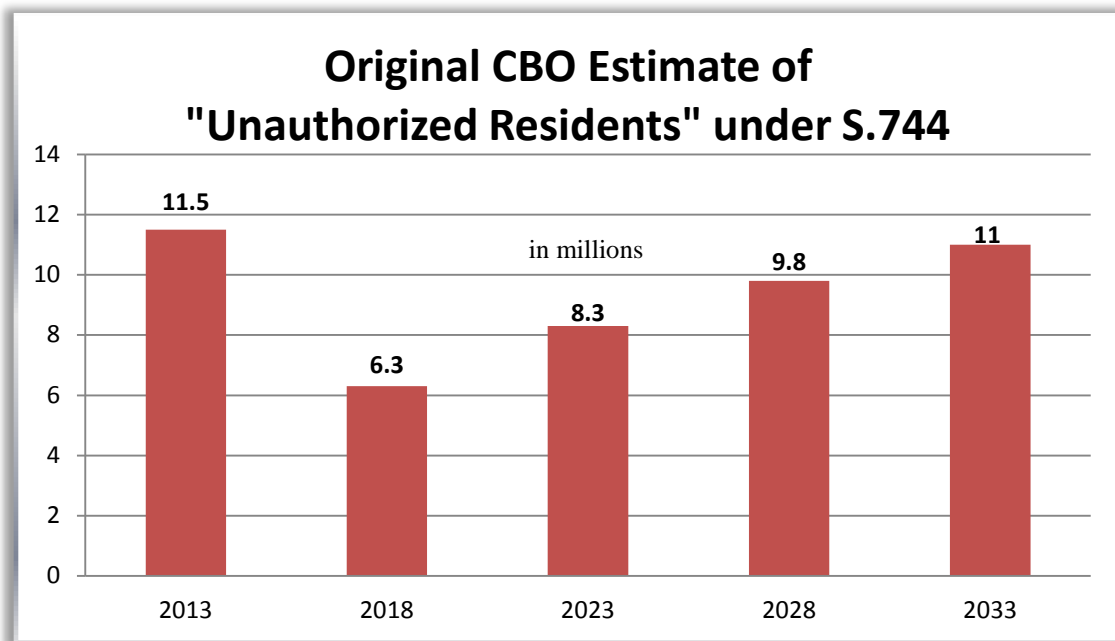


S.744 Does Little to End Illegal Immigration, Says the CBO...even with the Corker-Hoeven amendment

The original Congressional Budget Office (CBO) score of the Judiciary Committee approved version of S.744 projected that if the bill were to become law:

the net annual flow of unauthorized residents would decrease by about 25 percent relative to what would occur under current law, resulting in a reduction in the U.S. population (including a reduction in the number of children born in the United States) relative to that benchmark of 1.6 million in 2023 and 2.5 million in 2033.¹

That benchmark, like so much else in the CBO score is not clearly stated, though it is possible to infer what the CBO projected the future level of illegal immigration would be if S.744 became law.



The CBO accepted the most current Department of Homeland Security (DHS) estimate of the illegal alien population at 11.5 million. From this estimate are excluded “any children who have been born in the United States, and thus are citizens, to parents who are themselves unauthorized residents.”² The CBO then estimated “that approximately 8 million of the unauthorized residents already in the country would obtain legal status if S.744 was enacted.”³ This leaves 3.5 million individuals who would not receive Registered Provisional Immigrant (RPI) unaccounted for by the CBO

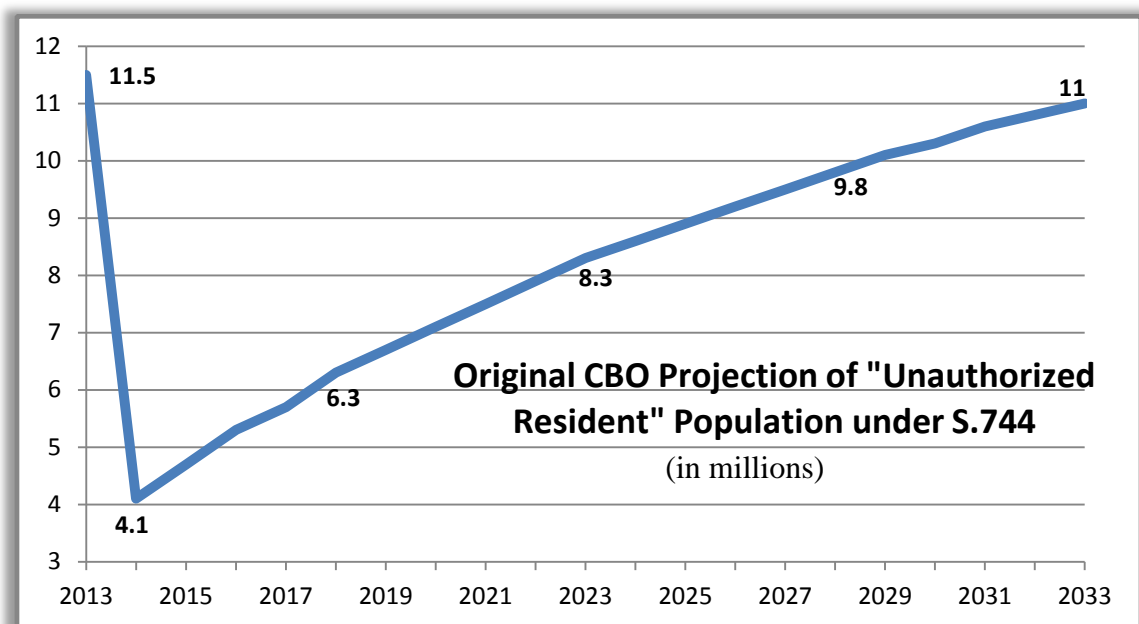
¹ “S. 744: Border Security, Economic Opportunity, and Immigration Modernization Act,” Congressional Budget Office, June 2013, p 23.

² “S. 744: Border Security, Economic Opportunity, and Immigration Modernization Act,” p. 21.

³ Ibid.

The CBO did not predict that the 3.5 million illegal aliens who would not receive RPI status would be deported or voluntarily return to their home countries, so it may be assumed that these individuals would continue to live in the United States illegally. The CBO did project that if S.744 became law, illegal immigration to the United States would continue at 75 percent of its current rate. The CBO also projected that under S.744 the illegal alien population in 2023 would be 1.6 million less in 2023 than “under current law” and 2.5 million less in 2033. This analysis ignored the fact that current law is not the reason that there are approximately 11.5 million illegal aliens in the country. It is the failure to enforce the law which is the problem. CBO assumed that current immigration law would continue to be unenforced but that the federal government would implement *and* enforce the provisions of S.744, though it did not discuss its rationale behind this assumption.

While the CBO did distinguish between illegal aliens and children born into the United States to illegal alien parents when estimating the current illegal alien population, it failed to make that distinction when projecting future levels of illegal immigration. Those future projections included U.S.-born children of illegal alien parents among the number of “unauthorized residents.” Therefore it is more precise to say that illegal immigration will add 4.8 million residents to the U.S. population by 2023 and 7.5 million residents by 2033. Added to this are the 3.5 million illegal aliens who would not receive RPI status, according to the CBO.



Reading the CBO

The CBO originally projected that by 2023 illegal immigration would add 1.6 million fewer residents to the U.S. population than under current law, which would be 25 percent less than what the population would be if S.744 were not enacted. 1.6 is 25 percent of 6.4, so under current law the illegal immigration would add 6.4 million people by 2023. With S.744, the population increase due to illegal immigration was projected by the CBO to be 25 percent less, or 4.8 million by 2023. Likewise, the CBO projected that by 2033, illegal immigration would add 2.5 million fewer residents to the U.S. population under S.744 than under current law, which again would be a 25 percent reduction if the bill were passed. 2.5 is 25 percent of 10, so under current law illegal immigration would increase the population by 10 million by 2033. With S.744, the CBO projected it would increase by 7.5 million by 2033.

Original CBO Projection of Annual Increase in U.S. Population due to Illegal Immigration	
2014	560,000
2015	560,000
2016	560,000
2017	560,000
2018	560,000
2019	400,000
2020	400,000
2021	400,000
2022	400,000
2023	400,000
2024	300,000
2025	300,000
2026	300,000
2027	300,000
2028	300,000
2029	240,000
2030	240,000
2031	240,000
2032	240,000
2033	240,000
Total	7,500,000
Average	375,000

The Corker-Hoeven Ruse

The Corker-Hoeven amendment was not about strengthening border security provisions in the Gang of Eight bill; it was a pork-laden addendum designed to buy the vote of wavering Senators while providing them with the cover of a “tough” approach on enforcement. It did this by raiding \$38 billion from the Social Security and Medicare trust fund. The Corker-Hoeven amendment, along with the hundreds of other provision in the larger bill, transferred power over immigration from Congress to the Executive branch. It “required” 700 miles of fencing, though not the double-fencing that had been required by Congress in 2006, However, S.744 still allows the DHS Secretary to decide not to build the fence.

Notwithstanding paragraph (1) [requiring 700 miles of fencing], nothing in this subsection shall require the Secretary to install fencing, or infrastructure that directly results from the installation of such fencing, in a particular location along the Southern border, if the Secretary determines that the use or placement of such resources is not the most appropriate means to achieve and maintain effective control over the Southern border at such location.

The Corker-Hoeven amendment did nothing to address the problem of aliens who overstay their visas, which the CBO identified as a major problem in S.744. Corker-Hoeven also weakened existing laws requiring the collection of biometric data at *all* ports of entry into the United States. Even Sen. Corker admitted that the amendment he supposedly authored was not adequate on certain enforcement provisions, while he demonstrated ignorance of other provision in the amendment, such as the permanent extension of an annual \$100 million payout to the Las Vegas tourism industry. Corker-Hoeven is not supported by the National Border Control Council, an AFL-CIO affiliated union that represents over 17,000 Border Patrol agents.

Read FAIR’s in-depth analysis of Corker-Hoeven [here](#).

CBO’s Score of Corker-Hoeven

On July 3, 2013, the CBO sent a letter to Senator Patrick Leahy, the chairman of the Senate Judiciary Committee, which contained new projections about the future flows of illegal aliens into the country under S.744 as amended by Corker-Hoeven. In this new projection, the CBO estimated that illegal immigration “in 2023 would be lower by about 800,000 than estimated for S.744 as reported by the Judiciary Committee.”⁴ The revised

⁴ Congressional Budget Office, Letter to Honorable Patrick J. Leahy, Chairman, Committee on the judiciary, June 3, 2013, p. 5 (<http://www.cbo.gov/sites/default/files/cbofiles/attachments/s744aspassed.pdf>).

projected future “net inflow [of illegal aliens] would be reduced by between one-third and one-half compared with the projected net inflow under current law.”⁵

Based on its earlier estimate, the new CBO projection is that there would be an increase in the U.S. population attributable to illegal immigration of four million by 2023 (plus the 3.5 million illegal aliens who would not receive RPI status, according to the CBO). The estimate of four million represents an additional 17 percent reduction to the originally projected 25 percent reduction in illegal immigration under S.744. This adds up to a total reduction of 42 percent, the midpoint between 33 percent (one-third) and 50 percent (one-half).

CBO Projection of Annual Increase in U.S. Population due to Illegal Immigration under Corker-Hoeven	
2014	465,000
2015	465,000
2016	465,000
2017	465,000
2018	465,000
2019	332,000
2020	332,000
2021	332,000
2022	332,000
2023	332,000
2024	249,000
2025	249,000
2026	249,000
2027	249,000
2028	249,000
2029	199,000
2030	199,000
2031	199,000
2032	199,000
2033	199,000
Total	6,225,000
Average	311,250

⁵ CBO, Letter to Chairman Leahy, p. 5.

Future Population Increase due to Illegal Immigration under Corker-Hoeven

