multiethnic country. But saying that it is, or should be, multicultural is very different. The ideal was, and still should be, that you can come to America from any country and become an American — but that means accepting some degree of assimilation. It is not diversity that we celebrate most, but what we hold in common.

The same is also true for native-born Americans. All of us can claim equally to be Americans, but all must acknowledge a shared set of beliefs and mores.

America has always been diverse. But telling an elementary school that it cannot insist on teaching children standard English, or English at all; or telling a college that it cannot focus on Western Civilization; or insisting that an employer accommodate work habits it finds to be unproductive; or condemning social strictures as judgmental — well, all this may celebrate diversity, but it denigrates the common standards that a free society must have if it is to flourish.

Still, it will not do simply to condemn diversity, any more than it will to embrace it indiscriminately. There is much diversity that is valuable or at worst harmless. Workers and students from all backgrounds have contributed enormously to our national life, and who cares what food they like? Some diversity is good, and some bad.

Accordingly, it makes sense to set out some rules essential for a multiracial, multiethnic America and that all Americans should follow — wherever they or their ancestors came from, whatever their skin color, whatever their favorite food or dance. Here, in more detail, are our ten, aimed as much at the native-born as the newly arrived.

1. *Don't disparage anyone else's race or ethnicity.* It may seem odd to begin the list with this one, but actually it's not. On the list of things we don't tolerate, intolerance

deserves a prominent position. If we are to be one nation, we cannot criticize one another's skin color and ancestors.

2. *Respect women.* Just as we do not tolerate a lack of respect based on race or ancestry, we also demand respect regardless of sex. Some subcultures — foreign and domestic — put down women. That is not acceptable. This doesn't mean that men and women have no differences or that we all must be ardent feminists. But it does mean that women must be treated respectfully, and that where the law requires that they be treated equally--as it frequently does in this country--it be followed. If you come from a country or a culture where women are second-class citizens, you must leave that behind. And it doesn't matter if the roots are rap or religious, Tupac or the Taliban.

3. *Learn to speak English.* This doesn't mean that you can't learn other languages, too, or keep up a native language. But you and your children must learn English — standard English — as quickly as you can. And, if you expect to be accepted, you should avoid speaking another language when you are with people who don't understand it. We have to be able to communicate with one another.

4. *Don't be rude.* Some people apparently view it as unmanly or uncool to be polite. But that is just adolescent sullenness. Customers, coworkers, fellow students, strangers — all expect to be treated courteously, and rightly so. Not every culture is a stickler for taking turns, queuing up, and following the rules (see next item), but Americans follow the British here.

5. *Don't break the law.* If you want to participate in this republic — if you want a say in making the rules and electing those who make them — you have to follow the laws yourself. That means, among other things, that you can't use illegal drugs, which is just as well since there is no surer way to stay at the bottom of the heap or to find yourself there in a hurry.

6. *Don't have children out of wedlock.* Moral issues aside, illegitimacy is a social disaster for women and children alike (especially boys). Here again, it is a sure way to stay poor and raise poor children. Perhaps in some countries it takes a village to raise a child, but in the United States it takes two parents. That said, the pathology of illegitimacy is more widespread among some native-born groups than among some immigrants.

7. *Don't demand anything because of your race, ethnicity, or sex.* You have the right not to be discriminated against because of these factors, and it follows that you also cannot demand discrimination in your favor. The sooner you can stop thinking of yourself first as a member of a particular demographic subset, and instead as a human being and an American, the better. This is true for both individuals and groups. The demagogues of identity politics promise nothing worthwhile.

8. *Working hard--in school and on the job--and saving money are not "acting white."* And, for whites, it is not being a nerd or a dweeb. America owes her success to a strong work ethic and to parents instilling that ethic in their children.

9. *Don't hold historical grudges.* There is not a single group in the United States that has not been discriminated against at one time or another. But we are all in the same boat now, and we have to live and work together. Your great-great grandfather may have tried to kill or enslave mine, but we are a forward-looking country and so we cannot afford to dwell on the past.

10. *Be proud of being an American.* You can hardly expect to be liked and accepted by other Americans if you don't love America. This is not a perfect country, and it does not have a perfect history. And there are lots of other countries that have good qualities. But there is no country better than the United States. If you disagree, then why are you here? Be a patriot.

One British expert, Lord Tebbitt, has suggested that successful assimilation can be measured by simply asking whether the new arrival roots for the British cricket team over all others. Conversely, many Americans were understandably angry in 1998 when large numbers of Mexican Americans turned out in Los Angeles to cheer for Mexico and jeer America at a soccer game.

How the Top Ten Are Intertwined

Think about it: If each ethnic group were to adopt these ten tenets, would high immigration levels be a problem, and would any racial or ethnic group—recently immigrated or not—be shunned?

Some of the ten items are closely related to one another. Indeed, four of them--regarding nondisparagement, not demanding preferences, respecting women, and not harboring historical grudges--all have to do with fully accepting one another as equally American. Two have to do with basic civility and communication, namely speaking English and being polite. Three are, among other things, simply good advice for success: working and studying hard, not getting in trouble with the law, and not having children before marriage (learning English can be put in this category, too). One commenter said that most of the rules were all about "getting along and getting ahead." Pride in being an American--being patriotic--perhaps belongs in a category of its own.

Another way to think about this issue – of objectionable versus unobjectionable immigrant customs – is to ask, In what respects have immigrants enriched American life, and in what respects have they not done so – or actually diminished it?

Certainly with respect to food, music, and dancing – for instance – immigrants have made American life richer. They have added particular words to our vocabulary. But in terms of politics, family structure, and economic organization, successful immigrants have been adapters rather than changers; the immigrants who have succeeded

most and added most to American society have not been violent radicals, nor rejected conventional family structure, nor resisted capitalism. They have not brought Old World bigotries and conflicts with them, or insisted on special favors. They have been willing to become Americans and love America.

There is, perhaps, a categorical imperative here: Ask how an immigrant attitude or practice would affect the country if all Americans embraced it. If it wouldn't matter – eating empanadas – fine. If it would – refusing to accept the American capitalist ethos – then we have a problem.

Assimilation Helps Everyone

Although there is debate among scholars of immigration, interest groups, and some immigrants about the desirability of assimilation, we believe that immigrant assimilation should still be a national goal. All evidence indicates, first, that assimilation contributes to the success of immigrants in the U.S. and, second, that public support and acceptance of immigration is intimately tied to perceptions of immigrant assimilation. Only by encouraging assimilation among its immigrants can America maintain its proud history of welcoming immigrants from around the world.

Nor need a pro-assimilation policy be unpopular, with immigrants or nonimmigrants. Consider the issue of learning English. "Now That I'm Here: What America's Immigrants Have to Say about Life in the U.S. Today" reports the results of a survey taken by Public Agenda for the Carnegie Corporation of New York. Among the most striking findings of this study was that immigrants overwhelmingly believe it is their obligation to learn English. To be sure, there are major differences among immigrant groups, with 82 percent of European immigrants agreeing with the statement "The U.S. should expect all immigrants who don't speak English to learn it," while only 54 percent of Mexicans agreed with the statement and 43 percent said it "Should be left up to each individual" to decide. Still, even more than other Americans, immigrants in the survey also overwhelmingly endorsed teaching English immediately when children enter public schools, "even if this means they fall behind [in other subjects]," with some 73 percent of immigrants agreeing, compared to 67 percent of public school parents in general.

The events of September 11 vindicate the importance a pro-assimilation approach in every respect. First, our government must not encourage us to identify as members of racial and ethnic groups rather than as simply Americans. Second, it is essential that Congress embrace an immigration policy that serves the national interest. And, third, our society should encourage the assimilation of those who would live in America and claim its great privileges and boundless opportunities.

A Paradox?

There is an obvious paradox here. How can we have a policy of assimilation to American values when among the principal American values are individualism and

freedom? Can we require adherence to a set of values, consistent with our notions of liberty?

The question is a fair one, but the answer is yes. The paradox is resolved in three ways.

Requiring people to learn about a culture cannot be called antifreedom when ignorance of that culture itself threatens liberty. Robert Bork has remarked that the First Amendment's protection of the marketplace of ideas does not protect those who would destroy that very marketplace. It would be even odder, in any event, to refuse to transmit an appreciation of a love of freedom, when that transmission is essential for freedom's preservation, on the grounds that it is a threat to liberty.

Second, teaching American values need not be coercive or oppressive. There is a continuum in the manner that something is taught, with greater and lesser ratios of the descriptive to the normative, and less or more demand for acceptance of what is being taught at the end of the lesson. Hearing an explanation of American history and values is not the same thing as being forced to embrace some narrow ideology at gunpoint. Nor, indeed, is it likely to be necessary to force acceptance of American values once they have been explained: The product sells itself. In most instances, the only way that it won't be accepted is if it isn't taught. The immigrant audience, after all, *wants* to be in America--they came here for a reason.

Third, the assimilation process is not solely or even primarily an official, governmental one. There is, as discussed elsewhere, a great deal that is done by the little platoons. That, too, renders the process less coercive and lessens the tension with principles of freedom, individualism, and choice. This is not to say that private actors cannot be bullies, but social pressures do raise fewer libertarian concerns. Indeed, to prohibit such pressures would itself be an infringement of liberty.

How to Improve Assimilation: Some Fundamental Steps

If the ten values listed earlier ought to be accepted not only by immigrants but by all Americans, then how do we go about inculcating them?

For immigrants, naturalization should focus on assimilation or—as John J. Miller puts it in his 1998 book *The Unmaking of Americans: How Multiculturalism Has Undermined America's Assimilation Ethic*, and as many others used to put it—Americanization. When the reorganization of its Immigration and Naturalization Service was being discussed, the Justice Department suggested it would create a new "Bureau of Immigration Services" that would be aimed at improved "service" to its "customers"—i.e., immigrants. But as John Fonte of the Hudson Institute and Miller have pointed out, this is the wrong approach. It should be a "Bureau of Americanization," and it should be focused on creating citizens, not serving customers.[1] For the same reason, we should also

[1] See http://www.nationalreview.com/nr_comment/nr_comment121801.shtml.

make the naturalization process more rigorous. The standards in the past have been too often dumbed down and nonuniformly applied from region to region.

There is a step even prior to that, however. We should encourage those who plan to make America their home to become full-fledged citizens in the first place. For instance, it is ridiculous that citizens and noncitizens—even illegal aliens— receive equal weight in congressional reapportionment schemes.

Perhaps the most crucial part of the assimilation process—in naturalization, but also before and after, and even for some people whose families have been here for some time—is learning English. We simply have to be able to communicate with one another, and that means a common language, and that means English. So-called bilingual education—that is, teaching English to non-English speakers only slowly, in segregated classrooms, for only an hour or two a day—has proved to be nonlingual: Students never learn English, and their Spanish isn't so hot either.

That's why California, Arizona, and Massachusetts were so right to ban such programs in favor of English immersion. The importance of English fluency as a common civic bond also makes it outrageous that the federal government requires ballots to be presented in languages other than English in many neighborhoods. [link: http://article.nationalreview.com/?q=YTIzYTljNTg0MWEwMDA2ZjEzMjAwYzBkYTYxNGMxOWE=] Over six years into the Bush administration, it still remains to be seen whether its appointees will end the Education Department's coercion of school districts into adopting bilingual education, as well as the Equal Employment Opportunity Commission's war on companies that, for perfectly legitimate reasons, want employees to speak English when they're on the job. [link: http://alexander.senate.gov/index.cfm?FuseAction=PressReleases.Detail&PressRelease_id=1166&Month=5&Year=2007]

What the Government Should <u>Not</u> Do

One thing the government should do, if it does nothing else, is … no harm. But unfortunately the government now does a great deal to discourage assimilation.

Instead of creating incentives for immigrants to speak English, the government is instead removing them. The bilingual education and bilingual ballot policies discussed above are not the only problems: President Clinton signed Executive Order 13,166, requiring federal agencies and private entities receiving federal money to make their programs available in languages other than English--and President Bush has left it in place. This executive order is not only bad policy; it is also illegal, since it exceeds the president's statutory authority under Title VI of the 1964 Civil Rights Act; I discuss my objections to the executive order at greater length in a letter that I sent to the Justice Department early in the Bush administration, and which I include as an appendix to my testimony today. (A similar problem is the insistence of the Equal Employment Opportunity Commission on suing employers who make various English-language

requirements of employees; my understanding is that legislation is being prepared in the Senate to stop the EEOC from bringing such wrongheaded claims.)

Likewise, instead of encouraging immigrants--and everyone else--to think of themselves as Americans first and to pay little attention to where they or their neighbors came from, many government policies encourage ethnic-consciousness and identity politics. Racial and ethnic preferences in employment, contracting, and university admissions are the most obvious example (I have suggested that immigration reform explicitly provide that immigrants not be discriminated against *nor given preference* on account of race, color, or national origin: http://article.nationalreview.com/?q=NzQxZTc4NjkzMGFmMmQwMDI5OWU5MDg0ZDM5OWMxNTk=]; federal voting law also requires "affirmative action" in the form of racial and ethnic gerrymandering, to guarantee racially and ethnically identifiable voting districts. Public schools at the primary and secondary level, as well as public universities, have embraced "multiculturalism," which emphasizes the differences among Americans instead of what they have in common.

But we return as we must to the government program that manages both to discourage English acquisition and to encourage ethnic separatism: bilingual education. There is overwhelming empirical evidence that this is an inferior way to teach English to schoolchildren, but it is stubbornly defended. The real reason for this defense is not pedagogical but ideological and political: It is multiculturalism on steroids, whereby students are physically separated on the basis of national origin and then given a different, ethnocentric curriculum.

Bad Government, Timid Politicians, Poisonous Elites

I hope by now that I've made it clear to the subcommittee that, when it comes to assimilation, the federal government is not just failing to help matters, it is frequently making them worse. Those of us who oppose one government program or another are often cautioned by political experts that it is not enough to be against something—one must also be in favor of something. I always hate that: As Ward Connerly has asked, when a doctor says he wants to remove your cancer, do you demand to know what he's going to replace it with?

Thus, much of the preferred agenda in this area, at least in terms of government programs, is negative. That is, we would be satisfied in large part if the government stopped doing things to hinder assimilation, because it would in general take place naturally if the government played no worse than a neutral role.

We cannot pass a law that bans people from having children out of wedlock. But we were right to begin removing some of the incentives for doing so that existed pre–welfare reform. It also makes sense to remove other incentives for not working, and to keep in place disincentives for not working, whether it's in the workplace or the schoolroom. John McWhorter has argued persuasively that the progress of African Americans is retarded by affirmative action—"There is no such thing as a human being

doing their very best when they are told they only have to do pretty darn well"—as well as by the sixties-originating mind-set that sees studying hard as "acting white."

We have plenty of laws on the books that prohibit racial and ethnic discrimination and harassment; unfortunately, we also have plenty of government actors that award preferences—in employment, college admissions, government contracting, and political districting—on the basis of race and ethnicity. In doing so, they send and reinforce the message that people ought to think of themselves in racial and ethnic terms, rather than simply as Americans. And they create a resentment that further divides us from one another.

Assimilation is accomplished not just through the law, of course. It is also a product of social pressures and, in particular, the attitudes of elites. And herein, of course, lies much of the rub in 2007. Once upon a time, the politicians and intellectuals believed in America enough to believe in assimilation; now they don't.

Linda Chavez wrote over many years ago in *Out of the Barrio: Toward a New Politics of Hispanic Assimilation*, "Assimilation has become a dirty word in American politics," and Michael Barone concluded in his 2001 book *The New Americans: How the Melting Pot Can Work Again*, "The greatest obstacle to the interweaving of blacks, Latinos, and Asians into the fabric of American life is not so much the immigrants themselves or the great masses of the American people; it is the American elite." Until very recently, neither major party was willing to talk about assimilation, for fear of being thought anti-immigrant or racist. And the academy seems to think multiculturalism is just a fine idea.

Recently a number of studies have been published showing that some minority groups—especially blacks and, to a lesser extent, Hispanics—make up a disproportionate number of prison inmates. The instinct of the grievance elite has been to attack the police and laws as therefore biased. But this instinct is not only misguided; it reflects and encourages a rejection of civic solidarity between minorities and nonminorities.

Positive Steps: What <u>Should</u> Be Done

In addition to doing no harm, there are positive things the government can do. But it is important to bear in mind that other institutions besides the government have important roles in the assimilation process.

At the outset, it should be noted that there is a new Office of Citizenship in the U.S. Department of Homeland Security that recently published *Welcome to the United States: A Guide for New Immigrants* and held a conference in September 2004 on "Building a Common Civic Identity: A Symposium on the Civic Integration of Immigrants" ("civic integration" is the office's preferred phrase for "assimilation"). This new office is the logical place in the government for thought and action on improving our assimilation policies, and it is off to a promising start; likewise, and also to its credit, the administration has convened an "Assimilation Task Force."

The most straightforward task in assimilation is teaching immigrants to speak English. For children, this is done mostly by schools, but it is important not to neglect adults. Both the government (at the federal, state, and local levels) and private entities (companies, unions, churches, and so forth) can offer adult English-acquisition programs. Senator Lamar Alexander's "Strengthening American Citizenship Act" (S. 1393), which passed the Senate 91-1 in April 2006, provides education grants for English courses to legal immigrants intending to become American citizens and allows citizen applicants who speak fluent English to meet the residency requirement after four years of living in the U.S. instead of five; this year he has suggested a tax credit to companies who pay for employees to learn English and that English language proficiency be a requirement of green-card renewal (currently after 10 years). (S. 1393, by the way, includes many other good ideas for encouraging assimilation: providing grants to organizations that provide civics, history, and English courses, codifying the oath of allegiance, celebrating accomplishments by new citizens, and so forth. Likewise, Senator Alexander's suggestions this year are also valuable: for example, a GAO study on English acquisition, and presidential awards recognizing company efforts to improve assimilation. Newt Gingrich has proposed a National Program for English Instruction that is modeled after the "Ulpan Studies" program in Israel; this program would provide highly intensive English, American history, and civics instruction; successful participants would receive a stipend and have their naturalization periods shortened.)

And the government's role goes role goes much beyond simply ensuring that immigrants learn English. The naturalization process is, after all, about creating citizens, not simply residents who can speak a new language. John Fonte has written: "The citizenship naturalization process should be a life-altering experience, a rite of passage, such as a wedding, graduation, first communion, or bar mitzvah, which fosters emotional attachment to our nation and strengthens patriotism." It would make perfect sense (as many in an out of the government have suggested, and as the government is apparently now undertaking) to revamp the citizenship test that immigrants must take so that it more serious and less trivial--and, concurrently, to improve the classes that prepare immigrants for it and that teach them (or ought to teach them) American history and ideals. My son suggested that part of the process include a mandatory viewing of *Saving Private Ryan*. That's not a bad idea, and there may be better and additional movies--and books and songs--too. U.S. Citizenship and Immigration Services recently published *The Citizen's Almanac*, an anthology of patriotic anthems and symbols, speeches, founding documents, excerpts from landmark Supreme Court decisions--and a list of prominent foreign-born Americans. (Likewise, our public schools should teach an unabashedly pro-American version of U.S. history and civics, rather than the anti-American multiculturalism described earlier.)

As John Fonte pointed out in testimony before the House Judiciary Committee in 2002, current law requires the Attorney General to examine applicants for American citizenship to ensure, among other things, their "good moral character" and "understanding of and attachment to the fundamental principles of the Constitution of the

Unites States," as well as their "ability to read, write and speak English."[2] Fonte stresses the importance of the word *attachment* to our constitutional principles--not just "understanding" them--and, later, the statute's discussion of "citizenship responsibilities." An oath is also set out by the statute, Fonte points out, and it requires that the new citizen "absolutely and entirely renounce" all "allegiance and fidelity" to any foreign state. (Taking this seriously, by the way, would require an end to dual citizenship.) Instead, the applicant must swear to "support and defend the Constitution and laws of the United States against all enemies, foreign and domestic" and to "bear arms on behalf of the United States when required by law."

Nor is there any reason why the citizenship process should stop with the administration of the oath, or be limited to those in naturalization classes. Follow-up programs would make sense, as would, for instance, public service advertisements. The former should be voluntary--citizenship is not probationary--and should be open to citizens and noncitizens alike; the idea is simply to provide resources and encouragement for those who are adapting to a new culture. The latter should likewise both provide information and send a positive message about the wonderful opportunities--large and small, exalted and quotidian--available in this great country. It's also easy to envision an ad for each of the ten essentials of assimilation listed earlier. It is likewise easy to envision an hour or half-hour class or video on each of the ten essentials. If the classes were not run or the videos not produced by the government, private actors could just as easily undertake them.

An important part of assimilation is simply learning what America has to offer. The government can teach this itself, or offer incentives to private entities that do so.

Consider just two possibilities: a tour of local historical and otherwise noteworthy sites, and a workshop for living in America. The former would include not just battlefields, old buildings, and the like, but public parks and libraries, the local sports complex, other ethnic neighborhoods--anything that would be interesting, enriching, and useful for an immigrant to know about. The latter would teach how to open a bank account, how public schools operate, what to do if your car won't start, how an emergency room works, how one chooses a college, and so forth.

Our politicians, military, intelligentsia, popular culture, and myriad "little platoons" (churches, unions, civic associations, etc.) also each have a role to play. Some are doing a good job now; others aren't. Our politicians should stop giving speeches in Spanish; we have few complaints about the military and nothing but complaints about the intelligentsia; the popular culture immerses everyone and provides a common denominator, albeit a very low one; and the little platoons are, as one would expect, an uneven lot, with some in some places helping much, and others in other places hurting even more, or doing nothing.

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[2] "Don't Forget about Citizenship When Overhauling the Federal Immigration Agency," quoting 8 U.S.C. 1443 (April 9, 2002).

As discussed earlier, the government might offer economic incentives – tax credits, for instance, or favorable contracting terms – to companies or other private entities that offer assimilation programs. The most obvious such program would be English instruction, but there are others: outings to sporting events and national parks, for instance, or advice on housing and shopping – even special company picnics.

In the category of things that the government is doing now that are harmful but, if done correctly, could play an important positive role is: textbook selection. American history should not be sanitized, but neither should America be demonized. Too many textbooks are unremitting in an anti-American message that paints our history as nothing but racism, sexism, imperialism, and oppression. That is neither fair nor accurate, and it drives Americans apart rather than uniting them in patriotic pride.

Bienvenido a los Estados Unidos

For immigrants to become good Americans, they have to like America, which means liking Americans. And that means that the Americans already here must be welcoming toward the new arrivals.

There is a balance to be struck here. On the one hand, there should be social pressure to Americanize, certainly on the big things. Impatience at a lack of English fluency, and a raised eyebrow when languages other the English are spoken in public, are not a bad thing, for they express an expectation that English, the common currency of communication in this country, will be mastered. On the other hand, if immigrants sense they are unwelcome and disliked, it will be more difficult for them to become America-loving patriots than if they are met with smiles and support, even as they struggle to learn their new country's customs and ways, including its language. Every American should learn one Spanish phrase: *Bienvenido a los Estados Unidos*--Welcome to the United States.

In this regard, however, others have made the point that you don't get somebody to like you by doing them a favor, since that seems patronizing, but instead by asking that person to do *you* a favor. Part of assimilation includes learning a willingness to give something back to the American community that you have joined. Indeed, on one occasion when I was discussing the "Ten Requirements for Assimilation" list, a person in the audience suggested that doing some volunteer public service is important enough that it ought to be added as item number eleven. He has a point, and perhaps some community service ought to be an element of the naturalization program.

Note that the assimilation process is not just for immigrants, but also for their children and even their grandchildren. Indeed, in many respects all Americans--even those who have been here for generations--can stand substantial improvement with regard to one or more of the ten factors listed earlier. Some problems with immigrant assimilation are, really, that they are assimilating all too well, but to the wrong values or the wrong part of our culture. The inner city--with its high levels of crime, illegitimacy,

and substance abuse, and lackluster academic and workplace performance--corrupts our immigrants, rather than vice versa.

Proud To Be an American

The last item on our list—pride in being an American—is much more critical now than when I first compiled the list in 2000. In obvious ways, wartime can dim the prospects for assimilation—but it can also strengthen them.

Patriotism is essential to bringing Americans of different races and ethnicities together. It is a neglected ingredient—even a secret weapon—in the continuing improvement of race relations in this country. Patriotism is important both for what it says to whites and nonimmigrants and for what it says to minorities and immigrants.

As to the former, patriotism requires adherence to the American creed, and an essential part of that is embracing one's fellow Americans, whatever their skin color or ancestry. Bigotry is un-American.

According to Gene Autry's ten-point "Cowboy Code," written in 1939 [link: http://www.geneautry.com/geneautry/geneautry_cowboycode.html], not only must "The Cowboy never shoot first, hit a smaller man, or take unfair advantage" (requirement #1), but "He must not advocate or possess racially or religiously intolerant ideas" (requirement #5). Requirement #10, by the way, is "The Cowboy is a patriot."

Recall the old war movies with a multiethnic roll call: Adams, Berkowitz, Callahan, Dubinski .... The point was, is, that we were, are, all on the same team. In *An American Dilemma*, Gunnar Myrdal concluded that, in the long run, America's founding ideals and the better angels of our nature would spell the doom of Jim Crow, and he was right.

We really are a nation of immigrants, and if someone comes here and learns our rules and plays by them, the bargain is that those already here must accept him as a brother, whatever his color, creed, or ancestry.

Theodore Roosevelt wrote: "...[If] the immigrant who comes here in good faith becomes an American and assimilates himself to us, he shall be treated on an exact equality with everyone else, for it is an outrage to discriminate against any such man because of creed, or birthplace, or origin. But this is predicated upon the man's becoming an American, and nothing but an American. There can be no divided allegiance here. We have room for but one soul [sic] loyalty and that is loyalty to the American people."[3]

Thus, patriotism also requires everyone to embrace America—its ideals, history, and culture. That is the other side of the bargain. To be accepted, one must assimilate.

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[3] Quoted in John Fonte, "How to Make an American," *American Enterprise* (Sept. 2004).

Assimilation doesn't mean you must forget your ancestors and your roots, eat nothing but hamburgers, listen only to country music, and give up polkas or tangos for square dancing. But English must become your and, especially, your children's primary language, the Fourth of July must be celebrated more loudly than Bastille Day or Cinco de Mayo, and you must bury your historical grudges against the foreign or domestic ancestors of your fellow Americans. You must work hard, follow the law, and join the bourgeoisie. All this, again, applies to native-born Americans as much as immigrants.

Consider this analogy: You find yourself living in an apartment building with many other tenants, some of whom are proud, long-time residents and some of whom are newly arrived like you. What is the likely reaction of the long-time residents if you never miss an opportunity to tell them what a lousy apartment building they have and what a lousy job they have done over the years in maintaining it? Remember: It's your home now, too. It's all right to make suggestions for how better to fix up the place now, but the present should be the focus rather than criticisms of the past.

Yet patriotism and assimilation are maligned today by the intelligentsia and, especially, the self-appointed spokesmen for racial and ethnic minorities in the grievance elite. By denigrating America, laughing at patriotism, and encouraging identity politics, these elites are ensuring balkanization and mistrust. America is multiracial and multiethnic, it is pluralistic, but it is not multicultural. *E pluribus unum*: out of many, one.

Patriotism and assimilation ought not to be dirty words, least of all for racial and ethnic minorities. To the contrary: Pride in being an American, and love for America and among Americans, is the best immigration and civil rights policy we could have.

Conclusion

In my testimony, I have mentioned a number of things that Congress should and shouldn't do, to encourage rather than discourage successful assimilation. In conclusion, let me just emphasize some of the most important, which could be included in the immigration legislation you are now debating. First, you should declare English to be the official language of the United States, make clear that federal law does not require foreign languages to be used, and create incentives for the provision of English instruction. Second, you should make clear that no immigrant be discriminated against or given a preference on account of his or her race, color, or national origin. Third, greater civic literacy should be encouraged, both in the naturalization process and, again, in instruction provided by public and private entities besides the federal government.

APPENDIX A

February 14, 2002

Ms. Merrily Friedlander
Chief, Coordination and Review Section
Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Dear Ms. Friedlander:

We are writing to submit comments on the Justice Department's republication of its policy guidance on Title VI's prohibition against national original discrimination as it affects limited English proficient persons.

The guidance is principally a discussion of the four-part balancing test that is set out for determining the required scope of accommodations for limited English proficient persons in federally funded programs (especially the Justice Department's). Our comments, however, take issue with the premise that such accommodations can or ought to be required under Title VI in the first place.

The validity of our comments is buttressed by a Supreme Court decision, *Alexander v. Sandoval*, 121 S. Ct. 1511 (2001), that was handed down since the guidance first became effective on the last full day of the Clinton administration, January 19, 2001. The events of last September 11 also make this a good time to reassess the wisdom of executive-branch pronouncements that inevitably encourage the balkanization of the nation into ethnic enclaves.

Title VI of the Civil Rights Act of 1964 prohibits "discrimination under any program or activity receiving Federal financial assistance" against any person in the United States "on the ground of race, color, or national origin." The guidance acknowledges that "On its face, Title VI prohibits only intentional discrimination." *Sandoval* reaffirms the Supreme Court's earlier pronouncements that Title VI bans only disparate treatment, not actions that have only disproportionate effects on this or that racial or ethnic group.

There is obviously a problem, then, if a federal agency promulgates regulations purporting to implement Title VI but that ban not only disparate treatment (which Title VI is aimed at) but also actions with only disproportionate effects (which the Supreme Court has said that Title VI allows). The Court has long recognized that the difference between disparate treatment and disparate impact is one of kind, not just degree. *See, e.g., Washington v. Davis*, 426 U.S. 229 (1976). Since a federal agency cannot even ban intentional discrimination without statutory authority, see *NAACP v. FPC*, 425 U.S. 662

(1976), then it would certainly seem to lack authority to ban actions that are not intentionally discriminatory when they have no statutory authority to do so.

While the *Sandoval* decision did not invalidate Title VI disparate-impact regulations—the Court concluded that the issue had not been presented to it—five justices on the Court strongly hinted that they might vote to do so in a future case. The *Sandoval* majority noted, "We cannot help observing … how strange it is to say that disparate-impact regulations" properly implement Title VI when the statute "permits the very behavior that the regulations forbid." The Court also noted that Title VI "limits agencies to 'effectuat[ing] rights already created by" it. *See* 121 S. Ct. at 1516-17, 1519 n.6, 1521. *See also* Thomas A. Lambert, *The Case against Private Disparate Impact Suits*, 34 Ga. L. Rev. 1155, 1211-21 (2000) (discussing, inter alia, the Court's "general rule that agency regulations may not be more prescriptive than the enabling statutes under which they are promulgated," *id.* at 1214).

Since Congress cannot transform a disparate-treatment ban into a disparate-impact ban, *see City of Boerne v. Flores*, 521 U.S. 507 (1997), it seems fair to conclude that a federal agency also lacks this authority. The Court in *Boerne* said that Congress's font of authority, Section 5 of the Fourteenth Amendment, does not give it authority to make this fundamental transformation; *a fortiori*, an agency's font of authority, Title VI, does not give *it* authority to make this fundamental transformation. *See* Lambert, 34 Ga. L. Rev. at 1218-21.

Such a transformation is additionally problematic because a ban on disproportionate effects will in fact *encourage* race-consciousness and disparate treatment—the very behavior that Congress sought to ban. *See Wards Cove Packing Co. v. Atonio*, 490 U.S. 642, 652-53 (1989); *Watson v. Fort Worth Bank & Trust*, 487 U.S. 977, 992-94 & n.2 (1988) (plurality opinion); *Albemarle Paper Co. v. Moody*, 422 U.S. 405, 449 (Blackmun, J., concurring in judgment).

Finally, to the extent that Title VI regulations are applied to states (as they frequently are), problems are raised under *Atascadero State Hospital v. Scanlon*, 473 U.S. 234, 242 (1985), because Congress has not approved such incursions on state authority, let alone approved them "unequivocally." And were Congress to have given agencies authority to rewrite the statute actually passed, problems are raised under the nondelegation doctrine as well.

The justification for the disparate-impact approach in the republished guidance is in one sentence in Appendix B and its accompanying footnote. The sentence reads, "The Supreme Court has consistently upheld agency regulations prohibiting unjustified discriminatory effects." The footnote cites three Supreme Court decisions, but the authority provided by each is quite problematic.

Only two majority opinions are cited in footnote 5. The first, *Alexander v. Choate*, 469 U.S. 287, 293-94 (1985), was not a case about Title VI or its regulations; instead, it involved the Rehabilitation Act, which the Court was at pains to assert might

well give agencies broader authority to promulgate disparate-impact regulations. The other majority opinion cited in footnote 5 is *Lau v. Nichols*, 414 U.S. 563, 568 (1974), but there is no discussion in this case at all of any regulation's validity and, in any event, when *Lau* was decided the Court had not yet determined that Title VI banned only disparate treatment, so the divergence between the statute's ban and the regulations' could not have been authoritatively addressed.

The other case cited in footnote 5 (and discussed by the majority in *Alexander v. Choate*) is *Guardians Association v. Civil Service Commission*, 463 U.S. 582 (1983). But to find in *Guardians* a bare majority for the proposition that agencies may promulgate disparate-impact regulations under Title VI, one must add the opinion by Justice White to Justice Marshall's dissent and to Justice Stevens' dissent (joined by Justices Brennan and Blackmun). Four members of the Court—Burger, Rehnquist, Powell, and O'Connor—explicitly rejected this view. Furthermore, Justice White actually voted to affirm the holding below denying the plaintiff compensatory damages, and also thought that the statute itself reaches disparate impact, so "[t]he question whether agency regulations under Title VI may forbid only disparate impact … thus remains open." Lambert, 34 Ga. L. Rev. at 1207; *see also id.* at 1203-25 (discussing why disparate-impact regulations are invalid under the Court's precedents).

In all events, whatever tenuous authority these three decisions might have had was snapped by last year's decision in *Sandoval* (and, earlier, by the Court's *City of Boerne* decision). Clearly there are at least five justices who view the validity of disparate-impact regulations promulgated under Title VI as very much an open question and, indeed, indicated rather clearly that the regulations rest on dubious authority.

And even if in some future case the Supreme Court rules that federal agencies have authority to write disparate-impact regulations, that would not mean that they *should* do so, especially given the many bad consequences that the disparate-impact approach has had for civil-rights law. Thus, the administration ought to be reassessing the use of the disparate-impact approach in all areas not required by statute, and that includes Executive Order 13166.

Indeed, the disparate-impact approach is especially untenable in the language area. It equates the use of English with national-origin discrimination, which is absurd. Ability to speak English and ethnicity are obviously distinct qualities. Some people of a particular national origin will not be able to speak English well, but others will. Conversely, some people *not* of that particular national origin will *also* not be able to speak English well. Thus, the courts have overwhelmingly rejected claims that employers with a preference or even a requirement for speaking English—practices that go much further than the mere failure to make the positive accommodations that the guidance would require—are discriminating on the basis of national origin. (These cases are collected and discussed in Barnaby Zall, *English in the Workplace* (2000) (published by the Center for Equal Opportunity).)

The Supreme Court's decision in *Espinoza v. Farah Manufacturing Co.*, 414 U.S. 86 (1973), is also instructive. It held there that it was not national origin discrimination when an employer refused to hire a noncitizen. The Court—per Justice Marshall, with Justice Douglas the only dissenter—endorsed an early EEOC opinion that "'national origin' refers to the country from which the individual or his forbears came ..., not whether or not he is a United States citizen" (*id.* at 94). The Court had noted, "Certainly the plain language of the statute supports [that] result" (*id.* at 88), and that Title VII's legislative history "suggest[ed] that the terms 'national origin' and 'ancestry' were considered synonymous" (*id.* at 89). What's more, the Court expressly rejected the EEOC's attempt to ban discrimination against foreigners by arguing that it would have a disparate impact on the basis of national origin (*id.* at 92-95). It would seem to follow that discrimination against all foreign languages doesn't violate the law; only discrimination against a language associated with a particular national origin.

While it is of course possible that a particular Title VI recipient might choose not to make its programs available in a language other than English as a way of discriminating against a particular ethnic group, it seems fair to assume that the overwhelming majority of Title VI recipients use only English not out of any illicit motive but simply because of ease, convenience, and thrift. Thus, it is much fairer for the government to limit itself to going after recipients it suspects of disparate treatment—especially since that is all the underlying statute prohibits. There is no reason to assume recipients who use only English are guilty until they can show their good faith and a business necessity for their policy. Nor is there any reason to assume that, unless the federal government is requiring recipients to make programs available in English, that they will not do so. Many recipients will indeed accommodate non-English-speakers; but the decision of whether and how to do so should be and is theirs to make, not the federal government's.

The last sentence in the republished guidance asserts that "DOJ's primary concern is to ensure that the recipient's policies and procedures overcome barriers resulting from language differences." No doubt. But Congress has not enacted an affirmative mandate that recipients "overcome[e] barriers resulting from language differences"; it has banned discrimination on the basis of ethnicity, which is very different.

Worse, the guidance endorses the notion that America ought to be a multilingual nation, and removes important incentives for all Americans to learn English. A common tongue becomes more, not less, important as our nation grows more multiracial and multiethnic. We must be able to communicate with one another, and it is very damaging if the federal government is sending the message that learning English is not necessary for being an American. In short, as dubious as Executive Order 13166 is as a matter of law, it is much worse as a matter of policy.

Executive Order 13166 ought to be revoked. Furthermore, all agency regulations and guidance promulgated under Title VI that rely on the disparate-impact approach should be revoked as well.

Sincerely,

Edward Blum
Director of Legal Affairs
American Civil Rights Institute

Roger Clegg
Vice President and General Counsel
Center for Equal Opportunity

Ms. LOFGREN. Thank you. Mr. Schultz, you are now recognized for 5 minutes.

TESTIMONY OF TIM SCHULTZ, DIRECTOR, GOVERNMENT RELATIONS, U.S. ENGLISH

Mr. SCHULTZ. Thank you, Madam Chairwoman, for the opportunity to testify regarding the issues of language and assimilation. U.S. English is a grassroots organization based in Washington, DC and we were founded by Senator S.I. Hayakawa, a former Senator from California, in 1983 and he himself was an immigrant. Our organization focuses on public policy issues related to language and national identity, particularly English as the official language laws.

I thank the Committee for its wisdom in exploring the topic of assimilation. Regardless of where you come down, I think it is fair to say that there has been a lot of discussion in this town about the contours of immigration policy and much less thought going into what I call immigrant policy. That is what is our policy toward immigrants once they actually arrive here.

Your former colleague, the late Barbara Jordan, wrote a 1997 *New York Times* Op. Ed advocating what she called the Americanization ideal. Of course Barbara Jordan was a well known Democratic legislator.

I suggest two facts should guide our thinking about the Americanization ideal. First, English language learning is a crucial element of Americanization, and second, we face a language challenge in the United States that won't solve itself. Since 1906, some capacity in English has been a formal legal requirement for naturalization but as Professor Renshon already mentioned, before the swearing in ceremony there is a process by which an immigrant comes to self-identify as an American.

Two years ago, the Pew Hispanic Center conducted a study about civic attitudes of Hispanics in America, which demonstrates a very tight link between English and Americanization. Professor Renshon has already mentioned some of these numbers about national identity, but I think it is even more interesting to note that Pew found among Hispanics living in households where little or no English is spoken, only 3 percent self-identify as Americans. 68 percent self-identify first or only with their native country. But conversely, among Hispanics in English-dominant households, 51 percent self-identify first or only as Americans. In other words, those who speak English are 17 times more likely to self-identify as Americans than those who don't.

Now I have no reason to believe that this would be different for any other group of immigrants. I think it has to do with a fairly universal process of becoming an American. For an immigrant who does not speak English, civic engagement with a vast majority of one's fellow Americans is simply impossible. Our common civic culture presupposes a common language, which is why Alexis de Toqueville observed that the tie of language is perhaps the strongest and most durable that can unite mankind.

Now let me suggest that in the United States that tie which we have historically had is facing some unprecedented challenges. Three years ago a Pulitzer prize winning *Los Angeles Times* reporter named Hector Tobar did a 2-year Toquevillian experiment

crisscrossing the country reporting on the civic morass of Latino immigrants. His book is called *Translation Nation.*

And he argued that in today's United States, living an English-optional existence is increasingly common and increasingly accepted. Now Tobar's subtitle is, quote, Defining a New American Identity in the Spanish-Speaking United States. He generally thinks that an English optional United States is a welcome development. Now I disagree with that. But his diagnosis of the social trend deserves great weight.

We also have some hard numbers to back up Tobar's anecdotes. The 2000 census found that there are over 2 million people born in the United States, citizens of the United States, who can't speak English well enough to hold a basic conversation. The Pew Hispanic Center did a separate survey of Mexican migrants in 2005 and found that among those residing in the United States for 6 to 10 years, 45 percent still did not speak English.

They also found that for those residing in the United States for 15 or more years, that same number, 45 percent still did not speak English. Now the lesson I think is clear, that if immigrants are not on the road to learning English relatively quickly upon arrival, probably limited English proficiency is going to be terminal. Because the grandchildren of immigrants would usually learn English by growing up in America, I don't believe the English language itself is under any, quote, unquote, threat, but our national aspiration that has historically been that all immigrants will seek to become Americans, if half of immigrants or even 10 percent are locked out of that process, we would be removing part of the foundation that has allowed our Nation of immigrants to be successful.

Public policy has a role to play in closing the English acquisition gap. It includes increasing opportunities to learn English and the avoidance of policies that promote an English optional existence and the insistence that, as Congresswoman Jordan wrote, the immigrant has mutual obligations to the United States.

I would like to close just by repeating Congresswoman Jordan's words in that *New York Times* Op. Ed. She said that Americanization has "earned a bad reputation in the 1920's when it was temporarily stolen by racists and xenophobes." But she said, "It is our word, and we are taking it back." If we are to reclaim Americanization in policy as well as in spirit, a hard but cool headed look at our policies surrounding English and assimilation is long overdue.

[The prepared statement of Mr. Schultz follows:]

PREPARED STATEMENT OF TIM SCHULTZ

Thank you, Mr. Chairman, for the opportunity to testify regarding the issues of language and assimilation.

My name is Tim Schultz, and I am Director of Government Relations for U.S. English, Inc., a grassroots organization based in Washington, DC. U.S. English was founded in 1983 by Senator S.I. Hayakawa, who was himself an immigrant. Our organization focuses on public policy issues that involve language and national identity, particularly official English laws.

I thank the committee for its wisdom in exploring the topic of assimilation. Regardless of where you come down on the various immigration proposals before Congress, I think it's fair to say that a number of people are doing a great amount of thinking about the contours of immigration policy. Much less thought is going into what I'd call "immigrant policy": that is, what is our policy toward immigrants once

they arrive? Your former colleague, the late Barbara Jordan, wrote a 1997 New York Times Op-Ed calling it "The Americanization Ideal."

I suggest two facts should guide our thinking here: *First,* English language learning is the crucial element of Americanization. *Second,* we face a language challenge in the United States that won't solve itself.

Since 1906, the demonstrable capacity to speak English has been a formal legal requirement for naturalization. We know that. But before the swearing in ceremony, there's a process by which an immigrant comes to self identify as an American. Two years ago, the Pew Hispanic Center did a remarkably detailed study about civic attitudes of Hispanics in America, which contains perhaps the best data to date on the link between English and Americanization.

Pew found that among Hispanics living in what they called "Spanish dominant Households"—where little to no English is spoken—only 3 percent self-identify as "Americans." 68 percent self-identify first or only with their native country. Among Hispanics in English-dominant households, 51 percent self identify first or only as Americans. In other words, those who speak English are 17 times more likely to self identify as Americans than those who don't. Those who don't speak English are 22 times more likely to identify primarily with their home country than with the United States. I have no reason to believe this would be different with any other group of immigrants, by the way. I think it has to do with a fairly universal process of becoming an American.

It has been said that the First Amendment is "First" in the Bill of Rights because the freedom to speak is the right that enables all of the others. All of our rights as Americans flow from this first freedom. But for an immigrant who does not speak English, civic engagement with one's fellow Americans is impossible. Our common civic culture presupposes a common language. Alexis de Tocqueville, the preeminent observer of American civic culture, wrote "The tie of language is perhaps the strongest and most durable that can unite mankind."

Well now, let me suggest that in the United States, that tie is facing some challenges.

Three years ago, a Pulitzer Prize winning Los Angeles Times reporter named Hector Tobar did a 2 year long Toquevillian-experiment, crisscrossing the country reporting on the civic mores of Latino immigrants in the United States. Tobar's resulting book, "Translation Nation" argued that in today's United States, living an English-optional existence is increasingly common and increasingly accepted. Now, Tobar's subtitle is "Defining a New American Identity in the Spanish Speaking United States." He generally thinks that an English optional United States is acceptable. I disagree. But his diagnosis of the social trend deserves great weight.

We also have some hard numbers to back up Tobar's anecdotes.

The 2000 Census found that there are over 2 million people born in the United States—citizens of the United States—who can't speak English well enough to hold a basic conversation.

The Pew Hispanic Center did a separate survey of Mexican migrants in 2006, and found that among those residing in the United States for 6–10 years, 45 percent still did not speak English. Pew also found that among those residing in the U.S. for 15 or more years, an identical 45 percent still do not speak English. In other words, if an immigrant does not start on the path to English upon arrival, chances are high that that person will never learn it.

And let me repeat: I use Latino immigrants as an example because they are the most numerous and we have the largest and best data. Remember too, a majority of Latino immigrants DO learn English, so the suggestion that they can't or shouldn't is ridiculous.

Because the grandchildren of immigrants will usually learn English by growing up in America, I don't believe that the English language is under "threat." But our national aspiration has historically been that immigrants—yes, first generation immigrants—seek to become Americans. If half of immigrants—or even ten percent—are locked out of that process, we would be removing part of the foundation that has allowed our nation of immigrants to be successful.

I'm not here today testifying about particular legislation, but we should agree that public policy has a role to play in closing the English acquisition gap. It includes increasing opportunity—more desks for more people who want to learn English. But it also includes the avoidance of policies that promote an English optional existence, and the hard headed insistence that, as Congresswoman Jordan wrote, the immigrant has mutual obligations.

In Jordan's words, the term "[Americanization] earned a bad reputation when it was stolen by racists and xenophobes in the 1920's. But it is our word, and we are taking it back." If we are to reclaim Americanization in policy as well as in spirit,

a hard but cool-headed look at our policies surrounding English and assimilation is long overdue.

Ms. LOFGREN. Thank you, Mr. Schultz. Mr. Seavey, you are recognized for 5 minutes.

TESTIMONY OF MARK SEAVEY, DIRECTOR OF THE NATIONAL LEGISLATIVE COMMISSION, THE AMERICAN LEGION

Mr. SEAVEY. Thank you, ma'am. Madam Chairwoman, Mr. King, on behalf of the nearly 3 million members of the American Legion, I would like to thank you for the opportunity to testify today on this vitally important issue. The Preamble to the Constitution of the American Legion states that we associate ourselves together for the following purposes, to uphold and defend the Constitution of the United States, to maintain law and order, and to foster and perpetuate a 100 percent Americanism.

These words are recited in unison at American Legion meetings and represent a continuing contract of service to benefit America, and it is this commitment by legionnaires that is the fuel for action on immigration, both legal and illegal. The American Legion has been a leader in mentoring candidates for U.S. citizenship dating back to the beginning of our organization. Working closely with the U.S. Federal courts, the American Legion has conducted naturalization services throughout the country, teaching immigrants how to become proficient in the English language and about lessons in U.S. history and about government.

The American Legion helped the new citizens become contributing members of our society. But the security, economy, and social fabric of the United States of America is seriously threatened by individuals who come to this country with no interest in assimilating into our culture and, in failing to do so, divide America into ethnic, racial, or cultural enclaves. The American Legion has long opposed any great influx of immigrants but instead has encouraged a path of moderation, embracing a concept that immigration should be regulated so that immigrants could be readily absorbed into the general population.

Assimilation was important to both the government and the American Legion in the '20's and '30's, but it lost some of its luster in recent years as America directed its attention to the illegal migrant population and homeland security issues.

But assimilation into our society by new citizens remains important to the welfare of the United States. The failure of this country to absorb new immigrants into its society divides the Nation and promotes racial and cultural biases. Immigration into the United States should be based on a two-way contract, that being a commitment by the United States to treat the new immigrants with respect and provide them with the rights and privileges guaranteed to all citizens by the rule of law; nothing more, nothing less. The immigrants must also pledge their loyalty and allegiance to the United States, and that allegiance must take precedence over and above any ties that they may have to their native country.

Candidates for citizenship express that allegiance in a naturalization ceremony when they are asked to take an oath, an oath of renunciation and allegiance. This oath has various elements that are important to the American Legion, and we have solidified our

beliefs on these in Resolution 356, which I have put into my testimony. But essentially those elements are renunciation of all allegiances to foreign states or sovereignties; support foreign defense of the United States Constitution; to bear truth, faith, and and allegiance to the U.S., to bear arms, perform noncombat service or perform work of national importance; and they take that oath without mental reservation or purpose of evasion.

The American Legion believes strongly in maintaining the sanctity of this oath and supports language in the oath that is prescribed by the Congress of the United States for purposes as outlined in the Immigration and Nationality Act. The Legion also calls upon Congress to reject dual allegiance in principle and restrict and narrow its application in process.

The American Legion is not opposed to legal immigration. There are, however, provisos to that statement. As a resolution-based organization, the American Legion has voiced its position on patriotic assimilation of new Americans in many of our resolutions. For instance, the American Legion has voiced longstanding opposition to any great influx of legal immigrants and has called for immigration quotas which should be set on a moderate and regulated scale in numbers that enable them to be readily absorbed into the culture and life stream of the United States.

We have also worked with the Hudson Institute to make the intellectual and moral case for a substantially strong and ceremonially rich citizen naturalization process. The partnership jointly supports the position that candidates for U.S. citizenship possess a level of proficiency with the English language and an understanding of our country's history and its government. The American Legion believes that this naturalization ceremony should be made mandatory and conducted in a U.S. district court and, as everyone else here, we also support English as the official language of the United States.

Everyone else has ended with a quote, and I would be remiss if I didn't also do that, but mine is from nearly a hundred years ago. In 1907, President Theodore Roosevelt said, "In the first place, we should insist that if the immigrant who comes here in good faith becomes an American and assimilates himself to us, he shall be treated on an exact equality with everyone else, for it is an outrage to discriminate against any such man because of creed, of birth place or origin. But this is predicated upon the person becoming in every facet an American, and nothing but an American. There can be no divided allegiance here. Any man who says he is an American, but something else also, isn't an American at all. We have room but for one flag, the American flag. We have room but for but one language here, and that is the English language, and we have room but for one sole loyalty, and that is a loyalty to the American public."

One hundred years ago, and the words of Teddy Roosevelt are still appropriate today, and at the American Legion we urge that no one in Congress forget them.

[The prepared statement of Mr. Seavey follows:]

PREPARED STATEMENT OF MARK SEAVEY

STATEMENT OF
MARK SEAVEY, ASSISTANT DIRECTOR
NATIONAL LEGISLATIVE COMMISION
THE AMERICAN LEGION
BEFORE THE
SUBCOMMITTEE ON IMMIGRATION, CITIZEMSHIP, REFUGEES, BORDER SECURITY, AND INTERNATIONAL LAW
COMMITTEE ON THE JUDICIARY
UNITED STATES HOUSE OF REPRESENTATIVES

May 23, 2007

The preamble to the Constitution of The American Legion states that "We associate ourselves together for the following purposes: To uphold and defend the Constitution of the United States of America; to maintain law and order and to foster and perpetuate a 100 percent Americanism." These words are recited in unison at Legion meetings and represent a continuing contract of service to benefit America. It is this commitment by Legionnaires that is the fuel for action on immigration, both legal and illegal.

The American Legion has been a leader in mentoring candidates for U.S. citizenship, dating back to the beginning of the organization. Working closely with the U.S. federal courts, it conducted naturalization schools throughout the country, teaching immigrants how to become proficient in the English language and about lessons in U.S. history and about government. The Legion helped the new citizens become contributing members of our society. But the security, economy and social fabric of the United States of America is seriously threatened by individuals who come to this country with no interest in assimilating into our culture, and in failing to do so divide America into ethnic conclaves.

Immigration, both legal and illegal, is having a profound effect on public schools nationwide.

The federal government requires public schools to include English as a Second Language (ESL) programs in their curriculum to accommodate the needs of the non-English speaking students, regardless of their legal status. Additionally, special programs for non-English speaking students is, according to education groups, a hindrance to the overall learning environment in the schools.

Enrollments are projected by the U.S. Department of Education to reach 55 million by 2020 and 60 million by 2030. Immigration will account for 96 percent of the future increase in the school-age population over the next 50 years. *Without school-age immigrants and the children of immigrants, school enrollment would not have risen at all during the past decade.* As it was, school enrollment increased by 14 percent between 1990 and 2000, putting it at an all-time high. Current enrollment exceeds the record set in 1970 when the "baby boomers" entered the country's school systems.

These numbers indicate how imperative it is that these new Americans assimilate into American society, both in terms of learning our language, and in not self-segregating into racial or cultural enclaves.

The American Legion has long opposed any great influx of immigrants but, instead, has encouraged a path of moderation, embracing a concept that immigration should be regulated so that immigrants could be readily absorbed into the general population. Assimilation was important to both the government and The American Legion in the 1920's and 30's but it lost some of its luster in recent years as America directed its attention to the illegal migrant population and homeland security issues.

Assimilation into our society by new citizens remains important to the welfare of the United States. The failure of this country to absorb new immigrants into its society divides the nation and promotes racial and cultural bias. Immigration into the United States should be based on a two-way contract; that being a commitment by the United States to treat the new immigrants with respect and provide them with the rights and privileges guaranteed all citizens by rule of law. Nothing more, nothing less. The immigrants must pledge their loyalty and allegiance to the United States and that allegiance must take precedence over and above any ties they may have with their native country.

Candidates for citizenship express that allegiance in a naturalization ceremony when they are asked to take an oath – An Oath of Renunciation and Allegiance. That oath has elements that are important to The American Legion and were outlined in Resolution 356, Oath of Renunciation and Allegiance, passed by delegates to the 88th National Convention of The American Legion in 2006 in Salt Lake City, Utah. Those elements are:

- Renunciation of all allegiances to foreign states or sovereignties;
- Support for and defense of the United State Constitution and laws of the United States of America against all enemies, foreign and domestic;
- Bear 'true faith and allegiance' to the United States of America;
- Bear arms, perform noncombatant service, or perform work of national importance on behalf of the United States of America; and
- Take the oath without mental reservation or purpose of evasion.

The American Legion believes strongly in maintaining the sanctity of the oath and supports language in the oath that is prescribed by the Congress of the United States for purposes as outlined in the Immigration and Nationality Act. The Legion also calls upon Congress to reject dual allegiance in principle and restrict and narrow its application in practice.

The American Legion is not opposed to legal immigration. There are, however, provisos to that statement. As a resolution based organization, The American Legion has voiced its position on patriotic assimilation of new Americans in many of its resolutions. For instance, The American Legion:

- Has voiced longstanding opposition to any great influx of legal immigrants and has called for immigration quotas be set on a moderate and regulated scale in numbers that enable the immigrants to be readily absorbed into the culture and life stream of the United States.

- Worked with the Hudson Institute to make the intellectual and moral case for a substantively strong and ceremonially rich citizenship naturalization process. The partnership jointly supports the position that candidates for U.S. citizenship possess a level of proficiency with the English language and an understanding of our country's history and its government.

- Believes that a naturalization ceremony should be made mandatory and conducted in a U.S. District Court. The American Legion also believes that all citizenship naturalization ceremonies in the United States should be conducted in the English language.

- Supports legislation that allows non-citizen veterans with less than three years of active duty service and who were legally in the United States at the time of enlistment, to seek naturalization if they are injured or their injuries were aggravated while on active duty with the U.S. Armed Forces, resulting in a discharge under honorable conditions.

The problem of assimilation of new immigrants was addressed at length in a multi-part series by The Washington Post entitled "The Myth of the Melting Pot" written in 1998. As the Post noted at the time:

> Not only are the demographics of the United States changing in profound and unprecedented ways, but so too are the very notions of assimilation and the melting pot that have been articles of faith in the American self-image for generations. *E Pluribus Unum* (From Many, One) remains the national motto, but there no longer seems to be a consensus about what that should mean.
>
> There is a sense that, especially as immigrant populations reach a critical mass in many communities, it is no longer the melting pot that is transforming them, but they who are transforming American society.

President Theodore Roosevelt expressed his ideas on immigrants and what it means to be an American in a speech in 1907.

> In the first place, we should insist that if the immigrant who comes here in good faith, becomes an American and assimilates himself to us, he shall be treated on an exact equality with everyone else for it is an outrage to discriminate against any such man because of creed, or birthplace, or origin. But this is predicated upon the person becoming in every facet an American, and nothing but an American ... There can be no divided allegiance here. Any man who says he is an American, but something else also, isn't an American at all. We have room for but one flag, the American flag ... We have room for but one language here, and that is the English language ... and we have room for but one sole loyalty and that is a loyalty to the American people.

One hundred years ago...and the words of Teddy Roosevelt are still appropriate today. Let us not forget them.

As both chambers of Congress begin to look at Comprehensive Immigration measures, it is important to remember that while America is in fact a nation of immigrants, there are important differences in the way immigrants adapt these days, and the influences on them can be double-edged. Gaps in income, education and poverty levels between new immigrants and the native-born are widening, and many of the newcomers are becoming stuck in dead-end jobs with little upward mobility. It is vital that any immigration reform address not only how these people procedurally become American Citizens, but also how to encourage and facilitate assimilation.

EIGHTY-EIGHTH NATIONAL CONVENTION
THE AMERICAN LEGION
SALT LAKE CITY, UTAH
AUGUST 29, 30, 31, 2006

RESOLUTION NO: 356
OATH OF RENUNCIATION AND ALLEGIANCE

COMMISSION: AMERICANISM

WHEREAS, Since the earliest days of our republic, Congress has exercised its constitutional power to establish a uniform Rule of Naturalization; and

WHEREAS, The Rules of Naturalization, as established by Congress, requires an oath of allegiance and renunciation of all prior allegiances as a condition of naturalization; and

WHEREAS, The Oath of Renunciation and Allegiance serves as a contract between the applicant for citizenship and the United States government in which the applicant, in return for the benefits and privileges received, agrees to

1. Renounce all allegiance to any foreign state or sovereign;
2. Support and defend the U.S. Constitution and laws of the United States of America against all enemies, both foreign and domestic;
3. Bear "true faith and allegiance" to the United States of America; and
4. Bear arms, perform noncombatant service, or perform work of national importance on behalf of the United States of America; and
5. Take this oath without mental reservation or purpose of evasion; and

WHEREAS, The American Legion believes that naturalization is a privilege, not a right, to be granted only in accordance with the conditions established by the Congress; and

WHEREAS, A "Citizenship Roundtable" was created by NEC Resolution 28 (Oct. 1999) titled "Citizenship Naturalization Process" that established a working relationship between The American Legion and the Hudson Institute, an internationally recognized public policy research not-for-profit 501c(3) organization, and

WHEREAS, The Citizenship Roundtable opposes any revisions to the oath of allegiance that would dilute or eliminate the applicant's commitment, under oath, to the United States of America; now, therefore, be it

RESOLVED, By The American Legion in National Convention assembled in Salt Lake City, Utah, August 29, 30, 31, 2006, That The American Legion opposes any and all changes to the Oath of Renunciation and Allegiance, as used in naturalization ceremonies, that would dilute or eliminate any of the following important and necessary elements of the oath:

1) **Renunciation of all allegiances to foreign states or sovereignties;**
2) **Support for and defense of the U.S. Constitution and laws of the United States of America against all enemies, foreign and domestic;**
3) **Bear 'true faith and allegiance' to the United States of America; and**
4) **Bear arms, perform noncombatant service, or perform work of national importance on behalf of the United States of America; and**

5) Take this oath without mental reservation or purpose of evasion; and, be it finally

RESOLVED, That The American Legion encourages the Congress of the United States to prescribe the language that is used in the oath of renunciation and allegiance for purposes as outlined in the Immigration and Nationality Act.

EIGHTY-EIGHTH NATIONAL CONVENTION
THE AMERICAN LEGION
SALT LAKE CITY, UTAH
AUGUST 29, 30, 31, 2006

RESOLUTION NO: 358

OPPOSE DUAL ALLEGIANCE; ENFORCE CITIZENSHIP OATH

Commission: Americanism

WHEREAS, The American Legion considers the Oath of Renunciation and Allegiance to be a contract between the applicant for citizenship and the United States government in which the applicant, in return for the benefits and privileges received, agrees to

1. Renounce all allegiance to any foreign state or sovereign;
2. Support and defend the U.S. Constitution and laws of the United States of America against all enemies, both foreign and domestic;
3. Bear "true faith and allegiance" to the United States of America; and
4. Bear arms, perform noncombatant service, or perform work of national importance on behalf of the United States of America; and
5. Take this oath without mental reservation or purpose of evasion; and

WHEREAS, In taking the Oath of Renunciation and Allegiance, the immigrant pledges to transfer their full political allegiance from his or her birth nation to the United States of America; and

WHEREAS, According to immigration experts, the great majority of immigrants applying for U.S. citizenship come from countries that "allow or encourage multiple citizenship;" and

WHEREAS, From the beginning of this Republic, Americans have regarded the principle of dual allegiance as inconsistent with the principles of American constitutional democracy; and

WHEREAS, Many immigrant-sending countries, including Mexico, are actively promoting dual allegiance; and

WHEREAS, To retain allegiance to another constitution besides the U.S. Constitution, is inconsistent with the moral and philosophical foundations of American constitutional democracy, thus violating our core principles as outlined in the Oath of Renunciation and Allegiance; and

WHEREAS, The integrity of the Oath of Renunciation and Allegiance and the integrity of the entire citizenship naturalization process are challenged or compromised by the continuing increase in the number of U.S. citizens who hold multiple national allegiances; and

WHEREAS, The American Legion and the Hudson Institute, an internationally recognized public policy research not-for-profit 501c(3) organization, have established a working relationship called the "Citizenship Roundtable" to address concerns about the naturalization process in the United States; now, therefore, be it

RESOLVED, By The American Legion in National Convention assembled in Salt Lake City, Utah, August 29, 30, 31, 2006, That The American Legion encourage the Congress of the United States to enact measures to enforce the Oath of Renunciation and Allegiance and reject dual allegiance in principle and restrict and narrow its application in practice.

THE AMERICAN LEGION
NATIONAL EXECUTIVE COMMITTEE
INDIANAPOLIS, INDIANA 46206
MAY 7-8, 2003

RESOLUTION NO: 45
CITIZENSHIP NATURALIZATION PROCESS

COMMISSION: AMERICANISM

WHEREAS, Citizenship in the United States of America is a priceless treasure as well as a privilege and an honor to be sought; and

WHEREAS, The person who possesses U.S. Citizenship is guaranteed many valuable rights and privileges and, at the same time, required to perform the obligations and duties of citizenship necessary to safeguard this country from all enemies; and

WHEREAS, The American Legion believes that the naturalization process and its requirements that an applicant for U.S. citizenship have a certain degree of proficiency and understanding of our language, history and government, are all vitally important in affecting a healthy assimilation into our society; and

WHEREAS, There are individuals, groups and organizations who are attempting to dilute the naturalization process in order to naturalize a greater number of applicants for citizenship by easing or eliminating certain requirements of the naturalization process; and

WHEREAS, The American Legion has been concerned and involved with the process of naturalization, immigration quotas and the enforcement of immigration laws since the beginning of the organization in 1919; and

WHEREAS, Resolution 313, "U.S. Citizenship Process," National Convention 1998, encouraged Congress to "...take necessary actions, including corrective legislation, to prohibit the demeaning of the naturalization process and ceremonies by groups and individuals entrusted with naturalization responsibilities;" and

WHEREAS, Some agencies of government have considered revising the current American government history test that candidates for citizenship are required to successfully complete; and

WHEREAS, In 1999, The American Legion joined with the Hudson Institute, an internationally recognized public policy research not-for-profit 501c(3) organization, to form a coalition of organizations whose objectives are to serve as a "watchdog" group to ensure that the naturalization process for U.S. Citizenship is not devalued; and

WHEREAS, This resolution is a reiteration of Res. 28, "Citizenship Naturalization Process," NEC, Oct. 1999; now, therefore, be it

RESOLVED, That the National Executive Committee of The American Legion, in regular meeting assembled in Indianapolis, Indiana, May 7-8, 2003, reiterates its long standing position that candidates for United States citizenship possess a level

of proficiency with the English language and an understanding of this country's history and its government in order to better assimilate into our society; and be it finally

RESOLVED, That The American Legion continue to work with the "Citizenship Roundtable," sponsored by the Hudson Institute, a broad based nonpartisan coalition to make the intellectual and moral case for a substantively strong and ceremonially rich citizenship naturalization process.

EIGHTY-EIGHTH NATIONAL CONVENTION
THE AMERICAN LEGION
SALT LAKE CITY, UTAH
AUGUST 29, 30, 31, 2006

RESOLUTION NO: 339

ENGLISH LANGUAGE BE USED IN NATURALIZATION CEREMONIES

COMMISSION: AMERICANISM

WHEREAS, Resolution No. 567, entitled, "Naturalization Ceremony," was passed by delegates to the 56th annual National Convention of The American Legion in 1974 and opposed any change in the Judicial Naturalization Ceremony for new United States citizens; and

WHEREAS, In recent years, naturalization ceremonies have been conducted in foreign languages; and

WHEREAS, Several resolutions have been passed by The American Legion which urged Congress and the various state legislatures to declare the English language as the official language of government in the United States; and

WHEREAS, Amendments to the Immigration and Naturalization Act makes the traditional naturalization ceremony conducted in a U.S. District Court optional and allows naturalization by mail, thereby removing an integral and indelible step in the naturalization process; and

WHEREAS, Legionnaires and Posts of The American Legion have traditionally participated in naturalization ceremonies as part of the Legion's Americanism program; now, therefore, be it

RESOLVED, By The American Legion in National Convention assembled in Salt Lake City, Utah, August 29, 30, 31, 2006, That The American Legion encourages the Congress of the United States to repeal that portion of Title 8, USC, Sec. 1448, that makes the court ceremony optional for naturalization and reinstate language that makes a naturalization ceremony in a U. S. District Court a mandatory step in the process of acquiring U.S. citizenship; and, be it finally

RESOLVED, That The American Legion urges Congress, the U.S. Justice Department and the Bureau of Citizenship and Immigration Services of the Department of Homeland Security to require that all Citizenship Naturalization Ceremonies be conducted in the English language.

Ms. LOFGREN. Thank you, Mr. Seavey. We thank all the witnesses for their testimony. I would turn now to the Ranking Member, Mr. King, for his 5 minutes of questioning.

Mr. KING. Thank you, Madam Chair. I ask that Mr. Goodlatte be recognized in my stead in deference to his schedule.

Ms. LOFGREN. Mr. Goodlatte.

Mr. GOODLATTE. Thank you, Madam Chairman, and I thank the Ranking Member for his courtesy.

We at the last hearing had considerable testimony about the issue of assimilation and I raised the question, and I think the Ranking Member as well, with regard to dual citizenship. I would like to ask each of you to comment on that, too. I am disturbed by the Supreme Court decision that we are confronted with, which is now 40 years old but which has I think caused a growth in the number of people who have essentially retained dual citizenship, even upon becoming a citizen of the United States.

So my question is two-fold. First of all, do you believe that dual citizenship further complicates the further process of assimilation among immigrants to the United States and, secondly, if you agree with that, what can and should the Congress do today to ensure that those who seek to become U.S. citizens do not retain allegiances to other nations in light of that Supreme Court decision? I will start with you, Mr. Renshon.

Mr. RENSHON. Thank you. As it happens, I wrote a book on that very subject called *The Fifty Percent American,* and as a psychoanalyst as well as a political scientist, I think you have to distinguish between the emotional level and the practical level.

Frankly speaking, people have lots of different attachments and that is really a matter of human nature, and I don't think we can legislate it one way or the other.

Mr. GOODLATTE. It does bother me that some people may have the ability to vote, run for office and so on in another country at the same time that they are exercising those same rights here.

Mr. RENSHON. That bothers me as well, and I think it should be specifically outlawed. The reason for that is what you want to do in the United States is to tilt people toward an American identity, and the way that you do that is by casting their circumstance as such that they don't keep looking back over their shoulder at the country they used to belong to.

One way in which that is done is by paying attention to the politics back there, to voting back there, to perhaps having people visit and take money back to their home countries and so forth. As far as I understand it, it should be a relatively simple matter for Congress to declare its views that people should not be allowed to vote in a foreign election, they should not be allowed to serve in an army in a foreign country, they should not be allowed to either run for office abroad or advise foreign governments abroad in a particular way.

There is another element of this as well which I take up in my book, which is you have now a number of Americans who could or maybe do hold dual citizenship who are in our governmental organizations. They may be members of State legislatures, they may be members of the judiciary, they may be——

Mr. GOODLATTE. Do you think we could restrict that?

Mr. RENSHON. I think we should have a norm in which it becomes very clear that people who are in positions of leadership or authority should not be carrying passports or otherwise being associated with countries elsewhere.

Mr. GOODLATTE. I appreciate your answer. Let me allow the others to answer as well.

Mr. SCHULTZ. Congressman, my answer is I think that the fact that dual citizenship is more of a reality for the last 40 years, regardless of the wisdom of that Supreme Court decision, shows that there is potential complication in people transferring their allegiance to the United States. We don't want citizenship to be just merely a transaction like getting a driver's license. It is not something like you get like a visa card or something like that, it is also part of an emotional, as the professor noted, an emotional transference of your identity to the United States when you become a naturalized citizen here, and the ability for people to do that 50 percent or even 33 percent I think complicates that.

I think we have to kind of recognize that is, as a Supreme Court decision, not something Congress can overrule but points us to the fact that we are in a different era now and we face different challenges in Americanization than we faced at the beginning of the century. I think people who think Americanization is just going to happen automatically with no problems, I think they are failing to recognize there are a substantial number of factors, including that one, that complicate the Americanization process and make it less automatic than maybe would have happened at the beginning of the century.

Mr. GOODLATTE. Mr. Seavey.

Mr. SEAVEY. I am not sure I have a great deal to add more than they have already, but the American Legion has passed a resolution specifically on this topic and we would like to see a little more teeth given to the oath of renunciation. If you give an oath, there should be something that actually holds you to it. As far as we are concerned, that is something that you all could give some teeth to, the exact form of that.

But the oath of renunciation, specifically I think that perhaps when they give the oath of renunciation, if it really doesn't have any bearing, there is probably no point to it in the first place if you can't hold someone to it. I think there is probably some constitutional route that you can take to give it some teeth without violating the Supreme Court decision.

Mr. GOODLATTE. I agree. I like some of the ideas expressed by Mr. Renshon as well. Thank you, Madam Chairman.

Ms. LOFGREN. The gentleman from Texas, Mr. Gohmert, is recognized for 5 minutes.

Mr. GOHMERT. We do appreciate your patience with us. I appreciate your being here and your thoughtfulness in your comments and the research that you obviously have all done. I would like to follow up on the topic that you were just discussing, the consequences of voting, running for office in another country, or voting in another country; that is, getting a passport in another country. There are apparently a litany of things that can be listed as truly requiring dual masters, and I do believe the teaching that persons

cannot serve two masters; one is going to end up getting shorter devotion.

But as I understand it, the 1967 Supreme Court case basically said you cannot involuntarily terminate American citizenship and if that is the case, it does seem as though there may be room for legislation that would do as has been suggested, putting teeth in that. Perhaps requiring an oath both orally, in writing, with whatever translation is needed to make sure they understand even though they speak some English, make sure they understand exactly what is being signed, that indicates that if they do one of these itemized things, commit one of these acts, then they are voluntarily relinquishing their American citizenship. It does seem quite offensive that someone could hold office in a foreign country, that the office which they ran, convincing voters there that they had those voters' interests at heart, yet still hold American citizenship. Clearly you can't love and serve honorably both of them. So that would be in the legal community what we would call a conflict of interest, clearly.

So I would like to get your comments on what might be done to provide the teeth that we were talking about and what your thoughts are about possibly having that as part of the naturalization oath.

Start with you, Mr. Renshon.

Mr. RENSHON. I probably will stand a step apart from your perspective. I think the whole idea of taking away citizenship because people have attachments is likely to run into a buzz saw and wind up in the courts, and I have no idea how the courts would rule on that.

Mr. GOHMERT. But to elaborate, even if they commit an act such as getting a passport in a foreign country or running for office in a foreign country?

Mr. RENSHON. I find those things very unsettling and almost as an American reprehensible in some respects. I think the way to approach it is to establish a norm very early on with regard to the expectations there. For example, when people apply for a green card or apply to come to the United States, I might have them sign something at the time which acknowledges that they will, if they are permitted to come here, do none of the following things, or affirmatively do certain things.

I would reinforce that along the way, maybe have it yet again at the naturalization process. I would have people hand in their passports when they get American citizenship. It would be in my view just that simple. I think that that is a real issue, the issue that you raise, but I think if we approach it in an overall way to try to ask ourselves at each step of the immigration process, from the time that people want to come here to the time that their children are here what can we do step by step along the way to help cement attachment to the American system, I think that overall process if you look at it that way might be a better way to go.

Mr. GOHMERT. If I can get quick responses from everybody else.

Mr. CLEGG. Well, I agree that it is a problem. I agree that it is not only a problem in itself, but also that it is evidence of a symptom as well that needs to be treated—that the underlying cause, the reasons why people would want to maintain dual citizenship,

is a problem. I don't understand, I am not as familiar with, the Supreme Court decision, but as you describe it, all the Supreme Court was doing was to put a limit on one kind of penalty that you all can place on individuals who maintain dual citizenship or do other things that are perceived as being disloyal, and while you can't strip people of citizenship, there are other things, other kinds of punishment that you could propose.

Ms. LOFGREN. The gentleman's time has expired.

Mr. CLEGG. Finally, the last thing is to put pressure on the foreign countries that are allowing dual citizenship.

Ms. LOFGREN. Does the gentlelady from Texas wish to be recognized?

Ms. JACKSON LEE. Just briefly, Madam Chair. I won't ask any questions. I do want to thank the gentlemen for their testimony and what I have seen of Mr. Renshon's testimony just requires a very abbreviated response. I come from Texas and we are very proud of what could be called a bifurcated history. We know that we have a large population of first, second, and third generation Mexican Americans, people who have a strong heritage as relates to Mexico because of the geographics of that area.

I raise some concern about your reference to a Pew study that indicates in Texas, we refer to them as Hispanics, 88 percent of Hispanics identify themselves as Hispanics. I would venture to say 100 percent of African Americans identify themselves as African American or Black, but they also recognize that they are American.

So I know this is about Americanization. I think all of us are committed to making sure that our allegiance is to one flag, our pride is in America and what she represents and that is unity and certainly a belief in her values. But this testimony strikes me as very much uninformed about people's identity, and I would hope that you would do some further study so that you could understand fully when people express the fact that they are Hispanic, that it doesn't mean they deny a love for the country in which they are in. Many of us are hyphenated Americans but we are Americans and we believe in what America represents, Italian Americans, Irish Americans. And I think that you will find that the next generations of individuals have all of the attachment to America, all of the culture of America, all of the language of America. Maybe you will support English as a second language, more of those classes, because there is standing room only to be had in those classes.

In any event, Madam Chair, I just want to speak for those who did not speak for themselves. I haven't met a group of immigrants who are not excited about the opportunity to be here and excited about being an American. The more we work together, I think the more we will achieve what the gentlemen are testifying to. But I really don't see that as a rising problem. I frankly think it is a tribute to America as a democracy and the freedom that it exudes that we can express ourselves, yet express our commitment to this country.

With that, I yield back.

Ms. LOFGREN. The gentlelady yields back.

Mr. RENSHON. May I respond to that, please?

Ms. LOFGREN. The gentlelady yields back, and I recognize Mr. King. He may want to recognize you further.

Mr. KING. Thank you, Madam Chair. Maybe we can return back to Mr. Renshon toward the end. I have something I would like to address to Mr. Seavey and the American Legion testimony that you have.

It occurs to me that down in the Mississippi River bottom, at Keokuk, IA, there is a big stone there, a boulder about the size of a Volkswagon, and that is the site of a Federal hospital that was formed during the Civil War so that the wounded soldiers could be brought up aboard riverboats there on the Mississippi River and could be brought into that Federal hospital.

There is also a Federal cemetery there where the graves of hundreds, and perhaps thousands, of brave Americans who gave their lives to free the slaves are buried. There at the Mississippi River bottom—and I regret the gentlelady from Texas has left and is not able to hear this—on a brass plate on that boulder is "DAR," Daughters of the American Republic, "one country, one flag, one language." that was the clarion call then, during and post the Civil War, and that sTems to be somewhat the message that you have delivered here today in your testimony.

I will just ask if you would care to reflect upon that and the meaning of that in the American Legion principles.

Mr. SEAVEY. I think it is obvious. If you look at the demographics of voters and things of that nature, the demographic that votes the most are veterans. I think, if you look at any sort of civic thing that goes on, it is veterans. And I know that—I just got out of the Army about a year ago, and I cannot even tell you how many times we all told each other there are no Hispanic American soldiers or African American soldiers or anything else. We are all green, I think. For us in the military, there is no segregating in the military.

We had 10 guys living in a hut that was about 10 feet by about 40 feet, and so you are forced to assimilate; and culturally speaking, I think that even within the squads that we had, you take on a sort of culture that is an amalgam of everyone in it.

I think that, as a whole, veterans view citizenship differently because they have actually been on the front lines, and they see these things.

From my own personal feeling, I was an election monitor in Afghanistan, and I saw the trouble that the people went through over there to vote, and I saw the ethnic difficulties and the religious difficulties. So any time that we, as veterans, can help someone come and enjoy all of the benefits that America has to offer, we certainly leap at it.

So I certainly concur with that. I think that there is nothing to be gained from having separate little enclaves, or I think that, you know, the melting pot perhaps has gotten off track here, but certainly the American Legion feels that we can right the ship if we slow down the——

Mr. KING. There is no necessity for enclaves in the barracks. There is no necessity for enclaves in America.

Mr. SEAVEY. Exactly.

Mr. KING. I thank Mr. Seavey.

I will turn now to Mr. Renshon, and I appreciate your presentation, and I appreciate everyone's testimony.

I reflect back in last week's testimony, where there was a witness who testified that intermarriage between ethnicities or races has been in a significant decline over the last several decades, three or four decades. And I do not know what those numbers are, but I can tell you what they are with naturalization statistics as produced by USCIS, Citizenship Immigration Services.

That is, in 1970, the naturalization rate was 84 percent, and it dramatically dropped off at each census from 1970 to 1980 to 1990 to the year 2000, where that 84 percent naturalization rate had slid out at the year 2000 at 13 percent. Now, I will submit that intermarriage rates and naturalization rates are two empirical indicators of assimilation or Americanization integration if we want to use that rather inaccurate term, I believe.

Do you know of any empirical measures of assimilation, or would you just simply care to comment upon those statistics that I have delivered to you?

Mr. RENSHON. Well, the first I am not familiar with. I was under the impression that intermarriage rates were rising.

Mr. KING. It was a surprise to me, too.

Mr. RENSHON. Yes. So I would be interested to see that and to take a look at it.

The second is really discouraging and dismal because naturalization is a very important part of the Americanization process, and when people do not take advantage of the opportunity to become citizens, that is saying something about us. And it is also saying something about them and a relationship that I find very disturbing.

Mr. KING. Would you concur that those two are the two empirical indicators we have and are both going wrong; and if they are both going the wrong direction, we do not have any kind of sign that it is going the opposite way?

I would ask Mr. Seavey also to answer if I have got time.

Mr. RENSHON. Well, you know, people use education and people use home ownership as indicators, and as I said in my comments, they are suspect indicators. Language is another.

Mr. KING. Could I just get a brief answer? Again, I know you spoke about assimilation. I would appreciate it if you could answer in a few seconds.

Mr. SEAVEY. Sure.

The one caveat that I would raise, Representative King, is that I think that among Hispanics, in particular, there is actually good evidence that second and third generation Hispanics are doing a very good job of assimilating.

That is not to say that, you know, there is not room for improvement, but that is the one caveat that I would raise in this area.

Ms. LOFGREN. The gentleman's time has expired.

I would like to thank the witnesses for their testimony today. I have not made an opening statement, but I would just observe that there is actually not as big an argument as some would think on some of these questions.

Listening to you, I am reminded of meeting with a group of Vietnamese, who were in the Vietnamese army, who fled the Communist government, who came to San Jose in the 1970's. I was with the Red Cross, volunteering to help get them settled.

I remember I had been teaching immigration law, and I remember telling these really very brave men that their children would not be Vietnamese in America. In America, they would be Vietnamese Americans, but their grandchildren would be Americans of Vietnamese descent. They scoffed at that, but it has turned out to be true.

We have a rapid Americanization in our country. It is one of our great strengths.

I appreciate your testimony today. Without objection, Members will have 5 legislative days to submit any additional written questions for you, which we will forward and ask that you answer as promptly as you can. Without objection, the record will remain open for 5 legislative days for the submission of other additional materials.

Because we are operating under the 5-minute rule and all time has expired, we must now adjourn our hearing.

Thank you.

[Whereupon, at 7:40 p.m., the Subcommittee was adjourned.]

APPENDIX

MATERIAL SUBMITTED FOR THE HEARING RECORD

PREPARED STATEMENT OF THE HONORABLE ZOE LOFGREN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA, AND CHAIRWOMAN, SUBCOMMITTEE ON IMMIGRATION, CITIZENSHIP, REFUGEES, BORDER SECURITY, AND INTERNATIONAL LAW

Pursuant to House Rule XI clause 2(j)(1), the minority in the Subcommittee is entitled,

> *[U]pon request to the chairman by a majority of them before the completion of the hearing, to call witnesses selected by the minority to testify with respect to that measure or matter during at least one day of hearing thereon.*

Last week, the Subcommittee held a hearing on "Comprehensive Immigration Reform: Becoming Americans—U.S. Immigrant Integration." At the request of the Ranking Member and a majority of the minority on this Subcommittee, today the Immigration Subcommittee is holding a minority hearing to continue the discussion on the effects of immigrants on the nation's economy.

As we learned last week, Southern and Eastern Europeans who immigrated to the United States a century ago and who are now held up as model immigrants, were once depicted much as immigrants of today—as being unable and unwilling to assimilate.

Our witnesses last week explained that these European immigrants did well in joining American society. Professor Gerstle explained that these "new immigrants" successfully integrated into the United States despite such hostility because of three factors: 1) the ability of immigrants to participate in American Democracy, 2) natural transition from immigrants to their children; and 3) the ability of immigrants to achieve economic security. He noted that "[t]he ability of immigrants to participate in politics and to feel as though their votes made a difference was crucial to their engagement with and integration into America." He also noted that "[a]n immigrant population that finds itself unable to move out of poverty or to gain the confidence that it can provide a decent life for their children is far more likely to descend into alienation than to embrace America."

What we have learned from this historical account is that including immigrants in mainstream American society and the economy is the quickest way to assimilation and integration.

Assimilation should be a goal of any rational immigration policy. And we must ensure that comprehensive immigration reform reflects that objective.

Purely temporary worker programs with little opportunity for those who contribute to our economy to become full members of the country that they've helped to build run contrary to the goal of assimilation, because such programs relegate people to a life in a permanent underclass. Furthermore, under purely temporary worker programs, there is little incentive and little time to learn English if, after two or three years of full-time work in the U.S., the only choice is returning home to a non-English-speaking country.

As we develop comprehensive immigration reform with an eye toward assimilation, we must not forget that mandating and facilitating the process for immigrants to learn English is essential, but it is certainly not sufficient by itself to ensure assimilation. It is the opportunity to become fully participating members of our polity and our economy that is the key to successful immigrant assimilation, as Professor Gerstle so poignantly discussed last week.

Now we turn our attention to the minority witnesses to provide their perspective.

PREPARED STATEMENT OF THE HONORABLE SHEILA JACKSON LEE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS, AND MEMBER, SUBCOMMITTEE ON IMMIGRATION, CITIZENSHIP, REFUGEES, BORDER SECURITY, AND INTERNATIONAL LAW

Today we continue these series of hearings dealing with comprehensive immigration reform. This subcommittee previously dealt with the shortfalls of the 1986 and 1996 immigration reforms, the difficulties employers face with employment verification and ways to improve the employment verification system. On Tuesday May 1, 2007 we explored the point system that the United Kingdom, Canada, Australia, and New Zealand utilize, and on May 3, 2007 the focus of the discussion was on the U.S. economy, U.S. workers and immigration reform. Last week we took a look at another controversial aspect of the immigration debate, family based immigration. Today we continue the vital task of eliminating the myths and seeking the truth. Today's hearing deals with probably the most crucial aspect underlying the immigration debate, an immigrant's ability to integrate, and assimilate into American society.

Let me start by quoting my predecessor the late great Barbara Jordan: "We are a nation of immigrants, dedicated to the rule of law. That is our history - and it is our challenge to ourselves. It is literally a matter of who we are as a nation and who we become as a people."

Allow me to talk about our nation's history. I find that quote particularly interesting in light of the recent celebration of the 400 year anniversary of the settlement of Jamestown. Yes we are talking about a different time period, but imagine if that first group of individuals was met with the hostility and disregard for decency that today's immigrant population faces. Imagine if these folks were demonized, and disparaged by a wide network of Native Americans, in the same manner that we demonize the current documented and undocumented population.

It was not to long ago that we held a field hearing underneath the shadow of the Statue of Liberty at Ellis Island. I remind my colleagues of the famous inscription on that monument of freedom, hope, and inspiration that many immigrants saw as they pulled into Ellis Island full of hopes and dreams, *"Give me your tired, your poor, your huddled masses yearning to breathe free, The wretched refuse of your teeming shore. Send these, the homeless, tempest-tossed to me, I lift my lamp beside the golden door."* Now we want to close this door because of the lies and the hysteria created by a few in the Nativist and Restrictionist camps.

There is an old saying, if you do not learn your history you are doomed to repeat it. There was a time when our nation had the same reservations about Italian and Irish immigrants that came to this country at the start of the 20th century. Fast forward to 2007 and one of the leading candidates for the Republican nomination for President, Rudy Guliani is the descendant of Italian immigrants, and Bill O'Reily an individual well respected by my colleagues on the other side of the aisle is the descendant of Irish immigrants, and no one would argue that they have had any problems assimilating into our society. In fact they represent the natural progression to full fledged Americans that occurs when the children of immigrants have kids and their kids have kids. I look down the aisle and I see Rep. Luis Gutierrez, Member of Congress and the child of immigrants. I look behind me and I have a staffer Ted Hutchinson, an attorney and the child of immigrants. Therefore it should be quite evident that immigrants have a long successful history of assimilation and achievement in this nation.

Let me take a moment to describe how my immigration legislation, H.R. 750, the "Save America Comprehensive Immigration Reform" addresses this issue of integration and assimilation. Save mandates that immigrants earn their legalization by 1) successfully completing a course on reading, writing, and speaking ordinary English words, and 2) showing that he has accepted the values and cultural life of the United States. Save also requires the completion of 40 community service hours. For children Save requires that school age kids are successfully pursuing an education. These are the values that make are nation great education, community service, and the acceptance of our system of democracy. With these requirements we can all be ensured that those who seek a better opportunity here in the United States will embrace this country as their own.

Likewise embracing the ideals and value systems of the United States is something that all immigrants have exemplified from Ellis Island to the sandy beaches of Key West, Florida. Are we no longer the melting pot? When the pilgrims came they did not leave their culture behind so you can not expect any group of immigrants, Latino, European, or African to leave their culture behind either. This mixture of cultures is what defines cities like New York, Los Angeles, Miami, and Chicago, and makes this nation wonderful. However no groups of immigrants come to this country as a collective whole with the purpose of disregarding the value system

that they seek to be a part of. That does not make any sense, that is not true, and it is simply un-American.

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