

BORDER SECURITY -IMMIGRATION REFORM



Overview

The United States has a border security crisis. Thousands of illegal border crossings occur each and every day. In March of 2019, authorities apprehended 92,607 immigrants who entered the country illegally, the highest monthly total in more than a decade.

Immigrants staging illegal crossings are not primarily from Mexico, nor are they primarily single men. Instead, they are largely nationals from the Northern Triangle: Honduras, Guatemala, and El Salvador. Nearly two-thirds (64 percent) of those coming in illegally arrive as either whole or partial families (i.e., parents with minor children) or are unaccompanied children.

What Border Agents are learning is that many of these groups of “families” or caravans are loaded with members of known drug cartels and other violent criminals using women and children as fronts with no familiar relations at all to gain entry into the US. In total, illegal immigration is not only costing the United States upwards of \$120 billion per year by some estimates, but most importantly costing this country countless innocent lives that have been lost due to violent crime.

The Problems

Problem #1 Catch and Release:

Because of known and exploited loopholes in federal immigration laws, it is now commonplace for those who are apprehended while crossing illegally or who are denied entry at ports of entry, to claim asylum. Most who claim asylum are able to pass the initial “credible fear” hearing, but only around 10 percent of Central Americans who claim asylum will ultimately be granted it.

All are given court dates before being released into the interior of the U.S. and most fail to show up to their court hearings. They just stay and hope the system never catches up with them. And unfortunately, it usually doesn't. Upwards of 98 percent remain in the U.S. today.

Contributing to the problem is the wait time for court hearings. Currently the wait time is over 2 years simply because of the sheer volume of applicants. In the meantime, the vast majority of those awaiting a hearing simply disappear. By the end of 2019, it is estimated that border agents will have apprehended some 730,000 illegal immigrants.

Problem #2 Use of Children:

In 2016, the 9th Circuit interpreted a 1997 court settlement known as Flores to say that the U.S. government was not allowed to detain alien children who crossed into the U.S. with their parents. Prior to this, the U.S. was generally able to detain and quickly remove immigrant families who entered the country illegally, thus deterring most from trying. But after this ruling, word started to get out that if you came to the border with your children, you would be caught and then released. Similarly, if any unaccompanied children from a country other than Mexico show up at the border, the U.S. is required to release them because of the well-intentioned Trafficking Victims Protection Reauthorization Act of 2008.

Problem #3 Border Wall:

The President has secured the minimum amount of financing necessary to install just over 450 miles of new border walls in strategic locations along the southern border by diverting \$3.6 billion from military budgets to implement the projects despite Congress's failure to appropriate adequate funding. However, to date less than half has been completed. In reality, approximately 1,000 miles of border wall will need to be installed to achieve maximum effectiveness.

Problem #4 Not Enough Border Patrol Agents:

Until we curb the number of immigrants attempting to cross our border illegally by closing loopholes in our immigration laws, we need to reinforce and pump up the

total number of Border Security Agents to handle the onslaught of those attempting to cross our borders illegally.

Problem #5 Chain Migration:

By allowing each immigrant admitted to subsequently petition for the admission of parents, siblings and their families, and adult children and their families, Congress has put in place an immigration system that results in unlimited “chain migration”. One consequence of this policy is the unrealistic expectations it creates on the part of literally hundreds of distant relatives of new immigrants to the United States. Because these distant relatives may eventually obtain a visa on the basis of the extended relationship, they come to see immigration as a right or entitlement. When they realize that they may, in fact, have to wait many years for a visa to become available because of annual caps and per-country limits on several of the family-based immigration categories, many decide to come illegally, despite that the law requires them to wait in the home country. This policy has allow untold numbers of illegal immigrants into the country since the Immigration Act of 1924 was passed that originally opened the door to Chain Migration.

THE SOLUTIONS

Abolish Catch and Release

- a. Authorize the increase of and funding for the number of judges to adjudicate asylum claims and streamlining the processes to do so to cut wait times from several years to several months to process those claims.
- b. Amend or repeal and replace the Trafficking Victims Protection Reauthorization Act of 2008 to allow the immediate deportation of individuals who cross the border illegally back to their country of origin and allowing them to file for citizenship or asylum in their home country or Mexico if appropriate.

Approve Adequate Funding for the Border Wall

The appropriation of enough funds to complete adequate lengths of border wall or fence based on recommendations of DHS and/or the needs and assessments of Border Patrol Agents.

Increase the number of Border Patrol Agents

Until Congress addresses and amends its immigration policy in totality that is helping to spur this influx of illegal crossers and attempts to illegally cross our borders, the total number of Border Patrol Agents must be increased. There must also be added incentive to those Agents already employed to stay and to entice more to apply for this difficult but most important job.

Totally Abolish Chain Migration

Congress must act to not just limit, but totally abolish and prohibit any form of Chain Migration other than verified immediate family such as spouses and petitioner's immediate children. It may be appropriate to place priority on review of other members of the immediate family such as parents or grandparents or grandchildren as long as they follow and complete the legal processes to attain legal entry.