

‘Invasion America’

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Let us start out by considering how Wikipedia defines the term “invasion”:

An invasion is a military offensive in which large parts of combatants of one geopolitical entity aggressively enter territory controlled by another such entity, generally with the objective of either conquering, liberating or re-establishing control or authority over a territory, forcing the partition of a country, altering the established government or gaining concessions from said government, or a combination thereof. An invasion can be the cause of a war, be a part of a larger strategy to end a war, or it can constitute an entire war in itself. Due to the large scale of the operations associated with invasions, they are usually strategic in planning and execution.

In point of fact, there is no purpose for the United States to have a military if it is unwilling or unable to secure its borders against the entry of illegal aliens and contraband. Nations are defined by their borders and the primary reason for our armed forces is to keep our enemies as far from our shores as possible. When foreign nationals are able to easily enter the U.S. and evade the scrutiny of the CBP (Customs and Border Protection) inspectors at ports of entry, terrorists, spies and enemy combatants can easily enter our country and pose a threat to national security and public safety.

For America’s enemies, the goal of going behind “enemy lines” is equated with getting past our borders

and the officials whose mission is to secure the borders.

Furthermore, when aliens do manage to evade the inspections process or otherwise gain entry into the U.S. intent on violating our immigration laws, an effective interior enforcement program must stand ready, willing, and able to identify these people, locate them, arrest them, and seek their removal from the U.S. to backstop the Border Patrol and the inspections process conducted at ports of entry. Our immigration laws do not make any distinctions that involve race, religion, or ethnicity — only to keep out aliens, such as criminals and terrorists, who pose a threat to the safety and well-being of America and Americans. Title 8, U.S.C. § 1182 provides a list of the classes of aliens who are supposed to be prevented from entering the U.S. Without such an effective and credible program in place, for aspiring illegal aliens from around the world, the “finish line” is the border of the U.S.

In theory, our government understands the critical nature of our borders and the inspections process. Consider that the CBP and ICE (Immigration and Customs Enforcement) personnel are employed by the Department of Homeland Security (DHS), an umbrella agency created in the aftermath of the terror attacks of September 11, 2001.

The obvious rhetorical question is: *How secure is the homeland when our borders lack security?*

During the Carter Administration, employees of the former INS (Immigration and Naturalization Service) were admonished to stop using the term “Illegal Alien” to describe aliens who were in the U.S. illegally. It was strongly recommended that the INS employees adopt the term “Undocumented Worker” to describe illegal aliens.

The term “Alien” is a legal term and is to be found throughout the all-encompassing body of laws that comprise the Immigration and Nationality Act (INA). The term “Alien” is defined by the INA as simply being, “Any person, not a citizen or national of the U.S.” There is absolutely no insult in that term — only clarity, the clarity that would make it impossible for the immigration anarchists to mount the fatuous argument that it is “Anti-Immigrant” to want to have our borders secured and our immigration laws enforced.

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Ironically, while some may not see any danger in an alien who simply lacks “documents,” the reality is that the documents we are referencing here are identity documents. Without such documents there is no reliable way to not only know the individual’s true name and date of birth but even his (her) country of citizenship or when they actually entered the U.S. This means that there is no way of readily determining if these individuals have a criminal history or if their true names are on terror watch lists.

To provide a bit of clarity, when I was an INS special agent, the term my colleagues and I used to describe an alien who had evaded the inspections process in entering the U.S. was EWI: Entry Without Inspection. No reasonable person would willingly board an airliner if he (she) saw fellow passengers board that airliner after sneaking around the TSA personnel at the airport, yet today Americans are unwittingly forced to live among unknown millions of foreign nationals (aliens) who evaded a comparable inspections process conducted at ports of entry.

Going back to the Wikipedia definition of invasion as noted at the beginning of this article — focus on the phrase, “...forcing the partition of a country, altering the establishment of government or gaining concessions from said government.”



Today the administration and members of the “leadership” of both the Democratic and Republican members of Congress have supported providing lawful status to unknown millions of foreign nationals who have violated the borders and immigration laws of the U.S., making an absolute mockery of not only America’s immigration laws and already existing lawful immigration system, but of the “rule of law” that our democratic republic was established upon.

Such a massive program would certainly constitute a major concession and one that would be transformative for the U.S. in many ways.

Additionally, we must understand that the goal of terrorist organizations such as ISIS is to overthrow the

government of Western countries and install a caliphate. The horrific beheading of U.S. journalist James Wright Foley by an ISIS terrorist should make it abundantly clear that they will literally stop at nothing. It is delusional for our leaders to not understand that ISIS and similar terrorist organizations pose an existential threat to America and Americans. We need to take them at their word when they proclaim that they intend to attack the U.S. and fly their flag over the White House.

In order to carry out their threats, terrorists need to have their operatives enter the U.S. This is simply a matter of commonsense, and this threat posed by international terrorists was the focus of the *9/11 Commission Report* and the Commission’s Staff Report on *9/11 and Terrorist Travel*. Both made ample references to the importance of border security, the visa process, and the need for integrity of the process by which applications for immigration benefits are adjudicated.

The first paragraph of the preface of the Commission’s Report on *9/11 and Terrorist Travel* reads:

It is perhaps obvious to state that terrorists cannot plan and carry out attacks in the U.S. if they are unable to enter the country. Yet prior to September 11, while there were efforts to enhance border security, no agency of the U.S. government thought of border security as a tool in the counterterrorism arsenal. Indeed, even after 19 hijackers demonstrated the relative ease of obtaining a U.S. visa and gaining admission into the U.S., border security still is not considered a cornerstone of national security policy. We believe, for reasons we discuss in the following pages, that it must be made one.

In recent months we have witnessed the massive influx of illegal aliens, and particularly, unaccompanied minors, who have shown up along the U.S./Mexican border. This human tsunami has overwhelmed the already insufficient resources of the Border Patrol and other components of the immigration system. It is not uncommon for news reports to claim that a certain percentage of illegal aliens are arrested by the Border Patrol. Sometimes the estimate is one in three. Other reports have been less optimistic, but the issue is that many more illegal aliens manage to evade the Border Patrol than are apprehended. As more Border Patrol agents are distracted from their critical assignments to help secure the border, even more illegal aliens are able to enter the U.S. surreptitiously.

The presumption must be made that among the illegal aliens who run our borders are international terrorists as well as transnational criminals. Clearly this failure of border security imperils our security and safety and has wide-ranging implications for a host of other

issues. However, there is far more to our immigration system than the U.S./Mexican border.

Ever since the attacks of September 11, 2001, political leaders, high-ranking members of our military, intelligence, and law enforcement agencies emphasize that the terrorists need to get it “right” only once while our government must get it “right” 100 percent of the time. This has become a virtual mantra. Yet every alien who enters the U.S. by evading the inspections process or by committing visa fraud represents an opportunity for terrorists to get that one opportunity they need to carry out a successful attack inside the U.S.

The U.S./Mexican border is but one of many holes in the immigration system. Yet most discussions about immigration conducted by our political leaders and talking heads on television, never include these other, no less serious, vulnerabilities of the immigration system.

It is important to note that the thug who killed Mr. Foley was heard, on the video tape issued by ISIS, to speak English with a British accent. It is entirely possible that he was from a country that participates in the Visa Waiver Program. On September 11, 2001, 26 countries participated in the Visa Waiver Program. Today there are 38 participating countries whose citizens do not need to first apply for and receive a visa in order to enter the U.S.

The U.S. Chamber of Commerce, including executives of the travel, hospitality, and related industries under the auspices of the Discover America Partnership program, are pressuring the government to expand the Visa Waiver Program. This flies in the face of the recommendations of the 9/11 Commission and the 9/11 Commission staff.

An effectively administered visa program protects America in the following six ways:

1. By requiring visas of aliens who seek to enter the U.S., this process helps to screen potential passengers on airliners that are destined for the U.S.
2. The CBP inspectors are supposed to make a decision in one minute or less as to the admissibility of an alien seeking to enter the U.S. The visa requirement helps them to do a more effective job. Theirs is a tough job I can certainly relate to. I began my career at the former INS as an immigration inspector at John F. Kennedy International Airport in New York and worked there for four years before I became a special agent.
3. The application for a non-immigrant visa contains roughly 40 questions that could provide invaluable information to law enforcement officials should that alien become the target of a criminal or terrorist investigation.

The information could provide invaluable intelligence as well as investigative leads.

4. If an alien applicant lies on the application for a visa, that lie is called “visa fraud.” The maximum penalty for visa fraud starts out at 10 years in jail for those who commit this crime simply in order to come to the U.S., ostensibly to seek unlawful employment or other such purpose. The penalty increases to 15 years in jail for those aliens who obtain a visa to commit a felony. For aliens who engage in visa fraud to traffic in narcotics or commit another narcotics-related crime, the maximum jail sentence that can be imposed rises to 20 years. Finally, when an alien can be proven to have engaged in visa fraud in furtherance of terrorism, the maximum penalty climbs to 25 years in prison. It is important to note that while it may be difficult to prove that an individual is a terrorist, it is usually relatively simple to prove that the alien has committed visa fraud when there is fraud involved in the visa application. Indeed, terror suspects are often charged with visa fraud.

5. The charge of visa fraud can also be extremely helpful to law enforcement authorities who want to take a bad guy off the street without tipping their hand to the other members of a criminal conspiracy or terrorism conspiracy that the individual arrested was being arrested for his involvement in terrorism or a criminal organization. You can arrest the alien who commits visa fraud for that violation of law and not for other charges that might make it clear that the investigation under way is targeting a criminal or terrorist organization.

6. Even when an alien applies for a visa and his application is denied, the application he filed remains available for law enforcement and intelligence personnel to review and seek to glean further intelligence.

It has been said that an example of insanity is when we do the same things the same way and expect a different outcome.

An example of how terrorists can gain entry into the U.S. was revealed on Friday 24, 2013, when *The Blaze* and *My San Antonio*, reported on the arrest of Wissam Allouche by the FBI and members of the JTTF (Joint Terrorism Task Force) in San Antonio, Texas, for lying on his application for naturalization to acquire U.S. citizenship [see “*Alleged member of Hezbollah arrested here*” in *My San Antonio* and “*Infiltration? The Alarming Details Surrounding Alleged Hezbollah Member’s Arrest in Texas*” in *The Blaze*. Here is an important

excerpt from *The Blaze*:

The federal indictment revealed Allouche had married a U.S. citizen and was going through the naturalization process when he was arrested. When asked by officials if he had ever been associated with a terrorist organization, he replied no. That apparently turned out to be a lie.

According to the FBI's Joint Terrorism Task Force, he was a militant with the Amal militia in Lebanon in the early to mid-1980s. He was reportedly captured as an Israeli prisoner of war, but was later released to become a commander of the Amal militia.

"News reports at the time said Hezbollah was formed by religious members of the Amal movement,"

In addition to lying about his terror ties, Allouche is also accused of lying about his relationship with his ex-wife. He falsely claimed on his application forms in 2009 that he and his wife were married and living together for the past three years. In reality, they had not lived together since May 2007 and they filed for divorce in December of 2007.

At the time of his arrest Allouche was applying for a security clearance in order to work for the Department of Defense and had also applied for naturalization. Allegedly he lied by claiming to have never been a member of a terrorist organization when in fact, according to the FBI, he had been a member of Hezbollah.

It turned out that Allouche had been arrested and indicted for committing fraud in filing that application years earlier. But a significant issue that was not noted in either report was that in addition to allegedly successfully gaming the naturalization process, he had been committing immigration fraud that went undetected for years. He had a Green Card for at least three years before he applied for U.S. citizenship. He was able to hide in plain sight all that times. In the jargon of the 9/11 Commission, he succeeded in embedding himself in a community in the U.S. for years.

The supposed "debate" between the Republicans and Democrats has boiled down to whether or not illegal aliens should be granted a pathway to U.S. citizenship or "only" lawful status. Such debates have little more credibility than the tag-team wrestling matches we watched when we were kids where the drop kicks, wrestling holds, and outlandish battles involving the participants throwing chairs at each other were as carefully scripted as the car crashes and shootouts of action movies involving stuntmen and stuntwomen.

Many aspiring illegal aliens have also learned that behind the rhetoric of the debates is the reality that once they enter the country they will have little to fear — whether they ran our borders, stowed away on a ship, or entered legally with a nonimmigrant visa, or under the auspices of the Visa Waiver Program, violated the terms of their admission by failing to attend the school for which they may have been admitted, failing to depart from the U.S. within their lawful period of admission, or by accepting illegal employment.

Efforts to craft what has been referred to as "Comprehensive Immigration Reform" have never included any genuine efforts to enhance the enforcement of our immigration laws other than to promise to secure our U.S./Mexican border and in some cases, also including making the E-Verify program mandatory.

What is not generally reported in the media and is therefore not understood by the great majority of Americans is that securing our Southwest border would require gaining "90 percent operational control of high traffic areas of the border."

Here is how the relevant bill proposed by the House of Representatives, H.R.1417 — Border Security Results Act of 2013, begins:

Shown Here: Reported to House amended (05/20/2013)

Border Security Results Act of 2013 — (Sec. 2) Directs the Secretary of Homeland Security (DHS) to report to the appropriate congressional committees and the Government Accountability Office (GAO) at specified intervals on the state of situational awareness and operational control of U.S. borders, including an identification of the high traffic areas and the illegal border crossing effectiveness rate for each sector along the northern and southern borders that are within the responsibility of the Border Patrol. Requires the Comptroller General to report on the verification of the data and methodology used to determine such areas and rate.

Defines: (1) "operational control" as a condition in which there is a not lower than 90 percent illegal border crossing effectiveness rate, informed by situational awareness, and in which a significant reduction in the movement of illicit drugs and other contraband through such areas is being achieved; and (2) "situational awareness" as knowledge and an understanding of current illicit cross-border activity, including cross-border threats and trends concerning illicit trafficking and unlawful crossings along the borders and in

the maritime environment, and the ability to forecast future shifts in such threats and trends.

(Sec. 3) Directs the Secretary to submit to such committees a comprehensive strategy for gaining and maintaining: (1) situational awareness and operational control of high traffic areas within two years, and (2) operational control along the southwest border of the U.S. within five years.

The paragraphs above contain enough ambiguity and “wobble room” that these measures are all but worthless. For example, what constitutes a significant reduction in the movement of illicit drugs? Why are we talking about requiring five years to achieve any of these vague and squishy goals? Remember it took the U.S. less than four years (44 months) to win the Second World War! Let us also remember that the 9/11 Commission Report was issued more than ten years ago and made it clear that failures of the immigration system, including border security, enabled terrorists (and not only the 9/11 hijackers but other terrorists as well) to enter the U.S. and embed themselves.

While the paragraphs above make note of “high traffic areas,” what will be done to secure areas not labeled as “high traffic”?

While there have been legislative proposals to make the E-Verify program mandatory — of course it should be — there have never been any discussions about how to make certain that USCIS (U.S. Citizenship and Immigration Services) aggressively identify fraud in that vital program to make certain that aliens are deterred from filing fraud-laden applications.

The Daily Caller posted a disconcerting report, “USCIS union: Fake information usually ignored in immigration applications.” Here is an important excerpt from this article:

In his prepared testimony to the House Judiciary Committee Wednesday, Crane (President of the ICE Union) addressed the current and future issues (if the Senate’s immigration bill becomes law) USCIS officers are facing, in addition to the challenges ICE officers deal with.

“USCIS adjudications officers, who would be deluged with more than 11 million applications filed by illegal aliens seeking legalization, in addition to screening and processing applications for legal admissions, are being prevented from adequately protecting national security even now,” he explained.

“On Monday, Kenneth Palinkas, President of the National Citizenship and Immigra-

tion Services Council, the union representing 12,000 U.S. Citizenship and Immigration Services (USCIS) adjudications officers and staff, released a statement that ‘USCIS adjudications officers are pressured to rubber stamp applications instead of conducting diligent case review and investigation,’ he added. ‘The culture at USCIS encourages all applications to be approved, discouraging proper investigation into red flags and discouraging the denial of any applications. USCIS has been turned into an ‘approval machine.’”

The 9/11 Commission’s Staff Report on *9/11 and Terrorist Travel* noted on page 47:

Once terrorists had entered the U.S., their next challenge was to find a way to remain here. Their primary method was immigration fraud. For example, Yousef and Ajaj concocted bogus political asylum stories when they arrived in the U.S.. Mahmoud Abouhalima, involved in both the World Trade Center and landmarks plots, received temporary residence under the Seasonal Agricultural Workers (SAW) program, after falsely claiming that he picked beans in Florida.

Under the title “Immigration Benefits” on page 98:

Terrorists in the 1990s, as well as the September 11 hijackers, needed to find a way to stay in or embed themselves in the U.S. if their operational plans were to come to fruition. As already discussed, this could be accomplished legally by marrying an American citizen, achieving temporary worker status, or applying for asylum after entering. In many cases, the act of filing for an immigration benefit sufficed to permit the alien to remain in the country until the petition was adjudicated. Terrorists were free to conduct surveillance, coordinate operations, obtain and receive funding, go to school and learn English, make contacts in the U.S., acquire necessary materials, and execute an attack.

Clearly a “Comprehensive” solution to the immigration crisis must begin with the findings and recommendations of the 9/11 Commission.

A final thought to, perhaps, make certain you don’t find it easy to fall asleep tonight: There is justifiable growing concern about the spread of dangerous communicable diseases around the world in general, with specific concerns about the Ebola virus. In an effort to reassure Americans, our government is working with the appropriate agencies to make certain that every reason-

able effort is being made to identify arriving passengers who may have been exposed to this deadly virus. This is the good news.

The bad news is that individuals who evade the inspections process are not being inspected. Consider the public health implications that this lack of inspection by CBP officials creates for people in the U.S.

Taking all of this into account, how could any of our leaders not understand the critical importance of border *control* and immigration law *enforcement*?

As I noted when I testified before a Congressional hearing several years ago, “A country without secure borders can no more stand than can a house without walls.” ■

States Have the Right to Protect Their Borders

BY KEN CUCCINELLI II

While rarely discussed, Article I, Section 10, Clause 3 of the Constitution states as follows: “No State shall, without the Consent of Congress, lay and Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, OR ENGAGE IN WAR, UNLESS ACTUALLY INVADED, or in such imminent Danger as will not admit of delay.”

The border states that are being directly invaded by illegal immigrants — Texas, Arizona, and New Mexico — may constitutionally deal with the invasion themselves, at least as it relates to attempting to stop the flow across their own borders. And there is nothing President Obama or those in Washington can do to stop any of these states, if they are determined to act.

Governor Perry appears to be prepared to call out the National Guard to protect the borders of Texas from the worsening invasion. He has the full constitutional authority to take that action. Then-Democrat Governor of New Mexico, Bill Richardson, did the same thing during his term as Governor.

However, in theory at least, President Obama could “federalize” the Texas National Guard, i.e., call it up into federal service, at which point it effectively becomes an active duty element of our national military answerable to the President, not the Governor of Texas. But, as I said earlier, if Texas is determined enough, they can use their own police, sheriffs, Texas Rangers, and whatever else they’ve got aside from the National Guard, and there is truly nothing the federal government could do to stop them.

The Founders gave the states tools to counter-balance a failing federal government. It sounds like Texas may finally step up, where those in Washington have failed.

Time will tell.

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On July 21, 2014, Governor Rick Perry (R-Texas) announced he was deploying 1,000 Texas National Guard to the U.S. border with Mexico, saying he could not sit by while “our citizens are under siege.” ■

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