



FAIR FEDERATION FOR AMERICAN IMMIGRATION REFORM

Immigration

REPORT

SEPTEMBER 2013

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Republican House Leaders Eye Possible Amnesty for Illegal Aliens Under 30

Despite Warnings by USCIS Union

Before departing Washington for the August recess, Republican leaders in the House began floating the idea of introducing their own version of the DREAM Act in the fall. Majority Leader Eric Cantor (R-Va.) is expected to take the lead in promoting a Republican bill to grant amnesty to millions of younger illegal aliens who entered, or who claim to have entered, the country as minors.

The motivation for this Republican-led amnesty effort is not quite clear. One possibility is that House GOP leaders naïvely believe that enacting an amnesty for younger illegal

aliens would appease the amnesty lobby without overly upsetting their core constituency. The other is that Cantor and Speaker John Boehner (R-Ohio) are seeking a legislative vehicle to get them to a conference committee with the Senate where they can negotiate a broader amnesty package behind closed doors.

Political observers have noted that Boehner and Cantor deliberately delayed introduction of such a bill, tentatively dubbed The KIDS Act, until after the August recess in order to avoid blowback from constituents at members' town hall meetings.

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FAIR Shatters U.S. Labor Shortage Myth

The notion that we have a labor shortage—while more than 20 million American workers are unemployed or underemployed—is patently absurd. Nevertheless, alarm about a looming labor shortage remains one of the key arguments used to promote

amnesty for illegal aliens and large increases in new immigration to the United States.

One of the chief purveyors of the labor shortage myth is Paul Ryan, the 2012 Republican vice presidential candidate and Wisconsin Representative.

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Administration Dismantling U.S. Asylum Laws, ICE Union Warns

It is well-documented that the Obama administration has dismantled U.S. immigration enforcement. In recent months, the union representing Immigration and Customs Enforcement officers testified before Congress that the agency is being forced to release illegal aliens who merely claim that they are eligible for de facto amnesty under the Deferred Action for Childhood Arrivals program.

In June, the Department of Homeland Security opened yet another avenue for inadmissible aliens to enter the U.S. and for those admitted temporarily to stay permanently: Political asylum. Via their website, DHS published guidelines that coach ineligible immigrants who show up at border crossings on how to claim a “credible fear” of persecution or torture. And those who are in the United States temporarily are instructed to make the claim within one year.

Christopher Bentley, a spokesman for the U.S. Citizenship and Immigration Services agency, admits that gaining entry to the U.S. with an asylum claim, however specious, is relatively easy. “The legal threshold for ‘credible

fear’ is broad and low to ensure individuals who may face a significant possibility of persecution have the opportunity to have their case heard before an immigration judge,” Bentley said.

For Mexican nationals, this “credible fear” could include fear of the drug cartels that operate openly in Mexico, even though our refugee and asylum laws are intended to protect people from political persecution at the hands of their governments.

Recently, immigration authorities have reported a significant increase in the number of people—particularly Mexican nationals—requesting political asylum at the border.

In August, the administration further demonstrated its disregard

for our humanitarian asylum policies by allowing nine Mexican illegal aliens to reenter the United States under asylum claims. The “DREAM Nine,” as they called themselves, was composed of illegal aliens who were previously deported and some who voluntarily left the U.S. for the express purpose of challenging U.S. immigration laws upon their return. All nine were eventually allowed to reenter the country by claiming asylum.

Since the readmission of the nine Mexican nationals, what was once an increase in asylum claims has now become a surge. On a single day in August, about 200 asylum seekers arrived at the Southern California Otay Mesa Port of Entry, joining some 550 others there and at the nearby San Ysidro border sta-

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OVERWHELMED BORDER AUTHORITIES ARE RENTING LOCAL HOTEL ROOMS TO ACCOMMODATE THE HUGE INFLUX OF MEXICAN NATIONALS SEEKING “ASYLUM.”



Immigration REPORT

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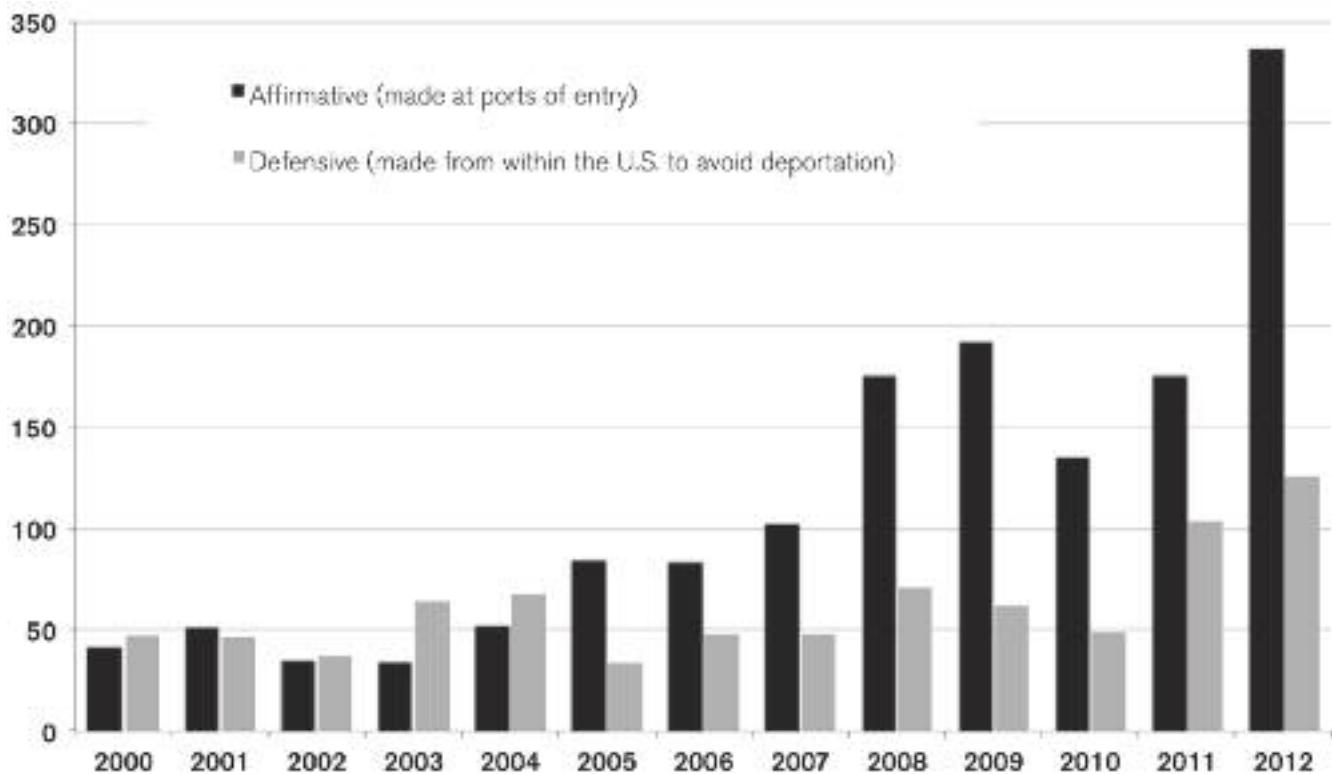
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Asylum Granted to Mexican Nationals



McCain: Enforcement Promises Are Worthless

After the supposed one-and-only illegal alien amnesty was enacted in 1986, it took most Americans a decade or more to realize that none of the enforcement promises made would ever be carried out. If Congress approves a measure in 2013 similar to the Immigration Reform and Control Act of 1986, the American people won't have to wait long to see that new enforcement promises will not be kept either.

Sen. John McCain (R-Ariz.), a key member of the Gang of Eight,

didn't wait for the House to act before indicating that the so-called "border surge"—the centerpiece of S. 744's enforcement promises—may not even make it to the president's desk. At a forum hosted by the AFL-CIO, McCain said that the manpower and equipment resources added to the bill as part of the Corker-Hoeven amendment could be stripped from the legislation during a conference committee with House leaders.

He also reaffirmed that the amnesty provisions of the legi-

slation are a "fundamental element" of any final bill, but that other provisions, including the border security elements, "could be adjusted." He frankly admitted that the additional border security promises included in the Corker-Hoeven amendment were added to the bill at the last minute in order to provide political cover for other senators to vote for the controversial amnesty and immigration expansion provision.

Even the amendment's authors, Republican Senators Bob Corker of

Big Money Increases Its Squeeze on House to Pass Amnesty, Expand Immigration

House Republicans departed Washington to spend the August recess in their home districts, but not before receiving a reminder from corporate lobbyists that, despite whatever objections they might hear from their constituents, amnesty and massive increases in immigration remain at the top of the business lobby's agenda.

In a July 30th letter, the Republican donors repeat the illogical Marco Rubio/Paul Ryan argument that by not enacting a formal amnesty, we are in essence granting amnesty to millions of illegal aliens. "Doing nothing is



de facto amnesty," state the approximately one hundred Republican donors.

The letter is just one facet of the full court press being applied by business to pry open the doors to even greater flows of foreign labor. Facebook founder Mark Zuckerberg—who saw his personal fortune increase by more than \$3 billion in a single day in July—has committed as much as \$50 million to FWD.us, a high tech, corporate-funded effort to pressure Congress to approve amnesty and increased immigration.

While corporate interests have long supported legislation that would allow them unfettered access to cheap foreign labor, the amount of money they are committing to the effort in 2013 is unprecedented. In the wake of his lead role in gaining passage of the Senate Gang of Eight amnesty bill, Sen. Marco Rubio (R-Fla.) saw his standing as a potential 2016 Republican presidential contender plummet among likely voters, while his campaign coffers ballooned by \$3 million thanks to the largesse of big donors.

As we head into the crucial fall months, it is likely that the lavishly financed lobbying effort to influence the House will only intensify. While FAIR and other like-minded organizations cannot possibly match the spending of the business lobby, we will continue to rely on the organized and clear opposition of the American people to the business lobby's efforts to further undermine American workers through immigration policy.

We urge FAIR members and supporters to visit our website to receive the latest information and to learn what you can do to offset the huge corporate money behind amnesty and mass immigration.

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AND ALERTS AT WWW.FAIRUS.ORG.**

Amnesty Advocates' "Plan B": Amnesty by Executive Order

Ever since the Obama administration launched its un-legislated backdoor amnesty program for illegal aliens who might have qualified for the DREAM Act, FAIR has warned that the administration might be emboldened to grant a similar de facto amnesty to millions more illegal aliens. Long before the Deferred Action for Childhood Arrivals amnesty was rolled out, the Department of Homeland Security drew up contingency plans to allow illegal aliens to remain in the U.S. without an act of Congress by simply ignoring them.

In the event that the administration and amnesty supporters cannot convince the House of Representatives to pass amnesty legislation, there are efforts underway to pressure the administration to grant deferred action and work authorization to all illegal aliens who are not deemed "high priority" for removal. Already the administration has scaled back enforcement action against most illegal aliens under the pretense of concentrating limited

resources on removing criminal aliens and others who might pose a threat to public safety or security. Granting them deferred action and permission to work, therefore, would not be a huge stretch for this administration.

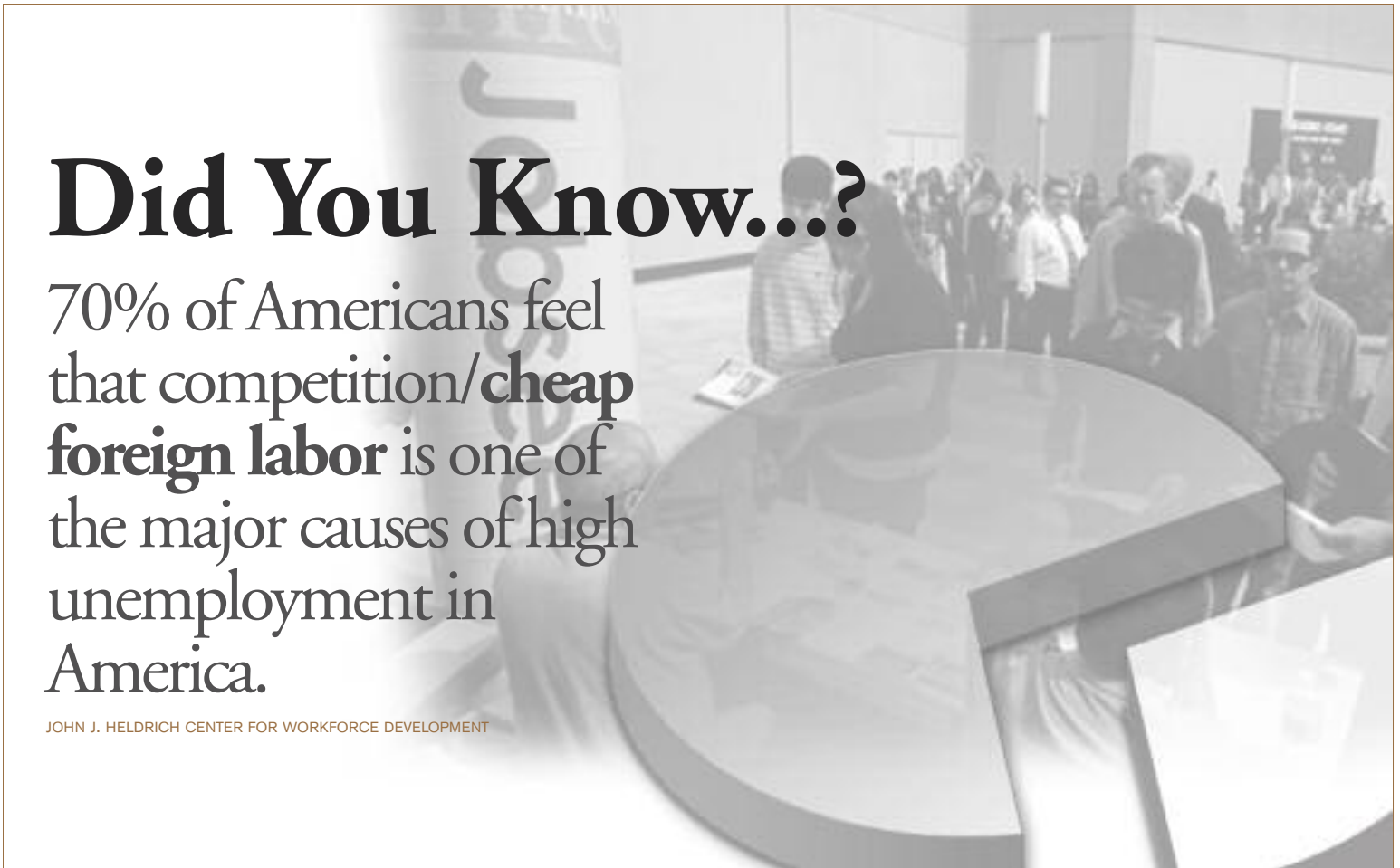
In declaring what amounted to a de facto amnesty for illegal aliens under the age of 30, the administration claimed falsely that Congress's failure to act on the DREAM Act necessitated the implementation of the DACA. Of course, Congress did act. It defeated the DREAM Act in December 2010, as it is constitutionally entitled to do.

Supporters of amnesty are building the case that the refusal of the House of Representatives to follow the Senate's lead and pass broad amnesty legislation would provide the administration with the political cover it needs to act on its own to provide quasi-legal status to virtually all illegal aliens in the U.S.

Did You Know...?

70% of Americans feel that competition/**cheap foreign labor** is one of the major causes of high unemployment in America.

JOHN J. HELDRICH CENTER FOR WORKFORCE DEVELOPMENT



Reid and Schumer Urging House Leadership to Conference Committee

Senate Majority Leader Harry Reid (D-Nev.) and his chief lieutenant on immigration, Chuck Schumer (D-N.Y.), have suddenly changed their tune on immigration legislation emanating from the House. After months of insisting that the House follow their lead and enact a “comprehensive” immigration bill (read: amnesty, increased immigration and promises of future enforcement), Reid and Schumer are now urging the House leadership to just pass a bill—any bill.

The motive behind the Senate Democratic leadership’s about-face is obvious: Their sole objective at this point is to get to a conference committee with the House leadership, and any bill will do. Reid, Schumer and other Senate proponents of amnesty are confident that once they get behind closed doors with Speaker John Boehner (R-Ohio), House Majority Leader Eric Cantor (R-Va.) and Paul Ryan (R-Wis.) they will be able to negotiate a final bill that includes almost all of what they have been asking for in terms of amnesty for illegal aliens and future immigration increases.

In an interview with a Las Vegas radio station, Reid stated bluntly, “If we go to conference, we would win,” meaning that the Republican negotiators from the House would likely accept most of what is in the Gang of Eight bill. While the House may take up some enforcement-only immigration legislation this fall, even these seemingly positive reforms may be hijacked by the House leadership to produce a broad amnesty and immigration expansion bill in conference.

HOUSE CONSIDERING DREAM-LIKE AMNESTY *continued*

Even before a bill was introduced, the idea of a repackaged and relabeled DREAM Act drew fire from the National Citizenship and Immigration Services Council, the union representing 12,000 U.S. Citizenship and Immigration Services employees. In a strongly worded letter to top House Republicans, including Boehner, Cantor, Paul Ryan (R-Wis.) and Immigration Subcommittee Chairman Trey Gowdy (R-S.C.), the union expressed concern for potential national security issues and the likelihood that the Obama administration would simply “eviscerate any attempted limitations” of such an amnesty.

Union President Kenneth Palinkas warned that USCIS personnel lack the resources to carry out the agency’s regular duties and protect the interests and security of the American people, while simultaneously implementing the sort of amnesty envisioned by Republican leaders. Palinkas noted the agency is approving more than 99 percent of applications for President Obama’s Deferred Action for Childhood Arrivals program, and that a legislated amnesty would likely result in similar rubber-stamping of approvals—only on a larger scale.

The union also took aim at the Obama administration’s extensive record of refusing to enforce immigration laws and issuing its own policy directives. “As you know, the Obama administration has already bypassed Congress to implement a version of the proposal you are now considering,” wrote Palinkas. The union chief went on to caution that the administration would simply use the legislation to implement a much broader amnesty without regard to the limitations set forth in the bill.

Equally important, such a bill passed by the House would allow Boehner, Cantor and Ryan—all of whom are supportive of amnesty—to bypass strong opposition from the caucus of House Republicans in order to negotiate with Senate leaders for a more extensive amnesty and the increase in immigration demanded by business interest.

FAIR HAS VIGOROUSLY OPPOSED THE DREAM ACT SINCE IT WAS FIRST INTRODUCED IN 2000, AND WILL OPPOSE THE KIDS ACT IF INTRODUCED. WHILE SOME OF THE BENEFICIARIES OF THE PROPOSED AMNESTY ARE NOT RESPONSIBLE FOR HAVING BROKEN THE LAW, SUCH AMNESTIES REWARD THE CULPABLE PARENTS **THROUGH** THEIR CHILDREN. GRANTING SUCH AN AMNESTY WOULD INEVITABLY LEAD TO MORE PARENTS BRINGING OR SENDING THEIR CHILDREN TO THE U.S. ILLEGALLY IN THE EXPECTATION THAT THEIR “BLAMELESS” CHILDREN WILL EVENTUALLY GET AMNESTY.

LABOR SHORTAGE? *continued*

OUR AD CHALLENGING PAUL RYAN'S ARGUMENTS IN FAVOR OF AMNESTY AND INCREASED IMMIGRATION CAN BE VIEWED AT FAIRCHANCEATJOBS.COM.

Ryan has stated that he expects the House to take up an immigration bill in October, and in response, FAIR launched television and radio ads challenging his assertion of a labor shortage in the United States generally, or in his own Wisconsin congressional district.

The ads airing in Wisconsin are part of a national ad campaign to defend American workers against efforts by employers to flood U.S. labor markets with lower wage foreign workers. The campaign is proving effective. We clearly touched a nerve with the amnesty and cheap labor lobby. Almost immediately after the ads hit the air on August 5, FWD.us, the high tech immigration lobbying group founded by Facebook's Mark Zuckerberg, announced its own large media buy to defend Ryan in his Wisconsin home base.

POLITICAL ASYLUM *continued*

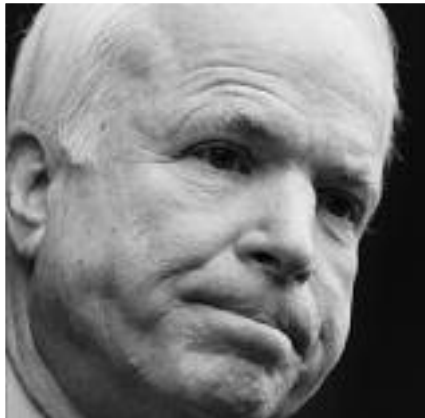
tion. In response, the overwhelmed border authorities began renting local hotel rooms for the asylum seekers until they could be processed.

These asylum seekers are merely opportunists seeking an easier way to get into the United States. And, like the so-called DREAM Nine, most of them will be released pending a formal hearing on their asylum claims. Based on extensive precedent, few if any are likely to appear for those hearings, and will end up joining the millions of other illegal aliens against whom the Obama administration refuses to enforce the law.

The administration's non-enforcement policy is not only allowing illegal aliens to walk right through the front door, but is also posing a significant risk to our national security. Failing to detain asylum claimants until a decision is made on the validity of their claims is, in essence, inviting criminals and terrorists to take advantage of the open door policy.

ENFORCEMENT PROMISES *continued*

Tennessee and John Hoeven of North Dakota, seemed unperturbed by McCain's admission. The senators, whose amendment is credited with gaining the 60 votes necessary to bring the Gang of Eight bill to a vote in the Senate, indicated that they would not object to dramatic changes to the enforcement provisions by a conference committee.



AT A FORUM HOSTED BY THE AFL-CIO, GANG OF EIGHT MEMBER JOHN MCCAIN (R-ARIZ.) ADMITTED THAT THE BORDER SECURITY PROMISES INCLUDED IN THE CORKER-HOEVEN AMENDMENT WERE ADDED TO PROVIDE POLITICAL COVER FOR OTHER SENATORS TO VOTE FOR THE CONTROVERSIAL AMNESTY AND IMMIGRATION EXPANSION BILL.

From the beginning of the process in the Senate, FAIR warned that the outcome of the Gang of Eight bill would be amnesty for illegal aliens and more immigration, while enforcement would, again, fall by the wayside. Even with the inclusion of Corker-Hoeven, the Gang of Eight bill still grants amnesty and immigration increases without any assurance of improvements in immigration enforcement. After McCain's admission before the AFL-CIO, it is even more certain that no meaningful improvements in immigration enforcement would result from his legislation.

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invited to
join.*



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The name Seventh Generation Legacy Society is taken from the great law of the Iroquois Confederacy: "In our every deliberation, we must consider the impact of our decision on the next seven generations."

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