

U.S. Senate Committee on the Judiciary

“Dream Deferred: The Urgent Need to Protect Immigrant Youth”

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Thank you, Senator Graham and Senator Durbin, for the opportunity to participate in this hearing. The border crisis resulting from the deliberate dismantling of effective immigration controls by the Biden administration is still festering, and should be one of the most urgent action items on the agenda of Congress. Last month, nearly 180,000 people were encountered after crossing the border illegally, according to Customs and Border Protection (CBP), of whom reportedly about 85 percent would be released into the country. Another 45,000 “gotaways” likely evaded apprehension after crossing illegally. Another 44,000 inadmissible aliens were allowed to enter in March under the administration’s unlawful parole programs, including via the CBP-1 appointment system. Also in March, six of the illegal border crossers who were apprehended were hits on the terror watch list.

Meanwhile, in Massachusetts, lawmakers are trying to cobble together a plan to pay for the expected \$915 million price tag for the emergency shelter system needed to house the influx of thousands of illegal migrants who have been flocking to the state after release at the border, on top of its native homeless population (<https://www.axios.com/local/boston/2024/04/22/massachusetts-migrants-shelter-costs>) .

Across the country in Montana, leaders of tribal communities have defied death threats from Mexican drug cartels to appear in the media and before Congress to plead for help in addressing the devastating influx of cartel drug and human trafficking operations in Indian Country that has been facilitated by the Biden open border policies (<https://www.washingtontimes.com/news/2024/apr/11/death-threat-mexican-cartel-forced-witness-to-canc/>) .

Throughout the country, law enforcement agencies and journalists are uncovering a wave of disturbing incidents of child labor trafficking and other abuse involving thousands of unaccompanied minors smuggled into this country and released to largely un-vetted non-parental sponsors in Georgia, Ohio, Louisiana, Alabama, South Carolina, Michigan, Florida, and numerous other locations (<https://www.nytimes.com/2023/02/25/us/unaccompanied-migrant-child-workers-exploitation.html>) .

In conjunction with the mass catch and release policies at the border, the Biden administration has dismantled interior immigration enforcement to the point where even criminal illegal aliens face little threat of deportation, and remain here free to prey on new victims. ICE is now arresting, detaining and removing less than half of the criminal aliens that it targeted prior to 2021 ([2024-04-16-How-the-Biden-Administration's-Lax-Immigration-Enforcement-Allows-Dangerous-Criminal-Aliens-to-Run-Free-in-American-C.pdf \(house.gov\)](https://www.house.gov/committees/judiciary/documents/2024-04-16-How-the-Biden-Administration's-Lax-Immigration-Enforcement-Allows-Dangerous-Criminal-Aliens-to-Run-Free-in-American-C.pdf)).

The deterioration of border security and interior immigration enforcement is truly an urgent matter that is at the top of the minds of public safety officials, state lawmakers and municipal leaders, and especially voters. While there are a number of ways that immigration laws could be improved, the reality is that the Immigration and Nationality Act (INA) in its current form is sufficient to put an end to the crisis – if only it were enforced and fully applied. Until that occurs, and until the integrity of our legal immigration system is restored and once again serving our national interest, it is unlikely that Americans will support proposals for amnesties or new immigration programs.

### **Biden Policies Set Off Flood of Illegal Migrants, Overwhelming Federal Agencies, Border Communities, and NGOs.**

The Biden administration is choosing not to enforce the laws, choosing to wave in and process thousands of inadmissible aliens every day instead of patrolling and preventing illegal entry, choosing to process benefits for these illegal migrants instead of for citizens and legal immigrants, choosing to release unaccompanied alien children to unvetted sponsors, choosing to flood the immigration courts with long-shot asylum cases, choosing to leave detention beds empty rather than allow ICE to pursue cases of aliens who are arrested, choosing to abandon worksite enforcement that would deter employers from hiring unauthorized workers instead of U.S. workers and, most recently, choosing to allow unlawfully present aliens to receive taxpayer subsidized health insurance.

When President Biden took office, he inherited the most secure land borders in U.S. history, with expanded and improved barriers, updated technology, and more personnel, all of which was backed up by policies that deterred migrants from crossing illegally and discouraged illegal aliens from remaining. As smuggling organizations and migrants became aware of the new policies, and as the processing and transportation networks were established within the country, the southern border was transformed into a chaotic, dangerous, and seemingly lawless frontier. It remains so today, except in the parts of Texas that have been secured by state authorities.

From the first day of his presidency, Joe Biden and his appointees began dismantling a laundry list of policies that had succeeded in controlling the years-long wave of illegal migrants hoping to take advantage of our dysfunctional asylum system and court rulings that require minors and those arriving with minors to be released into the country. He ended construction of the border wall system; terminated the Migrant Protection Protocols that sent tens of thousands of alleged asylum seekers to wait in Mexico; cancelled agreements with transit nations to offer safe haven to migrants and enforce their borders; relaxed application of Title 42 pandemic controls so that minors and families could enter; began awarding immigration parole to tens of thousands of illegal crossers, in defiance of the intent of Congress; extended Temporary Protected Status (TPS) to citizens of more nations and more recent arrivals; established strict limitations on interior enforcement to suppress deportations of all but the most egregious criminals; and launched plans for a new asylum system designed to expedite the legalization of illegal border crossers.

Not surprisingly, the number of illegal border crossers has exploded, in response to what the migrants call Biden's "invitacion." It was well understood around the globe that a large share of migrants who crossed the border illegally, especially those from certain countries, minors, and those bringing minors, would be apprehended by the Border Patrol, and would soon be released

and transported to their destination in the United States, despite low expectations that they will comply with immigration proceedings or ever qualify to remain legally.

While apprehensions are a good metric for assessing the number of migrants who have attempted to enter illegally, the more important statistic is the number of migrants who were released into the country. According to DHS Secretary Mayorkas, more than 85 percent of these illegal migrants have been allowed to enter country – in defiance of federal laws stating that, with few exceptions, they should be held in custody for expedited due process and removal (<https://www.foxnews.com/politics/mayorkas-tells-border-patrol-agents-illegal-immigrants-released-into-us-sources>).

The House Judiciary Committee has estimated that at least 4.7 million illegal aliens have been released into the country since President Biden took office. Only about 10,000 of those released have completed their immigration proceedings and been removed. Releasing illegal migrants instead of promptly removing them has swamped ICE's dockets and the already-dysfunctional immigration courts. As of the end of FY2023, there were 6.2 million cases on ICE's non-detained docket, of whom more than 617,000 have criminal convictions or pending criminal charges. (<https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/evo-media-document/2024-01-18-new-data-reveal-worsening-magnitude-of-the-biden-border-crisis-and-lack-of-interior-immigration-enforcement.pdf>.)

**Open Border/Catch and Release Policies Undermine Public Safety.** Besides the enormous fiscal costs of providing transportation, shelter, medical care, schooling, and other services to the illegal migrants, the Biden catch and release policies have created new public safety problems, with a human cost that is incalculable. Proponents of mass immigration often claim (without evidence) that illegal immigrants are less likely to commit crimes than Americans, and therefore concerns about crimes committed by illegal immigrants are exaggerated, misplaced, or motivated by racial animus. These assertions are unproven, usually based on faulty interpretations of crime or Census data, and defy common sense and experience. They are profoundly demeaning to the victims of crimes committed by released illegal migrants who by law should have been detained and removed to their home country after apprehension. These are victimizations that are directly attributable to the Biden border catch and release policies.

For example, millions of Americans have seen the video of a shocking attack on police officers in Times Square by a group of migrants in New York City (<https://www.foxnews.com/us/migrants-stomped-kicked-nypd-officers-vicious-times-square-attack-yet-arrested>). In another disturbing case, New York City authorities recently arrested eight members of a ring of Venezuelan illegal migrants who were living in the city's shelters, and who are accused of stealing scooters to cruise through city streets and snatch phones and handbags, sometimes violently. The phones were then hacked to gain access to financial information, and the victim's bank accounts were drained. (<https://www.foxnews.com/us/illegal-masterminds-nyc-robbery-ring-hacked-bank-apps-resold-stolen-phones-overseas>). Reportedly, the suspects are associated with the violent Venezuelan gang Tren de Aragua. Gang members and hundreds of other criminals are believed to have escaped through tunnels from a Venezuela prison last year, and dozens have been arrested after illegally crossing our southern border. There is no way to know how many may have been caught and released, because immigration agents have no way to access records in Venezuela, and no diplomatic or law enforcement

relationships to assist in the vetting of these migrants (<https://www.ktsm.com/news/fbi-agent-others-warn-of-venezuelan-gang-entering-into-us/>).

The most tragic outcomes of these irresponsible policies have already occurred. Just three months ago, Georgia nursing student Laken Riley was kidnapped and brutally murdered by an illegal alien who had been caught and released at the border. A House Judiciary Committee report provides a chronology of how the man accused of killing Riley was able to enter and remain in the United States:

*According to Immigration and Customs Enforcement (ICE), the Biden Administration released Ibarra into the United States in 2022 after he “entered the U.S. illegally from Venezuela.” The Biden Administration released Ibarra into the country because it determined that Ibarra’s release was warranted due to “urgent humanitarian reasons or significant public benefit,” despite Ibarra’s reported affiliation with the dangerous Venezuelan prison gang Tren de Aragua.*

*Ibarra’s February 23, 2024, criminal arrest was not his first arrest in the United States. On August 31, 2023, New York City Police Department officers arrested Ibarra and charged him “with acting in a manner to injure a child less than 17 and a motor vehicle license violation.” Two months later, in October 2023, Ibarra and his brother Diego Ibarra “were issued citations after being accused of shoplifting” in Georgia. When Jose Ibarra “failed to appear in court” on December 20, “[a] bench warrant was issued” for his arrest. Despite Ibarra’s criminal record, ICE did not arrest him.*

In March, Haitian citizen Cory Alvarez was charged with aggravated rape of a disabled 15-year old girl in a Comfort Inn in Rockland, Massachusetts, that was being used as a shelter for newly arrived migrants. Alvarez reportedly came to the United States from Haiti in June, 2023 and was granted parole, with a “sponsor” in New Jersey (<https://cis.org/Arthur/Haitian-CHNV-Parole-Migrant-Arrested-Aggravated-Rape-Massachusetts>).

Less than a week ago, Marvin Dionel Perez Lopez, age 20, a citizen of Guatemala, was arrested in Lake Worth, Florida and accused of snatching an 11-year old girl off the street and raping her in his van. He had crossed the border illegally in January, 2024, was released by the Border Patrol, and went to Florida, with an immigration court date scheduled in 2027. (<https://cbs12.com/news/local/lake-worth-man-arrested-for-kidnapping-sexually-assaulting-minor-marvin-dionel-perez-lopez-white-van-k-9-unit-saturday-captive-florida-may-6-2024>)

Migrants arriving at the border now receive only the most cursory screening before they are released into the country, which includes a fingerprint check of U.S. security, criminal justice, and immigration databases, a brief interview, and little other screening. Border officials generally cannot access criminal records in other countries, or do extensive background checks. Even worse, since the number of illegal crossings has reached crisis levels, border officials have sometimes been too overwhelmed to read and act on the results of security checks that indicate that an alien they have apprehended might be a threat. In at least four cases that I know of, a Lebanese-born Venezuelan citizen, a Colombian, and Afghan, and a Pakistani, border patrol agents released men who were watchlisted as known or suspected terrorists (<https://cis.org/Bensman/Report-ICE-Releases-BorderCrossing-Terrorist-Suspect-Venezuela-Despite-FBI-Recommendation>, <https://www.oig.dhs.gov/sites/default/files/assets/2023-07/OIG-23-31-Jun23-Redacted.pdf>, [EXCLUSIVE: Pakistani Illegal Immigrant On Terror Watchlist](#)

[Given Free Day Of Release In US | The Daily Caller, https://www.nbcnews.com/news/investigations/man-terrorist-watchlist-was-dropped-program-monitors-migrants-rcna148205](https://www.nbcnews.com/news/investigations/man-terrorist-watchlist-was-dropped-program-monitors-migrants-rcna148205)).

**Cartels Are Thriving and Expanding Into the United States.** Thanks to unprecedented opportunities to move people and drugs across our border, the Mexican cartels and other transnational criminal organizations are reaping unprecedented profits, to the tune of \$30 million a day, or nearly \$1 Billion a month, according to a House Budget Committee report. They use the funds to acquire more sophisticated weapons and technology to solidify control over their territories in Mexico and beyond. More worrisome for the long term, however, is the way the cartels are using this cash cow to underwrite an expansion of their operations *within* the United States. This expansion presents profound implications for public safety that will persist for years into the future.

According to Border Patrol testimony to Congress, the smuggling fee is currently about \$8,000 for passage to America. Many migrants make only a down payment up front of about \$500, and agree to work off the rest when they get to their destination. The remainder is typically paid through debt bondage accomplished by wage garnishment, fees for housing and food, and other forms of exploitation and outright threats and extortion. Long-haul migrants from other continents pay more, sometimes up to \$50,000. It is Biden's catch and release policy that entices these migrants to put themselves into the hands of a criminal organization, risking their own safety to journey here, and then being subject to exploitation, abuse and trafficking for labor and other purposes.

The migrant-moving business is lucrative enough, but it also helps further another critical illicit cartel activity — drug smuggling. The cartels routinely send large groups of migrants over the border in certain areas to bog down the Border Patrol while they move drug loads through the other unguarded areas, along with high-value clients, such as criminals and watch-listed individuals, who don't want to be caught by the Border Patrol.

In the last three years, the amount of illicit drugs flowing into American communities has exploded, with deadly, tragic consequences, and the cartels are behind nearly all of it, according to a recent [exhaustive report](#) by the House Homeland Security Committee. It's happening not just in southwest border states, not just in cities, but also in rural areas, including Montana, Kansas, Kentucky, and many others.

The cartels are not humanitarian actors seeking to help asylum seekers; nor are they young, impetuous gang-bangers. They behave like terrorists, and they have a plan, for which they hire well-trained and well-armed violent thugs to carry out. The porous border and catch and release policies have made it easy to move their operatives into this country as well.

In 2022 federal authorities alone made more than 300 arrests for Mexican cartel-related crimes, according to one analysis [[Map: Tracking drug cartel arrests across the United States \(newsnationnow.com\)](#)]. The cartels are sophisticated business people, and nimble at adapting to emerging opportunities. They have evolved horizontally to branch out into new ventures, for example human trafficking as well as drug trafficking, in fentanyl trafficking as well as heroin and marijuana trafficking, and stealing oil as well as automobiles. Noticing the trend in some jurisdictions away from imposing stiff consequences for shoplifting and burglary, some cartels have branched out into the \$70 billion organized retail theft industry, creating squads of

operatives to steal goods on a major scale, even roping in recent illegal migrants as a way to pay off their smuggling debt, according to Immigration and Customs Enforcement investigators [[HSI, ACAMS take aim at organized retail crime | ICE](#)].

**Executive Actions That Would Secure the Border.** Reportedly, for more than three months, President Biden has been contemplating executive action on border security. There is no one action that would be a silver bullet, but we know from experience that a layered or multi-faceted approach would be successful in dramatically curbing mass illegal immigration. Among the actions he could take:

1. Putting the Border Patrol back on the line to patrol, and direct them to work cooperatively with border state authorities to prevent the entry of illegal migrants.
2. Resume construction of physical barriers in areas where these barriers would be effective in preventing illegal entry.
3. The administration should use diplomacy and other leverage to convince our neighbors in the hemisphere to prevent and disrupt illegal migration to the U.S. border. In addition, the administration should identify allies or partner countries to receive migrants who do not qualify for entry, as countries in Europe have done successfully (<https://cis.org/Report/Gatekeeper-Countries-Key-Stopping-Illegal-Immigration> and <https://cis.org/Transcript/Panel-Transcript-Illegal-Immigration-Sea>).
4. In addition to engaging with other countries, the President should accept help from state and local governments. Since 2021, fourteen states have sent National Guard or other troops to the southern border to assist Texas in dealing with the crisis. If the Biden administration were to change course and begin working in partnership rather than at cross purposes with the states, then these forces would be an effective force multiplier toward regaining border security under federal leadership. Similarly, the Biden administration should expand partnerships with state and local law enforcement agencies in the interior to focus on crime problems that have been exacerbated by the open border, including the spread of cartel drug operations in rural America, the proliferation of certain transnational gangs like Tren de Aragua and MS-13, and the surge in human trafficking. Such partnerships can take the form of multi-jurisdictional task forces or delegation of authority programs authorized by INA Section 287(g).
5. Instead of using discretionary parole authority on a categorical basis to allow most illegal migrants to enter and settle in the United States with a work permit, use the authority granted to the president in section 212(f) of the Immigration and Nationality Act (INA) (<https://cis.org/Arthur/If-You-Title-42-Youll-Love-Section-212f>) to suspend the entry of more groups of aliens arriving illegally:

*Whenever the President finds that the entry of any aliens or of any class of aliens into the United States would be detrimental to the interests of the United States, he may by proclamation, and for such period as he shall deem necessary, suspend the entry of all aliens or any class of aliens as immigrants or nonimmigrants, or impose on the entry of aliens any restrictions he may deem to be appropriate.*

President Biden used this authority as recently as December, 2023 to suspend the entry of corrupt public officials ([A Proclamation on Suspension of Entry as Immigrants and Nonimmigrants of Persons Enabling Corruption | The White House](#)). It would not be difficult to make the case for suspending the entry of other broad classes of illegal

migrants, including citizens of those countries to which they cannot be removed, or other categories of migrants that represent an articulable threat or burden to this country.

6. Adopt practical and realistic standards for handling asylum seekers that are faithful to the law and maintain appropriate standards to protect those facing persecution, but do not facilitate abuse of the system. For example, those who could have relocated within their home country, or who could have sought asylum in another country before arriving in the United States should be removed. In addition, in accordance with the law, asylum seekers should be detained until their case is complete or await proceedings in Mexico. Cases should be completed as quickly as possible, and those who do not qualify should be removed.
7. Border enforcement officers should be instructed to make maximum use of the accelerated forms of removal, including expedited removal. The Department of Homeland Security agencies and the Department of Justice should work together to impose consequences for illegal crossing, and especially for re-entry after deportation, human and drug smuggling, and other border crimes.
8. The Biden administration should suspend the Mayorkas enforcement priorities ([Guidelines for the Enforcement of Civil Immigration Law \(ice.gov\)](https://www.ice.dhs.gov/ice/enforcement-priorities)), which greatly restrict the types of removal cases that can be pursued by ICE's Enforcement and Removal Operations (ERO) and Homeland Security Investigations (HSI). These should be replaced with directives to prioritize removal of all criminal aliens, prior deportees, failed asylum seekers, absconders from immigration proceedings, failed immigration benefit applicants, and aliens encountered in worksite enforcement operations. In addition, ICE/HSI should be directed to give higher priority to investigations of illegal employment, labor trafficking, identity theft, and overstays.
9. CBP-1, the program that has allowed inadmissible migrants to make appointments to enter at the land and sea ports of entry must be terminated. This program has enticed migrants to come to the U.S. border, further enriching the cartels that control the territory and the smugglers, and putting the migrants in vulnerable situations in Mexico and other transit countries and also within the United States as they work off their debt to the smugglers and cartels.
10. The president should refrain from re-designating Temporary Protective Status for recent arrivals from the countries whose citizens already have this protection, so as not to entice more illegal migration from these countries. In addition, illegal migrants should not be permitted to "sponsor" inadmissible family and friends from abroad for recently-created parole programs, which undercut our legal immigration system.

**Legislative Options to Secure the Border.** Although the current crisis is due to policies enacted by the Biden administration, and thus legislation is not required to restore border security, there is a role for Congress to play as well. Many of the items listed above for executive action would lend themselves to codification through legislation. In addition, there is a need for certain changes to the INA that would facilitate federal border security efforts. These include:

1. Adopting the Secure the Border Act of 2023 (HR2), which was passed by the House of Representatives and is already on the Senate’s legislative calendar (<https://www.congress.gov/bill/118th-congress/house-bill/2/summary/00#:~:text=This%20bill%20addresses%20issues%20regarding,imposing%20limits%20to%20asylum%20eligibility.&text=requires%20DHS%20to%20create%20an,employers%20to%20use%20the%20system>). This bill would provide further tools to the president for border security and address most of the loopholes and weaknesses that currently exist in the INA. It covers physical security of the border, the asylum system, the handling of unaccompanied minors and families, illegal employment, and more. Unlike the bill passed by the Senate this year, HR2 would not mandate the release of illegal migrants claiming to seek asylum, nor incentivize bogus asylum claims, nor mandate release of a certain number of inadmissible aliens, nor accelerate issuance of work permits to inadmissible aliens, nor increase issuances of green cards.
2. Congress should create a new type of “designation” for the cartels similar to the approach to international terrorist groups, which would enable authorities to target the financial assets of the cartels, to utilize other government resources, including the military and intelligence agencies, and to bar or deport foreign citizen operatives from our country.
3. Congress should act against the infrastructure that supports cartel-sponsored illegal immigration and trafficking, especially the money transmission networks that supports the vast flow of remittances to overseas. A significant share of this outflow of funds is not a transfer of funds from migrants to their families in their home countries, or even payments directly from the migrants to their smugglers, but actually huge sums of money that are being laundered by the cartels and disguised as remittances. To help disrupt this, Congress should pass new “know your customer” provisions that require money transmitters to collect secure identification from anyone sending funds abroad, in addition to levying a tax or fee on the funds that are sent.

**No Urgency for a DACA Amnesty.** It would be a grave mistake for Congress to give consideration to an amnesty or legalization program, either for DACA recipients or any other group of illegal aliens, at this time – when the government does not have operational control of the border and is catching and releasing illegal migrants on a mass scale. We know from past experience that rumors and public discussion of an amnesty provoke more illegal immigration as hopeful migrants rush to get here before the opportunity might be cut off. In the years following the implementation of DACA, Customs and Border Patrol reported a significant increase in the number of illegal aliens being apprehended at the southern border, and the number of unaccompanied minors and parents bringing children began to increase noticeably. This influx continued at what were then record-breaking levels for several years, until dropping off sharply in early 2017, when President Donald Trump implemented new policies. The general awareness of the DACA program, the push for a large-scale amnesty in 2013, and Barack Obama's attempt to enact a similar amnesty by executive fiat in 2014 likely contributed to an impression among illegal migrants that an amnesty that would cover their children, if not their entire family, was very likely to be enacted in the near future.

There is no doubt that the DACA benefits have been a major blessing for the recipients and their families. The educational institutions they attended and their employers also benefited. But there also have been some adverse side effects for the American economy, for local communities, and for our immigration system. The DACA program not only was an egregious

abuse of executive authority, it was carelessly implemented. It has displaced legal U.S. workers from employment opportunities, added to the cost of public welfare and assistance programs, provided deportation protection to criminals, diverted resources away from processing benefits for legal immigrants, invited fraudulent applications, and helped inspire a surge of new illegal immigration.

Proponents of a DACA amnesty argue that the DACA beneficiaries arrived as children, did not choose to live here illegally, have grown up like Americans, and are unfamiliar with and have no ties to their country of citizenship. In the past, these amnesty proposals have lacked sufficient support in Congress due to concerns about the significant fiscal costs (<https://www.cbo.gov/publication/53409>), the labor market effects that result in displacement and wage depression for U.S. workers, and the need to avoid encouraging more illegal immigration, especially at a time when border security and interior enforcement have not reached their full potential. Further, there are legitimate concerns about the lack of rigor in the vetting process for DACA. (<https://cis.org/Testimony/Oversight-Administrations-Decision-End-Deferred-Action-Childhood-Arrivals>). The lenient eligibility criteria and “lite and lean” background checks that were directed under then-USCIS Director Alejandro Mayorkas meant that many individuals with criminal histories were able to obtain DACA. According to a USCIS report, about 12 percent of DACA applicants had arrest records, include assault, battery, rape, murder and driving under the influence, and 85 percent of those applicants were approved. (<https://www.uscis.gov/archive/uscis-releases-report-on-arrest-histories-of-illegal-aliens-who-request-daca#:~:text=Of%20approved%20DACA%20requestors%20with%20an%20arrest%2C%20more%20than%2031,approved%E2%80%9D%20as%20of%20October%202019>).

There is very little socio-economic, educational, or employment data available to the public about DACA beneficiaries, but in what little information about this population that has been disclosed, there is nothing to suggest that DACA beneficiaries are filling jobs that Americans (or legal immigrants) can't or won't do. The DACA policy did not require applicants to have completed a minimum level of education or have any particular skills. Applicants only had to have completed high school or be enrolled in an educational program, loosely defined, and applicant claims were not verified. The most credible research on the DACA population suggests that a significant share of the beneficiaries, between one-fifth and one-half, are adults who have not completed high school or have a high school degree but no further education. DACA beneficiaries span the entire spectrum of educational achievement, but on average they are somewhat less educated than the U.S. population as a whole. Therefore, they are not filling any particular gaps in the U.S. labor market, especially considering that there are millions of Americans who have dropped out of the labor market. (<https://www.migrationpolicy.org/sites/default/files/publications/DACA-Recipients-Work-Education-Nov2017-FS-FINAL.pdf> and <https://cis.org/Vaughan/Research-Dreamers-Contradicts-Public-Image>).

Members of Congress again are being confronted by passionate advocates for an amnesty. You must also remember that constant increases in immigration have consequences for Americans, and that continued tolerance of illegal immigration damages the integrity of our legal immigration system and erodes public support for legal immigration. For these reasons, an amnesty is appropriate only if it occurs after the border is under operational control and interior enforcement is robust. It should be kept to a small scale with well-defined eligibility criteria that

are consistent with other legal immigration categories, and it should be enacted along with other provisions to mitigate the unavoidable fiscal costs, increases in chain migration, and encouragement to illegal immigration that will ensue.

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