

Immigration REPORT

FAIR’s Nationally-Leading Radio Row Attracts 70 Talk Hosts and High Profile Guests

What started as a simple idea aimed at educating the American public about a harmful illegal alien amnesty bill back in 2006, has turned into the biggest annual talk radio event in the country. The 2019 version of Hold Their Feet to the Fire (F2F), once again, set a new record for attendance by talk radio hosts from around the country, 70 in all. The event also featured some of the most influential members of Congress, key administration personnel, an unprecedented number of sheriffs, immigration enforcement officers, civil rights leaders, authors, crime victims, and other policy experts who appeared as guests to discuss virtually every aspect of immigration policy.

For the record, the first F2F event played a key role in preventing passage of a massive illegal alien amnesty introduced by the late Senators Ted Kennedy and John McCain, and had the support of then-President George W. Bush. Armed with information provided through the medium of talk radio, the American public made it clear to lawmakers that amnesty is not “immigration reform.” Over the years, F2F provided the public with important information about other harmful legislation, resulting in Congress being

forced to accept the will of the American people.

F2F 2019, held September 25 and 26 in Washington, D.C., focused on providing the American public with an accurate picture of the ongoing border crisis, the policies and judicial decisions that have fueled the chaos, and common-sense ways to address the unprecedented surges of illegal immigration. The information and viewpoints presented at F2F contrast with the increasingly distorted and ideological portrayal of immigration policy presented by the elitist corporate media.

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Virginia County Punishes Police Officer for Legally Cooperating with ICE

Perhaps no policies or laws are more vigorously enforced than the so-called sanctuary policies that protect illegal aliens. A police officer in Fairfax County, Virginia, found out this reality the hard way when he called Immigration and Customs Enforcement (ICE) to let them know that an individual for whom they had issued an arrest warrant had been involved in a traffic accident. The police officer, who has not been identified, was suspended from the force and relieved of his duties as a result of this action.



Image Credit: istock/Evgen_Prozhyrko

Ironically, Fairfax County's sanctuary policy, like all sanctuary policies, are illegal under federal law. Moreover, the police officer's actions in informing ICE are explicitly legal and protected under federal law. Title 8, Section 1373 of the U.S. Code, states clearly, "Notwithstanding any other provision of Federal, State, or local law, a Federal, State, or local government entity or official may not prohibit, or in any way restrict, any government entity or official from sending to, or receiving from, the Immigration and Naturalization Service [now replaced by Immigration and Customs Enforcement] information regarding the

citizenship or immigration status, lawful or unlawful, of any individual."

Nevertheless, in the eyes of Fairfax County officials, the police officer acted wrongfully and was subjected to departmental punishment, while an individual who was in the country illegally, driving without a valid license, and who had ignored an order to appear for a deportation hearing was the victim.

In almost Orwellian language, Fairfax County Police Chief Edwin C. Roessler Jr. disciplined his officer and apologized to the lawbreaker. "This is an unfortunate issue where the officer was confused. We have trained on this issue a lot. This is the first time we've had a lapse in judgment, and the officer is being punished," Roessler said. As manufactured outrage increased in volume from well-funded illegal alien activist groups, Roessler grew more contrite. The officer in question "deprived a person of their freedom, which is unacceptable," bemoaned the chief. Cooperating with ICE, in Roessler's estimation had damaged the reputation of the department and the harsh punishment of the officer was a way to restore credibility with the community. Roessler definition of "the community," however, would soon be proven to be inaccurate.

Police routinely check for out-standing warrants whenever they make a lawful traffic stop or are called to the scene of a traffic accident. When these routine checks reveal a pending warrant issued by another federal, state, or local jurisdiction, the officer on the scene will detain the individual and inform

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Sanctuary Policies

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the law enforcement department that issued the warrant. Sanctuary policies carve out a lone exception to routine law enforcement when it comes to ICE in a blatant and politically motivated effort to thwart immigration enforcement.

Similar rigorously enforced sanctuary policies in nearby Montgomery County, Maryland, have been directly responsible for nine violent crimes in recent months, including heinous sexual assaults. Despite these clear public safety threats posed by sanctuary policies, and the fact that the Fairfax County officer's actions are explicitly protected under federal law, he faces departmental discipline while a scofflaw illegal alien, driving without a license, receives an apology from the chief of police.

But there is a somewhat satisfying ending to this story. That "community" that Roessler sought to restore trust with? Well, he actually did hear from them, and they were firmly on the side of the police officer, not the department and its policy of protecting illegal aliens. The Fairfax Police Department was forced to cancel the officer's suspension and restore him to his duties. However, it will be much harder to undo the damage of this episode in a jurisdiction where the most toughly enforced policy is one that protects immigration law violators. What Fairfax County officer is going to want to risk their career the next time they encounter and illegal aliens with an out-standing warrant?

Federal Judge Blocks Effort to Stop the Endangerment of Children

Federal Judge Dolly Gee's 2015 ruling decreeing that a Supreme Court decision limiting detention of unaccompanied minors must also apply to minors in the company of parents or other adults touched off an unprecedented surge of illegal aliens arriving at the border with children in tow. An untold number of children die along the often treacherous journey to the U.S. border, while many others arrive in extremely poor health. As of mid-September, some 458,000 people traveling as part of "family units" were apprehended entering the country illegally this year.

None of these consequences of her 2015 ruling, however, have deterred Judge Gee from blocking the Trump administration's efforts to curb this form of child abuse, and prevent adults (and organized smuggling operations) from using children as get out of jail free cards. In August, the Department of Homeland Security (DHS) issued a regulation that would have allowed for extended detention of family units for a reasonable length of time to determine if they had a legal claim to enter the U.S. Understanding that chil-

dren would not be an automatic ticket into the country, adults who lack valid claims to enter would be far less likely to take children on a dangerous trek.

In September, Judge Gee issued a permanent injunction against implementation of the DHS regulation that was supposed to take effect on October 22. It will now be up to the Ninth Circuit Court of Appeals and the U.S. Supreme Court to end Judge Gee's sanctioned child abuse.



Hold Their Feet to the Fire 2019

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According to many national polls, immigration is now the issue that ranks at the top of the list of voters' concerns as we head into the 2020 elections. Ranking a close second is government dysfunction and partisan bickering that prevents Congress from enacting common-sense reforms to end abuse of our political asylum policies, the abuse of children to gain entry to the United States, not to mention the abuse of the interests of the American people.

In conjunction with the radio row, organized by FAIR's Media Department, FAIR's State and Local Engagement Department hosted 45 Angel families and organized events for nearly 200 sheriffs from around the country who came to the capital to voice their concerns about unchecked illegal immigration and reckless sanctuary policies. The sheriffs, who are elected by the people they serve, and Angel families held a rally on the steps of the U.S. Capitol. Whip Steve Scalise and Freedom Caucus Chair Andy Biggs were among the rally participants. The sheriffs were also invited to the White House to meet with President Trump and members of his senior staff.

Among the people who spoke directly to the American public about the border crisis, the scourge of sanctuary policies that protect criminal aliens, and what needs to be done about these problems were some of the nation's top policymakers and presidential advisors. Ken Cuccinelli, Acting Director of U.S. Citizenship and Immigration Services (USCIS) appeared on dozens of talk radio programs over the two days, as did former Acting Director of Immigration and Customs Enforcement (ICE) Thomas Homan. Dozens of members of Congress, from both the House and the Senate, also circulated through the F2F radio row discussing immigration matters with constituents and listeners across the country.

While we did not envision it back in 2006 when FAIR teamed up with then-San Diego radio host Roger Hedgecock on the first F2F event, this now annual event has become the most influential national radio event each year and is an important means for FAIR to fulfill its core mission of educating the American public about immigration matters.

The event is also a credit to the hard work of the FAIR staff and the dedication of the members and donors that make FAIR's work possible.

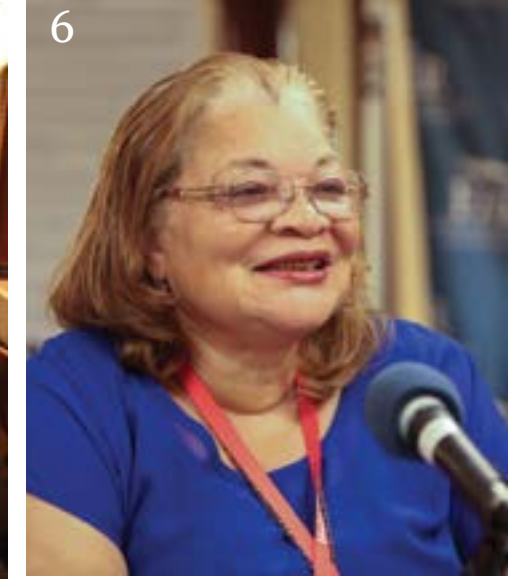
1. Sheriff Tom Hodgson (Sheriff of Bristol County, MA) 2. Jessica Vaughan (Director of Policy Studies) 3. Congressman Mo. Brooks (R-AL) 4. Sheriff Wayne Ivey 5. Acting USCIS Director Ken Cuccinelli 6. Dr. Alveda King (political activist) 7. Dave Ray (FAIR's communications director) 8. Diamond and Silk (Fox News contributors) and Jim Politio 9. Lars Larson and Michelle Malkin 10. Dan Stein (FAIR's president)



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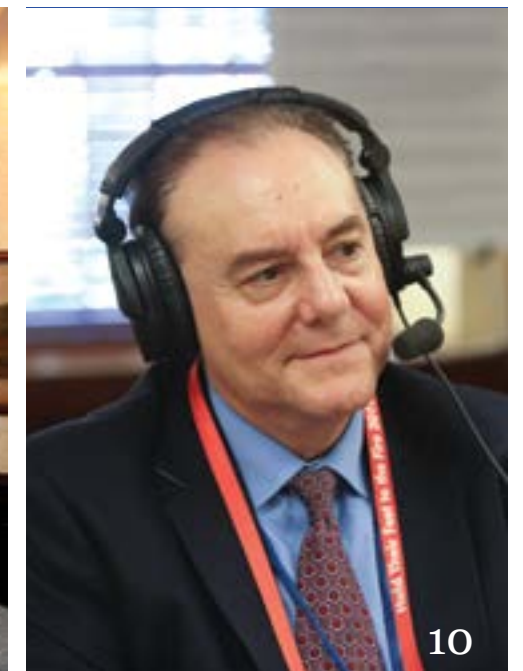
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News from our State and Local Operations

NORTH CAROLINA

Months of effort by the State Legislature to ensure that criminal aliens can be removed from the country came to naught when Gov. Roy Cooper vetoed a bill that would have required all law enforcement departments in the state to comply with detainer requests from Immigration and Customs Enforcement (ICE). House Bill 370 even included safeguards to ensure that mistaken identity would not result in people accidentally being remanded to ICE. Instead, under pressure from illegal alien advocacy groups, Cooper vetoed HB 370, employing the lame excuse that the “legislation is simply about scoring partisan political points and using fear to divide North Carolina.” Actually, it was his veto that was about scoring partisan political points, instilling divisiveness and, for good measure, endangering public safety.

NEW JERSEY

New Jersey took a significant step toward becoming a de facto sanctuary state in September when Attorney General Gurbir Grewal, with questionable legal authority, issued a directive ending the use of 287(g) agreements, which allow state and local law enforcement to be trained to carry out certain immigration enforcement duties. The 287(g) program was enacted by Congress in 1996 to allow jurisdictions around the country to voluntarily receive training on how to lawfully identify illegal aliens, and to determine for themselves how to use the program in the best interests of their communities. Only two counties in New Jersey are currently enrolled in 287(g). The directive gave Monmouth and Cape May Counties one week to comply. Unlike the political leadership and the sheriffs in those counties, who are elected by their constituents, New Jersey’s attorney general is a political appointee. Objecting to Grewal’s directive, Monmouth County Sheriff Shaun Golden noted, “Law enforcement throughout Monmouth County never wants to be faced with a situation where a dangerous, undocumented immigrant is released from jail and poses a threat to a community. However, this sanctuary directive will make our communities less safe, since it places people in those communities at risk for increased violence” – which is apparently just the way Grewal and other sanctuary proponents would have it.

In yet another effort by the Garden State to privilege illegal aliens at the expense of lawful residents, the Legislature is making an effort to grant driver’s licenses to illegal aliens before they adjourn in November. Under bills in the Legislature, people who cannot provide a valid Social Security number would be able to obtain a standard New Jersey license. This action would result in standard New Jersey licenses being out of compliance with the federal Real ID Act, and unacceptable for purposes such as boarding a commercial flight beginning in October 2020. Legal residents would then have to apply for an “enhanced license” that meets federal requirements. In Washington state, where illegal aliens can get standard licenses, lawful residents are required to pay an additional \$24 fee for an enhanced license, not to mention the cost of their time.

MASSACHUSETTS

Undeterred by repeated failures, illegal aliens and their advocates in the Massachusetts Legislature are mounting another effort to procure driver’s licenses for illegal aliens in that state. Though not quite as radical as New Jersey’s proposal (standard Massachusetts license holders would not have to update theirs), it would be yet another step in the direction of accommodating illegal aliens. Opponents of the bill, such as Bristol County Sheriff Thomas Hodgson, warned in testimony before the Legislature that, “passing these bills will make it even easier for criminal illegal aliens to evade law enforcement and victimize law-abiding U.S. citizens and Massachusetts residents.” Shamefully, Boston resident and Angel Mom Maureen Maloney, whose son Matthew was killed by an illegal alien drunk driver in 2011, was booed when she testified against the legislation. Unlike New Jersey, however, where Gov. Phil Murphy would surely sign a bill giving illegal aliens licenses, Massachusetts Gov. Charlie Baker has declared his intent to veto any such bill.

Supreme Court Allows Administration Policy Aimed at Curbing Asylum Abuse to Proceed

After border apprehensions peaked at 144,000 in May, driven by massive abuse of our political asylum policies, the Trump administration took steps to try to curb the crisis. Among those steps was a July rule that requires asylum-seekers to request protection in the first safe country they came to, rather than merely pass through on their way to the U.S. border. The premise of the asylum rule was that once outside their own countries, migrants seeking protection were out of imminent danger and that the purpose of asylum policy is to protect people who are politically persecuted, not to provide them with the ideal landing spot. Migrants who had eschewed the opportunity to seek asylum in other safe countries would be barred from seeking asylum in the U.S. under the rule.

Predictably, the illegal immigration advocacy network immediately sued and got their case before one of their preferred activist judges, Jon S. Tigar in San Francisco. Judge Tigar complied, and issued a nationwide injunction barring the rule from going into effect. This injunction set off what amounted to a judicial ping pong match that would wind up in the U.S. Supreme Court:

- **August 16:** The Ninth Circuit Court of Appeals decided that Tigar’s nationwide injunction amounted to too much judicial overreach even for them, and narrowed the injunction to apply only in the Ninth Circuit (which includes the border states of Arizona and California). They then sent the case back to Judge Tigar, instructing him to consider “whether a nationwide injunction is necessary to remedy Plaintiffs’ alleged harm.”
- **September 9:** Upon “further consideration, Tigar (predictably) decided that a nationwide injunction was necessary and reinstated his nationwide injunction.
- **September 10:** It took the Ninth Circuit only one day to overrule Judge Tigar again, issuing a stay of his injunction.
- **September 11:** The U.S. Supreme Court stepped in, ruling that for the time being, the Trump admin-

istration’s policy of barring people who have traveled through one of more safe countries on their way to the United States from seeking asylum here can stand, pending further review by lower courts.



Image Credit: istock/AndreyPopov

The Supreme Court’s ruling was not only an important affirmation of the president’s powers to regulate immigration and prevent abuse of our policies, but a stinging rebuke of activist judges like Tigar. In an era, in which almost every important Supreme Court ruling is a 5-4 decision, this decision was issued by a 7-2 majority, with only Justices Ruth Bader Ginsburg and Sonia Sotomayor dissenting.

The decision is a seeming acknowledgment on the part of the high court that rogue activist judges cannot be permitted to make policy by overriding elected officials who are constitutionally empowered to make those policies. Abusing the courts, by identifying activist judges who are prepared to impose their own political beliefs rather than honestly interpret the Constitution, has been an affirmative tactic of the illegal immigration lobby since the outset of the Trump administration. Time and again, they have ultimately lost these legal battles, but have achieved their primary goal of running the clock on an administration that is attempting to enforce our immigration laws.

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Our goals are the same as yours.



Support FAIR in the 2019 Combined Federal Campaign!

The Combined Federal Campaign (CFC) allows Federal employees from all over the country to easily make a tax deductible donation by payroll deduction, credit card, check or cash.

The fight against illegal immigration and out-of-control immigration policies is a joint effort and one we would not be able to do without your generous support.

The Immigration problems we face in the U.S. have never been bigger. Your contribution to FAIR is needed now more than ever. The CFC is the largest workplace giving campaign in the world and an opportunity for you to join with other like-minded Americans to have a major impact on immigration reform.

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