

 Immigration
REPORT

Cause and Effect: Biden Immigration Policies Have Led to a Humanitarian and National Security Crisis

On the day he was sworn in as the nation's 46th president, Joe Biden inherited multiple crises. He took the helm of a deeply divided nation that was also grappling with a pandemic that has claimed the lives of some 500,000 Americans, historically high levels of unemployment, some 18 million children who had not seen the inside of a school building in almost a year, and unprecedented debt, to name just a few. And six weeks after taking office, all of those crises were being eclipsed by the leading edge of what is shaping up to be the biggest border crisis the nation has ever seen.

The Biden administration took immediate actions that sent an unmistakable signal that our borders were wide open and that enforcement would not occur except under extraordinary circumstances. FAIR predicted that the inevitable consequences of these actions would be a new crisis along our southern border. Those predictions have, unfortunately, proven to be true.

February, the first full month of the Biden presidency, saw border apprehensions soar to more than 100,000 – an alarming number of whom were unaccompanied children. As a result of the adminis-

tration's decision to scrap existing agreements with Mexico, virtually all of those apprehended will be released into the United States (if they haven't already), pending hearings they are unlikely to appear for.

Dealing with the flood of unaccompanied children presents additional difficulties given that the Biden administration has ruled out returning them to their countries of origin or to their parents who are outside the United States. For their own safety, these minors must be detained until they can be placed with relatives or sponsors in this country. But rather than

[see CAUSE AND EFFECT | page 2](#)

Inside. . .

Biden Border Policies (continued).....	2
Amnesty Bills.....	3
Immigration Mess.....	4
Exploding Border Crisis.....	5
Public Charge Rule.....	6
State and Local.....	7

Cause and Effect

from page 1

take commonsense steps to end the crisis, the Biden administration instead opted to call in the Federal Emergency Management Agency (FEMA) to manage this presidentially induced crisis.

FEMA, which is often tasked with setting up makeshift shelters for Americans displaced by natural disasters, was tapped to shelter an ever-growing number of unaccompanied minors who are winding up in government custody. These are the same detention facilities that candidate Biden decried as “cages,” and which were used under the Obama administration in which he served as vice president.

Homeland Security Secretary Alejandro Mayorkas, who as one of the chief architects of the disaster playing out at the border has tied the hands of our immigration enforcement agencies, applauded the role of the Border Patrol in caring for the children in their custody, rather than allowing them to do their primary job of securing the border. “I am incredibly proud of the agents of the Border Patrol, who have been working around the clock in difficult circumstances to take care of children temporarily in our care,” Mayorkas said.

All Americans should be proud of the job they are doing looking after kids who are being exploited by parents, smugglers, and political opportunists. In 2019, several senior FAIR staffers visited the largest such facility in McAllen, Texas, and reported on exceptional compassion and professionalism Border Patrol agents were exhibiting in their efforts to care for detainees (especially children) in their custody, despite obscene comparisons to Nazis leveled by media outlets and even members of Congress.

Though COVID-related circumstances make visits to crowded detention facilities more difficult, FAIR is again monitoring the situation at the border first hand. In March, FAIR Senior Fellow Mark Morgan, who served in both the Obama and Trump administrations as director of Customs and Border Protection (CBP), and as acting director of Immigration and Customs Enforcement (ICE) went to the border to assess the situation and speak to law enforcement agents on the front lines. Morgan will report his findings and his recommendations to the American public through talk radio and social media, and to members of Congress who are increasingly alarmed by the crisis the Biden administration has created. ■



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

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
S. Blake Swensrud II
Cynthia Mathews

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

House Approves Two Massive Amnesty Bills, While Chaos Rages at the Border

The Biden administration's disastrous border and immigration policies have almost surely killed any chance of pulling enough Senate Republicans to fulfill the president's cherished goal of a sweeping illegal alien amnesty. Rather, it has forced them to move to Plan B: Amnesty in smaller pieces.

Reacting to the growing crisis at the border, Senate Majority Whip Dick Durbin (D-Ill.) has given up any hope of reconstituting the old gang (of eight)



Image Credit: istock

to pass a comprehensive amnesty bill. "I don't see a means for reaching that. I want it. I think we are much more likely to deal with discrete elements," he admitted in March.

By "discrete elements," Durbin means breaking up a rancid full course dinner of amnesty for all illegal aliens into, what he hopes, is a more palatable smorgasbord of smaller amnesties. That effort began in the House on March 18, when as the House of Representatives approved two amnesty measures that would legalize an estimated 5 million illegal aliens.

The first bill, The American Dream and Promise Act (H.R. 6), was approved by a 228-197 vote. The legislation places all illegal aliens who arrived in the United States as minors, Temporary Protected Status (TPS) recipients, and others on a pathway to citizenship in exchange for exactly zero substantive enforcement measures. Seven Republicans joined with a unified Democratic caucus in passing the measure. The scope of the amnesty goes well beyond legalization of the approximately 700,000 beneficiaries of the Deferred Action for Childhood Arrivals (DACA) pro-

gram. Under the bill, an estimated 3 million people would qualify for amnesty – making it a larger amnesty than the one enacted in 1986.

In Orwellian language, the legislation fulfills promises that were never made to illegal aliens and the people who accepted our offer of temporary protection, while ignoring countless promises that actually were made to the American people. Those promises – made over many years by long-serving members of Congress like Durbin, Senate Majority Leader Chuck Schumer, and Joe Biden, when he was in the Senate – included secure borders, a system that would prevent illegal aliens from working in the U.S., and, of course, never repeating amnesty – have never been kept.

Unless Majority Leader Schumer breaks with Senate custom and scraps the long-standing Senate filibuster rule requiring 60 votes to bring a bill to the floor for final passage (as President Biden and others suggest he might), the amnesty legislation has little chance of passage in the Senate. However, the approval of such a measure by the House, amid a full-blown border crisis, is indicative of the Democratic Party's position of open-borders, amnesty-only, stance on immigration.

The second bill is the equally mislabeled Farm Workforce Modernization Act (H.R. 1603), which grants amnesty to some 2 million illegal aliens (assuming there is not massive fraud) who have worked in agriculture. Owing to the enormous political clout of the agriculture lobby, H.R. 1603 sailed through the House by a 247-174 vote, as 30 Republicans joined with all but one Democratic House member in passing the bill.

Far from modernizing American agriculture, this amnesty bill meets the very definition of regressive. First, H.R. 1603 would actually codify a form of indentured servitude. In order to qualify for the amnesty, illegal aliens would have to commit to toiling in the fields (for poor wages) for between four and eight years before obtaining green cards. Second, it deters American farmers from making capital investments

Amnesty Bills

from page 3

in machinery and technology that are necessary to keep our agricultural industry competitive in global markets.

H.R. 1603 does include a provision that would require agricultural employers to use E-Verify as part of the hiring process in the future, but based on past history, those provisions will either never come to fruition, or will never be enforced.

FAIR is working with allies in the Senate to ensure that these bills do not garner the 60 votes necessary to reach the floor of that chamber. Both of these bills include provisions that have been attractive to some

congressional Republicans in the past. As we saw during the Gang of Eight fight in 2013 and 2014, some Republicans believe they must appear to be compassionate toward illegal aliens who arrived as minors (even though they know it would touch off an even larger wave of people bringing children to the country illegally), and agriculture represents a powerful interest group in almost every state.

However, given other circumstances – the Biden administration’s dangerous policies that have touched off a border crisis, and the ongoing struggles to deal with the COVID crisis – it will be much harder for pro-amnesty Senate Republicans to support amnesty measures for an estimated 5 million illegal aliens that do not even make the pretense of halting future illegal immigration. ■

FAIR: Here, There and Everywhere in Response to Biden Immigration Mess

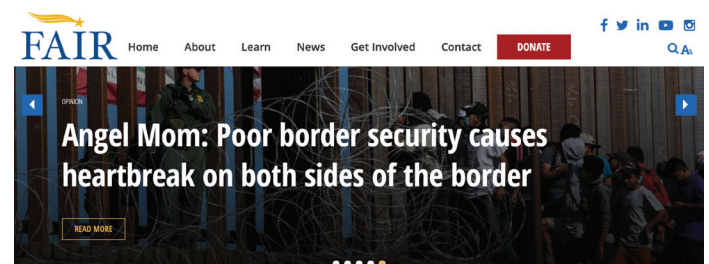
The train wreck that is the Biden immigration policy begs explanation, expert analysis, factual information, and rational responses. As had been the case when previous administrations have mismanaged our immigration policies to the detriment of the national interest, they have turned to FAIR to provide facts, analysis, and responses. That has once again been the case, as the Biden administration has engaged in active sabotage of the public interest on immigration.

As a core component of our public education mission, FAIR has been the media’s go-to organization as they cover the border crisis that has unfolded since Day One of the Biden presidency. In just the first six weeks of the administration, FAIR spokespeople have spoken directly to the American public, appearing on:

- 121 talk radio programs around the country
- 38 television news and analysis programs, including national and big market stations.

Additionally, FAIR has had an unprecedented number of op-eds published in leading opinion journals and online publications – 11 in the first six weeks of the new administration, or about two per week. FAIR’s in-house blog site, immigrationreform.com, has also experienced a huge upsurge in readership with some of

the postings being shared tens of thousands of times. FAIR has also ramped up production of YouTube videos and podcasts, covering breaking events and providing vital information often overlooked by mainstream media.



With the Biden administration working overtime to decimate immigration laws and enforcement, FAIR is working non-stop to respond and provide vital information to the public. We urge members and others to stay informed by going to our website, fairus.org and looking under the “News” tab to get the latest information. ■

An Administration in Denial: Exploding Border Crisis Is a Mere “Challenge,” Declares the White House

By late February, the situation along our southern border had gotten so bad that even President Andres Manuel Lopez Obrador (AMLO) of Mexico was urging the Biden administration to take steps to regain control. “We need to work together to regulate the flow, because this business can’t be tackled from one day to the next,” AMLO told his U.S. counterpart. Like many others, AMLO laid the blame for the crisis directly at the feet of President Biden. “They see [Biden] as the migrant president, and so many feel they’re going to reach the United States,” he said.

The reason for the Mexican president’s concern is that the Biden administration’s reckless policies are not just bad for the United States, but are harmful to his country as well. The Biden-induced surge of migrants is a bonanza for the criminal cartels that AMLO is battling with for control of his country. These cartels reap huge profits as they move migrants from all across the globe through Mexico to reach the United States. For AMLO, richer and more powerful criminal cartels are a threat to the government’s control of the country, and for ordinary Mexican citizens who might get in the way of the smugglers’ efforts it could mean far worse.



Image Credit: cbp.com

The sense of urgency expressed by AMLO and even many congressional Democrats was clearly lost on President Biden and his senior policy advisors. On the same day that AMLO expressed his grave con-

cerns, U.S. Secretary of Homeland Security (DHS) Alejandro Mayorkas addressed questions from the White House press corps. Mayorkas, like his boss, denied that hundreds of thousands of migrants, including tens of thousands of unaccompanied children turning up at our border, constitutes a “crisis.” Instead, Secretary Mayorkas asserted that dealing with an unending flow of migrants was merely a “challenge” – and one that he insisted that the administration was making progress on.

(The irony of his statement continued to be lost on the secretary and his boss in the White House when, a few days later, DHS was forced to dispatch teams from the Federal Emergency Management Agency to manage the “challenge.”)

But Mayorkas did not stop at denying that there is a crisis at the border. He went on to send a clear signal for more people to make their way to our border. “We are not saying, ‘Don’t come.’ We are saying, ‘Don’t come now because we will be able to deliver a safe and orderly process to them as quickly as possible,’” he said. While he did not indicate when, exactly, it will be the right time to come, the message that resonates with migrants all across the globe is that the nation’s chief immigration enforcement officer made it clear that we are not telling them “don’t come.”

A week and a half later, President Biden’s southern border advisor Roberta Jacobson tried her hand at justifying the administration’s policies with no better success. Ms. Jacobson denied that U.S. borders are now open, dismissing that assertion as “perception” and not “reality,” even as everyone was witnessing with their own eyes the reality that thousands of people were successfully entering the United States each day and were being allowed to continue on their way.

It still was not a crisis in the minds of the Biden administration and the Democratic congressional leadership in mid-March, when DHS was forced to admit that border apprehensions had reached levels not

Border Crisis

from page 5

seen in 20 years. Even as the department was running out of space to hold unaccompanied minors and was opening “decompression centers” hundreds of miles from the border, Mayorkas was still describing it as a “difficult situation.”

While the Biden administration continues to be in denial, or is misleading the American public about the gravity of the situation at the border, FAIR has taken the lead in providing accurate assessments about what is going on. As conditions along the border dete-

riorated during the first two months of the Biden administration, FAIR spokespeople have featured prominently on talk radio, television, and in print media delivering a clear picture of crisis, how it came about, and what needs to happen to stop it. FAIR has also been able to provide regular updates through social media, and in numerous op-eds that have been published in leading online opinion journals.

In the coming weeks and months, FAIR will continue to serve as the eyes and ears of the American public and increase the pressure on the Biden administration to reverse the dangerous and damaging policies they have implemented. ■

Biden Administration Scraps Recent Changes to Public Charge Rule

Prohibitions against the admission of immigrants who are likely to wind up dependent on government benefits and services to meet their basic needs predates American independence, and has been codified in law since 1882. But none of that, nor the burdens placed on the American people by welfare-dependent immigrants, seem to matter much to the Biden administration. In March, the Biden administration canceled a much-needed federal rule promulgated under President Trump designed to prevent people who are likely to become public charges from settling in the United States.

The rule that would have shielded U.S. taxpayers from having to provide costly public benefits, such as cash benefits for income maintenance, SNAP (food stamps), most forms of Medicaid, Section 8 Housing Assistance, Section 8 Project-Based Rental Assistance, and certain other forms of subsidized housing, is now gone, and taxpayers will remain on the hook for these costs. The cancellation of the changes reinstates very unrealistic definitions established under the Clinton administration of what it means to be a public charge.

The Biden administration’s action allowing near unrestricted admission of government-dependent immigrants would be troubling even in better times. But with the lingering economic effects of COVID and increased demand on public resources, immigra-

tion policies that add to these burdens compound the strains on assistance programs.

The effects of the cancellation of the public charge rule could have even more damaging implications in light of the administration’s efforts to enact a sweeping amnesty (or even smaller ones) for illegal aliens. The Biden administration’s plan is to grant amnesty to upwards of 14.5 million illegal aliens, and subsequent family chain migration that could entitle as many as 52 million more people to qualify for green cards. If that plan were to succeed, the price tag for eliminating the revised public charge rule could run into the tens of trillions of dollars. But, when it comes to achieving this administration’s radical agenda of unrestricted immigration, no price appears to be too great. ■



Image Credit: The White House | Flickr

News from our State and Local Operations



NORTH CAROLINA

A slew of FAIR-endorsed bills are under consideration in the 2021 session of the North Carolina legislature. These bills would require state agencies to comply with ICE immigration detainers (SB 101); require the use of the federal Systematic Alien Verification for Entitlements (SAVE) database to prevent ineligible aliens from collecting public benefits (HB 29); mandatory use of E-Verify for all companies in the state employing more than five workers (HB 43); and banning sanctuary policies anywhere in the state (HB 62). The biggest hurdle for all of these commonsense bills is getting past the veto pen of Democratic Gov. Roy Cooper. In the last session, Gov. Cooper (who faces reelection next year) vetoed legislation a bill similar to SB 101.

COLORADO

In the past few years, Colorado has moved in the direction of the most radical sanctuary states, approving driver's licenses for illegal aliens, granting illegal aliens tenant protection, and a statewide sanctuary law that prevents state and local agencies from cooperating in many ways with federal immigration authorities. But even that is not good enough for illegal alien advocacy groups in Colorado. This legislative session, more immigration legislation is being considered including a bill, Senate Bill 131, to prevent Colorado officials from sharing personal identification information (PII) with Immigration and Customs Enforcement (ICE). SB 131 includes measures in several categories to deliberately conceal PII from reaching federal immigration authorities. In addition, it prohibits the collection of some PII so agencies don't have the information in the first place. The bill bars the sharing of any "information that may be used, along or in conjunction with any other information, to identify a specific individual." SB 131 is currently being considered by a Senate committee.

MINNESOTA

Minnesota is one of the three states considering bills to grant driver's licenses to illegal aliens. (The other two are Pennsylvania and Idaho, where the bills have little chance of passage.) House File 1163 was introduced by Democratic House Majority Leader Ryan Winkler in February and was quickly voted out of the House Judiciary Finance and Civil Law Committee, by a party-line 10-5 vote on February 26. The bill is now in the House Transportation Finance and Policy Committee. The effort faces tougher going in the Republican-controlled Minnesota Senate. No companion legislation has been introduced in that chamber, although the state's powerful agricultural lobby is likely to pressure the Senate to act. Gov. Tim Walz, a vocal advocate for illegal aliens, would almost certainly sign the bill if it were to reach his desk.

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 NL2104 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.



Lessen Your Tax Burden and Support FAIR with a Gift of Stock.

If you hold securities (stocks, bonds, mutual funds, etc.) which would result in a long-term capital gain if sold, you can make an outright gift to FAIR and realize substantial savings on capital gains tax. Donating a gift of securities not only helps avoid paying capital gains taxes on the appreciated securities you also receive an income tax deduction for the fair market value of the stock at the time of your donation.

Making a charitable gift of securities is not only a tax-wise choice but also a smart investment. Your generosity will help FAIR promote sensible immigration policies including ending sanctuary cities, building a wall along our southern border and enforcing mandatory e-verify that protects American workers.

Transferring stock to FAIR is easy. Simply contact FAIR's advancement department at (202) 328-7004 for instructions about donating securities, or contact our broker directly Susanne Nolan, (703) 556-9486, toll free at 877-626-1480, susanne.nolan@rbc.com.

As always, please consult your tax advisor to discuss the latest IRS rules and regulations regarding gifts of securities.

Visit FAIRus.org for
more information