



FAIR FEDERATION FOR AMERICAN IMMIGRATION REFORM

Immigration REPORT

MARCH 2018

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Senate Free-for-All on Immigration

Coming out of January's government shutdown, congressional Republicans and the administration found themselves in an unexpectedly strong position. The shutdown, which was triggered by Senate Democrats, was a failed attempt to hold the federal budget hostage to their demands for a clean DREAM Act amnesty provision. The American public overwhelmingly disapproved of the Democrats' tactics, which is why the shutdown lasted only three

day (two of which were on a weekend) so the effects went unnoticed.

The Republicans' stance that any consideration for Deferred Action for Childhood Arrivals recipients must be offset by reforms to our immigration system registered broad public support in a Harvard-Harris opinion poll. Sought-after changes include a list of immigration enforcement measures, an end to family chain migration, and cuts to overall immigration, which were part

SENATE CONTINUED ON PAGE 2

Getting the Most Humanitarian Bang for Our Buck

New FAIR Report Finds that Resettlement is the Least Cost Effective Way to Help

The world is facing an unprecedented refugee crisis. The United Nations High Commissioner for Refugees (UNHCR) estimates that there are 65 million people worldwide who have been displaced or forced to flee their homes because of conflicts or other circumstances. Moreover, these numbers are likely to grow in the coming years.

REFUGEE CONTINUED ON PAGE 4



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of President Trump's initial requirements for signing a bill. In other words, Republicans had an opportunity so good that there was only one thing they could possibly do: squander it.

As the January shutdown was blowing up in Minority Leader Chuck Schumer's face, he still managed to get Majority Leader Mitch McConnell to commit to bringing up the issue of DACA recipients before the March 5 deadline the White House set for winding down President Obama's unconstitutional program. Notably, McConnell agreed to a process that all but guaranteed an outcome in which DACA beneficiaries receive amnesty, while any and all provisions intended to protect the interests of the American people were subject to negotiations.

Fortunately for the American people, much like the lead characters Bialystock and Bloom in *The Producers*, McConnell failed at failure. Only, the McConnell-produced production of "Springtime for Amnesty" wasn't nearly as funny.



Stills from *The Producers* (1967) | © Embassy Pictures

ACT I: THE WHITE HOUSE CAPITULATES

McConnell's preemptive surrender of his party's pledge to put the American people's interests at the center of any immigration reform legislation were quickly reinforced by the Trump administration's decision to abandon many of the president's pledges that he made as a candidate and after he took office. Shortly after the federal government reopened for business, the White House issued a list of pared down enforcement and reform "pillars" that the president required in a bill he would sign.

Instead of a full menu of public interest provisions to ensure border security, interior enforcement, protection of U.S. jobs, and real reforms and reductions in legal immigration,

the administration preemptively signaled that it would settle for a down payment on a border wall, an end to family chain migration (but not for at least another decade), and an end to the visa lottery program with the visas being reallocated to expedite the admission of family members already in the immigration queue.

On the amnesty side, President Trump inexplicably moved away from his original position that only current DACA beneficiaries, about 690,000 illegal aliens, would qualify for amnesty and offered it to an estimated 1.8 million illegal aliens who could have qualified for DACA had they bothered to apply.

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SENATE *continued from page 2*

ACT II: THE TRAIN WRECK ON THE SENATE FLOOR

The White House preemptive surrender of the American people’s interests became the starting point for legislative action in the Senate in February. Despite having some good legislative vehicles already introduced, McConnell began the process with no legislative language whatsoever. Instead, he opted for a build-it-from-scratch approach in which all members could offer amendments on the floor. Any amendment that reached the 60-vote threshold needed to prevent a filibuster would be included in the bill under construction.

McConnell took this approach with the full knowledge that the 49 Senate Democrats were unified in their positions on immigration: the broadest possible amnesty with the

fewest and most ineffective enforcement measures and reform provisions. Most Americans — and particularly most Republican voters — want precisely the opposite.

Unsurprisingly, the three amnesty amendments that finally reached the Senate floor for a vote could aptly be described as *The Bad*, *The Worse*, and *The Truly Ugly*. The best of these amendments hewed closely to the Trump framework: Amnesty for 1.8 million illegal aliens; \$25 billion for a border fence, with the caveat that it be spread out over more than a decade (so that some future president could decide to scrap it); an end to family chain migration, but not for another 13 years or so, giving the mass immigration lobby time

to restore it and; an end to the visa lottery, but reallocating the visas to clean out the family backlog.

The Truly Ugly amendment was offered by Schumer and a bunch of like-minded Republicans that would have granted amnesty to all illegal aliens who entered as minors, and even those who could get here before June 30. Everyone else would have received *de facto* amnesty, and would have been off-limits to law enforcement unless they committed a serious crime. In exchange, Americans would have received the same conditional commitment of \$25 billion for a border fence which, even if it was built, would be meaningless: almost anyone showing up at the border would be waved in.

ACT III: THE HUMILIATING DEFEAT

All of these amendments (along with one good one by Pennsylvania Sen. Pat Toomey) were rushed to the floor with minimal scrutiny by the members who would be voting on them Feb. 15 — an arbitrary deadline set by McConnell so that senators could get a jump start on their vaca-

tions. After a floor “debate” on each of the amendments — in some cases as little as two minutes for each side — votes were held.

Fortunately for the American people, each of the amendments went down to defeat after failing to garner the 60 votes necessary to prevent a

filibuster. Thus, at the end of the darkly-comical process, the only thing the members of the U.S. Senate had to show for their efforts was egg on their faces.

Next time, perhaps, they’ll let Mel Brooks script the process. At least it will be entertaining. ■

Final Vote Breakdowns on Proposed Immigration Amendments

Grassley <i>The Bad</i>	Coons-McCain <i>The Worse</i>	Schumer-Rounds -King-Collins <i>The Truly Ugly</i>	Toomey <i>Anti-sanctuary amendment</i>
39 – Y	52 – Y	54 – Y	55 – Y
60 – N	47 – N	45 – N	45 – N

REFUGEE *continued from page 1*

A new research report by FAIR finds that America's well-intentioned efforts to resettle large numbers of refugees in this country is the least efficient way to address this growing crisis. *The Fiscal Cost of Resettling Refugees into the United States* finds that our country spends about \$1.8 billion a year to resettle refugees in this country and provide them a range of services that they need after they arrive. This cost amounts to nearly

According to UNHCR data, the money spent by the U.S. to resettle one refugee could provide for the needs of 12 refugees in or near their home countries.

\$16,000 a year per refugee resettled in the United States. Moreover, these are recurring costs, as it often takes many years before refugees are able to become self-sufficient.

According to the report, while decisions about refugee resettlement are made by the federal government, significant costs associated with these policies are also borne by state and local governments. Of the \$1.8 billion spent on refugees, only \$777 million—the cost to resettle refugees

and asylees—is entirely paid by the federal government. Other expenses require state and local monies in addition to federal ones. These include:

- \$867 million: The cost of a variety of welfare programs that these newly-resettled people rely on. For instance 92.5 percent of refugees use the Supplemental Nutritional Assistance Program (SNAP).
- \$71 million: The cost to educate refugees and asylees, which falls almost entirely on state and local governments.

Unlike immigration policy — where the objective should be to admit people who are most likely to contribute — refugee and asylum admissions are humanitarian programs, and we accept that there will be costs associated. The resettlement costs detailed in the report raise the question about whether the limited resources being devoted to assisting refugees are being allocated wisely. According to UNHCR data, the money spent by the U.S. to resettle one refugee could provide for the needs of 12 refugees in or near their home countries — with the goal of repatriating them when circumstances allow.

Even the most generous resettlement policy can only benefit a tiny fraction of the current refugee population, much less the anticipated growth in that population. *The Fiscal Cost of Resettling Refugees into the United States* provides important information for policymakers to make informed decisions about how the United States can most effectively address this growing crisis.

Refugee Resettlement Costs:**\$ 777 Million***Federal Budgeted Costs*

+

\$ 867 Million*Welfare Costs***Includes SNAP

+

\$ 71 Million*Education Costs*

-

\$ 215 Million*Refugee Tax Contributions***\$1.8 Billion annually***Numbers may vary due to rounding

NEWS FROM OUR State & Local Operations

North Carolina

Mecklenburg County, seat of North Carolina's largest city (Charlotte), is one of 59 jurisdictions currently participating in a cooperative federal-local program known as 287(g). The 287(g) program was established by Congress in 1996 to allow local jurisdictions to have law enforcement trained to identify and detain people who are in the country illegally. By all accounts, the program is working extremely well in Mecklenburg County. And that's a problem. . .for opponents of immigration enforcement. Since signing up for 287(g) in 2006, 15,478 inmates in the county jail have been processed for deportation. Mecklenburg's Democratic Sheriff, Irwin Carmichael, is a big proponent of 287(g). "This entire community wants the same thing. We want safety and security and this is a tool for supplying it," says Carmichael. Well, not everyone. Illegal immigration activists are demanding that Mecklenburg County terminate its participation in 287(g), and Carmichael faces two opponents in the upcoming Democratic primary in his bid for reelection.

California

A few months back, a local Denver, Colorado, newspaper published Power Point slides which openly threatened local government employees with termination, fines and imprisonment if they violated local sanctuary ordinances and cooperated with federal immigration authorities. In California, which sees itself as the mother of all sanctuary jurisdictions, Denver's policy was seen as a challenge to its sanctuary supremacy. California's attorney general, Xavier Becerra, has apparently answered that challenge. In the face of threats by U.S. Immigration and Customs Enforcement (ICE) to step-up enforcement in sanctuary jurisdictions (the entire state of California being one), Becerra warned "people and more specifically employers know that if they voluntarily start giving up information about their employees in ways that contradict our new California law, they subject themselves to actions by my office or local prosecutors." Under California law, employers are barred "from providing voluntary consent to an immigration enforcement agent to enter non-public areas of a place of labor unless the agent provides a judicial warrant, except as specified." State law also grants authority to the state to fine violators up to \$5,000 for a first violation and up to \$10,000 for each subsequent violation. Take that, Denver.

NFL Player is the Latest Victim of Failed Immigration Policies



Early on the morning of the National Football League's biggest day, Super Bowl Sunday, Indianapolis Colts linebacker, Edwin Jackson, was fatally struck by an illegal alien who was driving with a blood alcohol level three times the legal limit. Jackson, along with his Uber driver Jeffrey Monroe, was killed by Manuel Orrego-Savala, an illegal alien who had been deported twice and managed to return to the United States each time.

Jackson and Monroe's stories are all too common and all too underreported in the media. Unfortunately, it takes the death of a high profile athlete to merit even momentary attention by the media and political leaders. Had Monroe been driving alone, or with a different passenger, their preventable killings would have received no attention at all.

The deaths of Jackson and Monroe illustrate the urgent need for construction of a secure fence along the southern border. Despite claims made by many in Washington that our borders are secure, it is evident that Orrego-Savala had little trouble crossing the border illegally at least twice after having been deported.

Orrego-Savala's depraved indifference to the lives and safety of others on that Indiana highway demonstrates the recklessness of sanctuary policies that limit the number of offenses for which state and local police will turn over deportable aliens to ICE. It also raises serious concerns about President Trump's decision to drop "end sanctuary polices" from his "pillars" of immigration reform.

In many sanctuary jurisdictions, an arrest or conviction for drunk driving is not considered sufficient reason to comply with an ICE detainer request, despite the enormous danger such individuals pose to public safety. Ironically, both of Orrego-Savala's deportations were triggered by drunk driving convictions in 2007 and 2009. Both of those convictions occurred in California. However, under California's current sanctuary laws, Orrego-Savala would have been shielded from removal.

The American people should not have to wait for the next preventable tragedy for Congress to take meaningful action against dangerous sanctuary policies. ■

Two Judges Block Trump's Attempt to End DACA

Since the day Donald Trump was elected president, the massively-funded immigration lobby's strategy has been clear. Their intention was, and continues to be, to litigate every effort by the administration to enforce the immigration laws of the United States or implement its own immigration policies. They don't necessarily expect to win in the end, but the objective is to delay any administration actions that stand in the way of their open borders agenda. Integral to this strategy are carefully targeted judges whom they can rely upon for favorable rulings, regardless of the merits of their lawsuits.

In January and February, the mass immigration lobby found two such judges — one in San Francisco and one in New York — to issue temporary injunctions preventing

President Trump from winding down the DACA program. DACA was established by a 2012 policy memo issued by President Obama's Department of Homeland Security. In September 2017, President Trump announced that he was ending the previous administration's policy of exempting an entire class of illegal aliens from removal and granting them work authorization. Furthermore, the Trump administration's reversal of that policy actually conforms with the law.

Nevertheless, in January, U.S. District Court Judge William Alsup in San Francisco issued an injunction preventing the Trump administration from ending DACA by its March 5 deadline and ordered the administration to

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Schumer Makes It Clear Whom ‘Immigration Reform’ is About (and it’s NOT You)

As the highly unusual process of crafting a Senate immigration bill got underway in mid-February, Minority Leader Chuck Schumer made it clear that, from his party’s perspective, “immigration reform” now means only one thing: amnesty for illegal aliens.

On the first day of the “build-a-bill amendment-by-amendment” process, Sen. Pat Toomey (R-Pa.) offered an amendment. Toomey’s amendment was meant to rein in the proliferation of sanctuary jurisdictions which obstruct federal immigration enforcement and endanger public safety by shielding criminal aliens from removal. The amendment would have established clear definitions of “sanctuary” and set clear penalties for jurisdictions that implement these policies.

Schumer, who controlled enough votes to prevent any amendment from reaching the filibuster-proof 60 vote

threshold, immediately made it clear to his Republican colleagues and the American public that the Democrats’ only objective in the process was securing amnesty for illegal aliens. “The proposal [Sen. Toomey] just offered does not address the underlying issues of this debate, why we’re here. It doesn’t address ‘Dreamers’ nor does it address border security,” stated Schumer.

In other words, according to the minority leader, addressing the interests and concerns of the American people have no place in a bill to reform our immigration process. Except for a few minor tweaks at the border, to provide political cover to pro-amnesty Republicans whose votes would be needed to pass any bill, Schumer’s statement makes it clear that the interests of the American people have no place in the immigration debate. ■

JUDGES *continued from previous page*

continue to issue deferrals. A similar ruling was issued by U.S. District Judge Nicholas Garaufis in Brooklyn.

While judges are supposed to rule on the legality of issues before their courts, both Alsup and Garaufis issued rulings that were clearly political. “This has become an important program for DACA recipients and their families, for the employers who hire them, for our tax treasuries, and for our economy,” Alsup wrote. In other words, Judge Alsup barred the Trump administration from ending DACA because he believes doing so is bad social and economic policy. But judges don’t decide on social and economic policies: presidents do.

Garaufis’s reasoning was even more convoluted. The Brooklyn-based judge agreed that the president has the legal authority to rescind DACA, but did not buy the admin-

istration’s argument that the program itself is unconstitutional — even though two subsequent Obama amnesty programs were found to be unconstitutional. The president “indisputably can end the DACA

It’s unacceptable to me, quite frankly, as a human being and as an American.

—*Activist Judge Nicholas Garaufis*

program,” the judge wrote, noting that “nothing in the Constitution or in the Immigration and Nationality Act requires the government grant deferred action or work authorization to individuals without lawful immigration status.”

Thus, even though Garaufis agrees that President Trump has the constitutional authority to rescind DACA, he ordered the administration to continue processing renewals, based primarily on his own dislike of the president’s decision. “It’s unacceptable to me, quite frankly, as a human being and as an American,” Garaufis wrote.

The Department of Justice is appealing both of these lower court rulings to the Supreme Court. It is highly likely that both judge’s rulings will be overturned, but that was never really the point of the legal challenges in the first place. As in nearly all legal challenges to the administration’s efforts in the area of immigration policy, the clearly-stated goal is to delay any effort to enforce the law or limit entry to the United States. ■

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