

IMMIGRATION REPORT



American Voters Want Border and Immigration Enforcement, Not Amnesty

Immigration was a key issue on the minds of voters when they went to the polls in November. And, by wide margins, voters' top priority when it comes to this issue is getting our borders under control and enforcing laws against illegal immigration.

According to exit polling commissioned by FAIR, 83 percent of voters said that immigration was an important factor in determining their votes. They were also pretty clear about what they would like to see happen. Given a choice of policy options they would like to see addressed in the coming year, 50 percent said getting our borders under control should be the first order of business. An additional 12 percent said that finding and removing illegal aliens who are already in the country should be prioritized. A scant 8.8 percent said that legalizing some or all illegal aliens should be the first agenda item. Nevertheless, in his first public statement after the election, Senate Majority Leader Chuck Schumer – who will be the senior-most Democrat in the 118th Congress – declared that he will pursue a sweeping amnesty that legalizes virtually every illegal alien in the country.

Thus, Republicans, who will have control of the

House of Representatives in the new Congress, have a clear mandate from voters to make good on the immigration policy blueprint they unveiled last summer (and to block any Democratic-led efforts to prioritize amnesty). With their majority in the House comes oversight power to hold the Biden administration accountable for its deliberate sabotage of border and immigration enforcement, and their abuse of executive authority to admit and release millions of illegal aliens into the country. Control of the chamber also means that Republicans will have the authority to launch investigations into the administration's handling (or mishandling) of immigration policies, the ability to subpoena administration officials and have them testify under oath.

Additionally, funding measures originate in the House. This gives the new majority party the power to make sure that taxpayer dollars are used to carry out our laws, rather than undermine them, as President Biden and his Homeland Security Secretary Alejandro Mayorkas have been doing with impunity for the past two years.

Border & Immigration Enforcement

from page 1

Among the funding priorities that voters want the new House leadership to pursue is completion of the border security fence that President Biden canceled on his first day in office (even though much of it has already been paid for by American taxpayers). By a 2-1 margin, 64 percent to 32 percent, voters support resumption of border wall construction.

Beyond a strong preference for border and immigration enforcement over amnesty for illegal aliens, FAIR's exit polling reveals that 55 percent of voters believe that Biden administration policies have encouraged the unprecedented wave of illegal immigration over the past two years. Only 11 percent of voters thought that Biden policies were discouraging illegal immigration.

Further, American voters recognize that our political asylum policies are being widely abused. Two-thirds said that people seeking asylum in the U.S. should be required to file their claims outside the country, rather than being allowed to enter illegally. According to a senior Border Patrol official, the wait time for an initial hearing on their asylum claim for illegal border-crossers is now 85 months – more than seven years!

FAIR's exit polling of more than 2,000 actual voters was conducted by Zogby Analytics. The full results of FAIR's polling can be found on our website, www.fairus.org.

FAIR's Immigration Poll Highlights

83% of voters said that immigration was an important factor in determining their votes.

50% of voters said getting our borders under control should be the first order of business.

12% of voters said that finding and removing illegal aliens who are already in the country should be prioritized.

By a 2-1 margin, 64% to 32%, voters support resumption of border wall construction.

55% of voters believe that Biden administration policies have encouraged the unprecedented wave of illegal immigration over the past two years.

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
Dale M. Herder
Cynthia Matthews
S. Blake Swensrud II

Staff

Dan Stein, President
Julie Kirchner, 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

FAIR-Led Coalition Instrumental in Killing Amnesty and Cheap Labor Legislation

Lame duck sessions of Congress – after elections have been held, but before the new Congress convenes – are always a time for legislative mischief, and this year was no exception. Democrats saw December as one last opportunity to enact amnesty for as many illegal aliens as they thought they could get away with, and open the spigot of foreign labor for powerful business interests, while they still controlled both chambers and the White House.

Thanks in large part to a broad coalition of groups dedicated to protecting the interests of the American people in immigration policy, those efforts were turned back. With Republicans poised to regain the majority in the House of Representatives in January, the coalition urged the GOP leadership to stand firm in opposition to post-election efforts to further undermine the interests of the American people and prepare to confront the Biden administration's sabotage of immigration enforcement in the new year.

In particular, the outgoing Democratic leadership of the 117th Congress sought to use the lame duck session to pass the so-called DREAM Act amnesty, which would allow millions of illegal aliens who entered the country as minors to gain citizenship. That bill was first introduced in 2000 and has failed to gain passage in Congress ever since. Senator Dick Durbin (D-Ill.), who first authored the DREAM Act more than 20 years ago, was frank about his intent. “We know that it's important in December, that we pass the DREAM Act – December of this year when we return from Thanksgiving – because if the House moves, as we think it might politically, it becomes increasingly difficult after the first of the year to take up this issue,” he said.

Also on the open borders lobby's lame duck wish list was a second amnesty benefiting illegal alien relatives of current and former U.S. military service members. Another priority was passage of The Eagle Act, which



would have eliminated per-country caps for employment green cards. In doing so, it would undermine country of origin diversity, further strengthening foreign workers' place in the American labor force and doing nothing to prevent big business from continuing to displace Americans with “temporary” foreign workers.

Due to the proactive efforts of the FAIR-led coalition, none of these backdoor efforts succeeded, leaving the door open to the new House leadership to focus their attention, oversight power, and funding authority on addressing the Biden-induced border disaster.

Among the 15 high profile groups joining FAIR in this effort were The Heritage Foundation, Judicial Watch, Texas Public Policy, The Eagle Forum, NumbersUSA, and The National Border Patrol Council (the union representing frontline Border Patrol agents). Also supporting the demand to yield to the demands of the amnesty and cheap labor lobbies were former high level Department of Homeland Security (DHS) officials and members of Congress, including former Acting DHS Secretary Chad Wolf; Mark Morgan former Acting Commissioner of Customs and Border Protection; Tom Homan, former Acting Director of Immigration and Customs Enforcement; Rodney Scott, former Chief of

REAL ID Act: A Cautionary Tale about Why Promises of Future Enforcement Must Never Be Taken at Face Value



The REAL ID Act was approved by Congress and signed into law in 2005 by President George W. Bush. The legislation was supposed to address the glaring and dangerous flaws in the issuance of state driver's licenses that were exposed by a blue ribbon panel investigating the events that led to the attacks of 9/11. Among the fatal (in the literal sense of the word) flaws identified by the 9/11 Commission was the ease with which the terrorists – most of whom were in the country illegally – were able to obtain valid state-issued licenses and ID documents that enabled them to escape scrutiny as they planned their attacks, and easily board the planes they turned into weapons of mass destruction.

Among the key provisions of REAL ID was a requirement that if state-issued documents were to

be valid for federal identification purposes at airports and other sensitive locations, applicants would have to demonstrate that they were legally present in the United States. The original deadline for all states to be compliant was 2008. After repeated extensions, predicated on absurd claims that recalcitrant states couldn't meet the REAL ID requirements, the deadline was pushed back to May 3, 2023. Now, that too has been postponed. In December, Homeland Security Secretary Alejandro Mayorkas announced another two-year extension, bringing the compliance date to May 7, 2025 – a full 20 years after the law was enacted (and assuming there isn't another delay).

REAL ID represents yet another in a long line of broken promises to the American people that our immigration laws would be enforced. Notably the Immigration Reform and Control Act of 1986 delivered amnesty for nearly 3 million illegal aliens. In exchange, the American public was promised that our borders would be secured and that laws against employment of illegal aliens would be enforced. We know how that turned out.

In the 118th Congress, which convened this month, there will surely be efforts to grant amnesty to some or all of the more than 15

million illegal aliens living here “balanced” by pledges of future enforcement. Prior to the midterm elections, Republican leaders vowed to resist the Sirens' Song of Amnesty Now and Enforcement Later, which inevitably means Enforcement Never. Now that they control the House of Representatives, FAIR intends to hold them to that promise.

FAIR's objective – which, according to exit polling the organization commissioned after the midterms, is shared by large majorities of Americans – is making sure our borders are controlled, our political asylum laws are not blatantly abused, and our immigration laws are enforced. Those goals will be a heavy lift, given the Biden administration's adamant opposition to any sort of enforcement, and there will be inevitable temptation for some in Congress to trade immediate and tangible benefits for illegal aliens for nice sounding promises of future enforcement that everyone knows will never be kept.

As we begin the 118th Congress, FAIR remains firm in our opposition to any immigration legislation that does not first deliver on promises that have already been made to the American people, and subsequently broken.



DHS Concedes a “Discrepancy” in Reporting Its Tracking of Migrants It Releases into the U.S. (They Were Off by 18,000 Percent!)

Federal law requires that migrants apprehended entering the U.S. illegally must be detained. The Biden administration has attempted to skirt that requirement claiming that its Alternatives to Detention (ATD) policies are just as effective and cost taxpayers less. No, they're not. Under ATD, migrants are issued tracking devices such as ankle bracelets or cell phones with special apps that the government claims allows it to keep tabs on migrants who wait for hearings on their asylum claims. According to one senior Border Patrol officer, the current wait time is now 85 months – more than seven years.

The Department of Homeland Security (DHS), which is responsible for tracking every illegal migrant who is released into the country, publicly assured the American public that out of all the migrants they have put in ATD, only 266 had been released without some sort of tracking device as of mid-November. The department made that claim on its website. Not only was that a lie – DHS knew the information was incorrect – it was a whopper of a lie. In actuality, according to an internal DHS document, 49,459 illegal migrants who were supposedly released under ATD were not being surveilled at all. That amounts to a discrepancy of 18,000 percent between what they were doing and what they were telling the American public.

Former Immigration and Customs Enforcement Chief of Staff, John Feere, charged that this gross misrepresentation is consistent with the Biden administration's efforts to eviscerate immigration enforcement and hiding it from the public. “The Biden administration has shown repeatedly that it's willing to mislead the public about the impact of their dangerous, anti-enforcement agenda. They've concealed data previously published by ICE and haven't had a press conference at ICE headquarters. I have to believe it's because they know what they're doing is indefensible.”

Even when data is being accurately reported, FAIR has consistently opposed the use of ATD. The prospect of being released into the country, pending a hearing years in the future, provides an additional layer of incentive to come to the U.S. illegally. Moreover, bogus asylum seekers understand that they can comply with reporting requirements, allowing them to live and work here, right up until the time that a final ruling on their case is issued. At that point they disappear knowing that there is little chance that DHS will come looking for them, much less remove them from the country.

The only viable alternative to Alternative to Detention is actual detention and swift removal of people who have no valid claims for asylum in the United States.

Schumer Calls for Amnesty for Every Illegal Alien in the Country

No sooner had he secured his role as Senate Majority Leader for another two years, Chuck Schumer (D-N.Y.) dropped any pretense that his party's immigration goals were limited to gaining amnesty for particular groups of illegal aliens that might be viewed sympathetically, such as those who came to this country as minors.

Schumer's first public appearance after the midterm elections was a news conference in front of the U.S. Capitol, where he was flanked by a phalanx of illegal aliens. The majority leader made it clear that passage of the DREAM Act, an amnesty that would legalize an estimated 4 million people, was only a down payment on amnesty for every illegal alien in the

country. In his remarks, Schumer also expressed his disdain for the American people, insinuating that we are not willing or able to do the jobs that need to be done in this country, and are not procreating enough to meet future labor demands.

"Now more than ever we are short of workers," Schumer said, ignoring the fact that more than one-third of working age adults are not participating in the labor force. "We have a population that is not reproducing on its own with the same level that it used to. The only way we're going to have a great future in America is if we welcome and embrace immigrants – the Dreamers and all of them, because our ultimate goal is to help the

Dreamers but [also] to get a path to citizenship for all 11 million or however many undocumented there are here," he continued, vastly understating the illegal alien population, which is likely closer to 16 million.

Schumer's statement and the Biden administration's actions send an unmistakable message that their party's immigration position is now open borders and unconditional amnesty for everyone who manages to get here. That, of course, has been true for some time. What is perhaps most shocking is the assertion by the highest ranking congressional Democrat is that allowing untold numbers of foreigners to settle here is "the only way we're going to have a great future in America."

FAIR Led Coalition

from page 3

the Border Patrol; and Lamar Smith, former chairman of the House Judiciary Committee.

In a letter to congressional leaders, the coalition stated that ending the chaos at the border and holding the Biden administration accountable is the most pressing matter at hand, and that efforts to use the lame duck session to placate the demands of the open borders lobby must be rejected. "The 118th Congress will gavel in during the midst of the worst border crisis in American history, entirely caused by the Biden Administration's open-borders policies and the complete and utter failure of the 117th Congress to hold them accountable," stated the coalition letter.

"The first step in reaching this goal, however, must be to stop the problem from getting worse. In particular, we are deeply concerned about the immediate danger posed by the lame duck session of Congress that is now underway. Even though power is about to change hands in one chamber, various media outlets report there will be attempts to push damaging immigration legislation such as a mass amnesty and increased immigration through Congress over the next few weeks," the letter continued. Instead, coalition members urged "the new Congress to pass a strong border security bill, undertake aggressive oversight, and use purse-string authority to rescind funds that further Biden's open-borders agenda."

With the 118th Congress now underway, the coalition will now turn its attention to ensuring that these public priorities are addressed.

Biden Visits Arizona, But Skips the Border Because He Has “More Important Things Going On”

During the last fiscal year, which ended on September 30, some 2.4 million illegal aliens were encountered crossing the border (many of whom were subsequently released into the country), and an additional 600,000 were detected entering illegally, but eluded apprehension. That's 3 million people crossing the border illegally in a single year – an unprecedented surge that is directly attributable to policies put in place by President Joe Biden and his administration.

Thus, with the southern border raging out of control, many people might have expected President Biden to get a firsthand look at what is going on during a December trip to Arizona – you know, being in the neighborhood and all. But, no, despite being less than a hundred miles from the border, the president declined to visit, “Because there are more important things going on,” he told reporters. Like what? He didn't say, but his press spokesperson, Karine Jean-Pierre, argued that such border visits are nothing more than “political stunts.”

Arizona is, of course, one of the hottest of the hot spots along the border. The area around Yuma saw a 171 percent increase in illegal crossings between 2021 and 2022, and the surge shows no sign of abating. Additionally, Arizona is Ground Zero for the smuggling

of dangerous narcotics into the United States. Some 15,000 pounds of the lethal drug fentanyl were seized at the border during the first ten months of the calendar year 2022. It is safe to assume that many times that amount was brought across the border and distributed around the country. Fentanyl is responsible for more than 100,000 deaths in the U.S. each year.

The raging crisis at the border is also a national security issue. Among the more than 230,000 illegal migrants encountered at the border in October, 40 of them were on the Department of Homeland Security's terrorist watch list. Border Patrol agents tell FAIR that those 40 represent only the tip of the iceberg as many more are sophisticated enough to elude capture on the way into the country. Additionally, the cross-border fentanyl trade is controlled by China and the Mexican drug cartels – entities whose interests are inimical to those of the United States, and are enriching themselves at our expense.

With Republicans now in control of the House of Representatives, FAIR will press for decisive action to reassert control of our borders and hold an administration, beginning with the president, accountable for the consequences of their policies.



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 NL2301 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.

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. For more information, please contact our Advancement office at bsmith@fairus.org or call (202) 328-7004.