



Guest worker program offers free-market solution to immigration issues

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Helen Kriebel says she will never forget the day that the federal government's black helicopters and armed agents swooped down on her equestrian facility in central Colorado.

They came in — unannounced — by the dozens, with batons drawn and police dogs snarling at the end of their leashes.

Kriebel remembers the agents searching through barns and stables, demanding identification papers from each of the independent contractors who rented space in her facility for the season. Some contractors had illegal workers, who ended up in handcuffs and legs chains, thrown in the back of black vans and driven away to unknown locations.

Then the agents came to Kriebel's office, rummaging through papers and demanding documentation for each of the workers on her own staff.

"Somebody had reported that we had illegals working here. We didn't, but some of the other contractors who rent space in our barns did," she said, recalling the incident in a recent phone interview with Watchdog.org.

"It's hard to imagine something like that happening in the United States. Eventually, I realized it was happening because our laws are bad," Kriebel said.

The immigration system in the United States is broken.

Kriebel has a plan to fix it.

Prompted by her up-close-and-personal experience with federal immigration police, she became an activist for better immigration laws. The result is the so-called "Red Card Solution ^[3]" that would create a new system of unlimited guest worker visas for foreigners to use on a short-term basis.

The entire system would be operated by private businesses, with labor offices inside the United States and abroad. Any foreign citizen could come in and apply for a job. If they get it, they would be given a temporary “red card” to enter the country and work legally — without fear that the immigration police would come swooping in with their helicopters and dogs to take them away — and would have to leave when the job was finished.

It’s the perfect solution, she said, for the types of workers who come to the United States for seasonal work and return home to their families in the winter — the immigrants Kriebel is used to seeing at her equestrian facility in Parker, Colo., or in farming communities across the nation.

While participants in the program would be here legally for the duration of their employment, they would have no way to become citizens unless they left the country and sought re-entry through existing channels.

It’s a far cry from how the nation’s guest-worker permit program currently operates. The government grants 66,000 visas per year for unskilled nonagricultural workers, and another 65,000 for high-skilled workers. The government also issues about 150,000 visas annually for farmworkers.

Compare that total to the estimated 1.5 million foreign farmworkers in the United States, and it’s easy to see why there’s an illegal immigration problem.

When the demand for foreign workers is so much higher than the supply of legal workers allowed by the government, a black market for labor is bound to occur. And that’s exactly what has happened.

Alex Nowrasteh, immigration policy analyst for the Cato Institute, a libertarian think tank in Washington D.C., said those quotas are the real problem.

There is demand for foreign workers in many sectors of the economy and there is a supply of foreign laborers who would like to fill that need. But the government’s quota for guest worker visas forces many workers to become illegal immigrants in order to get those jobs.

“The law has produced a very restrictive immigration system that only allows a small number of the people who want to come here, to come here,” Nowrasteh said. “If we increased legal immigration and expanded the guest worker program, we could channel almost all immigration into the legal markets.”

After all, he said wryly, you didn’t see scores of Irish or Italians landing their boats on the New Jersey coast and making a run for it during the 1800s. They all passed through Ellis Island and other legal channels because the government was not setting artificial limits on immigration.

Kriebel said the “Red Card” would solve the problem created by quotas.

With an unlimited supply of red cards for “good workers” who can pass a criminal background check and secure legitimate employment, the only people forced to climb over the fence and

scurry through the desert would be those who could not get a red card because of a criminal record, or because they were not interested in working a legitimate job.

Those are the human and drug traffickers that the United States' immigration police should be focused on.

“We need to focus on the bad guys, who are camouflaged completely as they are coming across the border with all the good people who are trying to find work,” she said.

The red card proposal has drawn plenty of opposition on both sides of the partisan divide. Conservative, anti-immigration groups like the Federation for American Immigration Reform ^[5] have warned that an unrestricted guest worker program would undercut American jobs and workers' pay. They are worried that workers will simply overstay their visas and continue to illegally work in the United States, instead of re-applying for a new card.

On the left, some pro-immigration groups like the Immigration Policy Center ^[6] have voiced concern that the red card program would create a new system of “indentured servitude” because workers would be unable to leave the job assigned to them without violating the terms of their guest worker permits.

And even if those concerns are set aside, the entire Kriebel plan hinges on a major assumption — that most illegal workers in the United States today do not want and will not seek a pathway to citizenship if one were offered to them.

Kriebel believes this is true. Many seasonal farm workers and other illegal immigrants are here to make money for a brief period and want to return to their families in Mexico and elsewhere.

Though it is hard to get reliable data on illegal immigrants, there's historical evidence to support her argument. When the United States offered amnesty to illegal immigrants in the 1980s, less than half of all newly-eligible illegal immigrants ended up applying for citizenship.

Among illegal immigrants from Mexico, 68 percent decided not to become citizens when given the chance.

“That says to me that people who come from countries far away are more likely to want to stay here forever and become citizens,” said Nowrasteh.

But a recent survey of illegal immigrants conducted by the National Association of Latino Elected and Appointed Officials found 87 percent of those polled would seek citizenship if it was offered to them ^[7].

Kriebel's “Red Card Solution” briefly gained national attention during the Republican primary in the lead-up to the 2012 presidential election. In late 2011, with his star on the rise in the crowded field, former Speaker of the House Newt Gingrich voiced support for the plan.

But it was largely absent from the congressional debate over immigration reform during 2013.

Though the Senate-passed immigration plan included an overhaul to the guest worker program, it left the government in charge and the quotas in place.