

A Special Foreword by Steve Cortes



The Causes and Costs of Illegal Immigration through the United States' Southwest Border

A Report by Dr. Peter Navarro

February 2020

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Illegal migration has vexed the United States for decades. Donald Trump prevailed in 2016 largely on a promise to finally confront this massive threat to America's sovereignty and prosperity. His first term accomplishments proved the efficacy of smart, tough policies regarding immigration and border defense. But with a Biden presidency, powerful interests align to roll back the Trump progress and regress to an era of porous borders and nearly open-ended migration into America. Such a retreat will reward big business seeking cheap labor and the Democratic party luring new constituents. But a massive new inflow of migrants, both legal and illegal, will bring grave harm to working class Americans, lowering wages, inflicting gigantic costs upon taxpayers, and jeopardizing US national security.

Regrettably, Biden finds many allies among establishment Republicans in his efforts to open our borders. Some in Congress, like Senator Marco Rubio, openly cooperate with George Soros backed [groups](#) pushing mass amnesty for illegal aliens. In contrast, patriotic leaders of the America First movement push back against such dangerous posturing.

In this critically important report, former top Trump White House economic advisor Dr. Peter Navarro lays out the statistical case for asserting American sovereignty and protecting the prerogatives of American citizens, especially working-class Americans who are disproportionately harmed by the folly of permissive migration policies. Navarro harnesses his academic training as a Harvard PhD and University of California professor of economics to document the reality of illegal immigration's staggering costs.

Porous borders are never a good idea for America, but least of all in a time of pandemic and widespread concomitant economic uncertainty. Navarro's report should be used as the primary data-driven reference point to apply maximum political pressure to Republicans, especially in the Senate, to hold the line and defend American workers from the globalist designs that would effectively vaporize our borders. The America First movement should prioritize three main points in this effort: protecting working-class citizens, communicating the true costs of illegal migration, and embracing the political benefits and popularity of border sovereignty.

Protecting Working-Class Citizens

After decades of stagnation for blue-collar laborers, President Trump's America First economic policies proved the efficacy of economic nationalism in producing broad prosperity. Through toughness in trade, regulatory restraint, tax relief, and border control, Trump ushered in astounding pre-pandemic gains for workers. For the full year 2019, before the CCP Virus ravaged the world

economy, overall wages grew 6.8%, an all-time [record](#). The gains were even more pronounced for blue-collar workers and for minorities, as blacks and Hispanics saw even faster wage acceleration above 7%. In actual dollar terms, the median household saw incomes climb \$4,379 in 2019. To put that number in context, that year alone represented over \$1,300 more in income [gains](#), by itself, than the entire eight years of the Obama-Biden administration. These wage increases sent the US poverty rate to a 60 year low. During the first three years of the Trump presidency, 2.8 million American children were lifted out of poverty.

Those advances were artificially interrupted by the malfeasance of the Chinese Communist Party, which knowingly infected the world and crashed the global economy. But, from here, the biggest threat to the tenuous American recovery from the virus is no longer the CCP, but rather the prospect of flooding a recovering American labor market with potentially millions of workers, most of them willing to work for scant pay, as documented exhaustively by Navarro in this report.

Such concerns are not exclusively found on the political right, as even Senator Bernie Sanders recognizes the folly of porous borders, [stating](#) that such ideas about massive new immigration are a “Koch brothers proposal” meant to depress wages for US citizens. In fact, Joe Biden may want to reconsider the bust of labor organizer Cesar Chavez now positioned in the Oval Office, as Chavez advocated harshly against illegal immigrant labor competing against his citizen union members, even using risible derogatory [terms](#) to describe such foreign trespassers.

Regardless of partisan leanings, the historical evidence and common-sense demand that America pay particular attention to prioritizing American labor at a time of a still-tenuous economic recovery. Through the lenses of both policy and politics, guarding our borders to shield American workers from unnatural and unfair competition makes eminent sense.

The True Costs of Illegal Migration

In addition to the opportunity costs of lost wages and diminished opportunities for American citizens, our country also endures the staggering toll of the explicit outlays generated by mass illegal migration. Already strained federal, state, and local budgets also spend immense sums of taxpayer funds on services for illegals. If Biden’s full radical immigration agenda becomes a reality, these expenditures will certainly soar. This Navarro report carefully details the vast expenditure already required for illegal aliens who increasingly claim benefits originally intended for citizens. For example, Medicare in California is open to all residents, included those in America illegally. Add in public-school spending for children here illegally plus housing and adjudication costs for largely bogus asylum claims, and the total government outlays for illegal migration soar north of \$100 billion annually.

In addition to the colossal financial costs, the human toll of porous borders inflicts totally unnecessary misery upon both American citizens as well as the illegal migrants themselves. Most illegal migrants arrive without criminal intent beyond their unlawful trespass into our country. But a very dangerous minority of these migrants terrorize American streets and attack American citizens in 100% preventable crimes. For example, the vicious MS-13 transnational gang now operates broadly throughout America, often gaming asylum practices to lure new gang members from Central America. The victims of their crimes, notably, are almost always American citizens of Hispanic descent. This reality belies the liberal fallacy that immigration enforcement is somehow inherently bigoted. In reality, minority Americans suffer disproportionately from the unfair wage competition and also from the crime perpetrated by dangerous illegals. Tragic

examples abound, such as Sandra Duran of Los Angeles, a young Hispanic mother who was [killed](#) in cold blood by Estuardo Alvarado, who had been previously deported five times yet operate with impunity in the so-called “sanctuary” jurisdiction of Los Angeles. Sandra Duran’s sister, a Los Angeles Police Department officer, said the violent death was “a great concern because it could have been prevented.” Officer Morales continued: “It’s sad and it’s unfortunate. It’s going to happen not just to my family but to other families.”

Politics of Border Enforcement

Asserting American sovereignty and protecting US workers garners strong and growing support politically. Biden and his radical allies increasingly find themselves on the wrong side of this political debate. As such, America First nationalists should not flinch. For example, Morning Consult [polled](#) voters about the slew of executive orders unleashed by Biden after his inauguration. Most of the actions, for now, found widespread popularity – except...for the immigration-related ones. In fact, of the bottom 7 out of 28 orders that were surveyed, 5 of them pertained to borders and immigration. By far the least popular executive action so far: Biden’s move to expand by six-fold the total number of refugees America accepts, in the middle of a pandemic. This polling validates earlier exit-polling of November 2020 voters by Zogby that [found](#) 76% of Americans favor lowering levels of even legal immigration as long as joblessness remains elevated from the CCP Virus fallout.

In addition, President Trump’s surge among Hispanic voters should embolden populist nationalists that the cause demonstrates wide appeal, across racial, ethnic, and geographic strata. Specifically, President Trump earned shocking levels of new support all along the counties on the US side of our southern border. For example, Starr County, Texas is the most Hispanic county in America, at 96% Latino. Trump did not quite win Starr County, but he gained an astounding 55% on margin. In 2020 he narrowly lost the county by 5% after getting drubbed by 60% in 2016. In next door Zapata County, which is 86% Hispanic, Trump gained 38% on margin to win the normally Democratic stronghold in 2020.

Far from Texas, in deeply blue Los Angeles County, Trump gained over 500,000 raw votes and increased 4% on margin vs. 2016. In Florida, Hispanics powered the impressive repeat win for Trump, as he evenly split the Hispanic vote in the Sunshine State, per [CNN](#). Clearly, Hispanics rallied to the America First agenda, from urban Mexican-Americans to South Florida citizens of Venezuelan descent. Hispanic citizens clearly believe in strong borders, and benefit appreciably from economic nationalism.

In his momentous July 2020 speech at Mt. Rushmore, President Trump proclaimed that the United States “represents the culmination of thousands of years of Western Civilization.” The nation-state remains integral to that civilization. Accordingly, patriots across America must vigorously oppose the globalist designs of Biden and his Davos-adoring allies. The oligarchs of big business, the permanent political class, and corporate media seek trans-national constructs which undermine sovereignty for their own narrow self-aggrandizement, to the detriment of the masses of US citizens. In contrast, America First proponents boldly embrace the principles of muscular and enlightened nationalism. The Navarro Report on Immigration provides the numeric and academic framework to propel this great cause.

NOTE TO READER:

This report was originally prepared by my office while I was still in the White House but never released as events related to the pandemic overtook the issue of illegal immigration. With the Biden-Harris Regime now intent on opening America's Southern border to a new flood of illegal immigrants, this updated version of the report becomes critical.

As you will see in these pages, illegal immigration inflicts massive costs on the American taxpayer and the working poor of our nation. With so many challenges facing our country, it is both astonishing and regrettable that the Biden-Harris Regime has prioritized a set of policies that will simultaneously further disadvantage millions of jobless Americans while imperiling US national security, leaving our homeland vulnerable to the free flow of drugs, weapons, and possible terrorists into the United States.

Clearly, elections have consequences. Stolen elections have even greater consequences as an open border is clearly not the will of the American people.

Peter Navarro
February 18, 2021

Introduction

All Americans, not only in the States most heavily affected but in every place in this country, are rightly disturbed by the large numbers of illegal aliens entering our country. The jobs they hold might otherwise be held by citizens or legal immigrants. The public services they use impose burdens on our taxpayers.

President Bill Clinton, 1995¹

President Trump and his Administration took decisive action to handle a dangerous influx of illegal aliens which had plagued our nation for decades with spikes in violent crimes such as homicides, robbery, sex offenses, and kidnappings,² and costs Americans over \$100 billion annually.³ As of January 2021, over 450 miles of border wall had been erected,⁴ harmful sanctuary city, refugee resettlement, and catch-and-release policies had been reformed, and as evidence of their effectiveness, illegal immigration crossings where our border wall is constructed are down by 87%.⁵

However, after the Biden Regime was installed after an election rampant with voting irregularities, the Open Border Left wasted no time in unravelling many of the actions Donald J. Trump invoked to keep our borders strong and secure.

For example, the Biden Regime revokes President Trump's 2017 Executive Orders to defund sanctuary cities and strengthen immigration laws,⁶ and to install a travel ban on individuals that come from nations that support terrorism.

The US government has spent nearly \$1 billion maintaining a wall around the US Capitol building, paradoxically proving the efficacy of physical protective barriers. Simultaneously, the Biden-Harris Regime halts construction of President Trump's border wall⁷ – a critical deterrent component that had drastically decreased border trespassing over the past four years.

Biden's Open Borders initiatives will flood America with illegal laborers, at a time when over 10.7 million Americans⁸ are still suffering from unemployment due to the Chinese Communist Party Virus pandemic. Such unfair labor market competition will also put enormous downward pressure on wage growth for American citizens.

This special edition of the Navarro seeks to demonstrate and explain the following:

- Which countries are illegal aliens coming from and what are their demographic profiles?
- What forces incentivize these illegal aliens to migrate north in such large numbers and why is it so easy for illegal aliens to take up residence in the United States?
- What will be the likely fallout of illegal mass migration: facilitated by the Biden-Harris Regime on for American taxpayers, labor markets, American children in our K-12 public schools, and crime?
- How did the Trump Administration combat the dangers of mass illegal migration, mitigate the fiscal burden of illegal immigration, and what were the effects of these policies?

Before we address these questions, it is important to have a firm understanding of the scope of the problem of illegal immigration in the U.S.

I. Illegal Mass Migration Across America's Southern Border

A. Major Routes for Illegal Mass Migration

Figure One illustrates the major routes for the illegal mass migration along America's southern border with Mexico.⁹ These migrant routes, through Guatemala's northern border, are fed from Central and South America, and as far away as Brazil. These routes accommodate everything from single adults and children to large caravans. They provide illegal alien access into the U.S. along a 1,933 mile border¹⁰ that stretches from San Diego and the Pacific Ocean to the southern tip of Texas across California, Arizona, New Mexico, and Texas.

Figure One: Map of the Migratory Routes from Central America to the Southwest Border



Source: World Economic Forum¹¹

On any given day, thousands of illegal aliens travel along these migratory routes.¹² Approximately half of this traffic will consist of family units, usually with young children and teenagers below the age of 18.¹³ As of FY19, there were also over 76,000 unaccompanied minors crossing over the Southern Border.¹⁴ Under one third of all illegal aliens that cross the southern border are female.¹⁵

Along the perilous journey north and underscoring the depths of the humanitarian crisis this illegal mass migration invites, almost 70% of the travelers will likely be subjected to some form of violence.¹⁶ As noted by Amnesty International, well over half of all adult females will likely submit to “cuerpomático,” a Spanish slang term meaning “rape in exchange for migration assistance into

the U.S.”¹⁷ Such tragic statistics reveal the hypocrisy of American leftists who promote porous border policies as somehow humanitarian.

Upwards of 90 percent of illegal aliens crossing the border pay a “Coyote”—a smuggler and guide—to get them across the border.¹⁸ Coyotes have been known to abandon those in the desert who are physically incapable of the long journey. Coyotes have also been known to take more perilous routes than the typical migratory route, with the aim of smuggling drugs as well.¹⁹

B. Illegal Alien Mass Migration Patterns Across America’s Southern Border

Table One provides a summary of the illegal alien traffic crossing America’s southern border during FY15-FY20, as provided by the Department of Homeland Security’s Customs and Border Protection (CBP).

Table One: Illegal Immigration by the Numbers

Fiscal Year	Border Apprehensions	Inadmissibles	Got-Aways	Total Arrivals ²⁰
2020	400,651	57,437	100,000	458,088
2019	851,508	126,001	100,000	1,077,509
2018	369,579	124,511	100,000	594,090
2017	303,916	111,601	100,000	515,517
2016	408,870	144,508	100,000	553,378
2015	331,333	113,526	100,000	544,859

Source: U.S. Customs and Border Protection²¹

The table shows that 458,088 illegal aliens were apprehended at the border in FY20.²² This is nearly a 50% decrease in apprehensions compared to FY19.

Under current “catch and release” laws (discussed in Section IV below), many of these 458,088 illegal aliens who have been “caught” have been, or will soon be, released into the interior of the United States.²³

Column 3 displays another 57,437 “inadmissibles” recorded during FY20, or illegal aliens who come to a U.S. port of entry seeking asylum or protection.²⁴ Most inadmissibles likewise have been, or will be, released into the interior of the U.S.

Column 4 catalogues a standard estimation of annual “got-aways.” This CBP classification refers to those crossing the border and entering the interior of the U.S. *without* being apprehended by CBP.²⁵ This number varies as more information is gathered, but the prediction has rested well above 100,000 per annum for the past five years.²⁶

Based on this data, and even with monthly border apprehensions declining in the last two fiscal years,²⁷ the total number of illegal aliens settling in the U.S. between FY19 and FY20 reached nearly 1.5 million.²⁸

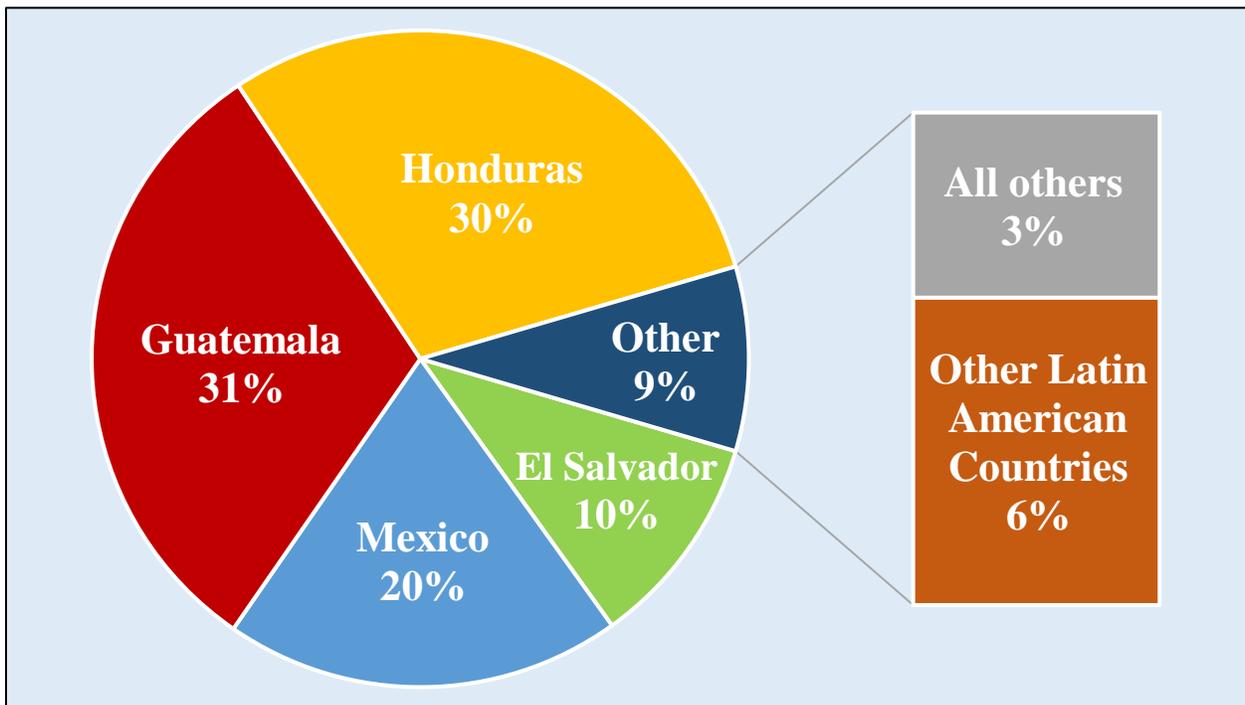
In FY20, ICE conducted over 103,600 administrative arrests, which consists of illegal aliens who are believed to have committed additional criminal activity beyond immigration violations.²⁹ Of these 103,600 administrative arrests, 90 percent of those arrested had criminal convictions or pending criminal charges, along with egregious criminal histories including more than 1,800 homicide-related offenses, 1,600 kidnappings, 3,800 robberies, 37,000 assaults, and 10,000 sex crimes.³⁰

Finally, among illegal aliens removed from the U.S. in FY18, an alarming 44% of them had previous criminal backgrounds.³¹ Moreover, these prior crimes were not minor ones. Over 18,000 of them had charges dealing with dangerous drugs, over 12,000 had assault charges, 3,000 had weapon charges, and 4,500 had sexual assault and offenses charges.³²

C. Illegal Mass Migration by Nationality

Figure Two provides a breakdown by major countries of origin for illegal migrants for FY19.

Figure Two: FY19 Illegal Immigration Through the Southern Border, Countries of Origin



Source: U.S. Customs and Border Protection³³

From the chart, we see that almost 20% of illegal aliens crossing our southern border in FY19 came from Mexico—half of the share of Mexican aliens from FY18. Another 71% came from the “Northern Triangle” countries of El Salvador, Guatemala, and Honduras.³⁴ Mexico and the Northern Triangle thereby account for over 91% of the illegal aliens crossing America’s southern border.³⁵

Those illegal aliens crossing the southern border who are not from Mexico or Central America originate from more than 20 other countries.³⁶ Many will transit into this hemisphere via Brazil, a gateway for illegal aliens from South Asian countries like Bangladesh, India, Nepal, and

Pakistan.³⁷ As of FY18, India, alone accounted for approximately 7,500 illegal aliens per year crossing into the U.S. from the southern border.³⁸

D. A Northern Triangle Surge

Table Two illustrates a significant surge from FY18 to FY19 in illegal alien flow from the Northern Triangle countries of El Salvador, Guatemala, and Honduras. This surge is evident in both the number of persons and the percent of the overall traffic – even as Mexican illegal immigration is falling as a percent share of the total.

Table Two: Illegal Immigration Apprehensions from Mexico and Northern Triangle

Apprehension Breakdown	FY18		FY19	
	Persons	% of Total	Persons	% of Total
Mexico	152,257	38.4%	166,458	19.6%
Northern Triangle	223,604	56.4%	607,774	71.4%
El Salvador	31,369	7.9%	89,811	10.6%
Guatemala	115,722	26.2%	264,168	31.0%
Honduras	76,513	19.3%	253,795	29.8%
Other	20,718	5.2%	77,276	9.1%
Total	369,579		851,508	

Source: U.S. Border Patrol³⁹

From the table, we can observe that between FY18 and FY19, Northern Triangle illegal alien traffic tripled, from 223,604 illegal aliens to 607,774 — a 172% increase. At the same time, the percent of the total flow from the Northern Triangle rose from 56% to 71% while the traffic from Mexico fell from 38% to 20% of the total (but not in absolute numbers).

At a more granular level, we can also observe that Honduras underwent the largest percent increase in persons apprehended — approximately 232% — from 76,513 to 253,795. Meanwhile, Guatemala accounted for the largest share of illegal aliens from the Northern Triangle apprehended in FY19. Its total of 264,168 represents nearly a third of the FY19 traffic through the southern border.⁴⁰

E. Education Levels, English Language Proficiency, and Occupations

Table Three reports the educational attainment and English proficiency of the citizens of Mexico and the Northern Triangle countries, which together account for over 90% illegal alien traffic across America’s southern border.

Table Three: Average Education and English Language Levels for Select Countries

Country	Population with Less than a High School Education	English Proficiency Level
Mexico	57%	25%
Northern Triangle	58%	22%
U.S. Citizens	8%	N/A

Source: Pew Research Center⁴¹

Note that 75% of Mexican citizens lack English proficiency while 78% Northern Triangle citizens lack such proficiency.⁴² Almost 60% of the citizens of Mexico and the Northern Triangle countries have less than a high school education, in comparison to just 10% of U.S. citizens.

This data underscores that the vast majority of the illegal aliens crossing America’s southern border and taking up residency in the United States today are poorly educated and lack English proficiency skills. This reality is a critical observation when seeking to assess the various fiscal and other economic impacts of immigration across America’s Southern border.

Those illegal aliens crossing America’s southern border that find jobs will likely work in occupations that are substantially lower-paying occupations such as landscaping, crop production, maid/janitorial and other building services. The five occupations in Table Four represent over 40% of the illegal alien workforce.

Table Four: Top Occupations and Income Levels for Illegal Aliens in the U.S.

Occupation	Number (Thousands)	% of Total Industry Workforce	% of Illegal Alien Workforce	Average Salary in 2018
Construction	1,300	13%	16.5%	\$51,220
Eating and Drinking Places	1,100	10%	13.9%	\$24,830
Landscaping Services	300	21%	3.8%	\$30,940
Services to Buildings (e.g. janitor, painter)	300	19%	3.8%	\$30,940
Crop Production	275	22%	3.5%	\$30,110

Source: Pew Research Center, U.S. Bureau of Labor Statistics⁴³

Of these occupations, only construction jobs pay an average annual salary at \$51,220 that is nearly equal to the annual average salary for U.S. workers of \$51,960.⁴⁴

In many of these occupations, illegal aliens constitute a significant share of the total industry workforce. For example, while illegal aliens constitute only about 3.2% of the U.S. population,⁴⁵ they account for an estimated 21% of landscaping service workers, 19% of janitorial and other building service workers, and 22% of crop production jobs.⁴⁶

Illegal aliens also represent a disproportionate share of the workforce in a number of states relative to the size of the illegal alien population. While illegal aliens represent roughly 5% of the workforce in the U.S. nationally, in Nevada, for example, illegal aliens represent over 10% of the state's workforce.⁴⁷ In California, Texas, and New Jersey, illegal aliens comprise 9%,⁴⁸ 8.5%,⁴⁹ and 8%⁵⁰ of the states' workforces, respectively.

II. Four Forces Incentivizing Illegal Mass Migration

Now that we have explored who precisely is entering the country illegally, the question remains—why are they coming here?

The four main forces that incentivize this illegal mass migration across America's Southern border include: the search for better jobs and higher wages, ready access to much of America's welfare state, lucrative opportunities in illegal drug and human trafficking trades, and many avenues for asylum claims in the US, both legitimate and abusive efforts.

A. Better Jobs and Higher Wages

The lure of better quality of life fueled by better and higher paying jobs represents the purest form of economic migration. According to the International Monetary Fund, the United States is the eleventh richest country in the world,⁵¹ and the richest large country as measured by per capita nominal GDP at \$66,140.⁵²

In contrast, Mexico is ranked 71st at \$9,858, Guatemala is 107th at \$4,674, El Salvador is 119th at \$4,027, and Honduras is 137th at \$2,569.

Table Five illustrates the dramatic economic gains an illegal alien can experience by entering the U.S. workforce and boosting his or her wages. This table compares the average purchasing power parity (PPP) per capita in the United States of \$59,928 with that of Mexico and selected countries from Central America.

Table Five: Per Capita Purchasing Power Parity (PPP) for Selected Countries

Country	GDP Per Capita (PPP constant dollar) 2018	Country PPP as share of U.S. PPP	Percent Improved PPP in the U.S.
United States	\$55,649	100%	
Belize	\$7,556	13.6%	636.5%
Ecuador	\$10,416	18.7%	434.3%
El Salvador	\$7,147	12.8%	678.6%
Guatemala	\$7,499	13.5%	642.1%
Honduras	\$4,632	8.3%	1,101.4%
Mexico	\$18,312	32.9%	203.9%
Nicaragua	\$5,051	9.1%	1,001.7%

Source: International Monetary Fund⁵³

Purchasing power parity (PPP), provides a much better comparison of U.S. living standards than nominal GDP per capita because PPP adjusts for the different costs of buying a similar basket of goods and services across countries.⁵⁴ In Honduras, for example, the per capita PPP of \$4,632 is only 8.3% of the average U.S. PPP. In El Salvador and Guatemala, it is 12.8% and 13.5%, respectively. Even in Mexico, per capita PPP is only 32.9% that of the U.S.

The fact is this: when illegal aliens come to the U.S., they can significantly improve their economic prospects, even if they earn wages well below the U.S. average. In turn, this illegal alien “labor shock” provides U.S. employers with additional labor market leverage to depress wages for American citizens competing with these illegal aliens—and the urban poor in America tend to suffer the most.⁵⁵

B. Access to the American Educational, Medical, Welfare, and Other Social Services

A second force pulling illegal immigrants north represents a very different form of economic migration—the lure of easy illegal alien access to many generous offerings of the U.S. taxpayer-financed welfare state.

As discussed in more detail in Section V of this report, under U.S. law, as soon as an illegal alien takes up residency in the U.S., that individual may be immediately eligible for a wide range of educational and medical benefits, welfare, and other social services.⁵⁶

To understand just how strong a lure the United States’ welfare state is, consider Table Six. It compares the level of per capita public spending on social assistance programs for selected countries.

Table Six: Per Capita Public Spending on Social Assistance by Country

Country	Spending Rate as % of GDP 2019	PPP Equivalent in 2017 (USD Millions)	USD Value Per Capita 2017	Percent Gained by Coming to U.S.
United States	18.7%	\$362,500	\$11,217	
Belize	3.5%	\$112	\$300	3,604%
Ecuador	1.5%	\$289	\$174	6,286%
El Salvador	0.8%	\$46	\$72	15,333%
Guatemala	0.2%	\$28	\$17	65,265%
Honduras	0.8%	\$37	\$40	27,680%
Mexico	1.7%	\$4,178	\$323	3,340%
Nicaragua	2.2%	\$80	\$129	8,514%

Source: World Bank, Organization for Economic Cooperation and Development⁵⁷

From the table, we see that the U.S. spends close to 20% of its GDP on social assistance programs at a value of \$11,112 per capita. In contrast, Mexico spends less than 2% of its GDP on social assistance programs at a value of \$323 per capita. All three Northern Triangle countries spend less than 1%, with values less than \$75 per capita – Guatemala is only \$17 of public spending per capita.⁵⁸ This massive US vs. Latin America disparity in government social welfare spending, intended for citizens rather than illegal migrants, provides a mammoth incentive for economic migrants to trespass into America.

C. Drug Trafficking and Human Trafficking

Lucrative employment and entrepreneurial opportunities in the illegal drug and human trafficking trades represent a third important force incentivizing illegal mass migration.

Today, thousands of illegal aliens, including children, are being trafficked for sexual exploitation or forced labor.⁵⁹ The State Department’s annual Trafficking in Persons report recognized the following groups as being especially susceptible to forced labor and sex slavery in the United States: “children in the child welfare and juvenile justice systems,” “unaccompanied foreign national children without lawful immigration status,” “migrant laborers, including undocumented workers and participants in visa programs for temporary workers,” “persons with limited English proficiency,” among others.⁶⁰

Many coyotes that provide border crossing services to illegal aliens also partner with sex trafficking rings. These coyotes transport human trafficking victims to the United States on behalf of gangs, cartels, and other transnational criminal organizations.⁶¹

Thousands more illegal aliens are used as “mules” to cross the U.S. border, smuggling drugs like cocaine, heroin, marijuana, methamphetamines, and fentanyl into America.⁶² Some of these mules will remain in the U.S. after crossing the border.⁶³

Table Seven documents the seizures of cocaine, fentanyl, heroin, marijuana, and methamphetamine in 2018. These seizures have a total street value of over \$6.5 billion.

The Senate Committee on Homeland Security and Governmental Affairs reports that only 5% to 10% of illegal drugs crossing America’s southern border are interdicted.⁶⁴ This suggests a drug cartel business model with annual revenues of between \$66 and \$132 billion, for just the U.S.-Mexican border trade – and there are likely thousands of drug mules involved in this smuggling.⁶⁵

Table Seven: Drug Seizures at the U.S.-Mexico Border in 2018

Drug Class	FY18 Seizures in Weight (lbs.)	Street Value (USD Millions)	Total Doses (Millions)
Cocaine	51,713	\$2,932.06	156
Heroin	5,205	\$4.70	79
Marijuana	300,289	\$900.87	136
Methamphetamine	56,362	\$2,042.56	1,278
Fentanyl	1,785	\$708.94	405

Sources: CBP for weight. Multiple sources for Street Value and Doses.⁶⁶

D. Asylum Seekers – Legitimate and False

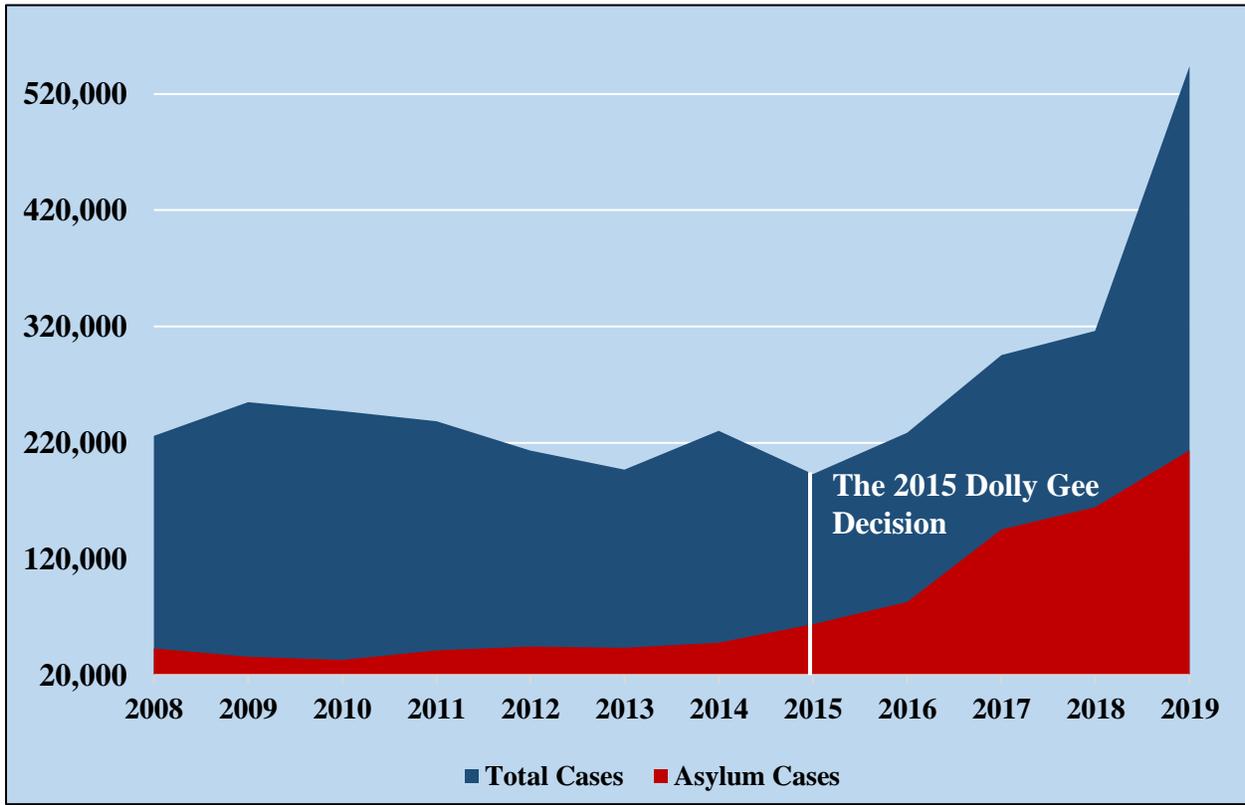
A fourth force lure for illegal mass migration involves various avenues for illegal aliens to make both legitimate and false claims of asylum.

Asylum claims must be based on one of five forms of persecution: race, religion, nationality, membership in a particular social group, or political opinion.⁶⁷

Figure Three illustrates the trend in asylum claims from 2008 to 2019 while Table Eight illustrates the number of asylum claim hearings and claims granted in Fiscal Year 2018-2019. As depicted, claims were relatively flat to declining until 2015 and ranged between 35,000 and 45,000 per year. However, following a 2015 District Court decision by Judge Dolly Gee, the number of asylum claims vaulted higher to over 213,000 in 2019.⁶⁸

Section V of this report discusses at greater length the ramifications of the Judge Gee decision, from the growth in the number of asylum claims to the changing patterns of illegal immigration. For now, note that the shockingly low rate of asylum claimant success in US courts points to the massive abuse of our country’s generosity, as depicted in Table Eight.

Figure Three: Trend in Total Cases and Asylum Claims, FY08-FY19



Source: U.S. Department of Justice⁶⁹

Table Eight: Asylum Claim Hearings and Claims Granted in FY18-19

	Total Hearings	No Shows	Granted Asylum	
			% of Attendees	% of Total Claims
2018	64,201	10,724	24.6%	20.5%
2019	92,905	17,786	25.0%	20.2%

Source: U.S. Department of Justice⁷⁰

III. Illegal Alien Access to U.S. Taxpayer-Financed Programs and Services

How is it that illegal aliens are readily access a broad range of U.S. taxpayer-financed education, medical, social, and welfare benefits – even benefit programs that ostensibly are off-limits to illegal aliens? Table Nine lists a set of judicial and legislative acts that facilitate such access.

Table Nine: Major Judicial and Legislative Acts that Have Facilitated Illegal Alien Access to U.S. Taxpayer-Funded Services and Programs

A. Birthright Citizenship Under the 14 Amendment—the “Anchor Baby” Phenomenon
B. 1979, 1989 Rise of Sanctuary Cities, Counties, and States
C. 1982 Supreme Court Decision <i>Plyler vs. Doe</i> ⁷¹ and 1998 Congressional Expansion of the National School Lunch Program ⁷²
D. 1986 Emergency Medical Treatment and Labor Act ⁷³
E. 1996 Personal Responsibility and Work Opportunity Act ⁷⁴ and 2001 Department of Justice Attorney General Order No. 2353-2001 ⁷⁵
F. 1996 Individual Taxpayer Identification Numbers (ITINs) for Illegal aliens

A. Birthright Citizenship Under the 14th Amendment – The “Anchor Baby” Phenomenon

Under the current legal interpretation⁷⁶ of the 14th Amendment of the U.S. Constitution, children born to illegal aliens on U.S. soil are guaranteed U.S. citizenship. These so-called “anchor babies” now number more than four million in the U.S.;⁷⁷ and the Pew Research Center estimates that nearly 250,000 anchor babies are born each year.⁷⁸

Pew further notes that the birthrate for anchor babies is disproportionately high. While adult illegal aliens comprise no more than 4% of the total adults in with United States, anchor babies now account for 6% to 7% of total U.S. births.⁷⁹ Even though illegal aliens make up about 3.2%⁸⁰ of the population, they account for over 10%⁸¹ of publicly funded births.

Note that birthright citizenship is far from the international norm. Only 36 of the 195 countries in the world offer it. Aside from Argentina, Brazil, Canada, Mexico, Pakistan, and the U.S., most nations offering birthright citizenship are small developing nations that range from Caribbean islands like Antigua, Grenada, and Trinidad to Latin American countries like Ecuador, Paraguay, and Panama.⁸²

It is a matter of some debate as to whether birthright citizenship further incentivizes illegal immigration. What is clear is that birthright citizenship does expand illegal alien access to U.S. taxpayer-financed benefits in several ways.⁸³

Consider, for example, the Supplemental Nutrition Assistance Program (SNAP), colloquially known as “food stamps.” Under the legal requirements of the 1996 Personal Responsibility and

Work Opportunity Reconciliation Act (PRWORA),⁸⁴ illegal aliens are technically denied access to SNAP. Nonetheless, an anchor baby of illegal aliens can qualify for food stamps because it is a U.S. citizen. Of course, with the SNAP program, it is not the anchor baby purchasing groceries with an “electronic benefit transfer” card. Rather, it is the child’s parents, who presumably shop for the entire family.⁸⁵

As a second example, in some cases, an anchor baby doesn’t even need to be born yet to provide illegal alien parents access to U.S. benefits. In the sixteen states where the Children’s Health Insurance Program (CHIP) has been expanded to care for the unborn, illegal alien mothers are routinely provided pre-natal care under the assumption that the unborn child will be born as an American citizen.⁸⁶

B. 1979, 1989 Rise of Sanctuary Cities, Counties, and States

The so-called sanctuary city phenomenon grew out of two separate legal actions taken first in Los Angeles in 1979 and then in San Francisco in 1989.⁸⁷ Sanctuary cities, counties, and states get their title by ignoring detainer requests made by ICE or by refusing to cooperate with federal immigration law enforcement. However, most sanctuary cities, counties, and states also exhibit two key features that make it easier for illegal aliens to access America’s taxpayer financed welfare state.

First, it is typically illegal for government employees and government-aided institutions (e.g., teachers, DMV personnel, librarians, healthcare institutions receiving public funds) to ask about the immigration status of an individual.⁸⁸ This lack of transparency makes it possible for illegal aliens to access public benefits otherwise denied to illegal aliens, e.g., healthcare, food stamps, and driver’s licenses.⁸⁹ This opacity also makes it impossible to gather accurate, updated information about the presence, danger, and burden of illegal aliens in these communities.⁹⁰

Second, cities such as Chicago, New York, and Seattle, along with all of California explicitly extend taxpayer-funded benefits to illegal aliens.⁹¹ For example, all New York residents, regardless of immigration status, can apply for all of the services of the Human Resource Administration. These gifts include food stamps, health insurance, up to \$300 per month temporary cash assistance, and free legal consultations.⁹²

In Chicago, a city-wide legal identification program known as CityKey does not require U.S. citizenship. Yet it serves as sufficient legal identification for driver’s licenses, school enrollment, voting registration, and other city-provided services.⁹³ According to a 2017 study conducted by the National Economics Editorial, illegal aliens cost Illinois roughly \$3.85 billion annually.⁹⁴ This burden adds to the fiscal woes of the Prairie State that is more than \$60 billion in debt with a BBB- credit rating and \$130 billion in unfunded pension liabilities.⁹⁵

In California, Medi-Cal is available to all qualifying low-income residents regardless of immigration status at a taxpayer cost of about \$20 billion annually.⁹⁶ At the end of 2017, there were nearly 220,000 illegal immigrant children alone on Medi-Cal, with an estimated cost of \$280 million, or over \$1,200 per child.⁹⁷

D. 1986 Emergency Medical Treatment and Labor Act

In 1986, Congress passed the Emergency Medical Treatment and Labor Act (EMTALA). It requires all hospitals that accept Medicare to provide emergency care services, regardless of citizenship or immigration status.¹⁰⁷

This EMTALA effectively turned emergency rooms across the nation into doctors' offices for illegal aliens. While pregnant illegal alien mothers on U.S. soil are ineligible for Medicaid, they are able to receive emergency medical services, including labor and delivery, despite their immigration status.¹⁰⁸

A 2012 analysis of the 2010 Census Bureau American Community Survey conducted by the Center for Immigration Studies estimates that 35% of homes headed by illegal aliens received Medicaid benefits at an annual average cost of \$4,520 and at a total cost to U.S. taxpayers of as much as \$6 billion.¹⁰⁹

E. 1996 Personal Responsibility and Work Opportunity Act

The 1996 Personal Responsibility and Work Opportunity Act¹¹⁰ was passed as a broad-based “welfare reform.” It was derived from the Republican Party’s “Contract With America” and supported by President Bill Clinton.¹¹¹ Among its many features, the Act limited the access of many aspects of the U.S. welfare state to illegal aliens.¹¹²

However, in 2001, Attorney General Janet Reno turned this limitation on its head when she issued Department of Justice Order No. 2353-2001.¹¹³ This lame duck order was issued just days before President Clinton would hand the reins of government over to George W. Bush. The Reno Order dramatically expanded the availability of U.S. taxpayer-financed services to illegal aliens to include:

- Police, fire, ambulance, transportation, sanitation, and other regular widely available services.
- Crisis counseling and intervention programs, child protection services, adult protection services, violence and abuse prevention services, mental illness and substance abuse treatments.
- Short-term shelter and housing assistance for the homeless, victims of domestic abuse, and for runaway children.
- Public programs to aid persons in periods of heat, cold, flooding, and other adverse weather conditions.
- Soup kitchens, community food banks, senior nutrition programs (meals on wheels), public health services; and any other programs, services, or assistance necessary to the protection of life and safety.¹¹⁴

F. 1996 IRS Regulation Creates Individual Taxpayer Identification Numbers for Illegal Aliens

In May 1996, the Treasury Department’s Internal Revenue Service (IRS) issued a regulation that granted Individual Taxpayer Identification Numbers (ITINs) to aliens not qualified to work in the US and not qualified for Social Security Numbers (SSNs). Effectively, this regulation incentivized

illegal aliens to use fraudulent SSNs to first gain employment and then file for tax refunds using ITINs.¹¹⁵

Since the creation of ITINs in 1996, the Treasury Inspector General for Tax Administration has issued numerous audit reports.¹¹⁶ These audits inevitably catalogue both the frequent use of fraudulent SSNs – a federal crime, which constitutes deportation if committed by an illegal resident¹¹⁷ – as well as the billions of dollars in subsidies transferred to illegal aliens filing under the ITIN system.¹¹⁸

From 2011 to 2016, Treasury documents a staggering 1.3 million cases of known SSN fraud committed by ITIN holders. Despite these large number of cases, only 4,329 prosecution recommendations were made.

In 2017 alone, an additional 1.2 million cases of SSN fraud were committed by illegal aliens, with only 403 recommended prosecutions. Half a million people whose social security numbers were fraudulently used never received notice that their identity was stolen.¹¹⁹

In many cases, the refund an illegal alien will receive will not only include the return of the withholding taxes on wages; it will *also include* payments associated with subsidies such as the Child Tax Credit.¹²⁰ When these subsidies are in excess of the payroll taxes contributed by illegal aliens, the Treasury Department runs a net deficit on these illegal aliens, i.e., they receive more in refunds than they pay into the system.¹²¹

Note that, with the passage of the Tax Cut and Jobs Act of 2017,¹²² children must now be U.S. citizens to qualify. However, this remains a case where the anchor baby phenomenon provides access to U.S. taxpayer funds. Moreover, of the five million children living with illegal alien parents, 80% of the children are U.S. citizens.¹²³

Illegal aliens are also eligible with an ITIN for the American Opportunity Credit. They “can claim up to a \$2,500 tax credit per eligible student per tax year for qualified tuition expenses for the first four years of post-secondary education in a degree or certificate program.”¹²⁴

As noted earlier, because of the availability of these tax subsidies, many illegal aliens using ITINs to file federal income tax forms wind up as net beneficiaries of the income tax system. The refunds of the withholding taxes combined with various tax credits often more than offset the non-refundable contributions of these illegal aliens to the payroll tax.¹²⁵

IV. An Overview of the Origins of America’s Catch and Release Immigration Policies

Thus far in this report, we have demonstrated that illegal mass migration is at recent high records among America’s southern border. This surge is primarily populated by illegal aliens from the Northern Triangle countries of El Salvador, Guatemala, and Honduras, and secondarily populated by Mexican illegal aliens. Due the current rate of traffic, more than one million new illegal aliens crossed the border in FY19.

The next question this report seeks to answer is this: Why was it so easy for so many illegal aliens to quickly take up residency in the United States, even after being apprehended by CBP agents? The answer lies in a set of legislative acts, judicial decisions, and other policies and practices that collectively have encouraged south-to-north migration patterns while institutionalizing an immigration policy known as “catch and release.”

Catch and release refers to the inability of U.S. government officials to detain the vast majority of illegal immigrants apprehended at the border for more than a short period of time – after which they are released into the interior of the United States to await disposition of their claims to remain in the U.S.¹²⁶

A. The 1965 Immigration and Nationality Act

Prior to passage of the 1965 Immigration and Nationality Act, much of the immigration to the U.S. flowed east-to-west from the Eurasia land mass under a national origin quota system. The 1965 Act not only ended national origin immigration quotas; it created visa preferences for family reunification. Over time, these changes in immigration law would institutionalize patterns of “chain migration” from countries south of the U.S. border.¹²⁷

Chain migration refers to the practice of issuing visas based not on merit-centered factors such as education level and job skills. Rather, once an illegal alien gets a green card or becomes a legal resident, that alien can sponsor their spouse and/or their children. In addition, once a migrant becomes a citizen, he or she can further petition to bring over their parents, married children and/or adult brothers and sisters.¹²⁸ By establishing visa preferences for individuals seeking family reunification, the 1965 Act helped move America’s immigration system away from a merit-based approach and catalyzed “chain migration.”¹²⁹ According to the Department of Homeland Security, over half of all lawful permanent immigration to the U.S. over the past decade has been family-based. In 2017, that number reached nearly 70% of all visas granted.¹³⁰

Table Ten illustrates the rise of family-based chain migration since passage of the 1965 Immigration and Nationality Act. In 1965, only 15% of total visas was family-based. By 1970, that number had risen to 46%. In 2017, family-based immigration was almost 70% of the visa total.

Table Ten: Family-Based Chain Migration Since 1960

Year	Family-Sponsored Immigrants	Immediate relatives of U.S. Citizens	Total, Family-Based Immigrant	All Immigrants	Percent Family-Based
1960	21,045	34,215	55,260	265,398	20.8%
1965	13,082	32,714	45,796	296,697	15.4%
1975	95,945	91,504	187,449	386,194	48.5%
1985	213,267	204,368	417,635	570,009	73.3%
1995	238,122	220,360	458,482	720,461	63.6%
2005	212,970	436,115	649,085	1,122,257	57.8%
2015	213,910	465,068	678,978	1,051,031	64.6%
2017	232,238	546,508	778,746	1,127,167	69.1%

Source: Department of Homeland Security¹³¹

B. The 1997 Flores Settlement Agreement

The 1997 Flores Settlement Agreement (FSA) sowed one of the single most important seeds of today’s set of catch and release immigration policies. It established a *time limit* on how long unaccompanied alien minors (UAC) can be detained.¹³²

The FSA was the result of a class action suit filed in 1985 by plaintiff Jenny L. Flores and other class members. They sued the Immigration and Naturalization Service (INS) over its treatment of detained illegal alien minors.¹³³

In the 1997 Flores Settlement Agreement, the Clinton Administration’s INS Commissioner, Doris Meissner, agreed to have unaccompanied alien minors apprehended at the border released “without unnecessary delay.”¹³⁴ This vague clause put an expiration date on how long UAC could be held before being released into the interior of the United States.

The FSA also mandated that UACs must be released to a parent, a legal guardian, an adult relative, an adult individual designated by the parents/guardians, a licensed program willing to accept legal custody, or an adult individual or entity seeking custody.¹³⁵ In most cases, any one of these individuals are illegal aliens themselves. This clause thereby further incentivized adult illegal aliens to traffic their own children to the U.S. even as it helped fuel the smuggling industry.¹³⁶

Between February 2014 and September 2015, Customs and Border Protection estimates that nearly 80% of all released UAC were sponsored by an illegal alien, and an additional 700 were sponsored by those going through deportation hearings.¹³⁷

C. 2008 William Wilberforce Trafficking Victims Reauthorization Act

In 2000, Congress passed the Trafficking Victims Protection Act (TVPA)¹³⁸ as a well-intentioned piece of legislation designed to fight human trafficking -- primarily sex trafficking -- from places like Russia and Eastern Europe.¹³⁹ Among its many provisions, TVPA made foreign victims eligible for federally funded or administered health benefits and other services, *regardless* of immigration status.¹⁴⁰

The 2008 William Wilberforce Trafficking Victims Reauthorization Act (TVPRA)¹⁴¹ created new measures within the 2000 TVPA that required CBP/DHS to send unaccompanied illegal alien minors found crossing the border from noncontiguous countries (countries with which the U.S. does not share a border) to the Department of Health and Human Services Office of Refugee Resettlement (ORR) for processing.¹⁴² This seemingly-sensible reform compelled significant unintended consequences.

Prior to the 2008 TVPRA, illegal alien minors deemed inadmissible to the U.S. could be immediately repatriated back to their home country. While the 2008 Act preserved the right of CBP/DHS to quickly repatriate Mexican and Canadian nationals deemed inadmissible, it explicitly prevented such repatriation of minors from noncontiguous countries like Guatemala, El Salvador, and Honduras.¹⁴³

- In combination with the 1997 Flores Settlement Agreement, the 2008 TVPRA thus created a situation in which non-Mexican UAC from south of the border (1) could not be repatriated, (2) had to be processed for a court hearing, and (3) had to be *quickly released* into the interior of the U.S., often to illegal alien relatives or parents.

In this way, a piece of legislation originally designed to protect children primarily from Eastern European sex trafficking rings was inadvertently extended to the protection of illegal alien minors being smuggled across America's southern border. The perverse result incentivizes more child smuggling.

As a further perverse outcome, the placement of UAC with "sponsored guardians" has made many of these minors susceptible to gang recruitment. A random check conducted in the summer of 2017 found that 30% of all UAC had known or suspected gang ties. Many of teens were affiliated with the dangerous MS-13 transnational gang with roots in Central America.

Due to the language of the TVPRA, even if CBP is confident that a minor crossing the border has ties to a dangerous criminal organization, CBP can do nothing but send them on to Health and Human Services. Eventually they will be released, typically to an illegal alien adult, while pending a court hearing.¹⁴⁴

D. Importance of 2015 Judge Dolly Gee Decision

In 2015, one of the most significant catch and release rules was formulated when the Obama-appointed judge, Dolly Gee, defined “unnecessary delay” as stated in the Flores Settlement Agreement to be no more than 20 days. Of equal import, Gee expanded the coverage of the FSA from *unaccompanied* children to *all* children—accompanied or unaccompanied.¹⁴⁵

With this exceedingly expansive interpretation of the FSA, Gee presented the Department of Homeland Security (DHS) with the following Catch 22 choice. Either:

- DHS can keep the family unit intact; but if it does, DHS must release not just the child but the entire family unit within 20 days; OR
- DHS can separate the child from his or her family and still treat the adults in a way that might lead to a more immediate possible return of these adult illegal aliens.

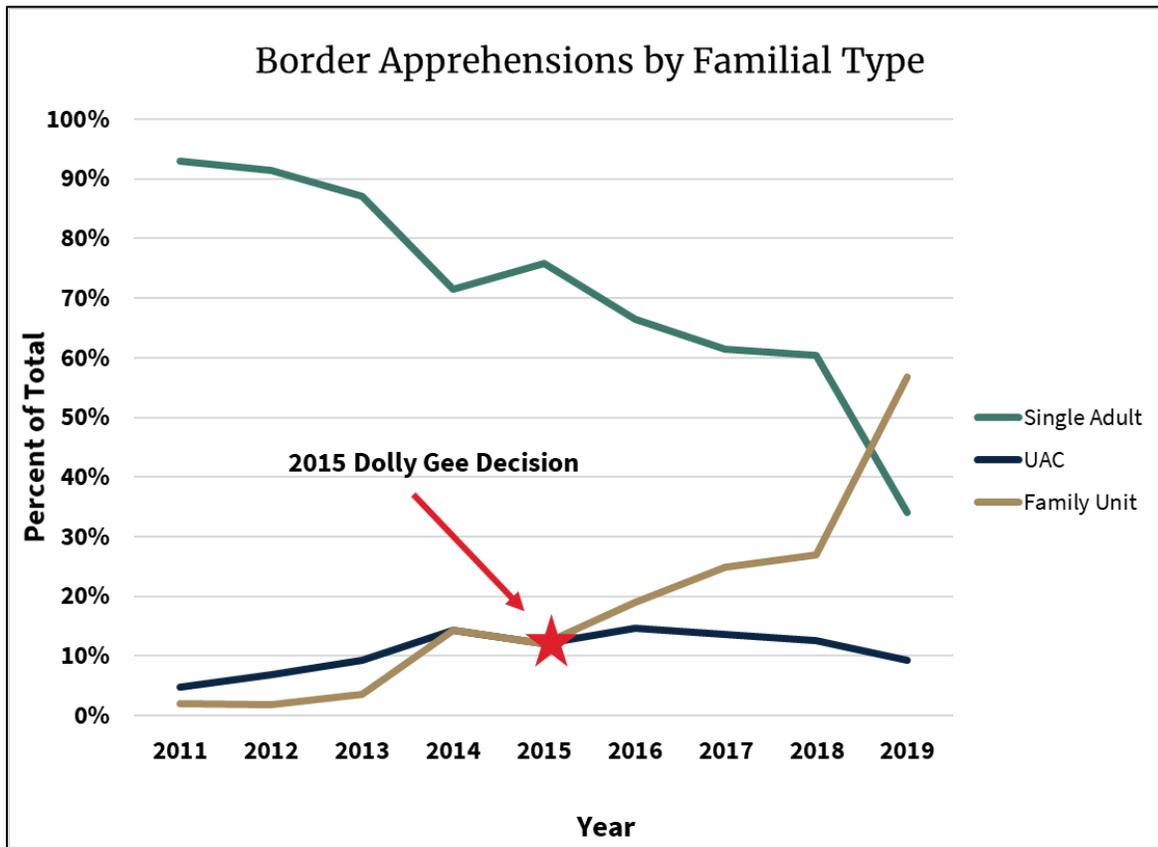
Given that the second option entails a political firestorm over “family separation,”¹⁴⁶ DHS has frequently opted for the first option, releasing the *entire* family unit.¹⁴⁷ The problem with this option, however, is that it leads to the following perverse incentives:

- Single adults are incentivized to travel with children, regardless of whether they are actually a family, to ensure the best opportunity of being released into the United States’ interior. This process puts more children at risk.
- Single adults are incentivized to use children that are not their own to game the system. According to a recent survey by the Department of Homeland Security, as many as 15% of the children now traveling with illegal alien adults are unrelated to the alleged parents transporting them.¹⁴⁸ This inducement endangers more children.

Figure Five illustrates the sharp shift of migratory patterns of single adults versus family units after the 2015 Judge Dolly Gee decision.

Note the sharp upward trend in the number of family units as a percentage of the three main groups crossing the border following the Gee decision. In 2015, family units accounted for just over 10% of the traffic. Today, family units top 50% while the single adult category has fallen from over 90% to less than 40 percent.¹⁴⁹

Figure Five: Illegal Immigration by Single Adults, UAC, and Family Units



Source: U.S. Customs and Border Protection¹⁵⁰

E. Other Legislative and Judicial Actions Impacting Illegal Immigration

The passage of the North American Free Trade Act (NAFTA) in 1994 stripped away Mexico’s protective tariffs on corn, flooding the country with cheaper American corn and driving millions of Mexican peasant farmers out of business.¹⁵¹ One study notes that annual Mexican immigration increased by over 100,000 per year from the early 1990s to 2007,¹⁵² estimating that 80-85% of the increase was illegal immigration.¹⁵³

As an additional spur to illegal immigration, NAFTA also led to the rapid development of “maquiladoras.” These are factories in Mexico typically near the border that are run by foreign companies seeking to export products.¹⁵⁴ This high concentration of new, more efficient maquiladora industries led to the elimination of an estimated 28,000 Mexican small businesses. It resulted in more northward migration with similar network effects.¹⁵⁵

The 2001 Supreme Court Decision of *Zadvydas v. Davis*¹⁵⁶ forced Immigration and Customs Enforcement (ICE) to release illegal aliens from a large number of countries that consistently refuse to repatriate their citizens. These countries include most notably Cuba, Laos, Vietnam, China, India, Jamaica, Iraq, Iran, Eritrea, Ethiopia, Poland, Nigeria, and a number of former Soviet Republics.¹⁵⁷

V. The Trump Administration's Response to Illegal Immigration

Now that a thorough assessment of the scope, costs, and causes of the illegal immigration crisis has been conducted, an examination of President Trump's decisive and innovative actions reveals Trump's prioritization of America's safety and prosperity.

President Trump brought long overdue reform to American immigration policy, enabling the nation to finally enjoy the protection and prosperity that strong and secure borders provide. Through a series of executive actions, agency-level changes, and even international cooperation, the massive inflow of illegal aliens had been substantially curtailed as President Trump introduced novel and innovative improvements to protect American citizens.

Trump's four pillars for immigration reform were introduced in his first State of the Union address: (1) increased border security and funding; (2) ending the diversity visa lottery; (3) restrictions on family-based immigration; and (4) a path to citizenship for DREAMers.

Presidential Actions

Within his first week in office, President Trump introduced an executive order reprioritizing the removal of illegal aliens who have been convicted of *any* criminal offense.¹⁵⁸ Previous administrations had permitted lawlessness and criminal behavior of any level committed by illegal aliens, excluding serious crimes. This essential pivot marked a new day in immigration policy and the security of the United States.

Wasting no time, the Buy American, Hire American Executive Order was issued months later, ending the federal government's neglect of American workers for cheaper, temporary foreign labor. Within a year, U.S. Citizenship and Immigration Services embarked upon sweeping actions to protect U.S. workers and their wages. The Trump administration also increased transparency and fraud detection efforts in employment-based visa programs.¹⁵⁹

Also responding to the President's EO, the Justice Department launched the Protecting U.S. Workers Initiative to target, investigate, and hold accountable companies that intentionally discriminate against American workers in favor of cheaper foreign labor via temporary visa programs.¹⁶⁰ As of March 2020, the Initiative had reached settlements with eight different companies found illegally prioritizing temporary visa workers over Americans and garnered over \$1.2 million in penalties and back pay to affected U.S. workers.¹⁶¹

Most notable, however, is the President's commitment to build a wall along the Southern Border to finally end the rampant and unrestrained border crossing of millions of illegal aliens. In February 2019, the problem worsened so dramatically that the President declared a National Emergency to secure \$8 billion in funding, the first time since 9/11 that an emergency declaration authorized military action.¹⁶² By the end of 2020, more than 450 additional miles of the U.S.-Mexico border wall were completed. To expedite the mission, 4,000 National Guard personnel were sent to the Southern Border to support federal border security and wall construction efforts.¹⁶³

To enhance domestic screening and vetting requirements of foreign nationals desiring to enter the United States, the President created the National Vetting Center.¹⁶⁴ By creating an information-sharing apparatus, the Department of Homeland Security was finally able to automatically check the names of foreigners seeking to enter the U.S. with other intelligence agencies and highly classified databases. These higher levels of interagency cooperation enabled unprecedented levels

of coordination and information sharing to assist our law enforcement officers and other federal government workers in securing our borders.

President Trump also lowered the unnecessarily high ceiling for refugee admissions as many of the extenuating conflicts that justified these levels have been sufficiently resolved. Since 2016, this admissions ceiling had been reduced by over 75% (84, 994 in FY16; 18,000 in FY20), eliminating the program's rampant abuse.

Many who come to the U.S., whether as refugees or legal aliens, remain in the country beyond the allotted time and can live in America unnoticed for years or even decades, leeching benefits from citizen welfare programs without ever contributing to them. Recognizing this grim reality, President Trump restricted visa access to foreign nationals from countries with high visa overstay rates in order to prevent future overstays.¹⁶⁵

As of March 2019, 415,000 foreign nationals were estimated to be living in the United States beyond their nonimmigrant visa time allotment. Scofflaws from twenty nations exhibit overstay rates exceeding ten percent and some countries have rates of up to 30, or even 40 percent.¹⁶⁶ This unrestrained exploitation of the generosity and good will of the United States was finally curtailed under the Trump Administration.

In May 2019, President Trump issued a Memorandum on Enforcing the Legal Responsibilities of Sponsors of Aliens. In doing so, the President ordered the enforcement of financial commitments of immigrant sponsors who pledge to reimburse the government should the immigrants they sponsor receive public benefits.

The global pandemic necessitated additional reform in immigration policy to protect the American people. As the CCP Virus spread, restricting travel became an expedient, essential move.

To secure our borders from the CCP Virus, President Trump swiftly banned non-citizens traveling from China and shortly thereafter terminated entry of persons from 31 countries, including travel restrictions with Mexico and Canada. President Trump also terminated new immigrant and nonimmigrant work visas through the year 2020 in order to prioritize American workers in the recovering job market, creating an estimated 525,000 jobs¹⁶⁷ for Americans.¹⁶⁸

In March 2020, on grounds of public health, the Centers for Disease Control invoked Section 362 of the Public Health Service Act, temporarily terminating the introduction of persons or goods into the United States.¹⁶⁹ This move suspended asylum claims at the Southern Border.

The President also signed an executive order in April of 2020 temporarily suspending the approval of green cards, particularly green card holders sponsoring their extended families for permanent US residency, also known as chain migration.¹⁷⁰ Additionally, the Diversity Visa Lottery was suspended. Looking to ameliorate potential future impacts of illegal immigration, the President has eliminated illegal aliens for apportionment purposes in the 2020 Census.¹⁷¹ This move alone prevented an estimated 14.3 million illegal aliens from skewing apportionment intended to be based on U.S. *citizens*.¹⁷²

As evidenced, President Trump dynamically and effectively exercised the powers available to him to reform immigration policy and to protect the United States. Illegal aliens hiding in the United States were being removed *en masse*. Under President Trump, the once steady stream of illegal migration was largely curtailed. While using the full measure of his executive power, President

Trump also directed various agencies and departments to respond in their jurisdictions to curb the pervasive and pernicious threat of illegal immigration.

A. Agency Authority and Policy Changes

At the direction of the President, myriad agencies adjusted protocols, procedures, and policies to curb the entry of illegal aliens into the United States. An assortment of major policy changes is detailed below.

Temporary Protected Status (TPS)

Migrants from countries that have experienced severe conflict, natural disasters, or other forms of extenuating unrest may be designated with temporary protected status (TPS). Initially, Congress established this legal status in 1990 to provide asylum for Salvadorans impacted by their civil war. The designation permits TPS individuals to reside in the U.S. for up to 18 months and can be renewed as seen fit. From 2017 to 2019, TPS designation terminated for Sudan, Nicaragua, Haiti, El Salvador, Honduras, and Nepal as conflicts and protracted unrest in these areas have been sufficiently resolved for the safe return of their citizens. Former TPS designees then receive 12-18 months to plan for their repatriation.

Prompt Asylum Care Review (PACR) and Humanitarian Asylum Review Program (HARP)

These two novel programs aimed to alleviate and expedite the immense backlog of asylum cases that were formerly under the exclusive competency of ICE, but now receive CBP support. Humanitarian claims were adjudicated more efficiently and humanely as those who do not meet the standards were removed swiftly, within ten days.

Transit-Country Asylum Ban

More commonly known as third-country agreements, transit-country asylum bans reduced fraudulent claims of asylum, nearly cutting the approved rates in half from 80% to 45% from June to December 2019.¹⁷³ A migrant crossing through a third country en route to the U.S.-Mexico border who fails to show evidence of a denied asylum application in at least one of these third countries was no longer eligible to receive asylum in the United States.

Narrowed Asylum Criteria

To be granted asylum, an individual must demonstrate that they have suffered or have well-founded fear of persecution on grounds of race, nationality, political opinion, and/or membership in a particular social group. In August of 2014, in the *Matter of A-R-C-G*, the Justice Department's Board of Immigration Appeals significantly expanded the meaning of "membership in a particular social group" to "married women in Guatemala who are unable to leave their relationship" and who are victims of domestic abuse.¹⁷⁴ With this ruling the Board further opened the door to dubious asylum claims. Anyone making such a claim were previously released into the interior of the U.S. while awaiting adjudication of the matter.

Former Attorney General Sessions overruled this decision in 27 I&N Dec. 316 (A.G. 2018),¹⁷⁵ eliminating gang or domestic violence from qualifying as “membership in a particular social group.” However, this reform was stymied by a permanent injunction on December 19, 2018, by the U.S. District Court for the District of Columbia, in *Grace v. Whitaker*.¹⁷⁶

Public Charge Rule

Implemented by USCIS in February 2020, the public charge rule restricts admission to any immigrant who will become a net burden to the taxpayer.¹⁷⁷ Unlike many other Administration actions, the public charge rule has existed in immigration law in various forms for over 100 years.

To determine if a migrant may become a net burden, various factors are evaluated, including age, health, family status, education, skills, assets, and ability to speak English. Generally speaking, this litmus test means individuals applying for visas must have a healthy income above the Federal Poverty Guideline, a good credit score, health insurance, have employment or recent employment, a minimum of a high school education or verified occupational skills, good health, no medical issues, and the ability to speak English. This policy ensures that the hard-earned tax dollars of American citizens are protected and that those entering our country to work or eventually become citizens will contribute just as every other American does.

Migrant Protection Protocols

In January 2019, migrant protection protocols were implemented allowing CBP to return migrants to Mexico to await their U.S. immigration court hearings and final adjudication. Previously, migrants were admitted into the U.S. and would enjoy lengthy waiting periods before their cases were heard, taking advantage of welfare programs in the meantime or never appearing for their hearings whatsoever, instead illegally hiding in the United States.

Fraudulent Families Initiative

ICE began the Fraudulent Families Initiative to identify migrants attempting to illegally obtain entry into the country with children they claim as their own, though are actually not relatives. Due to former leniencies regarding family immigration, those attempting to enter the United States have been incentivized to cross as families, real or not, jeopardizing the lives of thousands of children. Since the program’s inception in April 2019, 238 fraudulent families have been identified, 329 false documents have been seized, 50 individuals have been identified who fraudulently claim to be UACs, and more than 350 individuals have been federally prosecuted.¹⁷⁸

DNA Collection

In 2005, the DNA Fingerprint Act was passed, calling for the collection of DNA samples, including fingerprints and cheek swabs, for those taken into custody by law enforcement officers. The

Department of Justice implemented the Act in 2009, though DHS received an exemption for non-criminal arrestees for one year in order to receive more time for its implementation.

This initial one-year extension was exploited and exhausted for the past decade, crippling CBP and ICE from being able to identify a potentially dangerous criminal among the nearly one million illegal aliens who have been detained and released. At the direction of President Trump, Attorney General Bar issued a Final Rule ordering DHS to collect DNA samples from detainees. Finally, our law enforcement officers had access to DNA sampling that enabled them to identify subjects, connect suspects to crimes, and eliminate criminal illegal aliens from our borders.

B. Cooperation with Foreign Nations

President Trump also directed various agencies to work with foreign governments. Trump reduced our reliance on flimsy and hollow international immigration agreements, such as the Global Compact on Migration,¹⁷⁹ and instead took proactive steps to strengthen American policy and correct international expectations.

Trump discouraged illegal entry into the United States by removing incentives, loopholes, and free-rides in immigration policy. His administration also assisted our Central American neighbors in developing a prosperous, vibrant region where their people feel safe and optimistic creating futures in their own countries. Protecting Americans and their interests is the first priority of this Administration. However, discouraging individuals of any nation from risking their lives with nefarious smugglers and criminal organizations seeking to obtain illegal entry into the U.S. is also a victory that protects peoples everywhere.

In the latter half of 2019, a series of cooperative efforts were launched with the nations of the Northern Triangle – Honduras, El Salvador, and Guatemala. These include Asylum Cooperative Agreements (ACAs), Border Security Arrangements, and Biometric Data Sharing Program (BDSP) Arrangements.

In FY2019, over 72% of all apprehended migrants at the U.S.-Mexico border came from Northern Triangle countries.¹⁸⁰ ACAs were entered into with these countries, allowing migrants to seek protection in Central America, instead of the United States.¹⁸¹ ACAs facilitate cooperation between the U.S. and host nation governments to enlarge humanitarian protections and return individuals to the Northern Triangle. The Biden-Harris Regime is dismantling these programs as well.

Biden's decision harms the Border Security Agreements that facilitated institutional knowledge, training, and tactics to be shared with our foreign partners in assisting their own efforts to secure borders and resolve migratory challenges. ICE and CBP officials were deployed to tutor and aid host nation law enforcement officials in police, immigration, and border security forces.

Indeed, BDSP Arrangements significantly improved cooperation between Northern Triangle nations and DHS by proliferating information sharing and biometric data collection. As this crucial information is shared between partners, counterparts in both nations can better prevent and combat crime and resolve other threats to public and national security. Irregular migrant identities can more frequently and efficiently be identified and verified, enabling enhanced detection of wanted criminals, smugglers, and international criminal organizations. Another program known as Electronic Nationality Verification (ENV), enables repatriation of Central American migrants lacking fear claims to return to their countries of origin in a more expedited manner.¹⁸²

Trump also invoked Section 243(d) of the Immigration and Nationality Act (INA), suspending issuance of visas to nations denying or unreasonably delaying repatriation of their citizens ordered to be removed from the United States.¹⁸³ “Visa sanctions” were imposed on Cambodia, Eritrea, Guinea, and Sierra Leone in 2017, Laos and Burma in 2018, Pakistan, Cuba, and Ghana in 2019.¹⁸⁴

The Administration also maintained high levels of cooperation with Mexico to disrupt transnational criminal organizations, in turn disrupting human trafficking and smuggling efforts in the Americas and around the globe. During the pandemic, the two governments coordinated military and law enforcement personnel along the Southern Border to ensure the health and safety of both nations.

Conclusion

This report provides a catalog and guidebook to the costs and consequences of illegal immigration into the United States. It should be clear from this report that the burden of illegal immigration falls heavily on American taxpayers, on American schoolchildren, the US healthcare system, and on those working poor citizens who are forced to compete with millions of illegal immigrants for decent jobs at decent wages.

This report also has demonstrated that the Secure Border policies of the Trump Administration made tremendous inroads into combating the problems associated with illegal immigration. If the President had won a second term – and given the widespread election irregularities fully documented in the [Navarro Report](#), many people believe he did – the Trump policies, together with the President’s completed border wall, would have gone a long way toward ending America’s battle with an issue that continues to sharply divide the American people.

While the Democrat Party ostensibly represents the working poor and blue-collar laborers of America, this political party now advocates unrelentingly for open borders that will afflict maximum damage to these constituencies.

In all likelihood, the Democrat Party pushes for open borders in the belief that these illegal immigrants will eventually support the Democrat Party once afforded citizenship and vote for lasting Democratic control of both Congress and the White House. This calculus may well prove false as President Trump experienced some of his biggest improvements in vote totals among Blacks and Hispanics who have borne the brunt of the Democrat’s open border policies.

As the Biden-Harris Regime continues to dismantle the Secure Order policies of the Trump Administration, and as a crisis on our Southern border gains in intensity, it is well worth remembering that elections have consequences. On our Southern border, the very worst is yet to come – we must brace for the fallout.

Appendix A: Review of the Methodologies of Cost Estimates of Illegal Aliens

Studies of the costs illegal aliens may impose upon U.S. taxpayers and the broader U.S. economy and society exhibit a wide range of estimates. On the one hand, studies conducted or sponsored by advocates of open borders like the Cato Institute tend to minimize these costs – or claim net benefits. On the other hand, studies conducted by organizations like Center for Immigration Studies and Federation for American Immigration Reform that support secure borders tend to estimate significant costs. However, it is more than just political leanings that may cause variations in the studies on the economic costs of illegal immigration. There are four main reasons academic studies vary on estimated costs: methodology, unit of measurement, inclusion or exclusion or anchor babies, and lack of readily available data.

One reason variation occurs in literature reviews is the difference between top-down estimation methodology and bottom-up estimation approaches. The top-down approach is where the cost of a larger unit is divided down into smaller units to try and figure out the total cost (e.g. an apple pie must be divided by the cost of apples, sugar, and flour to get the cost of each ingredient). Conversely, the bottom-up approach is one that seeks to place on a cost on the smaller units to get to the total of the larger unit (e.g. the cost apples, plus sugar, plus flour equal the total cost of an apple pie).¹⁸⁵ This becomes relevant when operating in an arena of billions of dollars and millions of people. The overall budgets have already been known, and were delineated in the annual appropriations bill. The challenge at hand is calculating how much *illegal aliens consume* of this budget, to the detriment of the American taxpayer. There are dozens of moving pieces to consider in these calculations: anchor babies versus illegal alien minors, legality versus practicality, short cutting systems, household versus individual costs, education levels, complexities in the immigration court system, just to name a few. Another methodological hurdle for the varying costs is the difference type of cost being used. Some institutions prefer to operate off of variable cost; others marginal costs or opportunity costs. The ways in which illegal aliens and the variables in place are valued and organized will impact how the information is interpreted and calculated.¹⁸⁶

On an even simpler front, there is no standard of unit of measurement. Some studies prefer to analyze cost of household per year; other studies measure by the lump sum of all illegal aliens annually. These metrics are not easily convertible or comparable to each other. This can cause confusion and ambiguity about the cost per illegal alien, and illegal aliens at large.

Consider the two tables below: Table Twelve shows the various estimate of household costs per year. Table Thirteen shows the estimated total annual costs of illegal aliens collectively.

Table Twelve: Annual Cost Estimates Based on Illegal Alien-Headed Households

	Federation for American Immigration Reform (FAIR)	The Heritage Foundation	Center for Immigration Studies
K-12 Education	-	\$13,627	-
Welfare Programs	-	\$4,497	\$6,234
Emergency and Administrative Services	-	\$6,553	-
Total Fiscal Costs	\$8,075	\$24,677	-

Source: Multiple Sources for Data¹⁸⁷

Table Twelve only has three different sources, from three different years, and none of them have household expenditures for all the categories listed. Table 13 has four sources,¹⁸⁸ from different years, with various elements predicted, using various methodologies.

Table Thirteen: Annual Cost Estimates of Illegal Aliens Collectively (\$Billions)

	FAIR	The Heritage Foundation	CATO Institute	Center for Immigration Studies
K-12 Education	\$46	\$46.9	\$31.7	-
Medical Care	\$29.2	\$3	\$1.1	\$4.3
Welfare Programs	\$8.7	\$15.6	\$12.3	-
Emergency and Administrative Services	\$26.6	\$22.5	-	-
Crime	\$23	-	\$4.5	\$1.6
Total Tax Contribution	\$19	\$39.2 ¹⁸⁹	\$38 ¹⁹⁰	-
Total NET Cost	\$116	\$54.5	-	-

Source: Multiple Sources for Data¹⁹¹

Even numbers within the same chart may not be comparable because some studies include anchor babies in the cost of illegal aliens while others do not. Not only do these differences severely impact education costs. It also impacts the estimated welfare and medical costs as well.

Illegal aliens are prohibited from receiving means-tested federal public welfare benefits. However, if they are parents to an anchor baby, they can access many of these resources.¹⁹²

For example, the Federation for American Immigration Reform has estimated that illegal immigration costs the U.S. taxpayer \$116 billion annually.¹⁹³ The Heritage Foundation is more modest in its estimation of \$54.5 billion annually.¹⁹⁴

The Cato Institute, a Libertarian think tank, does not distinguish between legal and illegal immigrants and they conclude that immigrants as a whole net contribute \$23.5 billion annually. However, even Cato acknowledges that illegal immigrants specifically net consume, although they do not share at what rate.

The pro-border security group FAIR includes anchor babies in its estimations. The open borders Cato institute excludes anchor babies from their estimations.¹⁹⁵

One last challenge to estimating the costs of illegal aliens is the lack of available data. There are many contributing factors to this issue, most prominently, the presence of sanctuary regions and outdated or unspecific data. As previously discussed, many sanctuary cities/counties/states have made it illegal for government-funded institutions and employees to question the immigration status of any individual. This has made it difficult to acquire data on things like hospitalization rates, school enrollment rates, and welfare enrollment rates of illegal aliens. These policies have essentially made the option of calculating the fiscal impacts of illegal aliens difficult.

The other issue with acquiring good data is that many studies run years, and even decades, behind when the raw data was produced. For example, many think tanks use the Census Bureau's American Community Survey to get their data, and set up a variety of parameters to predict which participant is an illegal alien or a legal immigrant, such as education level and English proficiency.¹⁹⁶ However, there is anywhere from a two to three year lag in the analyzing of this data, after the initial lag in documenting and organizing the raw data from the Census Bureau.¹⁹⁷ From the time of the survey being conducted to the time of a study being published, multiple years' worth of illegal aliens have given birth, crossed the border, and committed crimes. Moreover, many analyses will make claims about the costs of arenas such as "crime" or "education," but then fail to define what all falls into these arenas. This ambiguity makes estimations uncertain and wildly varying.

Take, for example, "crime." Some institutions consider immigration court costs part of crime. Other organizations only consider criminal court within the "crime" category.¹⁹⁸

Therefore, there are many challenges when predicting the expenses of illegal aliens, and there is also many challenges in analyzing already made estimates. Despite the many struggles to estimating the economic impacts of illegal immigration, and the wide array of methodologies, one thing is clear: illegal immigration costs the American taxpayer billions of dollars annually.

Endnotes

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- 13 <https://www.cbp.gov/newsroom/stats/sw-border-migration/fy-2019>
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⁴¹ Note: Illegal aliens who speak English “proficiently” either speak only English at home or, if not, indicate they can speak English “very well”. Percentages are Pew Research Center estimates based on augmented American Community

Survey (IPUMS). Within this self-reporting survey, English proficiency is measured on a scale of one to four, as follows:

- 1.) Speaks English Very Well
- 2.) Speaks English Well
- 3.) Does not speak English Well
- 4.) Speaks no English

This 75% statistic is reflective of the sum of those who reported 2-4.

Passel, Jeffrey. "U.S. unauthorized immigrants are more proficient in English, more educated than a decade ago," *Pew Research Center*. 23 May 2019. <https://www.pewresearch.org/fact-tank/2019/05/23/u-s-undocumented-immigrants-are-more-proficient-in-english-more-educated-than-a-decade-ago/>

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Krogstad, Jen and Jeffrey Passel, "5 facts about illegal immigration in the U.S.," *Pew Research Center*. <https://www.pewresearch.org/fact-tank/2019/06/12/5-facts-about-illegal-immigration-in-the-u-s/>

⁴⁶ "Detailed Industries with Highest Shares of Unauthorized Immigrant Workers, 2014," *Pew Research Center Hispanic Trends*. 26 March 2015. https://www.pewhispanic.org/2015/03/26/share-of-unauthorized-immigrant-workers-in-production-construction-jobs-falls-since-2007/ph_2015-03-26_unauthorized-immigrants-testimony-report-23/

⁴⁷ "Immigrants in Nevada," *American Immigration Council*, August 6, 2020. <https://www.americanimmigrationcouncil.org/research/immigrants-in-nevada>

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"Unauthorized immigrant population trends for states, birth countries and regions," *Pew Research Center*, June 12, 2019. <https://www.pewresearch.org/hispanic/interactives/unauthorized-trends/>

⁴⁸ "Immigrants in California," *American Immigration Council*, August 6, 2020. <https://www.americanimmigrationcouncil.org/research/immigrants-in-california>

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See Also

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⁶⁵ This was calculated by taking the 5 to 10 percent interdiction rate estimated by the Senate report and the total monetary equivalent of FY18 seized drugs along Southern border ports of entry from Table 7.

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In order to calculate the doses that could have been generated from FY18 seizures, we researched the average dose or overdose quantity for each drug and considered how many doses are in the seized amount. For the street value, we researched the cost of the drug in a particular quantity and converted it to pounds in order to multiply the amount seized to find an overall cost. The street value represents the cost that could be generated from the seized drugs. The street price and the average dose for the aforementioned drugs are the following:

Cocaine: estimated street price is \$100-\$150/gram. See, “Cocaine and crack drug profile,” *European Monitoring Centre for Drugs and Drug Addiction*, <http://www.emcdda.europa.eu/publications/drug-profiles/cocaine>

Average dose estimate is 150mg. See, “The Cost of Addiction,” *Rehab Spot*, <https://www.rehabspot.com/treatment/paying-for-rehab/cost-of-addiction/>

Heroin: estimated street price is \$900/pure gram. See, U.S. Department of Justice, Drug Enforcement Administration, “2018 National Drug Threat Assessment,” <https://www.dea.gov/sites/default/files/2018-11/DIR-032-18%202018%20NDTA%20final%20low%20resolution.pdf>

Estimated average lethal dose is 30mg. *See*, Bond, Allison, “What fentanyl is deadlier in heroin, in a single photo,” *Stat News*. 29 September 2016. <https://www.statnews.com/2016/09/29/why-fentanyl-is-deadlier-than-heroin/>

Marijuana: estimated street price ranges \$2,000-\$4,000/lb. *See*, “The Cost of Addiction,” *Rehab Spot*, <https://www.rehabspot.com/treatment/paying-for-rehab/cost-of-addiction/>

Average dose estimates are difficult to determine due to the many consumption methods. A joint has anywhere from 0.5 grams to 1 gram. Edible consumption requires more marijuana for the same high effect. For estimation purposes, an average dose is assumed at 1 gram.

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Methamphetamine: estimated street price is \$70/gram. *See*, U.S. Department of Justice, Drug Enforcement Administration, “2018 National Drug Threat Assessment,” <https://www.dea.gov/sites/default/files/2018-11/DIR-032-18%202018%20NTA%20final%20low%20resolution.pdf>

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Fentanyl: estimated street price is \$397,163/lb. *See*, U.S. Department of Justice, Drug Enforcement Administration, “32 Kilograms of fentanyl worth \$28.8 million seized and two Dominican Nationals arrested for trafficking,” 23 October 2018. <https://www.dea.gov/press-releases/2018/10/23/32-kilograms-fentanyl-worth-288-million-seized-and-two-dominican>

Estimated average lethal dose is 2 mg. *See*, U.S. Department of Justice, Drug Enforcement Administration, “DEA Issues Carfentanil Warning to Police and Public,” 22 September 2016. <https://www.dea.gov/press-releases/2016/09/22/dea-issues-carfentanil-warning-police-and-public>

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“Since 2002, states also have had the option to provide prenatal care to women regardless of immigration status by extending CHIP coverage to the unborn child, which 16 states provided as of January 2019. Undocumented immigrants are not eligible to enroll in Medicaid or CHIP, but some states have fully state-funded programs that cover certain groups of immigrants regardless of immigration status, including seven states that cover all income-eligible children.”

States that have extended CHIP benefits to unborn children include: Arkansas, California, Illinois, Louisiana, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, Oklahoma, Oregon, Rhode Island, Tennessee, Texas (state funds only), Washington, Wisconsin. States that have expanded CHIP to the unborn child have a qualifying income level requirement with the median level at 214% above FPL.

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For more information on illegal aliens in the criminal justice system, see: Clark, Rebecca and Scott Anderson, “Illegal Aliens in Federal, State, and Local Criminal Justice Systems,” *The Urban Institute*. <https://www.urban.org/sites/default/files/publication/62771/410366-Illegal-Aliens-in-Federal-State-and-Local-Criminal-Justice-Systems.PDF>