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## Immigration: The Ultimate Environmental Issue

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# IMMIGRATION: THE ULTIMATE ENVIRONMENTAL ISSUE

RICHARD D. LAMM<sup>†</sup>

## INTRODUCTION

Every generation has its challenges, almost inevitably challenges different from that of their parents. The great challenge of public policy is to correctly identify the new challenges and the new realities that society is faced with. Public policy is a kaleidoscope, time changes the patterns we are faced with, and we have to be wise enough to react to the new challenges as these new patterns evolve.

One new pattern/challenge must be to look at the issue of the environment with new eyes. Our globe is under new dramatic environmental pressure: our globe is warming, our ice caps melting, our glaciers receding, our coral is dying, our soils are eroding, our water tables falling, our fisheries are being depleted, our remaining rainforests shrinking. Something is very, very wrong with our eco-system. The environment issue is hydra-headed and complicated, but it is of immense importance that we have all aspects of the issue on the table.

One issue in the current environmental debate, however, is strangely absent: immigration. Immigration is the ultimate environmental issue, but U.S. environmental leaders are AWOL on this issue. The United States with low immigration will stabilize its population at about 350 million shortly after the middle of this century.<sup>1</sup> With current levels of immigration, the United States will double in size and then double again.<sup>2</sup> The census projections call for an America of 420 million people by 2050 and a billion by the end of this century.<sup>3</sup> Can you imagine the eco-system, already under great strain, with one billion consuming Americans? Our current immigration policy is leaving our grandchildren an unsustainable America of a billion people, which I suggest is public policy malpractice.

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1. Lindsey Grant, *Forecasting the Unknowable: The U.N. "World Population Prospects: The 2002 Revision,"* NEGATIVE POPULATION GROWTH FORUM, June 2003, at 7, available at [http://www.populationmedia.org/issues/NPG%20Forum%20Paper\\_0603.pdf](http://www.populationmedia.org/issues/NPG%20Forum%20Paper_0603.pdf).

2. See *id.*; see also Minnesotans For Sustainability, United States Population Growth: the Numbers, United States Population Growth Graph, [http://www.mnforsustain.org/united\\_states\\_population\\_growth\\_graph.htm](http://www.mnforsustain.org/united_states_population_growth_graph.htm) [hereinafter MFS, U.S. Population Graph] (see Census 2000 Population Projections to 2100, Middle, High Series).

3. See Grant, *supra* note 1, at 7; MFS, U.S. Population Graph, *supra* note 2.

The environmental community would not tell you this (though most know). A combination of political correctness and the recent tendency of the environmental leadership to play Democratic politics have silenced the almost universal recognition of the early environmental community that population is an indispensable part of environmentalism.

Environmental leaders in the 1970s had a formula, I=PAT, which postulated that environmental impact was the product of POPULATION, AFFLUENCE, AND TECHNOLOGY.<sup>4</sup> To Gaylord Nelson who conceived Earth Day and the early environmental leaders, leaving out Population would be like having a bicycle with only one wheel.<sup>5</sup> Today's environmentalists will discuss U.S. air pollution policy, U.S. wilderness policy, U.S. water-quality policy, U.S. billboard policy, but never a hint of U.S. population policy.

Here's my simple experiment I use on my environmental friends who have tragically lost their voice on population. Assume that I had a magic wand and could wave it and accomplish all the goals of today's environmental leadership, but did nothing about the current immigration rate. Is there a scenario where a billion Americans at the end of this century would live in an environmentally-sound America? Have you been to China? India? We could do everything on the current environmental agenda yet still have an unlivable nation. The self-imposed tragedy of the environmental movement in the United States is that the current environmental agenda will not get us to an environmentally-sound America. On the contrary, it locks in a myriad of environmental traumas as the United States careens toward a billion Americans.

There is a concerted effort in the environmental community to keep immigration out of the dialogue. But the subject is so central to the environment that it keeps popping out. The President's Council on Sustainable Development concluded in 1996: "We believe that reducing current immigration levels is a necessary part of working toward sustainability in the United States."<sup>6</sup> National commissions have made similar assessments since 1972.<sup>7</sup>

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4. See Minnesotans For Sustainability, Population, <http://www.mnforsustain.org/population.htm> (last visited Mar. 27, 2007); Wikipedia.org, [http://en.wikipedia.org/wiki/I\\_PAT](http://en.wikipedia.org/wiki/I_PAT) (last visited Mar. 27, 2007).

5. See generally BILL CHRISTOFFERSON, THE MAN FROM CLEAR LAKE: EARTH DAY FOUNDER GAYLORD NELSON (2004).

6. See PRESIDENT'S COUNCIL ON SUSTAINABLE DEVELOPMENT, POPULATION AND CONSUMPTION TASK FORCE REPORT (1996), available at [http://clinton2.nara.gov/PCSD/Publications/TF\\_Reports/pop-toc.html](http://clinton2.nara.gov/PCSD/Publications/TF_Reports/pop-toc.html).

7. See generally *id.*

The National Academy of Sciences and the Royal Society, have both warned that increasing population and increasing consumption threaten to overshoot the earth's ecological carrying capacity.<sup>8</sup>

In my view most of the historic ways that societies have grown and developed may be obsolete. I believe we are at a great historical turning point that has to move from the growth paradigm to the sustainability paradigm. Could I be wrong? Of course! But increasingly we are warned by national and international bodies that planet earth is overdriving its headlights and heading for major traumas. Yet one major, indispensable factor is missing from the debate: population.

How could the ecosystem, already showing major signs of collapse, handle a billion consuming Americans. Few Americans want to double the size of America and then double it again. Imagine for a minute that we had taken the advice of President Nixon's Commission on Population Growth and the American Future released in 1972.<sup>9</sup> The Commission recommended, among other things, that America act to end illegal immigration and to freeze legal immigration at 400,000 a year.<sup>10</sup> The Commission found that "the health of our country does not depend on [population growth], nor does the vitality of business, nor the welfare of the average person."<sup>11</sup> Strong words. Wise words.

Headed by John Rockefeller, the "Rockefeller Commission" strongly urged stabilizing the population of the United States and asked Americans to get over their "ideological addiction to growth."<sup>12</sup> America at that time had about 200 million Americans, used far less petroleum, and had a much smaller "ecological footprint" on the world environment.<sup>13</sup> But the nation did not listen to the Commission.

It is unfortunate that American policy makers did not listen. We have added almost 100 million Americans since the Commission's brave

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8. In February 1992, prior to the United Nations Conference on Environment and Development (Rio de Janeiro, Brazil, June 1992), the Royal Society of London and the U.S. National Academy of Sciences issued a joint statement entitled "Population Growth, Resource Consumption, and a Sustainable World." See Statement, National Academy of Sciences and Royal Society (Feb. 1992), available at <http://dieoff.org/page7.htm>.

9. Dennis Hodgson, *Population Thought, Contemporary*, in *ENCYCLOPEDIA OF POPULATION* 769 (Paul Demeny & Geoffrey McNicoll eds., vol. 2, 2003), available at <http://www.faculty.fairfield.edu/faculty/hodgson/Courses/so184/popdocs/EofPContPopThought.pdf>.

10. See COMM'N ON POPULATION GROWTH & THE AMERICAN FUTURE, *POPULATION AND THE AMERICAN FUTURE: THE REPORT OF THE COMMISSION ON POPULATION GROWTH AND THE AMERICAN FUTURE* ch. 13 (1972) [hereinafter *ROCKEFELLER COMMISSION REPORT*], available at [http://www.population-security.org/rockefeller/013\\_immigration.htm](http://www.population-security.org/rockefeller/013_immigration.htm).

11. See *id.*, available at [http://www.population-security.org/rockefeller/001\\_population\\_growth\\_and\\_the\\_american\\_future.htm#Letter%20of%20Transmittal](http://www.population-security.org/rockefeller/001_population_growth_and_the_american_future.htm#Letter%20of%20Transmittal)

12. See *id.*, available at [http://www.population-security.org/rockefeller/012\\_population\\_stabilization.htm](http://www.population-security.org/rockefeller/012_population_stabilization.htm).

13. See generally Global Footprint Network, [www.ecofoot.net](http://www.ecofoot.net) (last visited Apr. 24, 2007) (explaining the concept of "ecological footprint").

and farsighted declaration.<sup>14</sup> What problem in contemporary America was made better by population growth and immigration, asks Professor Al Bartlett? We now have over 300 million Americans,<sup>15</sup> we consume far more non-renewable resources, and our “ecological footprint” is one of the major factors in a deteriorating environment worldwide.

The geometry of population growth is relentless. The first census (in 1790) found less than 4 million Europeans in America.<sup>16</sup> Two-hundred years later (in 1990) we had approximately 260 million Americans.<sup>17</sup> That means we had six doublings of the original European population (4, 8, 16, 32, 64, 128, 256). Please note that two more doublings give us over a billion people sharing America.

There are a number of people who postulate that our current population of 300 million Americans is not itself sustainable, let alone 420 million or a billion.<sup>18</sup> Sustainability looks at the long term: Will our resources allow 300 million Americans to live a satisfying life at a decent level of living for the indefinite future? Will our children and grandchildren inherit a decent and livable America? We have not only put this question off limits, we have made it taboo.

This is not an issue of immigrants, but of immigration. What possible public policy advantage would there be to an America of 500 million? Do we lack for people? Do we have too much open space? Too much park land and recreation? What will 500 million Americans mean to our environment? There are similar non-environmental questions. Do we need a larger military? Are our schools unpopulated? Do we not have enough diversity? Will we live better lives if our cities double in size? Does immigration help our health care system? Will doubling our population help us build a more fair and just America? Do you want an America of one billion people? These questions seem to answer themselves.<sup>19</sup>

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14. See MFS, U.S. Population Graph, *supra* note 2 (noting that U.S. population was approximately 209 million in 1972); U.S. Census Bureau, U.S. and World Population Clocks – POPClocks, <http://www.census.gov/main/www/popclock.html> (last visited Mar. 29, 2007) [hereinafter U.S. Census Bureau, POPClocks] (estimating that the U.S. population was approximately 301 million on March 29, 2007).

15. See U.S. Census Bureau, POPClocks, *supra* note 14.

16. See David Bustamante, Consul for Public Affairs, U.S. Consulate General in Milan, Lecture at the Università di Venezia Cà Foscari: Through the Golden Door: Immigration to the United States (Dec. 12, 2006), available at [http://milan.usconsulate.gov/news/NE\\_ENG\\_121206\\_PAO\\_CaFoscari.htm](http://milan.usconsulate.gov/news/NE_ENG_121206_PAO_CaFoscari.htm)

17. See MFS, U.S. Population Graph, *supra* note 2.

18. See Andrew Buncombe, *US Population Hits 300 Million, But Is It Sustainable?*, THE INDEPENDENT, Oct. 11, 2006, available at <http://news.independent.co.uk/world/americas/article1834360.ece>.

19. JOHN L. MARTIN, FEDERATION FOR AMERICAN IMMIGRATION REFORM, THE EFFECT OF MASSIVE IMMIGRATION ON POPULATION CHANGE: INCREASED IMPACT ON LARGE METROPOLITAN AREAS 4 (2006), available at [http://www.fairus.org/site/PageServer?pagename=research\\_immigrationandpopchange](http://www.fairus.org/site/PageServer?pagename=research_immigrationandpopchange).

I do not believe you can have infinite population growth in a finite world. We are living on the shoulders of some awesome geometric curves. The 2000 Census revealed how rapidly immigration is causing our population to skyrocket. The equivalent of another California has been added to the nation—32 million people since 1990.<sup>20</sup> Demographers calculate that immigration is now the determining factor in causing America's rapid population growth—immigrants and their U.S.-born children accounted for more than two-thirds of population growth in the last decade, and will continue to account for approximately two-thirds of our future growth.<sup>21</sup> Clearly, America's population "growth issue" is an immigration issue.

The environmental problems just around the corner will require new, bold, creative leadership. There was a zoo in the 1960s, which put up a sign in part of the exit complex, which said "See The World's Most Dangerous Animal," and you went around the corner and there was a full-length mirror. Humans are the world's most dangerous animals. Similarly, I am haunted by a casual remark that the great biologist E.O. Wilson made recently. Wilson observed that the human species is the only species that, were it to disappear, every other species would benefit.<sup>22</sup> I suspect this is true. The human species has itself become the chief change agent of the environment. We face an environmental world where all past is prologue.

#### I. THE U.S. COMMISSION ON IMMIGRATION REFORM (JORDAN COMMISSION)

I would recommend to you the findings of the Jordan Commission (the "Commission") headed by the liberal icon, the late Congresswoman Barbara Jordan. Appointed in 1990, the Commission issued a series of reports and recommendations which urged Congress to return U.S. immigration policy to the historic goals of reuniting nuclear families, providing employers with skilled workers, and providing humanitarian aid to refugees.<sup>23</sup> The Commission and Barbara Jordan specifically recommended cutting legal immigration to 550,000 immigrants chosen for the skills they could bring to America.<sup>24</sup>

Important to this Symposium, the Commission came out strongly against illegal immigration: "The credibility of immigration policy can be measured by a simple yardstick: people who should get in do get in;

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20. See U.S. Census Bureau, POPClocks, *supra* note 14; MFS, U.S. Population Graph, *supra* note 2.

21. See MARTIN, *supra* note 19, at 2.

22. See generally EDWARD O. WILSON, THE CREATION: AN APPEAL TO SAVE LIFE ON EARTH (2006).

23. See U.S. COMM'N ON IMMIGRATION REFORM, EXECUTIVE SUMMARY, LEGAL IMMIGRATION: SETTING PRIORITIES xi (1995), available at <http://www.utexas.edu/lbj/uscir/exesum95.pdf>.

24. See *id.*

people who should not get in are kept out; and people who are judged deportable are required to leave.”<sup>25</sup>

The Commission recommended additional barriers to employment of illegal immigrants, including a computerized registry to verify work eligibility and utilizing the already-existing penalties against employer who knowingly hire illegal aliens.<sup>26</sup> Its stated intention was to eliminate the “pull factor” that attracted desperate illegal immigrants to unscrupulous employers.<sup>27</sup>

## II. ILLEGAL IMMIGRATION

America would have been wise to adopt the recommendations of the Jordan Commission. I have already given you my reasons for supporting the Commission’s recommendations on legal immigrants: I believe we must build a sustainable society and stabilize our population. Now let us turn to the question of illegal immigration.

The foundation of any immigration policy is that immigrants should come through a process that is procedurally and substantively fair. It almost seems naïve to start out the argument that we are a nation of laws, and that people should come here legally. This is not a mere formality as some imply, or a tiresome technicality: remember that there are millions of people patiently waiting to come to America, and illegal immigrants skip the line. To continue to tolerate this practice is not only a legal issue, it is morally unfair to those waiting to come legally. The argument should stop there, but it doesn’t, so let’s look at some of the public policy reasons against the institution of illegal immigration.

### *A. Economic Impact of Illegal Immigration*

Illegal immigration is having a heavy economic, social, and demographic impact and it is past time to make a bipartisan case for controlling illegal immigration. I first got interested in illegal immigration when a Colorado packing plant fired a group of Hispanic Americans and replaced them with illegal immigrants. A small group of the fired workers came to me, as Governor, to complain. There was little I could do. I called the President of the packing plant who nicely told me to mind my own business and claimed that all his new workers had green cards, which indeed they had, bought in the underground market along with fake Social Security Cards for \$25 apiece. Some time later, the Immigration & Naturalization Service (INS) raided the plant, but the workforce evaporated during the raid, to return (or to be replaced by other illegal

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25. See U.S. COMM’N ON IMMIGRATION REFORM, EXECUTIVE SUMMARY, U.S. IMMIGRATION POLICY: RESTORING CREDIBILITY iii (1994), available at <http://www.utexas.edu/lbj/uscir/exesum94.pdf>.

26. See *id.*

27. *Id.* at xxx.

immigrants) shortly thereafter. The plant continued to employ a largely monolingual Spanish-speaking workforce until it was bought out and closed ten years later.

It is easy to see why this underground workforce is attractive to employers. The owner of this particular packing plant essentially told me he was not going to pay his (legal) workers \$16 an hour, plus benefits, when he could hire illegal workers at \$10 an hour without benefits. This type of reasoning will forever lock the bottom quartile of our American earners into poverty: for how are they ever to obtain a decent wage when employers have access to endless pools of illegal unskilled labor? Illegal immigrants are generally good, hard-working people who will quietly accept minimum wage (or below), don't get or expect health care or other benefits, and if they complain, they can be easily fired. Even the minimum U.S. wage is attractive to workers from countries whose standard of living is a fraction of ours.

But that is not to say it is "cheap labor." It may be "cheap" to those who pay the wages, but for the rest of us it is clearly "subsidized" labor, as we taxpayers pick up the costs of education, health, and other municipal costs imposed by this workforce. These have become a substantial and growing cost as the nature of illegal immigration patterns has evolved.

For decades illegal immigrants were single men who would come up from Mexico or Central America, alone, pick crops or perform other low-paid physical labor and then go home. They were indeed "cheap labor." But starting slowly in the 1960s, and steadily increasing to this day, these workers either bring their families or smuggle them into the country later. They become a permanent or semi-permanent population living in the shadows, but imposing immense municipal costs. Illegal immigration today isn't "cheap" labor except to the employer. It is labor subsidized by the U.S. taxpayer; where a few employers get the benefit and the rest of us pay. These costs ought to be obvious to all, but the myth of "cheap labor" and "jobs Americans won't do" persists. But let us examine it in more detail using our experience in Colorado.

It is hard to get an exact profile of the people who live in the underground economy, but studies do show the average illegal immigrant family is larger than the average American family.<sup>28</sup> It costs Colorado taxpayers over \$6,376 per child just to educate a child in our public schools

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28. See DONALD RICE, DEFEND COLORADO NOW, A COMPENDIUM OF ILLEGAL IMMIGRATION DATA 4 (Mar. 28, 2006), available at [http://www.defendcoloradonow.com/docs/cost\\_study\\_dr\\_2006mar28.pdf](http://www.defendcoloradonow.com/docs/cost_study_dr_2006mar28.pdf).



(and probably closer to \$12,000 per child per year for non-English speakers).<sup>29</sup>

Realistically no minimum-wage workers, or even low-wage workers pay anywhere near enough taxes to pay for even one child in school.<sup>30</sup> Even if illegal immigrants were paying all federal and state taxes, Colorado's estimated 131,000 illegal alien children in Colorado school systems (out of an estimated Colorado population of 250,000 illegal immigrants)<sup>31</sup> impose gargantuan costs on our taxpayers. This figure is actually a significant understatement because there are an estimated 287,000-363,000 additional children born to illegal immigrants each year in the United States<sup>32</sup> (and these children are considered U.S. citizens), clearly adding to the total impact of illegal immigration.

We have here in Colorado, and increasingly nationwide, single-family houses with three or more families of illegal immigrants earning, at the most, between \$15,000 and \$25,000 per family, but with multiple kids in the school system costing our taxpayers more in education costs alone than all three families gross in wages.<sup>33</sup> Studies show that approximately two-thirds of illegal immigrants lack a high-school diploma.<sup>34</sup> Further, there is a significant fiscal drain on U.S. taxpayers for each adult immigrant (legal or illegal) without a high-school education.<sup>35</sup>

29. COLO. DEP'T OF EDUC., PUB. SCH. FIN. UNIT, UNDERSTANDING COLORADO SCHOOL FINANCE AND CATEGORICAL PROGRAM FUNDING 5 (2006), available at <http://www.cde.state.co.us/cdefinance/download/FY2006-07BrochureFinal.doc> ("In budget year 2006-07, Total Program funding for all 178 school districts is projected to range from \$5,875 per pupil to \$13,608 per pupil, with an average across all districts of \$6,376 per pupil.").

30. Minimum-wage workers earn \$5.15 per hour or \$10,712 per year if they work full time. See Fair Labor Standards Act of 1938, 29 U.S.C.A. § 206(a)(1) (West 2007) (designating minimum wage at \$5.15 per hour). Households with incomes between \$10,712 and \$20,000 must pay between \$1,073 and \$2,626 in federal income taxes, see U.S. Internal Revenue Service, Form 1040 Tax Table (2006), available at <http://www.irs.gov/pub/irs-pdf/i1040tt.pdf?portlet=3>, and between \$498 and \$928 in Colorado State income tax, see Colorado Dep't of Revenue, Form 104 Colorado Individual Income Tax Return Tax Table (2006), available at <http://www.revenue.state.co.us/PDF/06104taxtables.pdf>.

31. See Tom Tancredo, *A Day Without an Illegal Immigrant*, NATIONAL REVIEW ONLINE, May 1, 2006, <http://article.nationalreview.com/?q=NTBIOTVINDFkNTYwOTg4YWYxMThkZmE2MwZmMmVjMWM=> (stating that there are 131,000 illegal alien children in Colorado's schools); Colorado Alliance for Immigration Reform, *The Colorado Illegal-Immigration Crisis: Colorado Solutions*, [http://www.cairco.org/events/can\\_presentation\\_2005oct22.html](http://www.cairco.org/events/can_presentation_2005oct22.html) (last visited Mar. 29, 2007) (estimating that 250,000 illegal immigrants live in Colorado).

32. Federation for American Immigration Reform, *Anchor Babies: The Children of Illegal Aliens*, [http://www.fairus.org/site/PageServer?pagename=iic\\_immigrationissuecenters4608](http://www.fairus.org/site/PageServer?pagename=iic_immigrationissuecenters4608) (estimating that illegal aliens give birth to 287,000 to 363,000 children each year in the United States); see also Steven A. Camarota, *Births to Immigrants in America 1970-2002*, THE BACKGROUNDER (CENTER FOR IMMIGRATION STUDIES), July 2005, available at <http://www.cis.org/articles/2005/back805.pdf> (noting that almost one in every four births in the United States in 2002 was to an immigrant mother).

33. See RICE, *supra* note 28, at 9.

34. See Rich Lowry, *Poor Trend*, NATIONAL REVIEW ONLINE, Apr. 04, 2006, <http://www.nationalreview.com/lowry/lowry200604040747.asp>.

35. See generally STEVEN A. CAMAROTA, CENTER FOR IMMIGRATION STUDIES, *THE HIGH COST OF CHEAP LABOR: ILLEGAL IMMIGRATION AND THE FEDERAL BUDGET* (Aug. 2004);

But don't get caught up in the battle of studies: just use your common sense and thoughtfully consider whether a low-income family with three or four kids in the school system are paying anything close to what it costs to educate their kids. These are expensive families to provide with governmental services. Some employers are getting cheap labor and externalizing the costs of that labor to the rest of us.

Americans pay in more ways than taxes. Cheap labor drives down wages as low-income Americans are forced to compete against these admittedly hard working people.<sup>36</sup> Even employers, who don't want to wink at false documents, are forced to lower wages just to be competitive.<sup>37</sup> It is, in many ways, a "race to the bottom" fueled by poor people often recruited from evermore-distant countries by middlemen who profit handsomely. It isn't only wages, the employers of this abused form of labor often violate minimum wage requirements, Occupational Safety and Health Administration standards, and overtime laws. Further, if injured, illegal workers often have no access to Worker's Compensation.<sup>38</sup>

The Americans who pay the price are those at the bottom of the economic ladder who directly compete with this illegal workforce. The very people that liberals profess to speak for and care about pay the price in lost and suppressed wages while employers get the benefits of reduced wages. Professor George Borjas of Harvard, an immigrant himself, estimates that American workers lose \$190 billion annually in depressed wages caused by the constant flooding of the labor market from newcomers.<sup>39</sup>

The dilemma is compounded by the fact that approximately forty percent of illegal workers are paid in cash, off the books.<sup>40</sup> Go to any construction site, almost anywhere in America, and you will find illegal workers who are paid cash wages with no taxes withheld. Virtually every city in America has an area where illegal immigrant workers gather and people come by to get "cheap" cash wage labor. High costs, low taxes, downward pressure on wages, this is not cheap labor; this is the most expensive labor a community could ever imagine.

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NATIONAL RESEARCH COUNCIL, *THE NEW AMERICANS: ECONOMIC, DEMOGRAPHIC, AND FISCAL EFFECTS OF IMMIGRATION* (James P. Smith & Barry Edmonston eds., 1997).

36. Jeanette Wiemers, *A Question That Cuts Through Party Lines*, THE TEXAS JOURNALIST, [http://journalism.utexas.edu/texasjournalist\\_fall06/storyp2.html](http://journalism.utexas.edu/texasjournalist_fall06/storyp2.html) (last visited Mar. 29, 2007).

37. See Steven Malanga, *The Right Immigration Policy*, CITY JOURNAL, Fall 2006, at 14.

38. Travis Tritten, *New Bill Targets Illegal Labor: Similar Ideas Focus of National Debate*, SUN NEWS, Feb. 9, 2007 (State and Regional News).

39. Katherine Reynolds Lewis, *Do Immigrants Really Take Jobs That Americans Won't Do?* NEWHOUSE NEWS SERVICE, Jan. 22, 2004 (Financial Section).

40. See generally LOUIS REA & RICHARD PARKER, *ILLEGAL IMMIGRATION IN SAN DIEGO COUNTY: AN ANALYSIS OF COSTS AND REVENUES* (1993) (report prepared for the California State Senate, Special Committee on Border Affairs); DAVID S. NORTH & MARION F. HOUSTON, *THE CHARACTERISTICS AND ROLE OF ILLEGAL ALIENS IN THE U.S. LABOR MARKET: AN EXPLORATORY STUDY* (1976).

### B. Supply-Side Poverty

Consequently, we have a group of workers who pay no, or reduced withholding taxes, with above-average birthrate<sup>41</sup> (thus above-average impact on schools), impacting our school system, with more, and more arriving every year.<sup>42</sup> It is Orwellian to call this “cheap labor.” It is “supply side” poverty added to our society so a few employers can get “cheap labor.” It is happening nationwide. Mortimer B. Zuckerman, Editor-in-Chief of U.S. News and World Report, speaking of U.S. poverty asks:

So why haven't overall poverty rates declined further? In a word—immigration. Many of those who come to the United States are not only poor but unskilled. Hispanics account for much of the increase in poverty—no surprise, since 25 percent of poor people are Hispanic. Since 1989, Hispanics represent nearly three quarters of the increase in the overall poverty population. Immigration has also helped keep the median income for the country basically flat for five straight years, the longest stretch of income stagnation on record.<sup>43</sup>

### C. Health Care Impact

The health care cost of this illegal workforce is also significant and also subsidized by U.S. taxpayers. You can go to virtually any emergency room in Colorado and you will hear Spanish as the predominant language. “Colorado has one of the highest rates of new mothers who speak little or no English.”<sup>44</sup> Increasingly we are seeing elderly grandparents with health problems present in emergency rooms as extended families consolidate.<sup>45</sup> No, we don't know for sure that they are illegal, because it is against federal law to check, but it is safe to assume that most are. Denver Health alone estimates that they spend one million taxpayer dollars just in interpreting for non-English speakers.<sup>46</sup> What would the total taxpayer cost of interpreting be statewide, and that is just a fraction of the total health care costs? The cumulative cost of this

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41. See Steven A. Camarota, *Birth Rates Among Immigrants in America: Comparing Fertility in the U.S. and Home Countries*, THE BACKGROUNDER (CENTER FOR IMMIGRATION STUDIES), Oct. 2005, available at <http://www.cis.org/articles/2005/back1105.pdf> (reporting that immigrant women in the U.S. have higher fertility than women in their home countries); Marta Hummel, *Immigrant Birthrate on the Rise; A New Report Adds Fuel to the Debate Over Those Who Enter the Country Illegally*, NEWS & RECORD (GREENSBORO, NC), July 8, 2005, at A1 (“Nationally in 2002, 23 percent of all births in the United States were to immigrant mothers, nearly half of them coming from Mexico.”).

42. See Lewis, *supra* note 39 (“Research finds that immigrants, like the poor in general, burden public resources such as schools and hospitals.”).

43. Mortimer B. Zuckerman, *A Debt to Ourselves (Poverty in the United States)*, U.S. NEWS & WORLD REPORT, Oct. 3, 2005, at 60, available at 2005 WL 15460370.

44. Fernando Quintero, *Many New Mothers Don't Speak English, State Among Highest, Census Bureau Says*, ROCKY MTN. NEWS, Oct. 13, 2005, at 15A.

45. See generally Madeleine Perner Cosman, *Illegal Aliens and American Medicine*, J. AM. PHYSICIANS & SURGEONS, Spring 2005, at 6.

46. See Quintero, *supra* note 44.

“subsidized” labor is impossible to ascertain and difficult to even estimate, but it is immense and growing as our population of these workers grows. A few benefit, the rest of us pay.

It is technically illegal for illegal immigrants to claim Medicaid, but as the Health and Human Services Inspector General found, “Forty-seven states allow self-declaration of U.S. citizenship for Medicaid” and over half of those “do not verify the accuracy of U.S. citizenship statements as part of their posteligibility quality control activities.”<sup>47</sup> The barn doors are wide open! Families without a word of English boldly declare themselves U.S. citizens and nobody checks! When states don’t use the tools available to them, it is more the states’ fault than those abusing the system.

Many of my liberal friends like to think of themselves as “citizens of the world” who dislike borders, and indeed we all realize we live in a more interdependent, interconnected world. But “to govern is to choose” and if everyone is my brother and sister than nobody will ever get covered by social programs that liberals compassionately seek. I have been fighting all my life for universal health care, but we can’t have “the best health care system in the world” combined with Swiss cheese borders. Social and redistributive programs require borders. It is fine to think of yourself as a citizen of the world, or a loving Christian, but we solve most problems in a national context and therefore we owe a greater moral duty to our fellow Americans than we do to non-citizens. Americans must defend borders or they will lose all the social programs that they care about! No social program can survive without geographic limits and defined beneficiaries.

We often hear that forty-three million Americans are without health insurance, but this figure is likely overestimated, because it includes over ten million illegal immigrants.<sup>48</sup> Most of the estimated ten million people living illegally in America do not have health insurance.<sup>49</sup> More and more hospitals are going broke because of the constant stream of uninsured, particularly in our border states.<sup>50</sup> The Census Bureau estimates that 11.6 million people in immigrant households are without health insurance.<sup>51</sup> Of course not all immigrants are illegal, but the impact is

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47. DANIEL R. LEVINSON, INSPECTOR GENERAL, DEP’T OF HEALTH & HUMAN SERVICES, OFFICE OF INSPECTOR GENERAL, SELF-DECLARATION OF U.S. CITIZENSHIP FOR MEDICAID (OEI-02-03-00190) ii (2005), available at <http://oig.hhs.gov/oei/reports/oei-02-03-00190.pdf>.

48. See Cosman, *supra* note 45, at 6.

49. See *id.*

50. See *id.*

51. See STEVEN A. CAMAROTA & JAMES R. EDWARDS, JR., CENTER FOR IMMIGRATION STUDIES, WITHOUT COVERAGE: IMMIGRATION’S IMPACT ON THE SIZE AND GROWTH OF THE POPULATION LACKING HEALTH INSURANCE 5 (2000), available at <http://www.cis.org/articles/2000/coverage/uninsured.pdf>; Steven A. Camarota & James R. Edwards Jr., *Uninsured Immigrants Burden the Health Care System*, HEALTH CARE NEWS, Oct. 1, 2001.

clear and substantial.<sup>52</sup> The problem is much like when the gods condemned Sisyphus to ceaselessly rolling a rock to the top of a mountain, and the stone would fall back of its own weight. It is not unlike when you expand education funding or Medicaid and give extra state aid to impacted hospitals, but the problems grow faster than the solution. We use the State Children's Health Insurance Program (SCHIP) to cover uninsured children, but a new flood of immigrant children without health insurance quickly overcomes our gains.<sup>53</sup> The Center for Immigration Studies has estimated that for a recent five-year period, immigrants and their children accounted for fifty-nine percent (2.7 million people) of the growth of the uninsured.<sup>54</sup>

Ironically, the price of compassion is restriction. The only way we can help America's poor is to develop programs which are not constantly diluted by the rest of the world's 6 billion, no matter how sympathetic those people may be.

#### CONCLUSION

"In every age," writes Jacob Bronowski in *The Ascent of Man*, "there is a turning-point, a new way of seeing and asserting the coherence of the world."<sup>55</sup> We metaphorically must give birth to a whole new world. Our new environmental issues, like global warming, will not just take a legislative victory or public awareness campaign, it will take a revolution in the way we see and make sense of our basic civilization and the human role in the universe.

I believe that we are surrounded with evidence that increasingly shows that something is fundamentally wrong with our historic ways of looking at the world. Yesterday's solutions have become today's problems, and these problems are of a different scale and coming at us with increasing velocity. The growth paradigm that allowed us to create wealth, reduce poverty, and increase living standards is becoming obsolete. Those human traits which allowed us to prevail over the ice, the tiger and the bear—in a time of an empty earth continue to operate long after we are no longer an empty earth.

Reg Morrison in his book, *The Spirit in the Gene*, suggests that those genes that saved a species now are on course to destroy us.<sup>56</sup> He suggests that we are hard-wired by survival traits to grow and over-consume and that now, unless controlled, these traits will drive us into

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52. See Cosman, *supra* note 45, at 6.

53. See CAMAROTA & EDWARDS, *supra* note 51, at 5; Steven Camarota, *Wrestling Health Care*, BALT. SUN, Aug. 22, 2000.

54. See sources cited *supra* note 53.

55. JACOB BRONOWSKI, *THE ASCENT OF MAN* 20 (1973).

56. See generally REG MORRISON, *THE SPIRIT IN THE GENE: HUMANITY'S PROUD ILLUSION AND THE LAWS OF THE NATIVE* (1999).

oblivion.<sup>57</sup> Evolution moves too slowly to correct the dilemma that evolution put us in by its past slow progress.<sup>58</sup>

Ecologically we are sailing on uncharted waters while moving at unprecedented speed. We have lost our anchor and our navigational instruments are out of date.

When I entered high school in 1950, there were 2.6 billion people on earth, and there were 50 million cars.<sup>59</sup> Now there are over 6 billion people on earth, and our car population has increased ten-fold to over 500 million; and within twenty-five years it is projected there will be 1 billion cars on the world's roads.<sup>60</sup>

Nothing in our past prepares us for the environmental problems that we are faced with. We cannot grow our way out of these problems; we cannot use history to put them into perspective. The lessons we have learned living on an empty earth teach us the wrong lessons. We are still trying to "be fruitful, multiply, and subdue" an earth that now needs saving. Contemporary life is a rock rolling downhill, gathering speed. It presents us with a series of problems of nature, for which the lessons of history are not only useless, but teach us the wrong lessons.

The famous economist Kenneth Boulding said that the modern human dilemma is that all our experience deals with the past, yet all our problems are challenges of the future. The lessons we have learned in the past do not help and in many ways are counter-productive in solving the problems of sustainability. Our economic models have become ecologically unsustainable.

Humans appear throughout history to be insatiable creatures. There appears at this time to be no reasonable limit on "more," "bigger," or "faster" or "richer." If we haven't already hit carrying capacity, it is just a matter of time.

We cannot solve growth-related problems with more growth; we must move to sustainability. It took a billion years or more for nature to create the limited stocks of petroleum and mineral wealth which modern technology and human ingenuity have recently learned to exploit. But we are squandering our one-time inheritance of cheap energy and handy resources. The models so painstakingly developed over 300 years to create more jobs and more goods and services must be dramatically modified.

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57. See generally *id.*

58. See generally *id.*

59. See generally WALTER YOUNGQUIST, *GEODESTINIES* 461 (1997).

60. See generally *id.*

