



FAIR FEDERATION FOR AMERICAN IMMIGRATION REFORM

Immigration

REPORT

MAY 2017

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Victory! Strong Opinion Forces Maryland Legislature to Pull Sanctuary Bill

In much the same way that the nation was shocked by the killing of Kate Steinle at the hands of a criminal alien who was released from custody by San Francisco police, the rape of a 14-year-old high school girl in Rockville, Maryland, allegedly by two illegal aliens who “surged” across our borders and were released into the United States by Obama administration policies, outraged the American public. Eerily mirroring the

stance of San Francisco authorities who doubled down on that city’s sanctuary policies in the wake of Steinle’s death, the initial response of the Maryland Legislature was to reaffirm its determination to protect criminal aliens, not the community. Unlike San Francisco, however, public outrage ultimately forced the Legislature to back down.

On Thursday, March 16, 18-year-old Henry Sanchez and 17-year-old Jose

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FAIR Files Complaint with the IRS Documenting the Southern Poverty Law Center’s Alleged Violation of its Tax-Exempt Status

The Southern Poverty Law Center (SPLC) has been waging a decades-long smear campaign against FAIR and all Americans who advocate for true immigration reform. But as immigration took center stage in the 2016 political campaign and it became evident that calls for enforcement of existing laws and overall reductions in immigration were gaining traction with voters, the SPLC moved beyond its usual libelous smear tactics and appeared to openly



SPLC
Southern Poverty
Law Center

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SPLC COMPLAINT *continued*

and repeatedly violate its nonprofit tax status. Nearly 50 times during the 2016 presidential election cycle, the SPLC engaged in communication activities prohibited by the IRS for organizations that are granted tax-exempt 501(c)(3) status.

According to a 38-page complaint filed on April 4 by the Immigration Reform Law Institute (IRLI) on behalf of FAIR, the SPLC engaged in a “flagrant, continued and intentional campaign” targeting then-presidential candidate Donald Trump and other Republican candidates. Under federal tax codes, 501(c)(3) organizations must operate exclusively for an exempted purpose and may “not participate in, or intervene in (including the publishing or distributing of statements), in any political campaign on behalf of (or in opposition to) any candidate for public office.” Even if a statement or communication doesn’t tell the public to vote for or against a candidate, the communication can violate a 501(c)(3) prohibition against campaigning if it conveys a message favoring or opposing a candidate for public office.

While 501(c)(3) organizations may take positions on issues, their activities are not deemed to be educational if they “fail... to provide a factual foundation for the viewpoint or position being advocated” or they lack a “full and fair exposition of the pertinent facts” which “permit[s] an individual or the public to form an independent opinion or conclusion.”

The complaint filed with the IRS documents numerous instances in which the SPLC flagrantly engaged in electioneering and attempted to generate opposition to Trump’s candidacy through the use of numerous sweeping, opinion-based statements during his 2016 campaign. These same baseless and unsubstantiated charges against those who support immigration enforcement and reductions in immigration levels to the United States as being expressions of hate, or rooted in “white nationalism,” have been leveled by the SPLC for more than a decade.

In fact, even before crossing the clear red line prohibiting tax-exempt

The full text of the complaint, which includes documented instances of SPLC’s violations of its 501(c)(3) tax status, can be found on FAIR’s website, www.FAIRus.org/media/press-releases.

organizations from engaging in politicking during the 2016 election cycle, the SPLC repeatedly violated its 501(c)(3) status by distorting the record and intent of FAIR and other immigration reform groups. For these reasons, the complaint asks that the IRS investigate the SPLC’s blatant violations of its tax-exempt status. “The communications [detailed in FAIR’s complaint] served no cognizable exempt purpose. Because the SPLC is not operating exclusively for an exempted purpose, the SPLC must be designated as a non-exempt ‘action’ and taxes levied” on its activities, concludes the complaint. ■

The FAIR Immigration Report

(ISSN 1067-3337)

Published 10 times a year by the Federation for American Immigration Reform, a non profit membership organization.

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Attorney General Sessions: Jurisdictions Must Help Enforce Immigration Law or Else

Building upon President Trump’s January executive order defunding jurisdictions that maintain sanctuary policies that inhibit federal immigration enforcement, Attorney General Jeff Sessions made it clear that such policies will result in the forfeiture of Department of Justice (DOJ) grants that he administers.

At a White House press briefing on April 3, Sessions made clear that the Department of Justice will take action to “claw back any funds awarded to a jurisdiction” that has a sanctuary policy in violation of federal law. DOJ is able to award more than \$4.1 billion in grant money to state and local jurisdictions this fiscal year. “We intend to use all the lawful authorities we have to make sure our state and local officials ... are in sync

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MARYLAND SANCTUARY BILL *continued*

Henry Sanchez, 18.
Authorities have withheld images of Jose Montano, 17, due to minor privacy rights.

Montano allegedly lured the girl into a Rockville High School bathroom where they raped her. Multiple news reports indicate both Sanchez and Montano entered the country illegally within the past year as part of the influx of unaccompanied minors and family units from Central America. At least Sanchez had an outstanding order for removal. Like virtually all of the illegal aliens who arrived at the southern border over the past few years, Sanchez and Montano were quickly processed and released into the United States.

Additionally, both Sanchez and Montano were placed in the ninth grade at Rockville High School, despite being about four years older than a typical ninth grade student. Rockville High School is located in Montgomery County, Maryland near Washington, D.C. According to the federal government, 3,286 illegal aliens have been placed with sponsors offering foster homes in

Rockville High School



Montgomery County since fiscal year 2014, with over 153,000 placed nationwide.

Despite expressions of outrage and concern from the community and from around the nation, just four days after the alleged crime took place, the Maryland House of Delegates approved House Bill 1362, which shields illegal aliens who commit crimes from immigration enforcement by prohibiting law enforcement from cooperating with federal immigration officials. The measure also grants state and local government officials immunity from “criminal and civil liabilities” for any harm caused to residents as a result of their refusal to communicate immigration status information with federal officials.

Fortunately, the Maryland House of Delegates did not have the final say on this matter. Their indifference to the suffering of the victim and the

concerns of the community were met with the pledge of a veto by Gov. Larry Hogan. He never got the chance. Bowing to scathing public criticism of both the bill and the House of Delegates’ tin ear, the State Senate decided not to consider HB 1362.

In a strongly worded statement, Gov. Hogan summed up the feelings of most Marylanders. “The Maryland House of Delegates...passed an outrageously irresponsible bill that will make Maryland a sanctuary state and endanger our citizens. This legislation would interfere with our state and local law enforcement’s ability to cooperate with federal law enforcement authorities. I will veto this dangerously misguided legislation the moment that it reaches my desk,” the governor said.

“ This legislation would interfere with our state and local law enforcement’s ability to cooperate with federal law enforcement authorities. I will veto this dangerously misguided legislation the moment that it reaches my desk.”

–Maryland Gov. Larry Hogan

DOJ GRANTS *continued*

DOJ does its part to stop sanctuary cities.



with the federal government,” the attorney general warned. In order to continue receiving DOJ grants, jurisdictions would need to certify that they are in compliance with a federal law prohibiting the sharing of information about a person’s immigration status with Immigration and Customs Enforcement (ICE).

According to Sessions, in just one recent week, sanctuary jurisdictions refused to comply with more than 200 ICE detainer requests seeking custody of deportable aliens who have been charged with or convicted of serious crimes. “The charges and convictions against these

aliens include drug trafficking, hit and run, rape, sex offenses against a child and even murder,” Sessions said. “Such policies cannot continue. They make our nation less safe by putting dangerous criminals back on our streets.”

Despite the growing adamancy of some local government officials in the face of Trump administration efforts to enforce federal immigration laws, sanctuary policies enjoy very little public support. According to a Rasmussen poll, only 35 percent of likely voters support sanctuary policies that protect criminal aliens while endangering public safety. ■

Attorney General Sessions Announces “New Era” to Deter Illegal Immigration

On April 11, Attorney General Jeff Sessions paid a visit to the U.S.-Mexico border near Nogales, Arizona, to formally announce the end of policies of the past that encouraged mass illegal immigration. “For those that continue to seek improper and illegal entry into this country, be forewarned: This is a new era. This is the Trump era,” said Sessions. “The lawlessness, the abdication of the duty to enforce our immigration laws and the catch and release practices of old are over.”

The attorney general’s proclamation builds on the successes of the Trump administration during its first two months in office in stemming the flow of illegal immigration across

Among the policy announcements laid out by Sessions in Nogales, Arizona and in a formal departmental memo:

- The Department of Justice (DOJ) will prioritize prosecution of alien smugglers. “We are going to shut down and jail those who have been profiting off this lawlessness: people smuggling gang members across the border, helping convicted criminals re-enter this country and preying on those who don’t know how dangerous the journey can be.”
- Individuals who are caught attempting to enter the United States illegally for a second time “will now be charged with a felony if they unlawfully enter or attempt to enter a second time and certain aggravating circumstances are present.”
- Aliens who “illegally re-enter the country after prior removal will be referred for felony prosecution and a priority will be given to such offenses, especially where indicators of gang affiliation, a risk to public safety or criminal history are present.”
- Federal prosecutors will be “directed to charge criminal aliens with document fraud and aggravated identity theft, the latter carrying a two-year mandatory minimum sentence.”

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the **Across** **Country**

Pennsylvania

Pennsylvania lawmakers unveiled an ambitious package of state legislation aimed at curtailing the harmful effects of illegal immigration in the Commonwealth. Led by Pennsylvania State Representative Daryl Metcalfe, lawmakers held a March 13 “National Security Begins at Home” press conference to discuss ways to reduce and discourage illegal immigration in a package of six bills. Collectively, the bills would require the use of E-Verify by employers in the state; prohibit sanctuary jurisdictions within the state; prohibit colleges and universities from adopting so-called sanctuary campus policies; require state agencies to use the federal Systematic Alien Verification for Entitlements (SAVE) program to prevent illegal aliens from obtaining public benefits; require state and local law enforcement agencies to comply with U.S. Immigration and Customs Enforcement detainers; and revoke licenses from licensed professionals who knowingly employ or permit employment of unauthorized aliens

Georgia

In late March, the Georgia General Assembly approved House Bill 37, which prohibits universities and colleges that implement sanctuary policies from receiving state funding. The measure passed the House of Representatives by a 112-57 vote and the State Senate 37-2. HB 37 specifically prohibits private colleges and universities in the state from instituting any policy, rule, or practice that prohibits or restricts employees from communicating or cooperating with federal immigration officials or law enforcement officers. The bill must be signed into law by Gov. Nathan Deal. Deal's record as governor and as a member of the U.S. House of Representatives indicates that he will likely sign the bill.

Mississippi

As we reported in the April newsletter, both houses of the Mississippi legislature approved a strong anti-sanctuary measure, SB 2710. On March 27, Gov. Phil Bryant signed the bill into law. As a result, all sanctuary policies which are designed to protect criminal aliens from detection and removal by restricting communication with federal officials or refusing to comply with detainer requests are now illegal in Mississippi.

California Senate Approves Dangerous Criminal Alien Protection Bill

Just when you thought California's policies obstructing immigration enforcement could not get worse, the California Senate passed Senate Bill 54 to make it virtually impossible for law enforcement to cooperate with federal officials. By passing SB 54, the California Senate dangerously prioritizes the interests of criminal aliens, many of whom are deportable and have no legal right to remain in the country, over public safety of the general public. The Senate approved SB 54 with a 27-12 party line vote.

SB 54 worsens California's existing sanctuary law by making almost all forms of cooperation with federal immigration officials unlawful and will allow criminal aliens, even those convicted of the most serious crimes, to escape immigration enforcement. In addition to prohibiting compliance with detainer requests, SB 54 prohibits law enforcement from notifying federal officials of a criminal's release date or any other personal information, allowing federal officials access to criminal aliens in custody for the purpose of conducting interviews or any other purpose, or participating in the federal 287(g) program under which local law enforcement can receive training to identify deportable aliens.

In passing this radical sanctuary bill for criminal aliens, the California Senate not only ignored the obvious threats to public safety, but also the vocal opposition of law enforcement officials in the state. Just days before the



Senate approved SB 54 the California Sheriffs Association slammed the measure as a threat to public safety and a potential impediment to needed federal law enforcement funds. "If SB 54 passes, it will allow dangerous, violent career criminals to slip through the cracks and be released back into our communities," warned Sacramento County Sheriff Scott Jones

SB 54 must also be approved by the California State Assembly and signed by Gov. Jerry Brown. Given the track record of the Assembly and the governor it is highly likely that criminal aliens will soon be the most well protected people in California.

NEW ERA *continued*



the southern border. Apprehensions in March ebbed to their lowest levels since 2000. Sessions sent a clear message that the Trump administration's policy for controlling mass illegal immigration will focus on effective deterrence and enforcement.

The "new era" in immigration enforcement relies on the reality that illegal aliens and the criminal cartels that profit from smuggling them into the country make rational decisions. The prospect that illegal immigration will not be rewarded, and that violators

could face meaningful consequences for their actions will lead people to make rational choices not to break our laws.

In the coming months, FAIR will increase its efforts to promote similar deterrence in the area of interior enforcement. Most specifically, prioritized enforcement against employers who knowingly hire illegal aliens which is the key to reducing the number of people living and working illegally in the United States.

Strong Leadership Will Deter Illegal Immigration

Not to be too smug or self-congratulatory, but what FAIR has been saying for decades about controlling illegal immigration is now being proven to be true: Dealing effectively with large-scale illegal immigration is one of the least challenging issues facing our nation.

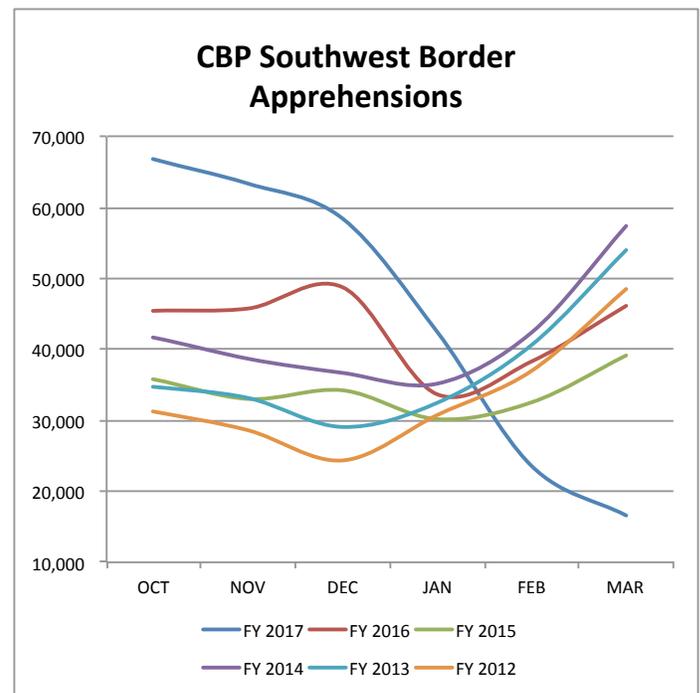
As we reported in last month's edition of the FAIR newsletter, the number of people apprehended entering the country illegally plummeted by nearly 50 percent in February, President Trump's first full month in office. The March figures indicate that February's sharp decline was not an anomaly. According to data from the Department of Homeland Security, March border apprehensions fell to fewer than 17,000, compared with nearly 70,000 apprehensions reported as recently as last October. The March apprehension numbers are the lowest they have been since 2000.

What makes this 73 percent decline in illegal border crossings since the start of the current fiscal year all the more impressive is that March is generally a month in

What the data proves is the single greatest impediment to controlling the border has always been a lack of political will on the part of our government.

which illegal border crossings spike. Weather conditions and the start of the harvest season traditionally make early spring peak season for illegal entries. Notably, the sharp drop-off in illegal immigration is occurring before construction on President Trump's promised border wall has even begun. For the most part, the decline in illegal entries is a response to the perception that the government is serious about enforcing immigration laws, resulting in would-be illegal aliens making the rational decision not to come at all.

Trump administration policies also make it clear that arriving at the border as an unaccompanied minor (UAM) or as a family unit with children will no longer be a free ticket to enter the United States. As recently as December, 16,000 families with children and more



than 7,000 UAMs showed up at the border (nearly all of whom were released into the country). In March, the numbers declined to just over 1,100 individuals in family units and about 1,000 UAMs.

These startling reductions in people entering the United States illegally belie long-standing claims that large-scale illegal immigration is an uncontrollable phenomenon. In fact, what the data proves is the single greatest impediment to controlling the border (and illegal immigration generally) has always been a lack of political will on the part of our government. Yielding to pressure from political and business interests that have benefited from mass immigration, both Democratic and Republican administrations have tolerated or encouraged large-scale illegal immigration.

To maintain the positive momentum of the first two months of the Trump administration, the president and Congress must back-up talk of better immigration enforcement with concrete action. These include tangible progress on enhanced border security, and stepped up worksite and interior enforcement. As we demonstrate the resolve to enforce immigration laws, not only will more people make rational decisions not to come here illegally, but many who are already here will make the rational choice to leave on their own.

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You've saved for a comfortable retirement and perhaps a little extra for future generations. Did you know that assets remaining in your retirement plan after you're gone are subject to taxes, meaning only a small portion of your retirement savings could be left to your loved ones?

By identifying a charity you care about, like the Federation for American Immigration Reform, as a beneficiary you could lower your tax liability for your loved ones and have an impact on the nation's immigration policies.

Your strong legacy is important and there are many ways you can support your interests and your loved ones too.

Ask your trusted tax advisor about how including FAIR as a beneficiary in your retirement plan can lessen the tax burden on your estate.

