



Immigration REPORT

FAIR Exit Poll Shows Biden Has No Mandate to Blow the Doors Off Immigration

President-elect Joe Biden may have eked out a narrow victory in November over Donald Trump, but exit polling conducted by Zogby Analytics on behalf of FAIR, makes it clear that voters did not give him a mandate to enact the radical immigration policies that were part of the Democratic platform. In both a nationwide poll of voters and separate polls in six battleground states, the Zogby poll found that voters strongly favor continued border restrictions and tight limits on admission of foreign guest workers during the ongoing health and economic crisis. The poll also reveals that majorities of all voters – Democrats, Republicans and Independents – believe that longer-term, overall levels of immigration should be reduced to prevent excessive U.S. population growth.

The national poll found that a super majority of Republicans, 76 percent, along with a majority of both Democrats and Independents support long-term reductions in immigration, the key factor that fuels population growth and limits economic opportunities for Americans. This sentiment was echoed strongly by both White and Hispanic voters, as well as working age Americans ranging in ages from 18 to 69.

Not only didn't Hispanic voters embrace Biden's radical immigration stances, but they seem to have hurt him among voters who live in high immigra-

tion impact areas. According to other polling data President Donald Trump captured a third of Hispanic votes nationwide – vastly outperforming John McCain and Mitt Romney who favored amnesty for illegal aliens – but in the key states where the impact of mass immigration is felt heavily, Florida and Texas, he garnered 47 percent and 40 percent of Hispanic votes.

In the Zogby polling, the COVID health and economic crises weighed heavily on voters' minds. By large majorities, voters believe that addressing these issues should include limits on immigration. A super majority of all voters – nearly 83 percent – agree that cross-border traffic and the admission of internation-

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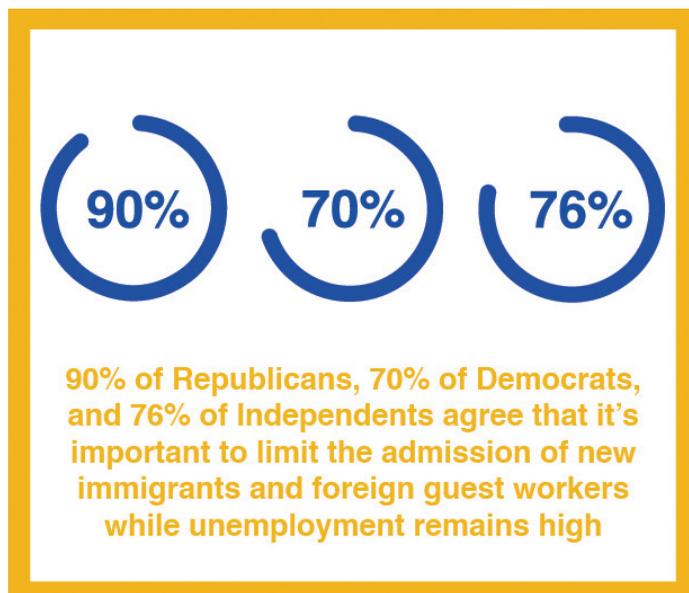
FAIR EXIT POLL

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al travelers is key to slowing the spread of COVID-19. This sentiment was echoed by Americans of all political leanings and all ethnic groups.

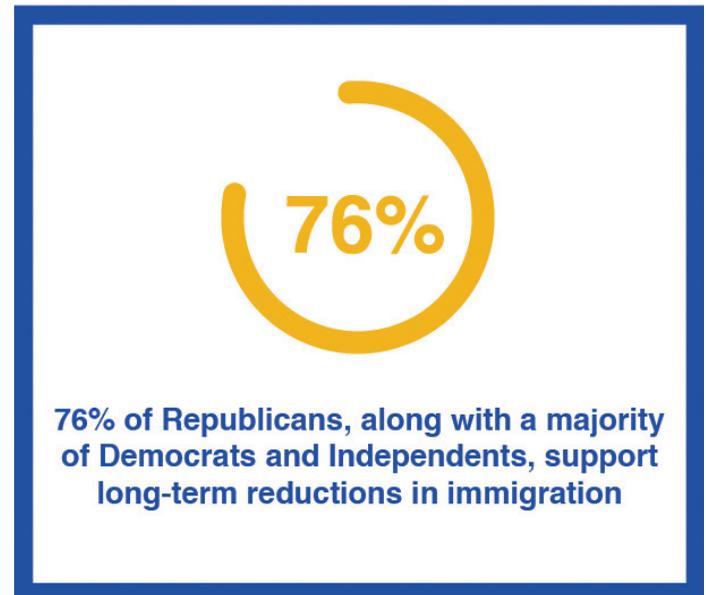
The issue of jobs is clearly on the minds of the American public, with strong majorities of Independents, Democrats and Republicans supporting the limiting of admissions of new immigrants and guestworkers while COVID-19 related unemployment remains high.

Majorities of Blacks, Whites and Hispanics, along



with Americans of all political stripes, support continuing to limit immigration and foreign guestworkers in order to protect American jobs after the COVID-19 crisis ends. So long as unemployment remains high, 76 percent of voters agreed that “it’s important to limit the admission of new immigrants and foreign guest workers.” That opinion was shared by 90 percent of

Republicans, 70 percent of Democrats and 76 percent of Independents, as well as upwards of 70 percent of black and Hispanic voters.



The views of the radical wing of the Democratic Party that seem to have pushed Biden to adopt their agenda on immigration, are wildly out of step with the American electorate. Voters turned to Biden in the hope that he will address the national health crisis and the resulting economic and unemployment crises. According to the polling conducted on behalf of FAIR, it is clear that the vast majority of American voters believe that implementing a radical immigration agenda will severely hinder the new administration’s ability to address the country’s most pressing issues. ■

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What a Biden-Harris Administration Might Mean for Immigration Policy

The inauguration of Joe Biden as the nation's 46th president could spell dramatic changes in U.S. immigration policy and a complete reversal of many initiatives taken by the Trump administration to secure our borders, curb asylum abuse, and protect American workers. Although immigration took a backseat to pressing national health and economic issues during the campaign, the Biden-Harris vision for America's immigration policy is radically different from that of the Trump administration.

Circumstance and the weight of responsibility for a nation reeling from the COVID crisis may alter Mr. Biden's immigration plans once he assumes the Oval Office. Time will tell. In the meantime, we must assume that the new administration – pushed by the radical left wing of the Democratic Party – will endeavor to implement the policies that the Biden-Harris ticket ran on. Among the key policy proposals laid out by the Biden-Harris campaign were:

- Amnesty for the nation's illegal alien population. The centerpiece of the Biden-Harris plan is the largest amnesty in U.S. history, which FAIR estimates will put at least 14.3 million illegal aliens on the path to citizenship. Shockingly, once they become U.S. citizens, FAIR estimates that upwards of 52 million of their relatives will also become eligible over the next few decades.

- Rescind all Trump executive action agreements. Biden-Harris have promised to rescind all Trump administration agreements with Central America and Mexico, the main reason behind the decline in mass asylum fraud, Central American illegal alien caravans and 'catch and release'.

- Halt all removals of illegal aliens for 100 days. The incoming administration has proposed that all removals of illegal and criminal aliens will be halted for at least 100 days to allow for an audit of Customs and Border Protection and ICE policies.

- End all travel bans. Travel bans that were put in place on countries known to harbor terrorists or that don't share information with the U.S. on perspec-



Image Credit: Flickr | Joe Biden

tive immigrants will be suspended, despite a recent spate of deadly terrorist attacks in Europe.

- Eliminate use of private detention facilities. Biden-Harris will terminate contracts with private companies that provide additional space to detain people who enter the country illegally. These contracts have allowed for the detention of dangerous criminal aliens and those flagged for removal from the U.S. in privately-run detention facilities.

- End workplace enforcement operations. The incoming administration has pledged to stop immigration enforcement operations at worksites and "ensure that I-9 audits do not undermine workers' ability to organize and assert their rights."

- Stop wall construction. President-elect Biden intends to end any further construction of the highly effective border wall.

- Speed up chain migration. The new administration will take steps to speed up chain migration and increase overall legal immigration.

- Increase refugee admissions. The Biden-Harris administration intends an eight-fold increase in refugee admissions (amid a global pandemic and a recent uptick in terrorist attacks in Europe carried out by migrants posing as asylum-seekers) from the current level of 15,000 a year to 125,000.

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Some of these agenda items can likely be implemented through executive orders by the new president. Others will require congressional action. Thus, much will depend on the outcome of the January 5 run-off elections for Georgia's two Senate seats. (This edition of the newsletter was completed long prior to January 5.) A Republican victory in either of those races would give Republicans control of the Senate and could serve as a brake on radical immigration legislation.

Also in play are tensions within the Democratic Party. Shortly after the election, in which Democrats lost seats in the House of Representatives, Speaker Nancy Pelosi intimated that this would be her last go-round in that position. Pelosi is viewed by the ascendant far-left House contingent as insufficiently woke and have expressed a desire for someone even further to the left to lead the party in the House.

On the other side of the Hill, Senate Majority Leader Chuck Schumer came under fire from mem-

bers of his caucus for the party's failure to take control of that chamber (pending the outcome of the Georgia run-offs). Many Senate Democrats blamed Schumer's



Image Credit: Biden Campaign | Adam Schultz

timid response to the party's radical leftward lurch as damaging their prospects to win in many states.

FAIR, for its part, will work with members of Congress and harness public opposition to radical immigration proposals from the new administration. While the effort to achieve true immigration reform will be more difficult under a Biden administration, there are many avenues available to prevent many of the radical proposals being promoted by the far-left from coming to fruition. ■

Border Wall Construction Likely to Be Halted, Just When It's Needed Most

When Joe Biden is sworn in on January 20, construction of the border wall is all but certain to come to a screeching halt. During his last year in office, President Trump added some 450 miles of new barriers along the southern border, a policy President-elect Biden has repeatedly vowed to end immediately upon taking office.

While this is a campaign promise that Biden will almost certainly make good on, it would also be a monumental mistake – especially under the circumstances he will inherit. Even in ordinary times, an effective border barrier is essential to protecting the security and interests of the nation. Current circumstances make it all the more necessary.

Illegal immigration is surging. Apprehensions along the southern border reached 69,000 in October

– levels not seen since July 2019. October marked the sixth straight month that border apprehension increased. Moreover, according to Customs and Border Protection Acting Commissioner Mark Morgan, the increasing flow of migrants is reverting to more traditional patterns of single men in search of employment and a resurgence of illegal immigration from Mexico.

The COVID crisis shows no signs of abating. In addition to all the other dangers posed by unchecked illegal border crossings, the most recent surge is occurring amid a global pandemic. The 69,000 figure represents only those who were caught entering the country illegally. We have to assume that many more illegal aliens took advantage of still-unsecured sections of the border to gain entry. Unknown num-

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bers of these people may be carrying the coronavirus and have not successfully made their way to countless communities across the United States.

Many U.S. health care facilities are at the breaking point. At the start of December, more than 96,000 COVID patients around the country required hospitalization, pushing many health care facilities to the brink. California Gov. Gavin Newsom warned that intensive care units in his state could be at 112 percent of capacity by Christmas. Other states and localities are experiencing similar crises. An influx of illegal aliens from countries where the COVID crisis is even worse could push many sectors of our health care system over the edge.



Image Credit: Flickr | U.S. Customs and Border Control

Unemployment remains at crisis levels. The health crisis has led to an economic and unemployment crisis as well. As CBP's Morgan noted, the majority of migrants crossing our unsecured borders illegally are coming in search of jobs, as COVID ravages the already weak economies in their homelands. The last thing millions of unemployed American workers need is a new surge of job-seeking migrants.

State and local budgets and social services are straining to the breaking point. With unemployment at sustained high levels, tax revenues to state and local governments have plummeted while reliance on government services has spiked. A new (and likely bigger surge under a Biden administration) would bring large numbers of people who would depend on public services and emergency benefit programs that are barely keeping their heads above water.

FAIR will work with allies in Congress and through outreach to the American public to oppose the new administration's efforts to halt construction of the border wall. While the new president will certainly be under enormous pressure from the far left to end construction – possibly even to remove sections of the wall that is already built – FAIR will continue to use its access to members of Congress and the media to highlight the urgent need for maintaining construction amid the multiple crises the Biden administration will inherit when it takes office. ■

Alejandro Mayorkas, Architect of DACA, Tapped to be DHS Secretary

Concerns that President-elect Biden will pursue a radical immigration agenda after taking office were heightened in November when he tapped Alejandro Mayorkas to serve as Secretary of the Department of Homeland Security (DHS). The nation's immigration enforcement agencies – Customs and Border Patrol (CBP) and Immigration and Customs Enforcement (ICE) – as well as the U.S. Citizenship and Immigration Services (USCIS), all fall under the auspices of DHS.

Mayorkas has a long history on immigration policy matters, including serving in the Obama administration as the director of USCIS, and even as U.S.

Attorney for California under President Bill Clinton. Most crucially, as an advisor to former President Obama, Mayorkas was the architect of the de facto amnesty program implemented in 2012, known as Deferred Action for Childhood Arrivals (DACA), under which some 700,000 illegal aliens (many well into adulthood) have been granted exemption from removal and work authorization in direct contradiction to federal statutes.

President Trump sought to end DACA, but his

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efforts were stymied by numerous legal challenges, some of which are still pending in the courts even as he prepares to leave office. President-elect Biden has indicated that he will move to fully restore DACA once he takes office, and it is likely that Mayorkas will be tasked with spearheading this effort as well as others aimed at protecting people who are in the country illegally.



Image Credit: Flickr | U.S. Department of Homeland Security

More concerning is that Mayorkas will lead the effort to undo many Trump-era policies that have at least partially stemmed the flood of migrants entering the country illegally. In accepting his nomination to head DHS, Mayorkas announced his intention to “advance our proud history as a country of welcome” – a high-minded declaration, but one, based on Mayorkas’ history, that is likely to extend to welcoming millions of people who violate our immigration laws. High on his agenda is likely to be the actual or de facto canceling of Trump agreements with Mexico and Central American governments that were essential to stanching the surges of migrants entering the United States by making specious claims for political asylum.

Mayorkas brought his “by any means necessary” philosophy to his job as director of USCIS under Obama in what came to be known as a “get to yes” policy. During his tenure heading the agency in charge

of granting immigration benefits, Mayorkas bent, or outright ignored, countless rules and laws expressly designed to exclude people who did not qualify for a variety of reasons, including fraud. While at the helm of USCIS, Mayorkas urged and even pressured public servants to ignore flagrant evidence of fraud and award immigration benefits. Career USCIS officers who tried to do their jobs conscientiously and resisted getting to yes when yes was not the appropriate answer, found their career paths within the agency blocked.

Mayorkas was also the subject of DHS’s internal watchdog, the Office of the Inspector General (OIG), for his role in promoting the issuance of EB-5 visas to foreign investors. While serving as USCIS director, Mayorkas personally intervened to secure visas for foreign investors (mostly Chinese nationals) with close ties to prominent Democrats. The OIG report cited numerous complaints from USCIS officers claiming that Mayorkas was providing “special access and special favors” to well-connected applicants. The report concluded that Mayorkas had “exerted improper influence in the normal processing and adjudication,” and had “intervened with the career USCIS staff in ways that clearly benefited the stakeholders.”

Mayorkas was the architect of the de facto amnesty program implemented in 2012 known as DACA, under which some 700,000 illegal aliens have been granted exemption from removal

Given that, if confirmed, Mayorkas will be presiding over the federal agency tasked with border control during a pandemic, combatting increasingly brazen attempts by the Chinese government to use the U.S. visa process to infiltrate people for purposes of espionage, and a recent uptick in radical Islamist terrorism in Europe, his choice as DHS secretary is troubling to say the least. It is likely that all of these concerns (and others) will be raised at his confirmation hearings, especially if Republicans maintain control of the Senate.

News from our State and Local Operations



CALIFORNIA

State and local sanctuary policies that protect criminal aliens may have gone too far, even for some California officials who have fiercely defended them in the past. A brutal stabbing in a San Jose church on Nov. 22 that left two people dead and three wounded seems to have been the final straw for the city’s mayor and chief of police.

Fernando De Jesus Lopez-Garcia, a thrice deported illegal alien has been charged with two murder counts, three counts of attempted murder, battery on a spouse or cohabitant and violating a protective order. Nevertheless, when Immigration and Customs Enforcement requested that Lopez-Garcia be detained after he was arrested on a domestic violence charge in June, Santa Clara County (which maintains even more stringent sanctuary policies than the state) ignored the request over the objections of the District Attorney’s office. Lopez-Garcia was released without notification to ICE as per county policy.

After this latest needless deadly crime spree at the hands of a deportable alien, even San Jose’s Mayor Sam Liccardo and Police Chief Edgardo Garcia felt compelled to speak out. Mayor Liccardo professed to be perplexed that a deportable defendant with multiple prior convictions for serious felonies could be released without notifying ICE. “Changes in our criminal justice system have not made our communities safer, this pendulum has swung too far,” he added. Similarly, Chief Garcia wondered aloud, “How many more incidents have to occur before there is a change in policy?”

For some local officials, the answer may be never. Santa Clara County Executive Jeff Smith accused the mayor and police chief of political opportunism and “unprofessional” behavior, “basically trying to take advantage of a horrific double-murder, trying to promote their political agenda, which has been talked about, numerous, numerous, numerous times.”

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