



FAIR FEDERATION FOR AMERICAN IMMIGRATION REFORM

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25 MASSACHUSETTS AVENUE, NW
SUITE 330
WASHINGTON, DC 20001
(202) 328 7004
INFO@FAIRUS.ORG

VISIT US ON THE WEB AT
WWW.FAIRUS.ORG

FAIR Broadcasts to Millions from the Capital

42 Radio Talk Hosts from Across the Nation Converge on Washington

For the ninth consecutive year, FAIR organized and hosted a national forum for discussing immigration policy with the American public over the nation's radio airwaves. Hold Their Feet to the Fire 2015, which took place on April 15 and 16, featured 42 local and national talk radio hosts who interviewed dozens of members of Congress, immigration policy experts, law enforcement officials, and ordinary Americans whose lives have been impacted by failed immigration policies.

Broadcasting from the Phoenix Park Hotel on Capitol Hill, the over-the-air forum provided an opportunity to inject a perspective on immigra-

tion policy that is almost never heard on Capitol Hill: that of the American people. This year's event came against the backdrop of President Obama's aggressive actions to impose a broad illegal alien amnesty through executive fiat, and the Republican-led Congress's failure to defund the president's actions, despite their repeated assertions that they violate the Constitution.

Hold Their Feet to the Fire represents the keystone of FAIR's strong relationship with the talk radio industry. In the past, that association has led to robust public involvement that resulted in the defeat of President George W. Bush's push for amnesty in 2007, the

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Oops, ICE Released More than 30,000 Criminal Aliens in 2014

While the Obama administration has been busy not enforcing immigration laws against non-criminal illegal aliens, or even those it deems to have committed "minor" crimes, it has been touting its record of prioritizing the removal of aliens who pose a significant danger to the country. How-



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30,000 CRIMINAL ALIENS RELEASED *continued*

ever, like a lot of other administration enforcement claims, this one too turns out to be less than advertised.

According to data released by the House Judiciary Committee in mid-April, Immigration and Customs Enforcement (ICE) released 30,558 criminal aliens back into the U.S. in 2014. Collectively, these deportable aliens had 79,059 criminal convictions on their records. Many of these convictions were for serious crimes, including 86 homicide convictions; 186 kidnapping convictions; 373 sexual assault convictions; 449 commercialized sexual offenses; 1,194 battery convictions; and 1,346 domestic violence convictions. Adding to the risk to public safety, those released accounted for 13,636 DUI convictions. Only about 8 percent of the criminals released by ICE were set free because of a 2001 Supreme Court decision requiring the government to release aliens whose home countries refuse to accept them back.

Chairman Bob Goodlatte (R-Va.) pointed out that ICE released these criminal aliens even as ICE apprehensions have dropped 40 percent since

this time last year. Since the Obama administration came to office, the number of criminal aliens removed from the interior of the country has fallen by more than half. Goodlatte charged that the significant threat to public safety resulting from the release of more than 30,000 criminal aliens last year is a direct result of ICE's new enforcement priorities that shrink "the universe of criminal" aliens ICE

"sanctuary policies" by state and local governments. About 200 jurisdictions refuse to honor ICE detainers. As a result, 12,000 such requests were denied in 2014 and 3,000 so far in 2015. Both Goodlatte and Rep. Lamar Smith (R-Texas) took sharp exception to Saldaña's explanation, pointing out that the administration, in Smith's words, has done nothing to "force local communities to follow the

The release of more than 30,000 criminal aliens last year is a direct result of ICE's new enforcement priorities that shrink "the universe of criminal" aliens ICE can remove.

can remove, the end of Secure Communities, and ICE's decision to limit the use of detainers and not defend its detainer authority.

ICE director Sarah Saldaña sought to blame the courts for ICE's failure to prevent criminal aliens from being released onto the street as a result of

law," adding that the administration had "never filed any lawsuit against any entity" or "done anything" to enforce Secure Communities. In fact, in a policy memo issued by Secretary Jeh Johnson, DHS all but abolished Secure Communities.

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25 Massachusetts Avenue NW, Suite 330, Washington, DC 20001
(202) 328-7004 • info@fairus.org • www.fairus.org

Reignited Illegal Alien Minor Border Crisis

The border surge of FY 2014, which saw the apprehension of Unaccompanied Minors (UAMs) skyrocket to more than 68,000, and a similar number of apprehensions of "family units," was explained away as an anomaly owing to violence and poverty in Central America by Obama administration officials. Those claims were belied by the fact that violence and poverty in the region had not significantly changed from FY 2011, when just 6,560 UAMs were apprehended at the border.

Rather than "push factors" driving the surge, the evidence clearly points to powerful "pull factors," namely administration policies that result in illegal aliens being allowed to remain in the U.S. indefinitely. Department of Homeland Security (DHS) data through the first five months of FY 2015 reveal that a sec-

CONTINUED ON PAGE 3

BORDER SURGE *continued*

ond surge of Central American illegal aliens is in full swing. During that period, the Border Patrol reported the apprehension of some 12,000 UAMs and an additional 10,000 aliens traveling in family units. (The figures do not include an unknown number of illegal aliens who are not apprehended at the border.) Moreover, the largest group of “children” who are apprehended as they enter the U.S. are 17-year-olds – mostly boys. Since these migrants are “undocumented” in the most literal sense of the term, it is impossible to verify claims that they are in fact minors.

Only about one in six minors apprehended by the Border Patrol has been returned to their home countries, reinforcing the perception that those who make it to the border will ultimately be released into the United States. The vast majority of UAMs who are released from custody are given hearing dates between three and five years into the future.

While the FY 2015 numbers are less than the record pace of UAMs apprehended in 2014, administration officials concede that the surge is far from over. At a hearing before the Senate Homeland Security and Governmental Affairs Committee in late March, former State Department official Roger Noriega conceded that while the 2015 apprehensions are 42 percent lower than 2014, to date, they are still 12 times greater than in 2011, and 2015 is on pace to record the second highest influx of UAMs.

According to Noriega, the migration surge is being driven by the reality that most UAMs and family units are being allowed to remain in the U.S., and that by the time their hearing dates roll around “there is going to be an amnesty or a legalization.” A second official, Adolfo Franco, a former Assistant Administrator for Latin America and the Caribbean the U.S. Agency for International Development, added that Central Americans now have “a sense that the law in the U.S. has changed” and that it is now easier to get a “work permit and a Social Security number.”

It is worth remembering that the 2015 data include only those apprehended as of February 28, and the bulk of the 2014 surge occurred in the late spring and early summer months. ■

Obama Administration to Fly Central American Illegal Aliens to the U.S.

One possible explanation for why the FY 2015 border surge is running behind the pace of last year is a new program by the U.S. Citizenship and Immigration Services (USCIS) agency and the Department of State, known as the Central American Minors (CAM) Refugee/Parole Program. According to a USCIS release, “The program provides certain children in El Salvador, Guatemala, and Honduras with a safe, legal, and orderly alternative to the dangerous journey that some children are undertaking to the United States.”

The CAM program began accepting applications from “qualified parents” residing in the U.S. on December 1, 2014. Qualified parents include those having temporary or permanent residency, parolee status, or are under the protection of a Deferred Action program, i.e. those covered by President Obama’s executive amnesty programs. According to USCIS, “Each qualified child must be unmarried, under the age of 21, and residing in El Salvador, Guatemala or Honduras. In certain cases, the in-country parent of the qualifying child may also qualify for access if the in-country parent is the legal spouse of the qualifying parent in the U.S.”

Those eligible for the CAM program may be admitted as refugees or as parolees, both of which allow beneficiaries to remain in the U.S. permanently. Admission as a refugee comes with significant public benefits. “If you are approved as a refugee, you will receive a medical exam, a cultural orientation, help with your travel plans, and a loan for your travel to the United States. After you arrive, you will be eligible for medical and cash assistance,” states the USCIS website.

Applicants for refugee status will be required to demonstrate a well-founded fear of persecution at the hands of their governments based on a variety of defined criteria, according to USCIS. However, none of those criteria include poverty or a generalized violence – the most frequent Obama administration explanation for the surge of Central American migration. Moreover, according to the agency, parole status is intended as a very limited discretionary authority that “allows individuals who may be otherwise inadmissible to come to the U.S., on a case-by-case basis, for urgent humanitarian reasons, or significant public interest.” However, these well-defined limits have rarely prevented the administration from exercising broad discretionary authority to admit people who do not meet these criteria. ■

HOLD THEIR FEET TO THE FIRE *continued*

defeat of the DREAM Act in 2010, and the decision by Speaker John Boehner (R-Ohio) not to bring the Senate Gang of Eight amnesty bill before the House in 2014.

While the president's executive amnesty programs announced last November remain on hold due to an injunction issued by Federal District Judge Andrew Hanen in February, the event was clearly aimed at forcing Congress, now under full Republican control, act decisively to permanently block Obama's amnesties from being implemented. A repeated theme by the talk hosts and their guests throughout the two-day event was that Congress will likely get another opportunity to defund the president's amnesty programs in the FY 2016 budget, FY 2016 begins on October 1.

Dozens of House and Senate members made their way over to the Phoenix Park to reassure American listeners that, in spite of the leadership's failure to take decisive action against the president's amnesty policies, there are those in Congress who continue to fight. These members urged citizens to maintain pressure on House and Senate leaders to uphold their constitutional responsibilities and act in the interests of the American people.

Hold Their Feet to the Fire 2015 included a strong presence by sheriffs, elected

law enforcement officials from across the country, who came to Washington to discuss the impact of the Obama administration's policies on public safety in their communities. Among those who attended this year was Scott Jones, sheriff of Sacramento County, Calif., who saw one of his deputies gunned down in cold blood last year by a criminal illegal alien who was able to return to the country illegally and establish a new identity after having been deported.

Others had even more personal stories to tell. Ranchers whose properties span the border regions of Texas and Arizona discussed the daily dangers they experience as a result of the administration's refusal to effectively deter illegal immigration and enforce many immigration laws. Another guest at the event, Jamiel Shaw Sr. shared his own story about his 17-year-old son Jamiel Jr., who was brutally murdered in front of his Los Angeles home by an illegal alien gang member who had been released from county jail less than 24 hours earlier.

At a time when the leadership of both major parties and the mainstream media have largely forgotten that the primary stakeholders in U.S. immigration policy are the American people, the strength of talk radio and social media continue to provide vital information in the ongoing effort for true immigration reform.







Across the Country

CALIFORNIA

After granting illegal aliens driver's licenses, professional licenses, in-state tuition benefits, protection from ICE detainer request to name just a few, one might think that there is nothing more California could possibly do to benefit or protect illegal aliens. Think again. Legislators, including the leaders of the State Senate and Assembly, have a package of ten bills offering still more benefits that they hope to enact this year. The crown jewel of the ten-bill package is SB 4, which would provide taxpayer subsidized health care coverage to the state's estimated 3 million illegal aliens. The bill, introduced by Sen. Ricardo Lara, would seek federal waivers in order to allow California to circumvent the provisions of the Affordable Care Act (known as Obamacare) barring illegal aliens from enrolling in the state health care exchange. If the federal government does not agree to grant waivers in mass to California's illegal aliens by 2017, SB 4 would instead create a new exchange solely for illegal aliens. By funding the new exchange with state money and surcharges on qualified plans, SB 4 would avoid the federal law's prohibition. SB 4 would also extend Medi-Cal benefits to illegal aliens, currently prohibited because it is partially funded by federal money, by using only California taxpayer money to pay for it. A 2014 version of the bill stalled when the Senate Appropriations Committee estimated that it would carry a \$1.3 billion a year price tag, even if only 40 percent of eligible illegal aliens participated.

TEXAS

The Senate Veteran Affairs and Military Installations Committee, by a 4-3 vote, approved a bill that would repeal in-state tuition benefits for illegal aliens attending public colleges and universities. SB 1819, sponsored by Sen. Donna Campbell (R-New Braunfels), now moves to the full Senate. It would also have to be approved by the State House, where it is opposed by Speaker Joe Straus (R-San Antonio), before heading to Gov. Greg Abbott's desk. While Texas has been extending in-state tuition subsidies to illegal aliens, the state has slashed funding for higher education by 23 percent between 2008 and 2013, while hiking tuitions and reducing class offerings for other students. Final action must come before the State Legislature adjourns in late spring.

GEORGIA

The Georgia Senate rejected a provision that would have barred illegal aliens who are granted deferred action under President Obama's executive amnesty programs from obtaining Georgia driver's licenses. The effort to bar deferred action beneficiaries from getting licenses was led by Sen. Josh McKoon. According to a statewide poll, McKoon's amendment enjoyed the support of 64 percent of registered voters in Georgia, compared with just 21 percent who opposed it.

NEW MEXICO

The effort to repeal New Mexico's policy of granting driver's licenses to illegal aliens died in March when the State Legislature adjourned without taking action on two bills. A House bill would have barred illegal aliens from obtaining licenses entirely, while a Senate bill would have replaced New Mexico's current policy of granting illegal aliens the same licenses as everyone else with a driving privilege document that could not be used for many identification purposes. A 2014 Albuquerque Journal poll revealed that 75 percent of New Mexicans support completely repealing the state's current illegal alien driver's license law. Independent audits have shown widespread fraud among foreign nationals applying for New Mexico licenses, and that significant percentages of such applicants do not even reside in the state.

Empty Policies, Empty Planes

DHS Auditor Reveals ICE Wastes Millions Each Year on Charter Flights for Deportees

One the Obama administration's justifications for declaring the vast majority of illegal aliens in the United States off-limits for deportation is a lack of funds to remove more than 400,000 a year – a mark they have fallen far short of in recent years. But, in addition to failing to effectively enforce laws against immigration violators, an audit by the Department of Homeland Security's Inspector General (IG) reveals that the administration is also wasting millions of taxpayer dollars every year deporting illegal aliens on chartered aircraft that are often filled far below capacity.

According to the IG, Immigration and Customs Enforcement (ICE) spent a total of \$116 million, between October 2010 and March 2014 on charter flights to a variety of Central and South American countries that were less than 80 percent full, including 299 flights that

and reporting tools needed to operate effectively." Further, "management has not developed a data management plan, assessed training and staffing needs, or implemented formal policies and procedures...[or] conducted a comprehensive analysis of current operations for making informed business decisions that will safeguard the program's resources."

In addition to flying half empty charter flights, the audit found that deportees were inexplicably racking up frequent flyer miles traveling back and forth between the same cities within the United States before ultimately being put on planes bound for their countries of origin. In one example cited by the IG, a deportee originating in Newark, N.J., was flown on three separate occasions to Alexandria, La., and twice to Harrisburg, Pa., over a four month period, before ultimately being put on a flight to El Salvador.

Illustrating the IG's accusation that ICE lacks effective reporting procedures, the audit found that ICE recorded deporting some 23,000 people to destinations where the charter flights they were on had not flown. It is unclear whether these were data entry errors, whether the deportees were sent to the wrong countries (unlikely, since the receiving country would probably not have accepted them), or whether they were ever removed from the U.S.

ICE officials concurred with the findings of the IG's report and pledged to carry out a series of reforms over the next two years.

Analysis of Seat Capacity

Percent of Allowable Seats Used	Missions	Detainees Transported	Mission Cost
less than 40%	299	9,759	\$ 11,983,026
40% – 60%	754	52,226	\$ 41,085,000
61% – 79%	1,068	100,982	\$ 62,496,952
80% or more	3,578	505,175	\$ 211,841,666
Total	5,699	668,142	\$ 327,406,644

ICE Air spent approximately \$116 million on flights less than 80% capacity

Source: OIG Analysis of ICE Air mission data recorded in ARTS

flew at less than 40 percent of the aircrafts' capacity. It costs ICE \$8,419 for every hour one of its charter flights is in the air, regardless of the number of passengers on board. The unused capacity represents a \$41 million waste to taxpayers, the IG found.

While the Obama administration's reluctance to deport illegal aliens is well documented, the IG also found systemic mismanagement of ICE's Enforcement and Removal Operations (ERO). The IG charged that "ERO did not provide the planning, management,

Questionable Detainee Transfers



Source: OIG Analysis of ICE data

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One of the simplest but most effective ways to support a charitable organization is through planned giving. Why not create a legacy through a gift of a bequest to FAIR?

A charitable bequest, a gift made through your will or living trust, can benefit both you and the causes most important to you. Your bequest not only supports our efforts to achieve true immigration reform, but also leaves a legacy for your children and grandchildren.

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