



# Protect our Border, Protect America



**AMERICA IS A GENEROUS COUNTRY AND WHEN** it comes to legal immigration, the most generous country on earth. But for over five decades, many millions of immigrants have defied our immigration laws and have come to the U.S. and remained here illegally. While the waves of illegal aliens entering the U.S. have ebbed and flowed over the decades, America currently faces historic numbers of illegal aliens entering the U.S., combined with egregious and aggravating policies that are endangering our national, homeland, economic, and health security.

The Biden Administration has so quickly and thoroughly opened our border, with no change in sight, it has awakened and shocked many Americans, no matter their political party affiliation. To pull America back from immigration anarchy and bankruptcy, Americans need to rise up and be heard by political officials at every level of government.

If President Joe Biden truly wanted to end the border crisis, he could do so. It will, however, require a leader who seeks an orderly immigration system that supports America's

sovereignty and security, and who has no partisan motive to permit illegal immigration for political power. Such a leader must also have no issue with who might have implemented or used such policies and programs in the past.

That's a tall order in today's political climate. But that leader could achieve sustained border security in seven steps.

Before seeking those solutions, however, we need a current snapshot of the southern land border under the Biden Administration. From January to May 2021, U.S. Customs and Border Protection encountered **over 700,000 illegal aliens attempting to enter the U.S.**, including known terrorists, rapists, child predators, gang members, and other serious criminals. That does not account for the estimated 1,000 who successfully slip over the border each day. These numbers of illegal aliens are the highest in at least 20 years.

More important than the numbers, though, are what the administration does with the aliens. The Biden Administration is letting these populations into the U.S., using taxpayer dollars to transport them to all parts of the country, and is not deporting removable aliens. Most of these illegal aliens are here to stay.

Most of the aliens illegally crossing our border abuse the humanitarian relief of asylum by claiming a fear of returning to their home country. They may be initially detained, but due to too few detention beds, too many migrants, and the interpretation of one federal judge of the Flores settlement agreement, children may not be detained more than 20 days. Most migrants are released into the U.S., too often not to be seen again.

One of the most alarming aspects of the current border crisis is the volume of unaccompanied children crossing the border. In all of fiscal year 2020, CBP encountered 33,000 unaccompanied children. From January to May 2021, CBP has encountered over 65,500, or nearly double last year's number. Shockingly, Secretary of Homeland Security Alejandro Mayorkas continues to message that unaccompanied alien children will not be turned back

from the border. This knowingly encourages more parents to endanger their children in the hands of smugglers and traffickers, who are profiting handsomely from the Biden Administration's messaging and policies.

Border traffickers, who have no regard for human life as they frequently rape, abuse, threaten, and abandon migrants, are reportedly raking in \$14 million per day.

As border officials are forced to process and care for the masses of illegal aliens crossing the border, cartels can more easily traffic deadly drugs across the border. CBP seized more fentanyl in the first four months of 2021 than in all of 2020. This poisonous opioid is 50-100 times stronger than morphine and is killing Americans in communities throughout the country.

To re-gain control of our border and protect Americans, our sovereignty, health, and economy, current and future leaders should:

- 1. Treat migrants from noncontiguous and contiguous countries the same.** The Biden Administration is returning Mexican migrants to Mexico, but permits migrants from other countries into the U.S. Strangely, Congress legislated in 2008 that contiguous and non-contiguous unaccompanied children should also be treated differently. This disparate treatment has led to very high numbers of migrants from El Salvador, Guatemala, and Honduras coming to our border over the past three decades. All should be returned to Mexico or their home country, not brought into the U.S. Migrants travel to the U.S. when they know it is easier to get in; they do not travel here when they perceive the border to be closed.
- 2. End the Flores settlement agreement.** The purpose of immigration detention is to ensure a migrant's removal from the U.S. once a judge issues a final order. Court proceedings are often not begun within 20 days, let alone completed. U.S. District

Court Judge Dolly Gee's 20-day order is incredibly unrealistic and leads to a "catch and release" posture that incentivizes more future illegal immigration.

**3. Stop giving immigration benefits to aliens because they are children.** Under leftist policies, illegal immigration, from entry through obtaining a green card, revolves around child migrants—whether accompanied or not. Their policies parole unaccompanied children into the country, limit the number of days DHS may detain them, provide them with taxpayer-funded guardians and attorneys, grant them special immigrant juvenile visas, and years later, amnesty because they entered as children. Such policies have clearly encouraged more parents to send their kids north unaccompanied, endangering children while enriching smugglers and traffickers.

The left sold these policies as protecting alien children from trafficking, but they have been an abject failure. These incentives need to be removed to protect children and decrease trafficking.

**4. Complete the planned wall system construction, including the access roads, lights, sensors, and technology.** Border Patrol agents have repeatedly stated that walls work. And just as important as the walls are the surrounding infrastructure and technology that makes up the wall system. Border agents advised the last administration on where such wall systems were necessary and where they were not.

Seeking to provide the agents with what they need to do their job, the Trump Administration obtained designated appropriated funds from Congress, as well as Treasury asset forfeiture and DOD military construction funds. President Biden stopped wall construction on his first day in office, at an estimated cost of \$2 billion to \$3 billion to terminate construction contracts.

The wall is an obvious impediment to illegal migration, smugglers, and drug traffickers. For the agents, the wall system provides them time to get to those attempting to illegally cross and awareness of border activity. The wall has been visibly effective, and the planned and appropriated construction should be completed.

**5. Resume the Remain in Mexico program.** Despite Congress passing authority to return asylum applicants across the border to await their court proceedings in 1996, the last administration was the first to use the authority. It proved to be very effective because when future migrants learned they would no longer be released into the U.S. after claiming fear, the number of migrant encounters rapidly declined.

**6. Resume the cooperative asylum agreements with El Salvador, Guatemala and Honduras.** The U.S. has significant leverage vis-à-vis these Central American countries that have benefited for decades from the combination of unconditional U.S. foreign aid, the U.S. accepting and employing their migrants who cross the border illegally, and receiving the remittances those migrants send home. Requiring immigration cooperation from the Northern Triangle countries before giving them foreign aid was a successful tactic of the last administration.

The Northern Triangle countries (and Mexico) enforced their respective borders, built up their respective asylum systems and received migrants back if they sought asylum at the U.S. border after not seeking such protection in the countries through which they traveled.

Asylum is about safety, not country shopping. Someone truly fleeing for their life would seek protection in the first safe country in which they arrive, not traverse multiple countries to apply for asylum only in the U.S. Our government should return to making foreign aid conditional upon such cooperation.

**7. Rescind the Feb. 18, 2021, Immigration and Customs Enforcement Priorities Memo and enforce our immigration laws.** After the Biden Administration sought to suspend ICE removals for the first 100 days of his administration, ICE issued a priorities memo to outline the dangerously short list of who ICE agents could arrest, detain, or remove. The three priorities are spies, national security risks, and convicted aggravated felons. The memo also lists those who illegally entered after Nov. 1, 2020, but a simple purchase of false documents can easily overcome such a presence requirement, and the administration has shown it is not enforcing the law with recent illegal populations.

This Priorities Memo eliminated approximately 90% of ICE's casework and tells migrants they will not face consequences for violating immigration laws. The current administration should repeal the memo and fully enforce immigration laws. Imposing consequences for breaking the law reduces illegal immigration.

If this administration wanted to secure the border—and it has a constitutional obligation to do so—there is a very recent model of success it can follow. Administration leaders need to overcome their hatred for one individual and follow the model. They need to do right by Americans whom they swore to protect.

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