



FAIR FEDERATION FOR AMERICAN IMMIGRATION REFORM

Immigration REPORT

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White House Offers Deal that is Short on Reform, and Long on Amnesty; Amnesty Lobby Rejects It

Coming off of the mini-government shutdown in January, in which Senate Democrats held the government of the United States hostage to their demands for an illegal alien amnesty, the Trump administration offered them a deal that would have granted amnesty to approximately 1.8 million illegal aliens. That offer, made on January 25, was summarily rejected by Minority Leader Chuck Schumer

(D-N.Y.) and the illegal alien lobby.

From the perspective of true immigration reform, the White House framework was short on enforcement and slow on ending family chain migration. It was also long on amnesty. After insisting that the White House would limit any adjustment of status to the 700,000 some DACA beneficiaries, the administration legislative framework offered amnesty to 1.8 million illegal aliens. Moreover,

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DHS Confirms What You Already Know: The Threat of Foreign Terrorism in the U.S. is Real

President Trump's March 6, 2017 Executive Order 13780, *Protecting the Nation from Foreign Terrorist Entry into the United States*, has had a slow slog through the judicial system, but one requirement of the order has been carried out in spite of the legal challenges mounted by the mass immigration lobby. The Executive Order (EO) required the Departments of Homeland Security (DHS) and Justice (DOJ) to produce an assessment of the terrorist threats posed to the nation as a result of legal and illegal immigration. Among



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the statistics DHS and DOJ were assigned to investigate were:

- Information regarding the number of foreign nationals in the United States who have been charged with and/or convicted of terrorism-related offenses while in the United States.
- Information regarding the number of foreign nationals in the United States who have been radicalized after entry into the United States.

In January, the two departments issued their findings. The report confirms that international terrorist organizations are exploiting our lax immigration enforcement policies and our dysfunctional legal immigration policies to gain access to the United States. DHS and DOJ found that between September 11, 2001 and December 31, 2016 “at least 549 individuals were convicted of international terrorism-related charges in U.S. federal courts.” Moreover, 402 of those terrorists – 73 percent – were foreign-born.



Nearly half of those convicted on international terrorism charges (254 people) were noncitizens. But even more disconcerting, 148 individuals convicted of international terrorism on U.S. soil were naturalized citizens. That means not only were they allowed into the country, they were able to navigate the entire citizenship process without being flagged as national security threats. In addition, 147 people identified as international terrorists were born in the United States – another disturbing statistic that illustrates the breakdown in the assimilation process.

The report goes on to note that “not all cases involving foreign nationals with a nexus to terrorism are suitable for criminal prosecution.” In such cases the government’s only option is to deport such people which, given our failure to properly secure our borders or to prevent people from re-entering the country fraudulently, leaves open the possibility that they may return. In testimony before Congress in January, Homeland Security Secretary Kirstjen Nielsen cautioned that the 549 convictions detailed in the DHS/DOJ report “is likely the tip of the iceberg.”

The report also covered other areas of concern that were man-

dated by the EO. These included the incidence of “gender-based violence against women, including so-called ‘honor killings,’” in the United States by foreign nationals. Again, the findings were disturbing.

- Based on 2014 data, between 23 and 27 honor killings occur each year in North America. The report cites the predominant reason for these homicides as being that the victims became “too westernized.”
- Roughly 1,500 forced marriages take place in the United States each year.
- As of 2012, the Centers for Disease Control estimate more than half a million women and girls in the United States were “at risk for undergoing female genital mutilation or its consequences.”

The data uncovered in the DHS/DOJ report are sobering. The findings point to the need to upgrade the screenings of people entering our country to prevent infiltration of terrorists. They also indicate the need to slow overall immigration to ensure that the people who settle here identify with this nation and subscribe to our core principles.

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“Gang of Six” Amnesty Bill Doesn’t Even Bother to Pretend to Include Enforcement

It used to be that every time Congress took up some legislation to grant amnesty to illegal aliens, they at least made the pretense of balancing it with “tough” enforcement measures. Whether it was the failed McCain-Kennedy bill in 2007, or the failed Gang of Eight bill in 2013, the so-called “tough enforcement provisions” were laced with deliberately placed loopholes that ensured that no enforcement would actually ever take place.

The latest amnesty bill continues this dishonesty, but in a different way. Legislation introduced in January by GOP Senators Lindsey Graham (S.C.), Jeff Flake (Ariz.), Cory Gardner (Colo.), and Democrats Dick Durbin (Ill.), Bob Menendez (N.J.), and Michael Bennet (Colo.) – dubbed the “Gang of Six” – came labeled as a fix for the 700,000 DACA beneficiaries whose protections President Trump has indicated will be terminated. In fact, it is a much broader amnesty, encompassing some 3.4 million illegal aliens believed to have entered the United States as minors. But, as the late-night TV pitchman might say, “Wait, that’s not all.” The Gang

of Six bill also includes *de facto* amnesty for all of their parents. This comes in the form of renewable three-year work permits that allow them to remain in the country until such time as their kids become eligible to sponsor them under our system of chain migration which would not be altered under the bill.

Notably absent from the Gang of Six bill is any language that even pretends to offer the American people some assurance that our immigration laws will be enforced in the future. The lone concession on enforcement is the inclusion of about \$1.6 billion for border fence planning, design, and construction, despite estimates by the Department of Homeland Security showing that construction could cost about \$21.6 billion. But even that lowball figure comes with many strings attached, any one of which would likely preclude any fencing from actually being built.

Don’t even bother looking for provisions in the bill about any other sort of enforcement, because they’re not there. There is no requirement that E-Verify be made

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the amnesty was not even contingent on fulfillment of the enforcement promises and overall reductions in immigration.

On the enforcement and reform side, the president’s proposal included \$25 billion for construction of a border fence and other technological and manpower enhancements. It also called for an end to chain migration and the visa lottery. However, some 4 million people who have already applied for admission under extended family categories would be allowed to enter, meaning that chain migration would continue for another decade or so. Visa lottery slots – about 50,000 annually – would be reallocated

to extended family members and job-based visas.

The administration’s framework was a far cry from President Trump’s initial set of conditions for a deal on DACA beneficiaries and an even farther cry from his campaign pledge to oppose amnesty and focus on reforms that benefit the American people.

Nevertheless, the framework was resoundingly rejected by the amnesty lobby and the Congressional amnesty caucus. In doing so, amnesty proponents demonstrated that they have utterly rejected any sort of enforcement. And that they are no longer even willing to pretend to support any sort of meaningful enforcement



or commonsense changes to the legal immigration process.

FAIR will update developments in future newsletters. ■

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mandatory for all employers to discourage illegal aliens from coming to the United States in search of jobs. The bill does not address sanctuary policies that protect illegal aliens – even criminal aliens – from being identified, apprehended, and removed from the United States. Nor does the bill end family chain migration which, over time, would allow the beneficiaries of the amnesty to

sponsor millions more relatives.

While the Gang of Six includes three Republican senators (one of whom has already announced he is leaving the Senate at the end of the year), it hardly represents the dominant view among GOP lawmakers. Senator Tom Cotton (R-Ark.), who is the prime sponsor of a bill to overhaul the legal immigration process, summed up the sentiment of the

Republican caucus in a succinct Tweet: “Might as well roll it straight into the trash can.” It also reflects the sentiments of the majority of Americans who have grown weary of Congress ignoring their interests while focusing on the demands of the people who violate our immigration laws. ■

“Temporary” Protected Status for Salvadorans to End...After 18 Years

It took nearly two decades, but as the calendar rolled over to 2018, the Department of Homeland Security (DHS) announced that citizens of El Salvador who were granted Temporary Protected Status (TPS) after an earthquake struck the country in 2001 would lose that status come September 2019. According to a statement released by DHS, “Based on careful consideration of available information, including recommendations received as part of an inter-agency consultation process, the Secretary determined that the original conditions caused by the 2001 earthquake no longer exist. Thus, under the applicable statute, the current TPS designation must be terminated.”

El Salvador is the latest country to be affected by the Trump administration’s efforts to curb abuses in the TPS program. These abuses have resulted in unofficial amnesties whereby hundreds of thousands of people have been permitted to live and work in the United States for years, even decades, after an unforeseen disaster struck their homelands.

In recent months, DHS has taken steps to end long-term TPS for other nations as well:

- **Sudan** — In September 2017, DHS gave notice that TPS for Sudanese will expire in November 2018. About 1,000 Sudanese have enjoyed TPS since 1997.
- **Nicaragua** — In November 2017, DHS announced that some 5,300 Nicaraguans would see their TPS protections expire in January 2019. Nicaraguans first received this protection in 1999.
- **Haiti** — Also in November 2017, DHS terminated TPS for some 59,000 Haitians. Haitians were first granted TPS in 2010 due to a devastating earthquake.

In the coming months, DHS will decide whether to maintain TPS for citizens of Syria, Nepal, Honduras, Yemen, Somalia, and South Sudan.

While each cancellation evokes howls of protest from long-term TPS beneficiaries, these are vital steps to restoring the integrity of the program and ensuring our nation’s ability to provide short-term relief to others in need. Unless the American people have reasonable assurance that their generosity will not be abused, it will be increasingly difficult to offer protections in the future. ■

NEWS FROM OUR State & Local Operations

New Jersey

In just his first few weeks in office, newly inaugurated Gov. Phil Murphy has made it clear that under his administration, New Jersey will vie for the title of the state most accommodating to illegal aliens. Among his first policy goals is creation of an Office of Immigrant Defensive Protection, a state agency charged with protecting the rights of all immigrants – legal and illegal. The proposed new executive office would likely be modeled after one right across the Hudson River where, in 2017, New York Gov. Andrew Cuomo spent \$10 million to create “the nation’s first legal defense fund to ensure all immigrants, regardless of residency status, have access to representation.” The New Jersey Office of Immigrant Defensive Protection, according to Murphy, would provide legal services to people facing immigration enforcement actions and serve as a clearing house for information. No doubt this expenditure of state funds will be a “comfort” to over-taxed citizens who have seen their services cut and their state’s bond rating plummet to the second-lowest in the nation. (Illinois, another enthusiastic sanctuary state, has the distinction of having the lowest bond rating.) Illegal aliens are also pressing the new governor to fulfill a campaign pledge to grant them driver’s licenses.

Virginia

Virginia lawmakers are considering legislation that would allow illegal aliens in that state to attend public colleges and universities at heavily subsidized in-state tuition rates. Current DACA beneficiaries already enjoy that expensive perk paid for by taxpayers, and State Senator David Marsden wants all illegal aliens in Virginia to get a first-class higher education at public expense. Senate Bill 810 would extend that benefit to all Virginia residents regardless of immigration status. Full tuition at the University of Virginia runs about \$43,000 per year. With in-state public subsidies, students pay about \$13,000. Thus, SB 810 would award illegal aliens about \$30,000 per year in tuition subsidies.

House Judiciary and Homeland Security Chairmen Offer a Real Fix for Immigration



Sometimes opportunity comes knocking in unexpected ways. The impending end of the Obama-era Deferred Action for Childhood Arrivals (DACA) program, which has provided protections to illegal aliens, also provided a unique opportunity to address long-standing concerns of the American people about illegal immigration and our dysfunctional legal immigration policies. House Judiciary Committee Chairman Bob Goodlatte (R-Va.), Homeland Security Chairman Michael McCaul (R-Texas), and Rep. Martha McSally (R-Ariz.), responded to that opportunity in January.

The three senior House members introduced S. 4760, the Securing America's Future Act, that included popular provisions that would effectively end mass illegal immigration and overhaul our legal immigration process. These are policy proposals that were the cornerstone of Donald Trump's presidential campaign, and enjoy broad public support. In exchange, S. 4760 would accede to the demands of the Democratic leadership and allow current DACA beneficiaries to maintain their status. While fixing our broken immigration system should come with no strings attached, very few things do. Congress owes the American people a workable immigration policy; it does not owe anyone who violated our immigration laws, or brought their children to this country illegally, an amnesty.

Importantly, after decades of broken promises, the bill would require that all of these public interest

Among the key provisions of the Securing America's Future Act, the American people would get:

Border Security.

The bill would provide \$30 billion to build a border fence, invest in new technology, and improve, up-date, and expand ports of entry. The additional infrastructure would be augmented by 10,000 additional Border Patrol agents and Customs and Border Protection officers. It would also mandate full implementation of the biometric entry/exit tracking system. The bill would end the catch-and-release of people apprehended at the border and crack down on asylum fraud – two commonly used tactics used to gain illicit entry to the United States.

Interior Enforcement.

Border security is absolutely essential, but it would not address the large number of people who come to the United States illegally by overstaying their visas. Ending their access to jobs and protections by sanctuary jurisdiction would. The bill requires that all U.S. employers verify the eligibility of workers using the E-Verify system. It would also penalize sanctuary jurisdictions by withholding targeted federal funds from local governments that impede immigration enforcement and refuse to cooperate with ICE detainer requests.

Legal Immigration Reform.

The bill would end our failed family chain migration policy and the even more nonsensical visa lottery and replace them with a fair, common-sense merit-based system. Legal immigrants would no longer be selected, without regard to their skills or education, based on having extended family members, or because they were lucky enough to have their names picked out of a (virtual) hat.

IMMIGRATION FIX | *CONTINUED FROM PREVIOUS PAGE*

reforms be implemented before any long-term benefits are provided to DACA recipients. As the government works to fulfill past promises to the American people, DACA beneficiaries would be granted a renewable three-year legal status that allows them to remain and work in the United States. It does not offer a pathway to citizenship.

FAIR has— and will continue to— consistently opposed any measures that grant amnesty to some or all of the illegal aliens living here. American citizens should not have to make concessions to illegal aliens in order to get their government to act in their best interest. Still, the essential elements of the bill aimed at overhauling our legal immigration

policies and enforcing laws against illegal immigration merit serious consideration. As such, FAIR will closely monitor the progress of the Securing America's Future Act as it makes its way through Congress. ■

ICE Brings Back Worksite Enforcement

After an eight-year hiatus under the Obama administration, Immigration and Customs Enforcement (ICE) has resumed its very important function of enforcing laws against companies that employ illegal aliens. In a very public and pointed action in early January, ICE carried out enforcement against 98 7-Eleven stores across the country. These “actions send a strong message to U.S. businesses that hire and employ an illegal workforce,” said ICE’s Acting Director Thomas D. Homan. “ICE will enforce the law, and if you are found to be breaking the law, you will be held accountable.”

THESE “ACTIONS SEND A STRONG MESSAGE TO U.S. BUSINESSES THAT HIRE AND EMPLOY AN ILLEGAL WORKFORCE. ...[IF] YOU ARE FOUND TO BE BREAKING THE LAW, YOU WILL BE HELD ACCOUNTABLE.”

A strong and clear message aimed at employers is a vital component of any strategy to combat rampant illegal immigration. The availability of jobs in the U.S. is the strongest attraction to illegal immigration. Drying up the supply of jobs available to illegal aliens depends on convincing scofflaw employers that the government is monitoring their actions and will take action against them if they violate the law.

ICE’s focus on worksite enforcement is also welcome news to many American workers. The actions against 7-Eleven were accompanied by an explicit warning that similar actions will be taken against employers in



other sectors of the labor market. As a result, there will be more jobs available to American workers who need them, including those that are significantly better-paying than those at 7-Eleven.

ICE’s enhanced worksite enforcement must now be backed-up by swift congressional action to mandate that all U.S. employers use the E-Verify system to ensure that the people they hire are legally entitled to hold jobs in the United States. The same technology that allows 7-Eleven to verify your credit card when you stop in to buy a Slurpee, can easily allow 7-Eleven or any other U.S. employer to verify the validity of a worker’s Social Security number and other identifying data. ■

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