



Border Apprehensions Soar to Record Levels

The border apprehension data for March is in, and they leave little doubt that we have a full-blown crisis along our southern border.

The total number of people apprehended entering illegally across the southern border in March was 103,492. That figure represents a 105 percent increase from March 2018, and an astounding 516 percent jump over apprehensions for March 2017. During the first six months of Fiscal Year 2019, 422,334 people were arrested as they attempted to enter the country across the U.S.-Mexico border, a figure that exceeds the total number of apprehensions for all of FY 2017. In testimony to Congress shortly before her resignation, former Department of Homeland Security (DHS) Secretary Kirstjen Nielsen predicted that by the time FY 2019 is over on September 30, apprehensions will exceed the one million mark, describing the situation as a “Cat[egory] 5 immigration crisis.”

The immigration crisis described by Nielsen is unlike previous high water marks for illegal border crossings. In earlier decades, the vast majority of illegal border crossers were single men from Mexico. Nearly all of those apprehended were promptly returned to Mexico (although many just tried again). Today, the majority of illegal entrants are from Central America and elsewhere, who enter fraudulent claims for political asylum. In most cases, these bogus asylum claim-

ants are admitted to the United States pending a hearing (which may be years off), and many are unlikely to appear for those hearings.

The latest data also indicate that illegal migrants are exploiting a judicial decision that limits the detention of families with minor children to just 20 days. Between October (the first month of the fiscal year) and March, the apprehension of family units along the southern border more than doubled from 23,116 to 53,077. Even more troubling, some of these family units may not even be families. Customs and Border Patrol (CBP) reports a sharp increase in minors being brought into the country by adults who are not their parents, and that children are essentially being rented

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Apprehensions

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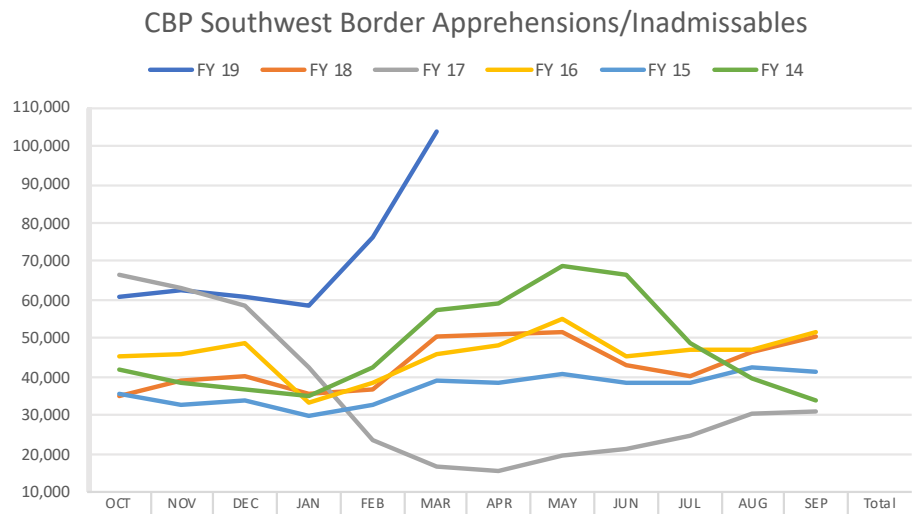
(at great risk to their safety and well-being) for the journey to the U.S.

The March apprehension data also show that the number of unaccompanied minors entering the country is also on the rise. Nearly 9,000 unaccompanied minors were apprehended in March, up from about 5,000 in October, taking advantage of a legal loophole in a law meant to protect victims of human trafficking that Congress steadfastly refuses to close.

Faced with growing numbers of fraudulent asylum claimants and too few detention beds, CBP began releasing illegal aliens in March, a policy that has put strains on border communities and also provides new incentives for people to attempt to enter the United States illegally.

This crisis—aptly described by Nielsen as a Category 5—can only be addressed by:

- Tightening the definition of “credible fear,” the first step in pursuing an asylum claim in the United States.
- Restoring the grounds for seeking political asylum to a “well-founded fear of persecu-



- Congressional funding for more border agents, detention space, and immigration judges to be dispatched to the border.
- Prioritizing the adjudication of new asylum claims so that fraudulent claimants are detained and promptly returned home rather than spending years here before their cases are heard.
- Full funding for effective border fences and walls.
- Legislative action to allow for reasonable detention of family units.
- Congressional action to amend the Trafficking Victims Protection Reauthorization Act to ensure it protects victims of human trafficking, and does not encourage the smuggling of minors.

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New FAIR Podcast Targets the Next Generation

It is a question we have all asked ourselves: Who will be left to fill our shoes when our generation is gone? When so many young people today seem alarmingly content with the prospect of unlimited immigration and the unlimited use of American resources to support an amnesty agenda, our efforts may, on occasion, feel futile.

Generation Z is made up of individuals 22 and younger. And although the liberal young adult voices from college campuses seem to be focus on the issue, they are not the only voices among Generation Zers raising concerns about immigration. Many young peo-

ple have reached out to FAIR in recent months to get involved with our mission—all of them aspirational, free-thinking, and dedicated to core American values.

Two of FAIR's resident Gen Z's have recently begun a new podcast initiative to educate this younger cohort of Americans about the importance of the immigration reform movement. The podcast, entitled "Mornings with Matthew," is hosted by FAIR's very Press Secretary Matthew Tragesser and co-hosted by FAIR's Deputy Director of Advancement, Julia Post. Both Mr. Tragesser and Ms. Post came to FAIR as in-

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DHS Secretary Out as Border Chaos Grows

President Trump rode to office in 2016 on the strength of his promise to get illegal immigration under control. However, his first two secretaries of Homeland Security — John Kelly, who served briefly before moving over to become White House chief of staff, and Kirstjen Nielsen — had little experience in this policy area.

As things unfolded, it became evident that experience and expertise in immigration and border control were essential for doing the job. Throughout the winter, President Trump became increasingly frustrated with DHS's failure to stem the surge of fraudulent asylum seekers entering the country. After touring the border region to get a firsthand look at the situation, Trump asked for Nielsen's resignation on April 7. Though the border crisis was not entirely hers or the department's fault — congressional inaction and judicial activism played a far larger role — DHS was, at best, managing the crisis under her leadership.

After more than two years into his administration, Trump finally appointed someone with broad expertise in immigration and border issues to serve as the interim DHS secretary. Kevin McAleenan, who was Commissioner of Customs and Border Protection (CBP), will run DHS until a permanent replacement can be named and confirmed by the Senate.

As head of CBP, McAleenan was on the front lines



of the border crisis and the circumstances that are driving the flood of fraudulent asylum claimants. He is also fully versed in the terrorism threats posed by our nation's porous borders and porous immigration and asylum laws, having served as director of the CBP's anti-terrorism unit.

No permanent replacement for DHS secretary has been named yet, although given the importance of this issue to the nation and to the president's own reelection effort, it is expected that the nominee will be someone with extensive knowledge of immigration issues and border security.

Podcast

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terns while in college, where they faced many challenges when attempting to voice their own opinions on what immigration policy should be.

The weekly podcast sheds light on a wide variety of immigration topics, provides a new perspective and adds value to the unfortunately one-sided conversation being had by young people today. The hosts hope that by sharing their own insights and experiences they will be able to bridge the divide between the generations. Their aim is to help young people understand that without secure borders and a strong immigration system, there will be little legitimacy to America's sovereignty as a nation in the decades to come.

We cannot safely pass on the torch yet; young Americans still have much to learn about their civic duty before that time comes. But we can afford a strong feeling of hope when looking at the young people who



are so willing to pick up our work and carry it forward. Rest assured, the fight will not stop with us.

To listen to “Mornings with Matthew”, you can visit FAIR’s channel on Soundcloud.com (@FAIRfederation), FAIR’s YouTube channel (@fairfederation) or look for it on our Facebook and Twitter pages.

Attorney General Barr Acts to End “Catch-and-Release” of Asylum Claimants

Faced with steadily growing numbers of fraudulent asylum claims, U.S. Attorney General William Barr issued a precedent-setting ruling last month aimed at curbing at least some of the abuse. Citing the text of the Immigration and Nationality Act (INA), which states that aliens found to have credible fear “shall be detained for further consideration of the application for asylum,” Barr asserted that the government will do just that: detain them until their asylum claims are heard. In addition to clear statutory authority to deny release of asylum claimants pending their hearings, Barr also cited

a recent Supreme Court ruling, *Jennings v. Rodriguez*, which interpreted the INA the same way.

The attorney general’s ruling will take effect on July 16. The delayed implementation will provide the Department of Homeland Security (which operates detention facilities) time to create additional detention space to accommodate asylum-seekers who will no longer be released from custody. Concurrent with Barr’s ruling DHS put out a fast-tracked solicitation for so-called tent cities to house people awaiting consideration of their asylum claims.

The likelihood of being released



into the United States is one of the key factors driving the surge of bogus asylum seekers. As the

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News from our State and Local Operations



MARYLAND

Despite intense efforts by illegal alien advocacy groups, the Maryland Legislature adjourned its 2019 session without adopting any of several sanctuary bills: the proposed legislation that would have barred state and local law enforcement from honoring immigration detainers or notifying U.S. Immigration and Customs Enforcement (ICE) of an illegal alien's release date; forbidding law enforcement from asking about anyone's immigration status and stopping or detaining them for being suspected illegal aliens; and barring ICE from many public buildings—all died in session. These sanctuary measures were strongly opposed by the Maryland Sheriffs Association and Chiefs of Police Association, as well as citizens' groups around the state.

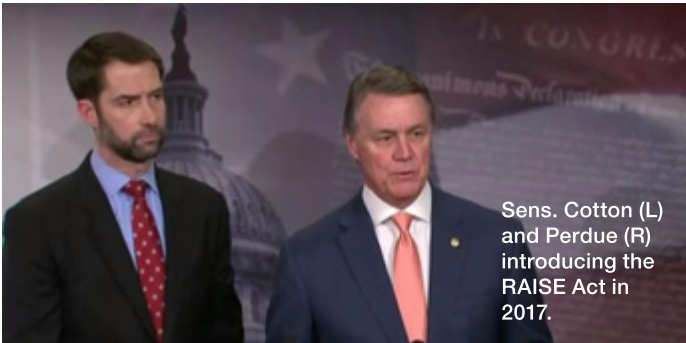
NORTH CAROLINA

In response to the decision by the sheriff of Mecklenburg County, (the state's largest county,) not to honor ICE detainer requests, the North Carolina House approved legislation requiring all local law enforcement to honor immigration detainers for illegal aliens who have already been arrested for a crime. House Bill 370 was approved by a 63-51 vote by the State House. The bill now moves to the North Carolina Senate for consideration. The bill faces an unclear future if it reaches Gov. Roy Cooper's (D) desk. Cooper's staff indicated that the governor "has serious concerns about taking away local authority and making it harder for local law enforcement to do their jobs." The governor, who is up for reelection next year, should also have strong concerns about how voters feel about local policies that obstruct the removal of criminal aliens from the community.

MINNESOTA

A bill to grant driver's licenses to illegal aliens was approved by a 72-54 in Minnesota House in April. Minnesota currently requires not only U.S. citizenship or legal presence to be eligible for a license, but authorized license "status checks" for those only lawfully in the country temporarily. The state also ties license expiration dates to visa expiration dates, and has a detailed process for conducting those status checks. House File (HF) 1500 seeks to undo most of those protections for public safety. The legislation still has to clear the Republican-controlled State Senate. Powerful committee chairs who have oversight over driver's license issuance policies have expressed strong opposition to allowing illegal aliens to obtain licenses, leading to cautious optimism that HF 1500 will die in the upper chamber.

Return of the RAISE Act



While the crisis at the border captures most of the attention, America's weak legal immigration policies fail to get the scrutiny they deserve. Under our antiquated legal immigration policy, the vast majority of legal immigrants are admitted through a system of family chain migration that allows recently arriving immigrants to petition for extended family members. These new green cards are issued without consideration for indicators of likely success after settling in the U.S., like education, job skills, and English proficiency.

Moving to a merit-based immigration system was a key recommendation of a bipartisan panel, chaired by civil rights icon Barbara Jordan, in the 1990s. In April, Senate legislation was introduced to carry out the recommendations of the Jordan Commission. The Reforming American Immigration for a Strong Economy (RAISE) Act would end automatic immigration entitlements for extended family members, siblings and adult children, and would institute a pol-

icy that emphasizes the individual merits of prospective immigrants. The bill is sponsored by Senators Tom Cotton (R-Ark.), David Perdue (R-Ga.), and Josh Hawley (R-Mo.). The RAISE Act would:

- Establish a point-based system to select immigrants who have the most to offer this nation and have the skill set needed to succeed once they arrive.
- Reduce the immigrant flow to traditional levels.
- Ensure that nuclear families — the primary immigrant, spouse, and minor children — remain intact
- Eliminate the fraud-ridden diversity visa lottery.
- Place a responsible, firm limit on refugee admissions at 50,000 per year.

Family-based migration would prioritize spouses and unmarried minor children. Elderly parents of U.S. citizens would be eligible for admission, but not as green card holders and would require firm guarantees on the part of the sponsoring children.

The RAISE Act was introduced in the last session of Congress, but the Senate leadership failed to move the legislation to the floor for a vote. Despite the intense partisanship in Washington, a commonsense bill to adopt an immigration policy that serves identifiable public interests and provides a level playing field for all would-be immigrants, deserves to be advanced in the current session of Congress.

Barr

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Department of Justice noted, only about 10 percent of people who entered a “credible fear” claim in 2018 were ultimately granted political asylum in the U.S. The goal of fraudulent asylum claimants isn't political asylum—it's gaining entry to the United States. Many simply disappear and fail to show up for court dates, and even those who

do show up but have their asylum claims denied remain in the country illegally.

Barr's ruling will only address part of the widespread abuse of U.S. asylum laws. A federal judge's ruling that minors — even those accompanied by their parents — cannot be detained for more than 20 days still stands. Congress failed to legislatively overrule that decision when Republicans controlled both houses of Congress, and such

action is even more unlikely now as Democrats hold a majority in the House of Representatives. About 60 percent of the more than 100,000 people apprehended at the southern border in March arrived as part of family units. However, even a ruling that affects the 40 percent of adult illegal border crossers who arrived on their own could have a significant impact on reducing the abuse of our asylum laws.

Trump Puts Sanctuary Cities to the Test

Sanctuary jurisdictions (which include cities, counties, and even entire states) profess to “welcome” everyone regardless of immigration status and in many cases actively obstruct federal immigration enforcement, even in cases involving criminal aliens. Many senators and representatives of these jurisdictions openly oppose border enforcement, asylum reform, and other steps necessary to deal with the surge of migrants entering the country.

Faced with a crisis brought on in part by sanctuary jurisdictions and their representatives in Washington, President Trump suggested in April that migrants who can't be detained and who cannot be quickly repatriated to their homelands should be released in sanctuary cities around the country. “We'll bring them to sanctuary city areas and let that particular area take care of it, whether it's a state or whatever it might be,” Trump said. These “welcoming” cities, counties, and states would have the opportunity to demonstrate their hospitality by providing public education, health care, and meet the housing and other needs of the newly arriving migrants.

Clearly, releasing illegal aliens and fraudulent asylum claimants into the United States is a bad idea—the more we release illegal aliens, the more people decide to follow. And it is also not clear whether this was a serious policy proposal, or just a clever ploy to attach real costs to politicians' political gestures. But if the administration is left with no other options, jurisdictions that advertise themselves as welcoming illegal aliens would seem like the most appropriate places, right?

Well, perhaps not. From the moment President Trump first floated the idea of testing how welcoming these jurisdictions really are, it was met with howls of protest from elected officials in those sanctuary jurisdictions. Sen. Cory Booker (N.J.), one of the ump-teen declared candidates (honestly, we've lost count) for the Democratic 2020 president nomination, called the idea divisive and warned that carrying through on the proposal would “make us less safe”—an ironic admission from a former mayor of Newark, which is a sanctuary city.

Across the country, in Oakland, California—a sanctuary city within a sanctuary state—Mayor Libby Schaaf, who last years tipped off criminal aliens about an impending ICE enforcement action, railed against the president's suggestion calling it an “abuse of power and public resources.” Mayor Schaaf, however, doubled down on Oakland's commitment to take them in if the administration were to carry through on the president's idea.

Across the Bay, House Speaker Nancy Pelosi who represents San Francisco called the idea “unworthy of the presidency of the United States and disrespectful of the challenges that we face as a country, as a people, to address who we are—a nation of immigrants.” She forgot to mention the part about being a nation of laws that illegal aliens refuse to respect, or her critical role as speaker of an obstructionist Congress that refuses to take action amidst a national crisis.

Trump's challenge to sanctuary jurisdictions (which may or may not ever come to fruition) did get support from one very unlikely source who lives in another self-declared sanctuary city:



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