

Enabling Asylum Fraud

The Strange Case of a Federal Employees Union

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It takes no great insight to recognize that our nation is experiencing a monumental security crisis along the Mexican border, a situation heavily driven by an explosive growth in asylum applications. Remarkably, many employees of the agency within the Department of Homeland Security (DHS) charged with handling this crisis are promoting it. This June, the Washington, D.C.-based Local 1924 of the American Federation of Government Employees (AFGE), which represents them, filed an amicus brief with the U.S. Court of Appeals for the Ninth Circuit in San Francisco in support of a lawsuit to block enforcement of the Trump administration's Migrant Protection Protocols. This migrant program had been launched only months earlier for the purpose of temporarily transferring asylum seekers here to Mexico pending resolution of their claims. By that time, the program had removed more than 15,000 unauthorized individuals from this country, a figure rising to more than 20,000 by the end of July.¹ The figure is likely to rise far higher by the end of the year. In other words, from the standpoint of national interest, the program is working.

Some people, such as members of AFGE Local 1924, see this as a problem. That is to say, they don't want the program to work. The Migrant Protection Protocols, the union claims, are "fundamentally contrary to the moral fabric of our Nation." Such high-minded rhetoric is detached from reality. Granted, those who lead a union don't necessarily share the views of all employees they represent. But they did need majority support to win their positions, and do need it to keep them. It is doubtful that Local 1924 is an exception.

THE CRUSH AT THE BORDER

If a picture is worth a thousand words, then the

photos of "caravans" of Hispanics, especially Central Americans, marching through Mexico toward our southern border speak volumes. As I wrote in the Winter 2019 edition of these pages,² these marches are stage-managed by a tight network of radicals and amplified by the use of social media. The goal is to render our border control inoperable.

The current surge is reflected in Department of Homeland Security data. This past May, about 144,000 persons entering our country from Mexico without authorization were taken into custody by U.S. Border Patrol agents. Many were removed as inadmissible; others returned home on their own; and still others remain under consideration for humanitarian protection. As it was, the figures for February, March, and April each set record highs.

Contrast this with the situation during the first several months of 2017. Monthly illegal entries averaged less than 20,000, down from roughly 40,000 during the Obama era. This was a sure sign that President Trump's initial border protection executive orders, or at least his rhetorical support of them, were having their intended effect. Since then, unlawful entries have risen dramatically. And this has been due mainly to a loose coalition of open-borders advocates consisting of congressional Democrats (and some Republicans), federal judges, nonprofit groups, churches, and "deep state" federal agency personnel. Indeed, these caravans materialized because their participants were confident of protection in such high places. Moreover, by advancing in long columns, thousands of people at a time, the marchers know that standard border enforcement would be almost useless.

The highly publicized caravan in the fall of 2018, originating in Honduras and culminating in a riot along our border across from Tijuana, underscored how out of control this situation really was. Yet in a way it was almost inevitable. For months, there had been a stream of tear-jerking news stories and commentary on the detention of migrant children by DHS's Immigration and Customs Enforcement (ICE). The emotions were misplaced. By any reasonable assessment, it was the parents, not ICE,

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who were the child abusers. Indeed, such parents often paid smugglers hefty sums to transport their kids across the U.S. border.

Among sympathizers here, reason took flight. They viewed mass asylum in the U.S. as a moral imperative — a right rather than a privilege. To them, it hardly mattered that the claims of persecution of migrants by ICE were unsubstantiated if not fabricated. It hardly mattered as well that our detention facilities were set up to protect children from starvation, dehydration, kidnapping, or death. What *did* matter apparently was the tantalizing opportunity to denounce President Trump’s “concentration camps.”

DEALING WITH AN ASYLUM CRISIS

The administration’s response to the flood of asylum requests was to create a program, Migrant Protection Protocols (MPP), informally known as “Remain in Mexico.” Announced on January 24, 2019, MPP authorizes the Department of Homeland Security to return unauthorized asylum-seeking³ individuals and families to Mexico for the duration of their review. The Mexican government, by prior agreement, protects these persons in accordance with established humanitarian principles. Deriving its authority from Section 235 of the Immigration and Naturalization Act, the program seeks to reconcile the often-conflicting goals of border protection and human rights. On one hand, it makes every effort to verify claims of persecution. On the other hand, it attempts to do so in a way that does not jeopardize the health and safety of persons turned away. Unaccompanied alien children, along with aliens in expedited removal proceedings, are not covered. Then-Secretary of Homeland Security Kirstjen Nielsen explained: “This humanitarian approach will help to end the exploitation of our generous immigration laws. The Migrant Protection Protocols represent a methodical commonsense approach, exercising longstanding statutory authority to help address the crisis at our Southern border.”⁴

Many Americans, however, see MPP as a callous attack upon the innocent. Among them are lawyers and other activists working overtime to stop the program dead in its tracks. The cast includes, ironically, the union representing the employees who run the program. On June 26, 2019, AFGC Local 1924, a fourth of whose roughly 2,500 members are asylum officers, filed a 37-page amicus brief in San Francisco federal appeals court in hopes of blocking enforcement.⁵ A group of asylum-seeking plaintiffs, whose legal help includes the American Civil Liberties Union and the Southern Poverty Law Center, claimed that the program represents a “widespread violation” of U.S. and international law. Asylum officers, the union argued, “should not be forced to honor departmental directives that are fundamentally contrary to the moral fabric of our Nation and our

international and domestic legal obligations.” Incredibly, the brief asserted, “The MPP, contrary to the administration’s claim, is entirely unnecessary, as our immigration system has the foundation and agility necessary to deal with the flow of migrants through our Southern Border.” Really? When was the last time any of these people visited a detention facility?

The lead attorneys for the plaintiffs, a radical Portland, Oregon group called Innovation Law Lab, are employing an innovative argument in defending humanity from Donald Trump. According to international treaties signed by the U.S. and other nations in the aftermath of World War II, argue these lawyers, American immigration law rests on the principle of “non-refoulement.” This is the idea that migrants who arrive at a signatory nation cannot be repatriated to countries where they could be imprisoned, harmed, or killed. Current U.S. law states that to qualify for asylum, an applicant must demonstrate a “credible fear” of being harmed back home, based on “race, religion, nationality, membership in a particular social group, or political opinion.” The plaintiffs and their lawyers think this hurdle of proof is set far too high. For them, Mexico, the temporary destination of people removed under MPP, is too dangerous for asylum seekers. “(D)espite professing a commitment to protecting the rights of people seeking asylum,” reads the AFGC Local 1924 amicus brief, “the Mexican government has proven unable to provide this protection.” Since the Mexican government isn’t up to this task, it follows that any repatriation of migrants to that country is immoral and illegal.

By aligning itself with this sophistry, the union is revealing its contempt for the laws its members are sworn to uphold. Contrary to its leaders’ preening, there is nothing about the MPP program that undermines our “moral fabric.” Yet members who are employed by U.S. Citizenship and Immigration Services (USCIS), an agency almost entirely funded by user fees (and thus possessed of an incentive to maximize the number of users), believe it does.

This is not a new development. During a succession of administrations culminating with that of President Obama, USCIS often disregarded due diligence in reviewing visa applications.⁶ This negligence has been reversed somewhat under the present administration, first under Director L. Francis Cissna (until his firing by President Trump in May), and now under current Acting Director Ken Cuccinelli. A former Virginia attorney general, Cuccinelli heads an agency facing an intolerable case backlog beset by fraud. Indeed, in October 2017, even before Hispanic caravans became an evening news staple, this had been the case. Then-Attorney General Jeff Sessions, for example, observed in a speech before the Department of Justice’s Executive Office for Immigration Review (the agency with authority

over immigration courts) that our asylum system is undermined by “rampant abuse and fraud.”⁷ He noted: “The consequences are just what you’d expect. Claims of fear to return have skyrocketed, and the percentage of claims that are genuinely meritorious are down.” This was a clear rebuke of the “catch and release” policy that prevailed during much of the Obama administration, under which illegal immigrants were let loose into the U.S. interior so long as they could assert a “credible fear” of being sent back home; President Trump ended catch and release via executive memo on April 6, 2018.⁸ Yet unauthorized migrants still often skip their scheduled court hearing and simply disappear.⁹

There could be no denying that fraud was at the bottom of much of this. A hearing held by the House Judiciary Committee on February 11, 2014¹⁰ revealed that the asylum approval rate had shot up to about 90 percent since 2009, when the Obama administration had instituted “credible fear” as the basis for determining an applicant’s status. Testimony at the hearing also referred to an internal audit by U.S. Citizenship and Immigration Services, concluding that only 30 percent of all asylum applications based on the Obama standard were fraud-free. In other words, *70 percent of all reviewed migrant claims were outright or probable fakes*. House Judiciary Committee then-Chairman Bob Goodlatte (R-Va.),

remarked, “Because of our well-justified reputation for compassion, many people are attempting to file fraudulent claims just so they can get a free pass into the United States.” Applicants have every incentive to make up stories about persecution because, unlike with immigration visas, asylum awards have no annual statutory limit.

An October 2016 report by the Center for Immigration Studies (CIS), by the center’s policy studies director, Jessica Vaughan, using a USCIS data base, found that about 80 percent of the unauthorized migrants who had filed an asylum claim since 2014 came from El Salvador, Guatemala, and Honduras — the very Central American countries that would form the nucleus of the caravans to the U.S.¹¹ In each country, she noted, the final success rate of asylum cases decided in 2015 was less than 10 percent. A subsequent April 2017 study prepared by CIS resident fellow Andrew Arthur¹² identified scams commonly concocted by asylum seekers, often aided by human smuggling rings and immigration lawyers, to gain permanent entry. Accurately assessing a claim, the author noted, is made all the more difficult when applicants neither speak English nor bring any documents.

Magnifying this dilemma is that border apprehensions of families now outnumber those of unaccompanied individual adults. Through June (Fiscal Year 2019), U.S. Border Patrol agents in the Southwest sector had



Former Chairman of the House Judiciary Committee U.S. Rep. Bob Goodlatte (R-Va).

made 390,038 family unit arrests, a staggering 469 percent increase from 12 months earlier. By contrast, single adult apprehensions totaled 234,443, up 30 percent for this period.¹³ A by-product of this trend is a high incidence of migrants lying to authorities that they are family members of persons accompanying them and/or are under age 18.¹⁴ Some of these persons, willfully or not, have made this a habit. In testimony this March before the House Committee on Homeland Security, then-DHS Secretary Nielsen stated that her department had uncovered evidence of “recycling rings,” in which minors repeatedly pose as the children of asylum-seeking adults in order to facilitate the adults’ entry into the U.S.¹⁵

A NAÏVE AND DANGEROUS EMPLOYEES UNION

It is fair to say, then, that the current migrant crisis stems more from lax eligibility standards and enforcement than from a sudden worsening of political conditions south of our border. Writing in the *Washington Examiner*, Rachel Bovard observed:¹⁶

According to CBP (Customs and Border Protection), claims of credible fear increased by 121 percent in the last fiscal year. Under the Obama administration, claims of “credible fear” more than octupled from 5,523 cases in 2009 to 81,864 in 2016.

There are only a handful of reasons for this. Either the world became 16 times more dangerous, Citizenship and Immigration Services became more lenient in assessing “credible fear,” or migrants have become savvier in knowing what to say to meet the threshold.

The latter two explanations look like the best bet.

USCIS asylum office personnel, despite their claim of taking asylum fraud “very seriously,”¹⁷ seem nostalgic for the days of catch and release. And through American Federation of Government Employees Local 1924, they are trying to deep-six the Migrant Protection Protocols, set up precisely to separate legitimate asylum claims from phony ones. The case originated with a coalition of immigration zealots filing suit on February 14, 2019 in San Francisco federal court to end the program. Less than two months later, on April 8, U.S. District Judge Richard Seeborg, an Obama appointee, temporarily enjoined its enforcement, concluding that it likely violated federal law. The government appealed and won a stay of the injunction. In May, a three-judge circuit court panel in San Francisco allowed MPP to continue until the completion of a review of its constitutionality.

Inasmuch as the union has a fiscal incentive to maximize the number of migrants, it also seems motivated by a deep animosity toward President Trump. A guest editorial in the July 21 print edition of the

Washington Post, “This Madness Is Not Why I Became an Asylum Officer,”¹⁸ underscores this factor. The author, Charles Tjersland Jr., a longtime USCIS asylum officer and a Local 1924 steward, accused the Trump administration of turning the approval process into a “Kafkaesque nightmare.” He wrote:

My colleagues and I have interviewed thousands of asylum seekers from Guatemala, El Salvador, and Honduras and told them that they had to return to Mexico while their cases were processed — knowing all the while that they might be kidnapped, assaulted, or killed. Under MPP, also known as “Remain in Mexico,” we’re not allowed to let them stay here. We’re forced to put them back in danger.

He concluded on a similar note:

People don’t have a right to asylum, sight unseen, but under international human rights law and our own immigration laws, they have a right to seek it. They have a right to knock on the door and say, “Help, a wolf is chasing me, let me in!” When that happens, we’re supposed to give them food and drink, and to let them sit by the fire and tell their story — and if it’s true that they’re in danger, we are supposed to give them shelter. It’s wrong to block their way and force them to wait on the front step, while we decide if we’re ready to listen.

The defining traits of immigration enthusiasm are evident here — misplaced sentimentality, disregard for national sovereignty, a lack of understanding that immigration can have negative consequences for the receiving nation, a conviction that a desire to limit immigration is a mark of defective moral character, and a near-incapacity to say “no” to a migrant.

These are dangerous traits. And taken to their ultimate conclusion, they would render the United States a permanent slave to world events. With the principle in place that asylum is a legal right if accompanied by a convincing-sounding personal story, the number of migrants granted admission on this basis conceivably could run into the millions and even tens of millions. And because the Central American nations that are the primary points of origin are extremely violent relative to the U.S.,¹⁹ a policy of high-volume asylum would not so much prevent crime as *import* it. It is utter naivete to believe that people (or their offspring) who escape violence from somewhere else — even assuming their personal accounts are true — won’t inflict it here. A gang culture of foreign origin, far from dissipating on our soil (“magic dirt”), is much more likely to recreate itself. According to a recent estimate, the murderous Hispanic gang, MS-13,²⁰ which originated among El Salvadoran

immigrants in Los Angeles in the 1980s, now has about 10,000 active members in the U.S. and 50,000 across Central America.²¹ Aggressive promotion of asylum, along with continued high levels of family-based chain migration, virtually ensure further growth.

Every bit as alarming as the fraud behind so many asylum applications is the continuing deterioration of the native countries of the applicants. It is here where the plaintiffs' ignorance of and contempt for history arguably are most evident. For centuries, political philosophers from Aristotle to Hobbes to Grotius have observed that a nation-state operates as a social contract for present and future generations, and that the contract's primary function is to protect citizens from acts of aggression (i.e., war), whether waged from outside or inside the country's borders. A nation that cannot or will not use force to protect the lives of its own people loses its legitimacy. Many USCIS employees are undermining that legitimacy by operating on the conviction that the United States should operate as a global first responder more than as a sovereign country. This view, among other things, ignores the irony that "rescuing" people from violent cultures makes our own culture more violent.

USCIS's Ken Cuccinelli, though not quite a hard-core advocate of immigration restriction,²² is certainly not of the same mind as AFGE Local 1924. And he rightly is calling out the union for its legal maneuvering. On June 27, one day after the union filed its friend-of-the-court brief, he issued this statement:²³

Union leadership continues to play games while the border crisis intensifies. Lives are being lost, detention facilities are unsustainably overcrowded, and illegal aliens with frivolous claims continue to overwhelm our system. The fact of the matter remains that our officers signed up to protect the truly vulnerable, our asylum system, and most importantly, our country. A cheap political stunt helps no one and certainly does not help to contain this crisis.

Our Southern border is facing a daily crisis of aliens overwhelming our ports of entry, many of whom are attempting to enter and remain in the country in violation of our laws. Thus far, in Fiscal Year 2019, DHS has already apprehended more than 600,000 people at the Southern border.

We have reached the critical breaking point, and USCIS must continue to do our part to help stem this crisis and better secure the homeland.

This is what everyone at the Department of Homeland Security, and not just at USCIS, should be saying.

Unfortunately, many of these employees don't care about America's critical breaking point nearly as much as they do about the critical breaking point of failed nations. They are using our legal system to hobble border control, and in so doing, are performing a grievous disservice to their agency and the nation. It isn't enough to denounce members of AFGE Local 1924 who are working to sabotage the Migrant Protection Protocols. Respect for public safety, if nothing else, dictates that such employees should be fired and investigated for possible violations of Title 8, Section 1324 of the U.S. Criminal Code, which bars aiding and abetting illegal immigration.

THE CHALLENGE AHEAD

The invasion of our southern border — and it is an invasion — must be repelled. For if it is allowed to continue beyond a certain point, the American people will be the ones to experience a "Kafkaesque nightmare." Mass immigration advocates rarely, if ever, give that prospect any thought. Ironically, their *bete noir*, President Donald Trump, already has made concessions in their favor. Among other things, he has backed down from canceling the Deferred Action for Childhood Arrivals ("Dreamers") program created by President Obama via executive memo in June 2012,²⁴ and tacitly endorsed raising the annual ceiling for H-1B visas that provide cheap foreign labor, most of all for information technology companies.²⁵ Yet compromises aside, Trump remains far more committed to promoting border security than any of his recent predecessors, something that irritates American Federation of Government Employees Local 1924 to no end.

While the appeals court mulls over the fate of the Migrant Protection Protocols, and while Congress considers sensible asylum reform legislation introduced by Sen. Lindsey Graham (R-S.C.)²⁶ the union has scored significant wins in separate but related cases. On July 24, 2019 U.S. District Judge Jon Tigar, an Obama appointee, blocked enforcement of a DHS regulation put in place the previous week, intended to ease the border crush. Under the new rule, persons seeking asylum in the United States would be ineligible for entry if they pass through a foreign country (in addition to their own) in order to arrive here. In other words, if a Guatemalan citizen marches through Mexico to get to America, he or she could not receive asylum. Judge Tigar claimed this requirement would expose migrants to danger and thus would deny them rights under international law. A little over a week later, on August 2, U.S. District Judge Randolph Moss (District of Columbia) ruled against an interim final regulation issued jointly on November 9, 2018 by the Department of Homeland Security and the Department of Justice allowing only migrants who enter the U.S. through legal ports of entry to be eligible for asy-

lum.²⁷ The reprehensible Judge Tigar issued a temporary injunction against enforcement just 10 days later, a move he affirmed and extended that December 19. Two days later, on December 21, the Supreme Court, by a 5-4 margin, declined to stay Tigar's ruling.

Though these decisions weren't specifically aimed at dismantling the Migrant Protection Protocols, they may wind up doing just that. For they rest on the same premise as the MPP case now before the appeals court: America has an obligation to accommodate anyone arriving here with a credible-sounding story about persecution or violence back home. The promotion of human rights, in this view, should be considered apart from any consideration of national interest. The plaintiffs are oblivious to reality. Shorn of patriotic purpose, humanitarianism is just another word for surrender.

Postscript: As this article was going to press, the U.S. Supreme Court on September 11, 2019, in welcome news, overturned U.S. District Judge Jon Tigar's July ban on enforcement of the new DHS rule barring entry into the U.S. by asylum seekers from a country not of their own in order to get here. Though no vote was recorded, only two High Court members, Justices Ruth Bader Ginsburg and Sonia Sotomayor, registered a dissent. As the ruling is procedural, plaintiffs' attorneys for the ACLU are almost certain to continue their challenge. But at least for now, the pending review of about 436,000 asylum applications can be expedited somewhat. ■

Endnotes

1. Cited in Nick Mirowski, "Administration Building Network of Obstacles to Migration," *Washington Post*, August 1, 2019.

2. Carl F. Horowitz, "A Caravan from Hell – With Outside Help," *The Social Contract*, Vol. XXIX, No. 2, Winter 2019, pp. 35-40.

3. "Asylum" and "refugee," though related, are different terms. An asylum seeker is someone who has fled his or her country due to war, persecution, or some other sociopolitical factor, but whose status has not yet been determined by the country to which he or she has applied. A refugee, on the other hand, in addition to having fled his or her own country, is registered with a national government or international agency (e.g., the UN Refugee Agency). Put another way, every refugee initially is an asylum seeker, but not every asylum seeker is a refugee.

4. U.S. Department of Homeland Security, "Migrant Protection Protocols," press release, January 24, 2019.

5. See <https://documentcloud.org/documents/6172520-Local-1924-Amicus-Brief.html>.

6. See testimony by Jessica M. Vaughan, director of policy studies, Center for Immigration Studies, before

the U.S. House of Representatives, Committee on the Judiciary, Subcommittee on Immigration and Citizenship, July 16, 2019, Washington, D.C.: Center for Immigration Studies. The mission of USCIS, she noted, has evolved from enforcer to service provider. As such, gaining entry into the U.S. has become more an entitlement than a test. This shift has provided agency employees with a pretext to race through applications. A lack of due diligence was rampant during the Obama years. Vaughan noted: "Obama administration appointees to USCIS imposed a strict 'get to yes' policy of rubber-stamping approval of applications. According to career managers in one large field office, then-director Alexander Mayorkas 'foster[ed] an environment that pressures employees to approve as many applications as possible and condones retaliation against those who dissent,' while discouraging fraud investigations." Further evidence of willful blindness by USCIS officers to scammers can be found in Federale, "White Pill on Enforcement: Ken Cuccinelli PROSECUTING Immigration Fraud," *Vdare.com*, August 11, 2019.

7. Quoted in Liz Jacobs, "Sessions Urges Crackdown on Rampant Asylum Fraud," Washington, D.C.: Federation for American Immigration Reform, www.fairus.org/legislative-updates, October 17, 2017.

8. Specifically, Trump's memo directed three cabinet departments to inform the White House of steps they have taken to expand the capacity and use of immigration detention. It also instructed these agencies to come up with "additional resources or authorities," as needed.

9. This option is all the more attractive to asylum seekers given that under current law, they are allowed to apply for a work permit if their waiting time for asylum reaches 150 days. Given that most asylum cases take longer than that — indeed, often years — by the time a case reaches an immigration judge's bench, the requirement is almost meaningless.

10. U.S. House of Representatives, "Asylum Fraud: Abusing America's Compassion?" Hearing Before the Committee of the Judiciary, Subcommittee on Immigration and Border Security, 113th Congress, Second Session, February 11, 2014.

11. Jessica M. Vaughan, "Border Asylum Claims Up Tenfold Since 2009," *Backgrounder*, Washington, D.C.: Center for Immigration Studies, October 18, 2016.

12. Andrew R. Arthur, "Fraud in the 'Credible Fear' Process," *Backgrounder*, Washington, D.C.: Center for Immigration Studies, April 19, 2017.

13. U.S. Customs and Border Protection, "U.S. Border Patrol Southwest Border Apprehensions by Sector, Fiscal Year 2019." <https://www.cbp.gov/newsroom/stats/sw-border-migration/usbp-sw-border-apprehensions>.

14. Migrants themselves admit to pulling this scam. Caitlin Dickerson, "Hundreds of Immigrant Children Have Been Taken from Parents at U.S. Border," *www.nytimes.com*, April 20, 2018. Dickerson, true to the spirit of the *New York Times*, supports open borders for asylum seekers. See a recent interview with her by Katie Couric at <https://katiecouric.com/nyt-caitlin-dickerson-family-separation-immigration>.

15. Tim Hains, "DHS Sec. Nielsen: 'Children Are Being Used as Pawns by Human Traffickers,' Smugglers on the Border," *Real Clear Politics*, March 6, 2019. "Of great concern to me is that the children are being used as pawns to get into our country," said Nielsen. "We have encountered recycling rings, where innocent young people are used multiple times to help aliens gain illegal entry. As a nation, we simply cannot stand for this."

16. Rachel Bovard, "The Border Is Flooded with Fraudulent Families. When Will Congress Do Something About It?" *www.washingtonexaminer.com/opinion*, March 7, 2019. The 2009-16 increase is a lot more than eightfold, but her point remains valid.

17. See Ilona Bray, "How USCIS Spots Fraud in an Asylum Application," *www.nolo.com/legal-encyclopedia*.

18. Charles Tjersland Jr., "This Madness Is Not Why I Became an Asylum Officer," *Washington Post*, July 21, 2019.

19. Data on murder rates per 100,000 inhabitants are telling. The most recent rates for Honduras, Belize, El Salvador, Guatemala, and Nicaragua, respectively, were 90.4, 44.7, 41.2, 39.9 and 11.3. The rate for the United States, by contrast, was only 4.7. Mexico had a rate of 21.5 per 100,000. Interestingly, the U.S. Virgin Islands and Puerto Rico had respective rates of 52.6 and 26.5. This is justification alone for opposing statehood for either territory. See "Murder Rates by Country," *www.worldatlas.com*.

20. Dave Gibson, "Trump Was Right: MS-13 Gang Members Are Literally 'Animals,'" *The Social Contract*, Vol. XXVIII, No. 4, Summer 2018, pp. 39-41. For full-length treatments of MS-13, see Samuel Logan, *This Is for the Mara Salvatrucha: Inside the MS-13, America's Most Violent Gang*, New York: Hyperion Books (now known as Hachette Books), 2009; T.W. Ward, *Gangsters with Borders: An Ethnography of a Salvadoran Street Gang*, New York: Oxford University Press, 2012.

21. Arijeta Lajka, "MS-13 and the Violence Driving Migration from Central America," <https://www.cbsnews.com>, January 18, 2019.

22. See Federale, "Ken Cuccinelli in at DHS," *Vdare.com*, May 26, 2019.

23. "U.S. Acting Director Cuccinelli Response to Amicus

Brief Filed by AFGE Local 1924 Leadership," *www.uscis.gov/news/newsreleases*, June 27, 2019.

24. Annie Karni and Sheryl Gay Stolberg, "Trump Offers Temporary Protection for 'Dreamers' in Exchange for Wall Funding," *www.nytimes.com*, January 19, 2019. President Trump's compromise, while understandable as a means of securing \$5.7 billion in funding for our Mexican border wall, was misguided. The temporary (three-year) protections for roughly 700,000 young "Dreamers," most of whom by now have become adults, would amount to amnesty all but in name. The president also offered to restore Temporary Protected Status for another 300,000 persons already here from TPS-designated nations such as El Salvador.

25. See Clayton Bishop, "H-1B Betrayal or More Trump Doublespeak?" *Vdare.com*, February 11, 2019. Needless to say, the House of Representatives on July 10, 2019, by a 365-65 margin, passed the Fairness for High-Skilled Immigrants of 2019 (H.R. 1044), which would put at least 300,000 contract workers from India on a fast track to acquiring an employer-issued green card. The measure also would: 1) increase the annual per-country cap on family-based immigration visas from 7 percent to 15 percent; and 2) eliminate the 7 percent annual per-country limit on employment-based visas for lawful permanent residents. The bill, introduced by Rep. Zoe Lofgren, D-Calif., richly deserves Senate rejection, or failing that, a presidential veto.

26. Senator Graham's bill, the Secure and Protect Act of 2019 (S. 1494), would require migrants from Northern Triangle Central American countries (El Salvador, Guatemala, Honduras) to apply for asylum at refugee processing centers established in their home countries or Mexico rather than here. It also would allow U.S. authorities to detain illegal immigrant families for longer than the current (court-ordered) limit of 20 days and set aside funds for 500 additional judges to handle the backlog of cases. These are overdue steps toward patriotic immigration reform. The Senate Judiciary Committee, in a party-line 12-10 vote, approved the measure on August 1, 2019. Given the current House Democratic majority, however, passage is next to impossible. See Susan Ferrechio, "Senate GOP Rolls Past Democrats on Asylum," *Washington Examiner*, August 6, 2019, p. 44; Ledyard King, "Lindsey Graham's Bill to Limit Immigrant Asylum Protections at Southern Border Passes Divided Senate Committee," *www.usatoday.com*, August 1, 2019.

27. Jacqueline Thomsen, "Federal Judge Rules against Asylum Policy," <https://www.msn.com/en-us/news/us>, August 2, 2019. In addition to being a joint agency rule, this mandate also was a Presidential Proclamation.