



Senate Proposal is Full of Holes

Sen. Jeff Sessions (R-Ala.) has been a stalwart proponent of curbing illegal immigration and reforming the legal immigration apparatus in a truly meaningful manner. To that end, on June 4, in the middle of the first round of floor debate on the so-called “grand bargain” immigration bill, Sen. Sessions issued a press release* listing egregious loopholes in the proposal, including “flaws effecting border security, chain-migration and assimilation policies.”

In prefacing the list, Sen. Sessions indicated that he is “deeply concerned about the numerous loopholes...found in this legislation,” which he sees as “more than technical errors, but rather symptoms of a fundamentally flawed piece of legislation that stands no chance of actually fixing our broken immigration system.” Furthermore, Sen. Sessions said, “Many of the loopholes are indicative of a desire not to have the system work.”

Flaw No. 1: Sen. Sessions pointed to perhaps the biggest flaw by noting that *the “enforcement trigger” fails to require the U.S. VISIT system – the biometric border check-in/check-out system established by Congress in 1996, but never implemented – to be fully functioning before new worker or amnesty programs begin. Without the system in place, the U.S. has no method of ensuring that workers and their families do not overstay their visas.”*

Flaw No. 2: While most Americans tell pollsters they want less immigration, this bill dramatically *increases* overall immigration. It TRIPLES chain migration through the year 2016 – all the while sanctioning a mass importation of low-skill foreign workers and, by extension, a mass importation of poverty into this country.

Flaw No. 3: Illegal aliens get “legal status before enforcement” begins;

Flaw No. 4: The “triggers” require “no more agents, beds, or fencing than current law” mandates;

Flaw No. 5: The completion of background checks, including checks against criminal and terrorist databases, is “not required for” the granting of amnesty (in this bill, it is referred to as “probationary status”);

Flaw No. 6: Criminals of all kinds – including gang members, some child molesters, and absconders (i.e., “aliens who have already had their day in court [and who are now] subject to...removal” [covering “more than 636,000 fugitives”]) are eligible for the bill’s mass amnesty;

Flaw No. 7: “Illegal aliens with terrorism connections are not barred from getting amnesty. An illegal alien seeking most immigration benefits must merely show ‘good moral character.’”

<http://sessions.senate.gov/pressapp/record.cfm?id=275456>

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Flaw No. 8: Illegal aliens granted amnesty or guestworkers imported via the new “Y” “temporary worker” program can claim the Earned Income Tax Credit, which “will cost taxpayers billions in just 10 years”;

Flaw No. 9: “Affidavits from friends” are acceptable as evidence of satisfying requirements for amnesty, thus “invit[ing] fraud and more illegal immigration”;

Flaw No. 10: “In-state tuition and other higher education benefits...will be made available to current illegal aliens that are granted [amnesty], even if the same in-state tuition rates are not offered to all U.S. citizens,” a violation of current Federal law, which “mandates that educational institutions give citizens the same postsecondary education benefits they offer to illegal aliens”;

Flaw No. 11: New visas are created for individuals who are prone to overstaying their period of authorized admission – namely, the new “parent” visa, which allows parents of citizens, and the spouses and children of new temporary workers, to visit a worker in the United States. Not only is this term “a misnomer, but also an invitation for high rates of visa overstays” because it “specifically allows the spouse and children of new temporary workers who intend to abandon their residence in a foreign country, to qualify to come to the U.S. to ‘visit.’” To obtain the visa, one must only post a \$1,000 bond, “which will be forfeited when, not if, family members of new temporary workers decide to overstay their 30 day visit. Workers should travel to their home countries to visit their families, not the other way around”;

Flaw No. 12: To be granted amnesty, illegal aliens need not pay back income taxes;

Flaw No. 13: Social Security credits for work done while in the United States illegally will be granted to “[a]liens who came to the U.S. on legal visas, but overstayed their visas and have been working in the U.S. for years, as well as illegal aliens who apply for Z visa status but do not qualify”; and

Flaw No. 14: “The criminal fines an illegal alien is required to pay to receive amnesty are less than the bill’s criminal fines for paperwork violations committed by U.S. citizens, and can be paid by installment,” which means that “the fine for illegally entering, using false documents to work, [is] one-tenth the fine for a paperwork violation committed by a government official.”