

Illegal immigration fixing itself

How bad is the U.S. economy when illegal immigrants are going back to their country of origin on their own? It seems they would rather be without work in Brazil, Nicaragua or Mexico than without work in El Paso or Baltimore.

At least at home they'd be with family and friends, not to mention surrounded by their own culture in times of distress.

As has been written repeatedly on these pages, illegal immigration only becomes an "issue" before presidential elections. Then it disappears like the criticism candidates heap on each other until one of them secures the nomination.

The 1986 Simpson-Mazzoli Bill would have effectively dealt with illegal immigration, had it been enforced. But it never was. Democrats don't particularly want illegals sent home out of compassion and votes. Republicans don't particularly want illegals sent home out of business reasons - they fill jobs American citizens seldom would be willing to fill. Cheaper.

One of the provisions of the Simpson-Mazzoli Bill was that employers who hired illegal immigrants would be fined. As a large raid on the former Monfort (Swift) plant in Greeley proved last year, employers have not been discouraged from hiring illegal immigrants because they will typically work for less. And, fineless!

Once again, illegal immigration was a

major issue in the last election cycle. No one wanted to say that it was a problem they'd rather not face or had no solution for. So boneheads like Tom Tancredo had an undeserved audience for his far-out positions about and draconian solutions for illegal immigration.

Now the subject will disappear into the background of problems facing the country. It is a problem, make no mistake about it. But we have cultivated the problem by not dealing with it when a law was passed that could have reduced the problem.

What is being seen and will increase in the near future is that our economy determines the extent of illegal immigration. As jobs disappear, so does the need for the cheaper labor that comes with illegal immigration. Had employers been fined as was provided under Simpson-Mazzoli, they would not have been as eager to hire those who could not prove they had a right to be in the United States or a right to be hired. Some of those employers would not have been able to hire at the low wages. Citizens would not have taken the jobs for cowhand wages.

Politicians will be taken off the hook by the lousy economy. As construction tails off, illegal immigrants' jobs disappear. As the lodging and hospitality industry slows because people don't have the money to travel, those jobs will disappear. But what a shame it is that it took a dismal economy to at least partially correct the problem.

Dave's third term

It's kind of amusing how others in Wyoming's media got excited when Colorado Democratic Senator Ken Salazar suggested the new president-elect should consider naming Dave Freudenthal to one of his Cabinet positions.

The liberal media in Cheyenne and Casper were beside themselves - "Imagine, our guy in Obama's cabinet." About the only way Dave Freudenthal will ever be in a cabinet is if he's searching for a coffee mug or dinner plate.

What the same media outlets didn't write or say much about is that Salazar, not the most influential of Democratic senators anyway, also suggested several other western governors for the same Cabinet post. What Ken was saying was that the Secretary of the Interior should be a westerner and then proceeded to name several governors from the region who could be considered.

Dave's pragmatism is often mistaken for humility and when he said, "Aw, shucks, I have a job and am not really looking for anything else," he meant it. Plus, he knew that he hadn't heard a word from anyone close to Obama since our governor traveled to western Pennsylvania to campaign before the general election.

Freudenthal isn't going anywhere.

And, he loves being governor.

Is he term-limited? Yes. Under current law. But the Supreme Court made it clear that a challenge to term limits by "one whose rights have been effected" would result in them being overturned for the executive branch, also. In other words, only one of the elected officials who want to run for a term in excess of what voters favored as term limits can litigate.

Wyoming voters, with 77% of those voting in favor, approved term limits for legislators and the five state executive offices (governor, secretary of state, auditor, treasurer and superintendent of public instruction) in 1992.

Before term limits would apply in 2004, two Laramie County legislators challenged the limitation as unconstitutional because term limits were imposed statutorily instead of as a constitutional amendment. The Supreme Court agreed and the will of the people was thwarted. It is impossible to enact term limits in Wyoming because the Legislature will never allow a vote on a constitutional amendment and that's what would have to happen.

The High Court ruled that denial of a candidate's filing would impose an additional "qualification of office" and would have to be done as a constitutional amendment. The same ruling will be rendered when an incumbent executive branch officeholder challenges term limits when limits are applied to them.

Here is what the **Cathcart v. Meyer** (2004 WY 49, 88 P.3d 1050) Wyoming Supreme Court decision said, in part:

Constitutionality

[¶37] *The parties have not addressed this issue, but we note that the constitutionality of a statute may only be questioned by a party whose rights are affected thereby. Stagner v. Wyoming State Tax Com'n, 682 P.2d 326, 331 (Wyo. 1984); Alberts v. State, 642 P.2d 447, 452 (Wyo. 1982). Likewise, a party cannot assert that a statute is unconstitutional as to other persons or classes of persons. Mahaney v. Hunter Enterprises, Inc., 426 P.2d 442, 444 (Wyo. 1967). These precepts suggest that the appellant legislators cannot raise the question of the constitutionality of the term limit law as it affects the qualifications for governor found in Wyo. Const. art. 4, § 2, and for secretary of state, auditor, treasurer, and superintendent of public instruction found in Wyo. Const. art. 4, § 11. Furthermore, the appellant voters have not alleged an inability to vote for particular candidates for the executive branch offices. Accordingly, we will limit our holding to those constitutional provisions involving legislative qualifications.*

UW men whip the cooks

How many leapers are there in Senegal? How many scholarships will be given to transfers from a California high school diploma mill? At what point will none of the UW men's basketball player's names be pronounceable?

The current men's roster includes players with these names: Bouëdo (France), Diakite (France), Linskens (Belgium), Muojeke (Queens, NY), Sylla (France), and Thiam (Senegal). Of the 14 player roster, only Brandon Ewing, Galand Thaxton (a walk-on), and Adam Waddell came right from high school to UW. Five players are from basketball factory prep schools and some are transfers from other schools - like Wichita State, New Mexico State, Colorado - or community college. *Senegal is a French-speaking country that feeds athletes to Paris.*

Obviously, the Brylcream Boy noticed what Steve McClain had done to put cheeks in the seats. Little Steven's contract paid him for every butt in the house and he went after low-quality individuals with high-quality game. It didn't save McClain's job and recruiting one and two year players as Heath Schroyer is doing won't succeed over the long haul, either.

UW did paste the pastry chefs. To schedule a culinary school is a sign of desperation. The wethead managed to schedule the first five games at home to build up a winning record before going on the road for the poundings his team will take.

The tallest player from the culinary squad was 6'5" (7'2" with his chef's hat). UW had only four players that **short** on the bench. Seven taller. Advantage UW.

Indian Education for All Act

Why are school districts afraid to offer education about the American Indian? Certainly, it's embarrassing to admit the atrocities perpetrated against the Indian. Textbooks, books and movies have been filled with fiction that it was all "their fault."

We celebrate Columbus Day, the day an Italian "discovered" America, even though Indians were waiting on shore to welcome trespassers who would kill their people and steal their land.

Even when Native American heroes are portrayed in songs and folklore, like Ira Hayes, it is with less than the respect deserved. His place in raising the flag at Iwo Jima is supplanted by the story of his wretched later life and demise.

Jim Thorpe and Billy Mills have a place in sports history but, by now, most public school students couldn't identify their accomplishments. Sacagawea and Pocahontas are more familiar names to students but their names are famous because of the exploits of William Smith and Lewis and Clark.

American History books in schools a few decades back, maybe continued even today, always portrayed the Indian as "savages" and the white settlers as "victims." Seldom, if ever, has the true story of how the Indians were continually driven from the land they agreed to accept under treaty with the "U.S. Government," to what that government thought would

be less productive and less valuable land. When it was determined that the new land stood in the way of a "gold rush" or "land rush," the Indians were again pushed further and that land was taken from them. Treaties that were to last forever were routinely broken.

Custer was immortalized for his stupidity. His actions were reckless, not brave.

Public school students know about Concord, Lexington and Valley Forge. They know about the Gettysburg Address and Appomattox. But what about Pine Ridge, Wounded Knee, The Indian Citizenship Act of 1924? Nez Perce Chief Joseph?

Chief Joseph, after having been ordered to surrender his land and move once again, fought but could not win. He surrendered, saying: "From where the sun now stands I will fight no more forever."

Students know about Nelson Mandela being imprisoned for years as a political prisoner but have they heard of Leonard Peltier? The Trail of Broken Treaties?

Michelle Hoffman, superintendent of Fremont District 14, the Wyoming Indian School, has proposed a correction. Her Resolution, which would "provide schools adequate resources" for this long overdue instruction, would "recognize" and commit "to the preservation of their cultural heritage and adopt and promote an Indian Education for All Act."