The border fence extension President Trump has promised along the U.S.-Mexico border has not been built yet. The 5,000 new Border Patrol agents that Secretary of Homeland Security John Kelly has requested have not been hired yet, much less deployed to the front lines. Economic and political conditions in Mexico and Central America, the source of a three-year surge in illegal immigration, have not changed significantly either.

Senate Dems: We’ll Stop Trump’s Border Wall at all Costs, FAIR Will Fight for Funding

Senate Minority Leader Chuck Schumer (D-N.Y.) voted in favor of the Secure Fence Act in 2007 (as did then-Senators Barack Obama, Joe Biden and Hillary Clinton), apparently confident that the bill would join the long list of broken government promises to stop mass illegal immigration.

Ten years later, it now appears that the promise of controlling the southern border with help of secure fencing, technology and manpower might actually be kept, and Schumer and fellow Senate Democrats indicate that they are prepared to invoke the “nuclear option” to prevent that from happening. In one of his first acts as president, Donald Trump signed an Executive Order instructing the Department of Homeland Security to move forward with completion of the border fence. In response, Democrats are threatening to block spending bills from moving through the Senate if funding for the border fence is included, a tactic that could result in a shutdown of the federal government.

If new spending measures are not

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Trump’s Strong Commitment to Border Security Already Deterring Illegal Crossings

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The amount illegal border crossings fell during Trump’s first full month in office.
And yet, the Customs and Border Protection agency reports that the number of people crossing the border illegally is down—way down. During February, the first full month of the Trump administration, the number of people apprehended illegally crossing the border plummeted by 40 percent, from 31,578 in January to 18,762 in February. Even more notable, the 40 percent drop bucks historic norms, as illegal entry traditionally spikes in February with border apprehensions generally running 10 to 20 percent above January levels.

What did change between January and February was the administration in power in Washington and the attitude of the Trump administration toward illegal immigration. In contrast to the Obama administration, which sent clear signals that people who crossed our borders illegally would likely be processed by the Border Patrol and released into the United States pending a hearing, often years in the future, the Trump administration is sending a vastly different message. The new administration has indicated that illegal border crossers will likely be detained pending a hearing, and if they do not have a legitimate claim to enter the United States, they will be returned to their homelands.

The dramatic decline in illegal immigration in just the first month of the new administration demonstrates that controlling perception is perhaps the most important factor in controlling illegal immigration. When the United States sends the message that crossing the border without permission will result in admittance, that prohibitions on employing illegal aliens will not be enforced, and that local governments can defy federal law to offer sanctuary, people respond rationally and come in large numbers. Conversely, when we send the signal that false claims for entry will be rejected and that reasonable efforts will be made to enforce the law against those who succeed in entering illegally, prospective illegal aliens also respond rationally: Far fewer attempt to violate our laws.

FAIR has long argued that illegal immigration is a highly controllable phenomenon through the fair and consistent enforcement of our immigration laws. One of the highest priorities for the administration and for the 115th Congress must be to enact mandatory use of E-Verify for all employers. It is widely acknowledged that the availability of jobs in the U.S. is the most powerful draw for illegal immigration. By requiring that employers use a proven employment verification system and then carrying out meaningful enforcement against employers who persist in hiring illegal aliens, we have the ability to reverse decades of mass illegal immigration, which has harmed American workers and taxpayers. 

Trump Tells Congress Immigration Fixes a Priority, FAIR Steps Up Action

In his first address as president to a joint session of Congress and the nation, Donald Trump laid out his vision for immigration reform that serves the interests of the nation. The speech represented a marked departure from the positions of his recent predecessors. Instead of amnesty for illegal aliens, and greater access to foreign labor for American employers as the centerpieces of immigration reform, President Trump stressed the need to protect the economic and security interests of the American people, and an overhaul of our bloated and dysfunctional immigration policies.

The president’s address reaffirmed the promises he made throughout his campaign for the White House and which are widely credited as being key factors in his unexpected victory last November. Challenging his critics who have committed themselves to fighting his efforts to secure America’s borders and enforce immigration laws, Trump asked, “To any in Congress who do not believe we should enforce our laws, I would ask you this one question: What would you say to the American family that loses their jobs, their income, or their loved one because America refused to uphold its laws and defend its borders?”

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President Trump's question was more than rhetorical. Seated alongside First Lady Melania Trump in the House chamber were Jamie Jr. Shaw Sr., whose 17-year-old son, Jamie Jr., was gunned down by an illegal alien gang member who was allowed to remain in the country. Also in the gallery were the families of Michael Davis Jr. and Danny Oliver, two California law enforcement officers who were murdered in the line of duty by an illegal alien with multiple criminal convictions on his record.

To fulfill his commitment to the American people, the president called for specific measures to protect their interests and security. These included:

**Border Security:**

Following up the Executive Order he signed during his first week in office, the president reasserted his commitment to securing the nation's borders. "We will soon begin the construction of a great, great wall along our southern border [and] as we speak tonight, we are removing gang members, drug dealers, and criminals who threaten our communities and prey on our very innocent citizens," he said. In addition to physical barriers, Homeland Security Secretary John Kelly announced immediate plans to hire 5,000 new Border Patrol agents. The president also noted the dangers posed by international terrorist organizations, emphasizing the need to prevent them from infiltrating the United States. "We cannot allow a beachhead of terrorism to form inside America [and] we cannot allow our nation to become a sanctuary for extremists," Trump stated.

**Interior Enforcement:**

President Trump also acknowledged that we must also actively deter people from coming to the country illegally by removing incentives and demonstrating the resolve to enforce our laws. Doing so would have the additional beneficial effect of enhancing job opportunities and wages for American workers. "By finally enforcing our immigration laws, we will raise wages, help the unemployed, save billions and billions of dollars, and make our communities safer for everyone," Trump declared. "We want all Americans to succeed, but that can’t happen in an environment of lawless chaos. We must restore integrity and the rule of law at our borders." To this end, Secretary Kelly announced plans to hire 10,000 new Immigration and Customs Enforcement officers to carry out interior enforcement operations.

**Legal Immigration Reform:**

Perhaps most significantly, the president acknowledged the failure of our legal immigration system to serve any identifiable public interests. In his address, he urged that the current family chain migration policy be scrapped and replaced with a merit-based system. "The current, outdated legal immigration system depresses wages for our poorest workers, and puts great pressure on taxpayers," he noted, calling upon Congress to adopt policies similar to those of Canada and Australia, which give preference to people with desired skills. FAIR supports S. 354, legislation introduced in February by Senators Tom Cotton (R-Ark.) and David Perdue (R-Ga.) that would end family chain migration and reduce immigration levels to historical norms. Each of the president’s immigration proposals will face stiff challenges from entrenched interests that seek to preserve the status quo. Despite Republican control of both houses of Congress and the White House, bringing these and other common sense immigration reforms to fruition will require active involvement from the American public. In the coming months, FAIR will dedicate its efforts to keeping the American people informed and prepared to make their voices heard in order to capitalize on this historic opportunity to carry out true immigration reform.

**Missouri**

The Show Me State is one step closer to becoming the Show-Me-You’re-Legally-Eligible-to-Work State. In early March, the Missouri Special Committee on Employment Security passed House Bill 264 to require all employers in Missouri to use E-Verify to verify that new employees are authorized to work in the United States. The bill is sponsored by Rep. Rick Brattin. Current Missouri law only requires employers that contract with the state or receive tax breaks or other state grants to use E-Verify. In addition to expanding the E-Verify use to all employers, HB 264 would also increase the penalties for employers who knowingly hire unauthorized workers. The full House of Representatives must vote for HB 264 before it can be sent to the Senate for consideration. If passed by the General Assembly, Governor Eric Greitens must sign the bill before it can become law.

**Mississippi**

A Mississippi bill that would prohibit all localities and state agencies, including the state’s public universities and colleges, from adopting or implementing any policy that limits or prohibits communication or cooperation with federal agencies or officials regarding illegal aliens appears to be headed toward final passage. Senate Bill 2710, sponsored by Sen. Sean Tindell, was approved by the Senate in February by a vote of 32-16. A slightly amended version cleared the House in March by 76-41 margin. The amended House version must be approved by the Senate before it can be sent to the governor for his signature. Gov. Phil Bryant is expected to sign it.

**Washington**

The State of Washington and, in particular, the city of Seattle could face significant loss of federal dollars under an Executive Order signed by President Trump that denies certain federal funds and grants to sanctuary jurisdictions. Paraphrasing the old Camel cigarettes ad, Seattle would “rather light than switch,” or more accurately, would rather tax than switch its policies that offer blanket sanctuary to illegal aliens. A coalition of 38 groups is organizing a campaign to “Trump-proof Seattle.” In a letter addressed to Mayor Ed Murray and the City Council, the coalition explains, “[W]e...know that we must prepare against threats of lost federal funding, as we rightly and proudly affirm Seattle’s commitment to being a sanctuary city.” To offset the potential loss of federal funds, the “Trump-proof Seattle” coalition seeks to raise $100 million a year by imposing a 2.5 percent tax on unearned income of households with adjusted gross incomes of more than $250,000 a year.
In the interest of implementing policies that are designed to prevent admission of terrorists to the United States, the Trump administration opted to revise an Executive Order temporarily halting the entry of citizens from countries known to sponsor or harbor terrorism. The revised Executive Order issued on March 6, replaces one that President Trump signed on January 25. A federal judge in Seattle issued a Temporary Restraining Order (TRO) blocking the administration from implementing the president’s January 25 directive. A three-judge panel of the Ninth Circuit Court of Appeals upheld the lower court’s TRO.

The new Executive Order applies to citizens of six nations: Iran, Libya, Somalia, Sudan, Syria and Yemen for 90 days and was supposed to begin on March 16. The revised order removes Iraq from the list of nations affected by the temporary halt in admissions. It also suspends the resettlement of refugees for 120 days and eliminates the indefinite suspension of resettlement of refugees from Syria. The Executive Order was immediately characterized by open borders advocates as a “Muslim ban.” It most definitely was not. The vast majority of the world’s 1.5 billion Muslims would not have been affected by the temporary halt in admissions. It also suspends the resettlement of refugees for 120 days and eliminates the indefinite suspension of resettlement of refugees from Syria. The Federal Judge in Seattle issued a TRO in a suit brought by the state of Hawaii and the Muslim Association of Hawaii. The Trump administration immediately vowed to appeal Judge Watson’s ruling. (As of the deadline for this edition of the FAIR newsletter, no action had been taken.)

FAIR’s legal experts believe that the president acted within his authority in issuing both the January and the March orders and that the administration will ultimately prevail on the merits on appeal. In addition, FAIR and the Immigration Reform Law Institute believe that the march orders and that the administration will ultimately prevail on the merits on appeal. In addition, FAIR and the Immigration Reform Law Institute believe that the plaintiffs’ legal standing to bring the suit were highly questionable, which should have led the courts to dismiss the claims. Unfortunately, as a protracted legal battle plays out, the nation remains vulnerable to terrorists who might seek to exploit the weaknesses in our vetting process.

In addition to the plaintiffs’ lack of standing, the Constitution gives the president broad authority in the areas of national security and in determining who may seek to exploit the weaknesses in our vetting process. The databases can include U.S. passport and visa information, fraudulent or stolen Social Security numbers, and has mandated the use of E-Verify are faring better economically than states that do not require its use.

E-Verify is a system that allows employers to electronically authenticate the legal work eligibility of prospective applicants. First created by Congress in 1996, the optional program has a 99.7 percent accuracy rate in flagging fraudulent or stolen Social Security numbers, and has been adopted as mandatory by a number of states. The study examines 15 states that have created or expanded E-Verify laws since 2009, and found that almost all of the states experienced a drop in unemployment rates as a result. Perhaps more impressively, 12 out of the 15 states that passed new E-Verify measures experienced a drop in unemployment greater than the national average.

FAIR’s researchers used the U-6 unemployment data—which includes job seekers who have stopped searching for employment altogether or have settled on part time work—as the benchmark representation for those who are genuinely unemployed. These findings should come as no surprise. As more jobs are made unavailable to illegal aliens when employers are required to check their work eligibility through a federal database, American workers move in to fill them, often at higher wages. E-Verify also creates a level playing field for all employers, preventing unscrupulous employers from undercutting honest competitors by hiring low-wage illegal aliens. It also makes it easier to identify and prosecute those employers who rely on illegal workers hired off-the-books and paid in cash.

E-Verify electronically compares information from an employee’s I-9 Form against millions of Social Security Administration and Department of Homeland Security files. The databases can include U.S. passport and visa information, immigration and naturalization documents, Social Security numbers, driver’s licenses and other state-issued IDs, and sometimes official photos.

- 98.92% of employees are automatically confirmed as authorized to work either instantly or within 24 hours.
- Of the remaining 1.08% who receive initial system mismatches, 0.92% are correctly flagged as work unauthorized. Only a fraction of employees, 0.16%, are later confirmed eligible after contesting and having their mismatch status reviewed.
- E-Verify is free and is one of the federal government’s highest-rated services for customer satisfaction.
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Become a Cornerstone Contributor today.
By joining this special group of supporters, a group that is the building blocks of FAIR’s citizen-supported foundation, you are playing an essential role in our fight to end illegal immigration and promote responsible immigration levels.

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Simply complete the adjacent donation form and check the box indicating you would like to become a Cornerstone Contributor.

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