



Written by [Warren Mass](#) on January 2, 2015

Jeb Bush's Position on Immigration Gets Scrutiny

Former Florida Governor Jeb Bush (shown), who has topped most recent opinion polls gauging public opinion of likely candidates for the 2016 Republican presidential nomination, has been criticized by conservatives for his advocacy of a “path for citizenship” for illegal immigrants. He has often used that term and other language that is closer to that employed by President Obama (e.g., a “broken” immigration system) than to the more accurate descriptions of these situations employed by those who advocate strict enforcement of our immigration laws.



One such defender of immigration enforcement, Senator Cruz (R-Texas), launched a petition in 2013 to oppose the bipartisan Senate Gang of Eight's immigration bill, which was supported by Obama and passed by the Senate, but never acted on by the House. Cruz sent an e-mail to his supporters at the time that read, in part: “This is urgent. We must stop this Gang of 8 immigration bill, which would give amnesty to an estimated 11 million illegal immigrants with no guarantee of a secure border.”

Another outspoken critic of the bill was Representative Lamar Smith (R-Texas), who said in a statement quoted by CNS News: “It's hard to believe, but the Senate immigration bill is worse than we thought. Despite assurances, the border is not secured before almost everyone in the country illegally is given amnesty. The bill guarantees there will be a rush across the border to take advantage of massive amnesty.”

In contrast to Cruz's and Smith's opposition to the “Gang of Eight” bill, Jeb Bush urged members of the GOP-controlled House to pass the legislation. In a *Wall Street Journal* op-ed he wrote jointly with Goldwater Institute vice president Clint Bolick in 2013, Bush supported the Senate bill, writing, “Overall, the bill satisfies a criterion that is essential to the rule of law: It makes it easier to immigrate legally than illegally.”

In supporting the bill, Bush was in agreement with President Obama, who said at the time:

The bipartisan bill that passed today was a compromise. By definition, nobody got everything they wanted. Not Democrats. Not Republicans. Not me. But the Senate bill is consistent with the key principles for commonsense reform that I — and many others — have repeatedly laid out.

In addition to co-authoring the pro-“Gang of Eight” bill op-ed last year, Bush and Bolick also co-wrote a book, *Immigration Wars: Forging an American Solution*. As we noted [in an article posted in March 2013](#), in conjunction with the release of that book, Bush participated in an interview on MSNBC's *Morning Joe* program, during which he revealed that he would support legislation that provided a “path for citizenship” for illegal immigrants. In contrast to offering a “path for citizenship” for immigrants who have entered our country legally, which few would oppose, providing this option for illegal immigrants is more honestly described by what it is — amnesty.



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During the interview, Bush said that in the book, he and Bolick had proposed “a path to legalization.” “What’s the difference between a path to legalization and a path to citizenship?” asked *Morning Joe’s* co-host Joe Scarborough.

Bush replied: “The principal difference ... the principle underlying what we’ve proposed is that if you don’t have a difference between a path to citizenship or a path to legalization, you’re going to create a magnet going forward for more illegal [immigration].”

Scarborough interjected: “You’re going to repeat what happened in today’s ... Reagan amnesty.” (Scarborough was referring to The Immigration Reform and Control Act signed into law by President Reagan on November 6, 1986, which provided amnesty to illegal immigrants who entered the United States before January 1, 1982 and had resided there continuously since that date.)

Bush continued: “If there is a difference, if you can craft that in law where you can have a path to citizenship where there isn’t an incentive for people to come illegally I’m for it. I don’t have a problem with that.”

With Bush now leading many opinion polls as the favored GOP candidate in 2016, his reputation of being pro-amnesty has started to haunt him in conservative circles. This apparently was what motivated his co-author, Clint Bolick, to write an opinion piece for the *Wall Street Journal* on January 1 headlined, “Jeb Bush’s Conservative Immigration Agenda.” The article carried a subhead: “Pundits who claim he is for ‘amnesty’ are wrong. His goal is to bolster the economy and the nation’s security.”

Than main thrust of Bolick’s article is to make the case that Bush’s immigration plan makes good economic sense, because it would expand the guest worker program by increasing the number of visas for skilled workers so that foreign students educated in U.S. universities would not be forced to take their skills overseas. He asserts, with some merit, that this causes U.S. companies to export jobs to the counties where the skilled workers have gone. The Bush plan also calls for narrowing the definition of “family” for visa preference purposes to spouses and minor children. It would reduce the number of visas granted to parents and siblings of immigrants. Bolick notes that “nearly two-thirds of the one million legal immigrants each year come through family preferences — and hundreds of thousands arrive thanks to the expanded definition of the family in the law. Only about 13% of visas are available to those coming for work or bringing valuable skills.”

Bolick also provides a good constitutional argument against Obama’s executive actions, but prefaces that statement with further defense of amnesty:

Mr. Bush does believe that children who were brought here illegally and some adults should be eligible for legalized status once certain conditions are met. But he knows that the Constitution gives authority over naturalization to Congress, not the president — and that short-term, politically expedient executive actions do more to stifle enduring reform than to aid it.

Like many “moderate” Republicans, Bush seems to be carving out a political path designed to have broad political appeal. By so doing, he is following in the footsteps of the four Republican members of the bipartisan “Gang of Eight” that created the failed legislation that Bush defended and that more constitutionalist-minded Republicans condemned. If he seeks the presidency, he must be mindful of what a president’s primary constitutional function is: to execute the law. Some of our immigration laws might be in need of adjustment. But until present laws governing the legality of aliens in our midst are changed, those found to be in violation of them must be held accountable, or our entire system of law is meaningless.



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As the failed Reagan-era experiment in amnesty showed, granting amnesty to illegal immigrants merely encourages more illegal immigration.

Photo of Jeb Bush: AP Images

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