



Immigration REPORT

Borders Make a Comeback with COVID-19

“We don’t need no stinking borders,” has been the credo of a lot of elitists around the world in recent years. As the scourge of the COVID-19 virus has spread rapidly around the world, carried by unsuspecting travelers, some are starting to consider that maybe borders aren’t such a bad or antiquated idea after all.

In response to the COVID-19 pandemic, country after country has closed or partially closed its borders as part of a responsible effort to contain the outbreak. European Union nations, which all but eliminated borders in the 1990s, have suddenly revived them hoping to prevent migrants and travelers who might be infected with the virus from entering their countries. Even Canadian Prime Minister Justin Trudeau, who in response to the election of Donald Trump in 2016 announced that Canada would welcome migrants and asylum seekers turned away by the United States, decided it was time to close Canada’s borders. (The fact that Trudeau and his wife both tested positive for the virus may have served as something of a wake-up call that even in the globalized 21st century borders still have some utility.)

The rush to reimpose borders in the wake of the COVID-19 pandemic is a welcome return to basic common sense and also lays bare the hypocrisy of Western elitists. Of all the arguments put forth by

those who promote border security, none has been attacked more savagely by the globalists than the assertion that unsecured borders are a threat to public health. The mere suggestion that open borders expose citizens to contagious and life-threatening diseases has been met with harsh accusations those advocating border enforcement were stigmatizing foreigners as disease carrying threats.

Of course those charges have never been anything but rank hyperbole aimed at silencing critics of their open borders agenda. But open borders advocates were content to hurl these accusations so long as the diseases being brought into the country did not affect them and their families. Until COVID-19, infectious diseases entering the country from abroad were large-

[see COVID-19 | page 2](#)

Inside . . .

COVID-19 (continued).....	2
Closed Borders.....	3
“Remain in Mexico”.....	4
Immigration Policies.....	5
State and Local.....	6
Sanctuary Policies.....	7

COVID-19

from page 1

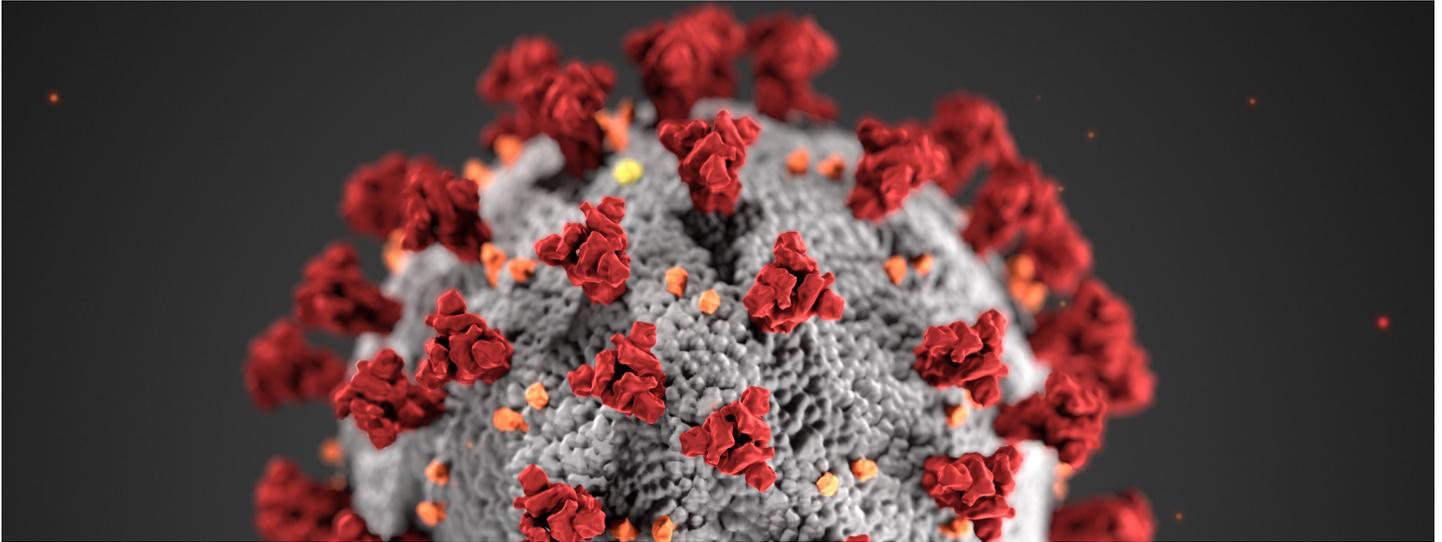


Image Credit: Flickr Alachua County

ly a problem for those who lived cheek to jowl with migrants in poorer communities.

COVID-19, which began in China and spread rapidly across the globe affects everyone. The schools of the rich and poor have been closed down. Public spaces, restaurants, museums, the arts, sporting events, and personal celebrations are off-limits to everyone. The tanking economy, layoffs, and the plunging stock market, are hitting the global elitists the hardest.

But even as consensus grew around the world that national borders do play a vital role in protecting public health, there were still some holdouts in the United States Congress. Even as basic aspects of our way of life were being dramatically altered as a result of the spread of COVID-19, a bill known as the No Ban Act was making its way through a tone-deaf House of Representatives.

The bill, originally introduced in April 2019, with 219 cosponsors (all Democrats), would reverse existing presidential orders restricting entry to the United

States of people from countries known to harbor or support terrorists (orders ruled to be constitutional by the Supreme Court) and bar the president from imposing new restrictions on entry of foreign nationals -- including in response to a health crisis. For reasons so obvious that even the House leadership had to concede that the timing of the bill was inauspicious, the No Ban Act was tabled, but may still be considered at a future date.

Movement of people across international borders for legitimate reasons is a fact of life in the modern world -- one that we all hope can resume as normal as quickly as possible. But, as the COVID-19 pandemic has demonstrated, even in a modern globalized world, borders do matter (for a lot of reasons, not just to prevent the spread of diseases) and that nations have very legitimate reasons to control borders and who enters their countries. These lessons must carry over even after the COVID-19 crisis is behind us - very soon we hope. ■

Immigration REPORT

The FAIR Immigration Report
(ISSN 1067-3337)

Published 10 times a year by
the Federation for American
Immigration Reform, a non profit
membership organization.

Board of Directors

Donald A. Collins Jr., Chair
Duane Austin
Douglas E. Caton
Kevin Donaleski
Frank Morris
S. Blake Swensrud II

Staff

Dan Stein, President
Bob Dane, Executive Director
Ira Mehlman, Senior Editor

Connect with us!

@FAIRImmigration



Federation for American Immigration Reform

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

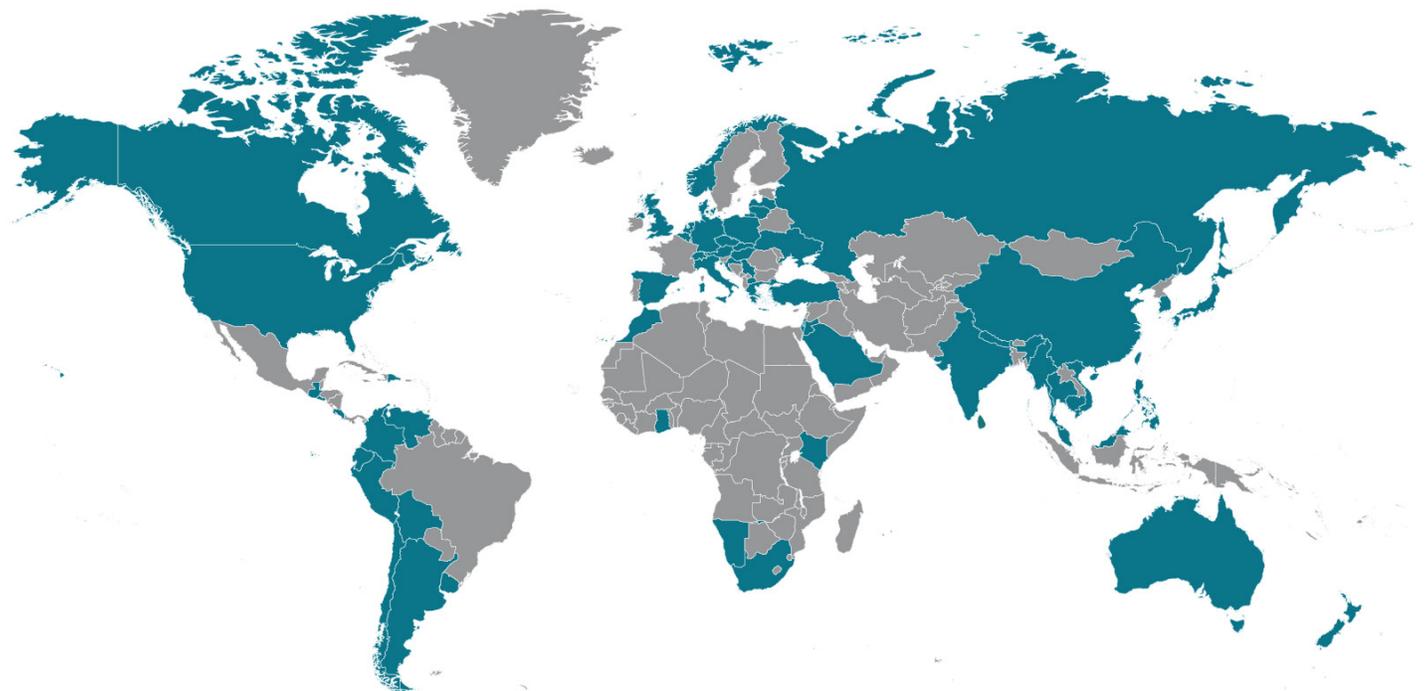
Countries Around the World Close Borders in Response to COVID-19

The ability of people and goods to cross international borders for legitimate purposes is an essential component of modern life. Restricting, or closing off entirely, the ability to move from one country to another are painful and costly steps that should be carried out only under extreme circumstances. We are living through such circumstances, and governments around the world are exercising prudent judgment and closing their borders in an effort to prevent further spread of a deadly virus.

These are steps that no rational person should

want to take. But among the many life-altering lessons of the COVID-19 pandemic is that borders can be secured. When life returns to normal -- soon we hope -- there will be tangible proof that countries can maintain borders that are accessible to those with legitimate reasons to enter, while minimizing illegitimate border crossing.

As of mid-March, here is a list of nations around the world that have implemented complete, partial, or de facto (i.e. mandatory extended quarantines) border closures:



Ghana	Dominican Republic	India	Vietnam	Denmark
Kenya	Ecuador	Japan	Australia	Germany
Morocco	El Salvador	Malaysia	New Zealand	Greece
Namibia	Guatemala	Myanmar	Israel	Hungary
South Africa	Peru	Nepal	Jordan	Italy
Argentina	United States	Philippines	Lebanon	Latvia
Bolivia	Uruguay	Singapore	Saudi Arabia	
Canada	Venezuela	South Korea	Austria	
Chile	Cambodia	Sri Lanka	Belgium	
Colombia	China	Taiwan	Croatia	
Costa Rica	Hong Kong	Thailand	Czech Republic	

Supreme Court Green Lights “Remain in Mexico” Policy



From the perspective of the mass immigration/open-borders lobby, there is a huge problem with the Trump administration’s Migrant Protection Protocols (MPP), commonly known as “Remain in Mexico”: They work! Since peaking last May at 144,000, border apprehensions and illegal border crossings have declined dramatically owing to MPP and other policies implemented to discourage people from exploiting our asylum policies and court-imposed limits on family detention.

As usual, border chaos proponents went to court in an attempt to prevent the government from carrying out MPP, which requires migrants seeking asylum in the U.S. to remain in Mexico until their claims can be heard. As per their longstanding strategy, these advocacy groups, led by the American Civil Liberties Union (ACLU), found sympathetic judges to block implementation of MPP. These judicial rulings were upheld by activist (and oft-overturned) Ninth Circuit Court of Appeals.

The Department of Justice (DOJ) immediately appealed the Ninth Circuit’s ruling, and on March 11, the U.S. Supreme Court reversed the appellate court’s ruling. The unsigned one-paragraph Supreme Court order cleared the way for MPP to be fully implemented. It is also not clear how each individual justice ruled, other than Sonia Sotomayor who expressed her dissent.

The MPP ruling is the latest in a series of judicial wins for the Trump administration’s efforts to enforce immigration laws and protect the interests and security of the nation. In January, the Supreme Court similarly cleared the way for the administration to implement policies aimed at preventing people who are likely to become public charges from immigrating.

The stampede of mostly Central Americans during the first half of 2019 was fueled by the near cer-

tainty that entering the U.S. illegally and entering an asylum claim would result in release into the United States, pending a hearing that most had no intention of showing up for. The vast majority of asylum claims being entered lacked merit, but once released into the country, it becomes much more difficult to locate and deport these migrants.

Under MPP, some 60,000 migrants have been returned to Mexico, and many of those who lacked valid asylum claims have decided to return to their homelands. Moreover, knowing that they would not be released into the interior of the United States, many fewer migrants are attempting to exploit our asylum policies.

Nearly half a million migrants who crossed the southern border in FY 2019, were released into the United States. Without MPP in place, it is a near certainty that a renewed surge would further paralyze the already overwhelmed immigration courts.

MPP and an administration policy requiring migrants to seek asylum in the first safe country they come to, i.e. one that puts them beyond the reach of the government they claim is persecuting them, are stop gap measures for restoring order to the border. They can be reversed by a future administration that abjures immigration enforcement.

FAIR has advocated for congressional action to close loopholes in our asylum laws that will protect the rights of legitimate asylum seekers, and deter those who would abuse our humanitarian policies to gain entry to the United States under false pretenses. FAIR has also been urging Congress to overrule a 2015 judicial decision that bars the detention of families with children from being detained for more than 20 days.

Both of these essential statutory changes are essential to curb future asylum abuse and border surges. In the current highly partisan atmosphere in Washington, and with a hotly contested election looming, bipartisan cooperation is highly unlikely this year. However, these legislative fixes will remain a high priority for FAIR beyond 2020. ■

Commonsense Immigration Policies Enjoy Broad Voter Support

In case you haven't noticed, 2020 is an election year and immigration figures to again weigh heavily on voters' minds when they go to the polls. According to a Harvard/Harris poll, which issues a comprehensive snapshot of public opinion on a wide range of public policy issues each month, support for commonsense immigration policies enjoy overwhelming voter support.

In contrast to some of the radical open borders and anti-enforcement positions staked out by candidates seeking to oppose President Trump in November, American voters stand squarely in favor of enforcing immigration laws and adopting merit-based legal immigration policies. Voters also overwhelmingly oppose sanctuary policies or other policies that grant illegal aliens new benefits. The poll was conducted in February and the results were released in March.

Among the key immigration findings of the Harvard/Harris poll were:

- 60 percent of voters approve of a new administration rule aimed at denying green cards to immigrants who are likely to wind up as public charges.
- 76 percent support policies that would crack down on illegal aliens who commit crimes or are arrested by requiring local governments to turn them over to immigration authorities or face the loss of law enforcement funding. 55 percent support sanctions against sanctuary jurisdictions.
- 79 percent said they would support an "immigration halt" if the COVID-19 virus became a pandemic. (The poll was conducted before the World Health Organization declared it a pandemic.)
- 61 percent support "comprehensive immigration reform that includes strengthened borders, a wall along the southern border, eliminates chain immigration and visa lotteries and replaces the system with one based on merit." The question also included a trade-off of amnesty for current illegal aliens. It is not possible to determine how much the inclusion of amnesty influenced support or opposition.
- Only about one-third of voters support the idea

of granting driver's licenses to illegal aliens.

- As we approach a national election, 67 percent of voters support "Requiring National ID cards for voting."



Image Credit: istock

The latest Harvard/Harris poll demonstrates that FAIR stands in the mainstream of American public opinion on immigration. The polling results also highlight the distorted picture of the immigration policy debate that is presented by the elitist corporate media. The attention and exposure that the media give to the mass immigration/open-borders advocates is vastly disproportionate to the constituencies they represent.

The poll indicates that as the views of mass immigration advocacy groups (and the politicians who pander to them) become ever more radical -- abolishing ICE, granting unconditional mass amnesty, decriminalizing illegal immigration, granting health care and other social benefits to illegal aliens, and more -- politicians who represent and protect the interests of the American people in the immigration debate will be rewarded on Election Day. ■

News from our State and Local Operations

VIRGINIA

The Virginia Legislature wrapped up its legislative session on March 8, but before heading home, lawmakers enacted a host of new benefits and privileges for illegal aliens. Topping the list of accommodations to illegal aliens, is a new “driving privilege” card for illegal aliens. Illegal aliens who file a Virginia tax return will be eligible for these important documents that make it easier for them to live and work in violation of federal law. These documents will be issued even though Virginia authorities have no reliable way of knowing who they are being issued to. And, as a further protection for illegal aliens in the commonwealth, their personal information will be shielded from federal authorities except under extenuating circumstances.

But wait, there’s more. Virginia taxpayers will now be required to subsidize the education of illegal aliens attending public colleges and universities. These subsidies amount to about two-thirds of the actual tuition cost. But why stop there? The Legislature didn’t. Also approved were measures that allow local jurisdictions discretion not to contact immigration authorities when they book someone into custody for a misdemeanor; eliminate ID requirements for voting; and create a new state “Office of New Americans” to assist immigrants regardless of immigration status in pursuing public benefits.

As of completion of this edition of the newsletter these bills had not been signed into law, but Gov. Ralph Northam is expected to do so.



State and Local Engagement attend a press conference with Maryland sheriffs and Angel Families to fight sanctuary policies in Annapolis.

FLORIDA

The Florida Legislature, under extreme pressure from cheap labor business interests, approved what amounts to a toothless E-Verify bill in early March. Mandating the use of this highly successful federal employment eligibility verification system had been one of the signature campaign promises of Republican Gov. Ron DeSantis. The bill that was sent to his desk is far cry from what he asked for or what the people of Florida demand, and much of the sabotaging of the bill came at the hands of Republicans. Key provisions, such as authorizing the state’s Department of Economic Opportunity (DEO) to audit employers for employment-verification compliance and to relay suspicions about businesses hiring illegal workers to federal Immigration and Customs Enforcement (ICE) were gutted. Only government entities and government contractors will be required to screen out illegal aliens through the use of E-Verify.

As of completion of this edition of the newsletter, Gov. DeSantis had not indicated whether he would sign or veto this watered down E-Verify bill.

TEXAS

Because apparently there are no pressing needs or problems that need to be addressed by Texas’ largest cities and counties, local lawmakers have decided to channel local tax dollars into funds dedicated to providing legal assistance to illegal aliens fighting deportation. Dallas, Austin, and San Antonio have already established legal defense funds for illegal aliens, and in late February, Harris County officials (the state’s largest, which includes Houston) decided to dive in. According to SmartAsset.com, Harris County already “has some of the highest property taxes not just in Texas, but in the entire country. The average effective property tax rate in Harris County is 2.09 percent, significantly higher than the national average.” In addition, Harris County imposes the maximum local sales tax of 2 percent, on top of the 6.25 percent state sales tax, for a total of 8.25 percent, well above the combined statewide average of 7.613 percent. But what the heck, right?

Sanctuary Policies Cost Lives. Now They Can Cost Sanctuary Jurisdictions Money

Countless lives have been unnecessarily lost and countless avoidable crimes have been perpetrated because of sanctuary policies in place in an estimated 562 jurisdictions around the country. Politicians in these jurisdictions seem unmoved by the needless suffering imposed by their defiance and obstruction of immigration enforcement. What they do seem to care about is federal dollars flowing to their states, counties, and cities.

Now, some of those federal funds may be at risk owing to a ruling by the Second Circuit Court of Appeals, which is based in New York City. In late February, the Second Circuit ruled that the U.S. Department of Justice (DOJ) can deny federal grant funds to cities, counties and states that impede federal immigration enforcement through sanctuary policies.

There is something disquieting in the idea of States and localities seeking federal funds to enforce their own laws while themselves hampering the enforcement of federal laws or worse violating those laws.

- Judge Reena Raggi

The appellate court ruling was handed down in response to a legal challenge brought by seven states, Connecticut, Massachusetts, New Jersey, New York, Rhode Island, Virginia, and Washington, as well New York City, which stood to lose federal law enforcement grants as a result of their policies that protect criminal aliens.

In July 2017, then-US Attorney General Jeff Sessions required applicants for Byrne-JAG grants to certify they met three conditions in order to be considered for funding: 1) compliance with the federal statute that requires information-sharing with immigration authorities (the “certification condition”); 2) that they notify federal authorities on request of the scheduled

release dates of aliens in their custody (the “notice condition”); and 3) that they allow federal authorities access to aliens in their custody (the “access condition”). The Byrne-JAG grant program provides federal funds to states and local governments to use in law enforcement, and is administered by DOJ.

In November 2018, US District Judge Edgardo Ramos declared the DOJ conditions invalid and granted an injunction blocking DOJ from requiring the conditions, and ordered the funds to be released to the plaintiffs. The DOJ appealed.

In a unanimous opinion the Second Circuit held:

- DOJ had statutory authority to impose the conditions, under multiple federal statutes enacted by Congress;
- neither the conditions nor the statutory authority for them violated the “anti-commandeering principle” of the Tenth Amendment; and
- the conditions were not imposed in an “arbitrary and capricious” manner in violation of the federal Administrative Procedure Act (APA).

In the opinion, Judge Reena Raggi, who was appointed by President George W. Bush, noted that, “there is something disquieting in the idea of States and localities seeking federal funds to enforce their own laws while themselves hampering the enforcement of federal laws, or worse, violating those laws.” Judges Ralph Winter, a Reagan appointee, and Jose Cabranes, a Clinton appointee, joined the opinion without dissent.

The Second Circuit Court ruling, which differs from other circuit court rulings on the matter, means that the case will likely have to be resolved by the Supreme Court. Again, most of the legal wrangling could be short circuited by congressional action. Congress outlawed sanctuary policies in 1996 and has unquestioned authority to withhold federal funding to scoff-law jurisdictions. ■

I am making my donation by check **payable to FAIR**, or credit card (check one).

Visa Mastercard AMEX Discover

\$1,000 \$500 \$250 \$100 \$50

\$25 Other \$ _____

Cardholder's Name

Card Number

Expiration Date

Signature

I would like to make this donation monthly and become a recurring **Cornerstone Contributor**.

WE ALSO WELCOME YOUR DONATIONS ON OUR SECURE SERVER
www.fairus.org/DONATE
(enter code NL2004 in payment details).

I have included at least \$25 for a Gift Membership.

Recipient's name and address

Stay Informed. Get Involved. Make a Difference!

Sign up today to receive
FAIR's Legislative Updates online!

(Please provide your email address)



FAIR is an accredited charity by the Better Business Bureau's Wise Giving Alliance and is one of a select few non profit organizations that meet their high standards of operation, spending, truthfulness, and disclosure in fundraising.



Charity Navigator has awarded FAIR four out of a possible four stars. In addition, FAIR continues its top-rated status with Charity Watch. FAIR has demonstrated exceptional financial health, outperforming most of our peers in our efforts to manage and grow our finances in the most fiscally responsible way possible.



FAIR

Fund for the Future

FAIR's Fund for the Future is made up of visionary supporters like you who want make sure FAIR is here well into the future. As you think about organizations you give to, I'm sure you'll agree that FAIR is one of the most effective. Our ability to fulfill our mission would not be possible without the generosity of those incredible individuals who include FAIR in their planned giving arrangements. Jeannette Bromley was one such person.. She cared about America's working families and appreciated what we do on their behalf. Despite a limited income, she faithfully gave \$25 to FAIR every year. But Jeanette also had other non-cash assets in her estate plans to make a very meaningful legacy gift to FAIR that was much larger than her annual donations. After her passing, FAIR received a six-figure gift from her estate!

You have multiple planned giving options:

- Bequest by Will or Living Trust A charitable bequest is an easy way to have a lasting impact. Simply direct a gift to FAIR in your will.
- Charitable Remainder Gift Set aside assets, such as cash, securities, or real estate, today and receive income for life, an immediate tax deduction, estate tax savings, and create a future gift for FAIR.
- Gift of Retirement Plan You can reduce your federal, state, and estate taxes by making a charitable donation to FAIR through your IRS, 401(k), 403(b), or other retirement plans.
- Gift of Life Insurance Naming FAIR as a full or partial beneficiary of your life insurance policy is an easy way establish FAIR in your planned giving arrangements. Simply list "Federation for American Immigration Reform" and our taxpayer identification number, 52-1136126.

Establishment of a gift is all that is required to earn recognition as an Honoree of this distinguished legacy group. By doing so, you will ensure that the America you love is the America your children and grandchildren will inherit.

**CONTACT OUR
ADVANCEMENT TEAM**

bsmith@fairus.org

202 328 7004