

The Bipartisan Border Solutions Act—Rewarding President Biden for His Border Crisis

THE ISSUE

The proposed Bipartisan Border Solutions Act, introduced by Senators John Cornyn (R-TX) and Krysten Sinema (D-AZ) and Representatives Henry Cuellar (D-TX) and Tony Gonzales (R-TX), is a poorly informed policy that would simply increase the U.S. capacity for processing illegal aliens in order to release them into the interior of the country, acting as a direct incentive for yet more illegal immigration.

The Biden Administration knowingly caused the current border crisis by undoing Trump-era border security and immigration measures for political purposes. Ending this artificially created humanitarian and security disaster requires restarting the Trump-era policies and closing legal loopholes. This bill does neither. Instead, it:

Establishes “Reception Centers” for Quick, Mass Processing. Establishing at least four “regional processing centers” on the border will provide legal guidance and medical attention to illegal aliens as they go through immediate document issuance and other checks. These reception centers will bring in relevant personnel from Immigration and Customs Enforcement (ICE), Customs and Border Protection (CBP), the Federal Emergency Management Agency, Citizenship and Immigration Services, and the Department of Health and Human Services (HHS). Illegal aliens will be processed and released within 72 hours. Establishing giant one-stop-shop “reception” centers will be a boon for human traffickers, allowing them to drop off future waves of illegal aliens. Refugees from other

countries should apply for protection in their regions at existing centers run by the United Nations Refugee Agency.

Moves Illegal Aliens into U.S. Communities. At taxpayer expense, the bill orders the Secretary of Homeland Security to “expand and improve the capability of the Department to conduct ground transportation of migrants.” In this expanded system, state, local, or tribal governments to which the illegal alien is being transferred are only afforded at least four hours advance notice. The governments are not allowed to refuse the illegal aliens.

Plays Woke Word Games to Blur the Line Between Legal Immigrants and Illegal Border Crossers. In line with the Biden Administration’s objective of changing immigration terminology, the bill creates new language to reframe mass illegal immigration. The bill introduces the following two terms:

(4) IRREGULAR MIGRATION INFLUX EVENT — The term “*irregular migration influx event*” means a period during which there is a significant increase in, or a sustained large number of, Department of Homeland Security encounters with aliens who— (A) do not use the *formal immigration system* of the United States or the countries they are traveling through; and (B) intend to enter the United States. (Emphases added.)

An “irregular migration influx event” is a border crisis. Not using “formal immigration systems” means breaking U.S. law to cross the border illegally. We do not need new terms to obscure the consequences of these actions.

MEANINGLESS ASYLUM IMPROVEMENT PILOT PROGRAM

The problems with U.S. asylum laws and the rampant abuse of them are well known. The Biden Administration must return to the Migrant Protection Protocols and Asylum Cooperation Agreements so that far fewer people show up at the southern U.S. border to claim asylum fraudulently. Furthermore, Congress must remove the many benefits it provided to unaccompanied children in past legislation, as these resulted in more children making the dangerous journey north in the hands of human traffickers to obtain those benefits.

In a nod to border security, the bill authorizes a pilot program to develop strategies to prevent abuse of U.S. asylum laws, though the program exempts unaccompanied children, pregnant women, and sick or disabled individuals. In doing so, the program fails to acknowledge that such categorical exceptions simply amount to incentives for those within those categories to make the dangerous journey to the U.S.

INCREASED ACCESS TO U.S. IMMIGRATION SYSTEM FOR OPEN- BORDER NGOS AND ATTORNEYS

The bill contains several provisions aimed at increasing the role of, and access for, attorneys and nongovernmental organizations (NGOs) to the immigration system. Current law already states that aliens may have representation, but at no expense to the government. This is a sound fiscal and equitable policy that must be maintained. U.S. taxpayers should not pay for aliens' legal orientation or counsel. It would be a bottomless fiscal pit. It is also important to note that U.S. citizens do not receive public attorneys in civil proceedings.

Attorneys and NGOs often benefit from mass illegal immigration and play a strong advocacy

and organizing role in pushing illegal aliens into the United States. The bill allows the U.S. government to solicit donations from NGOs and the private sector for toys, clothes, and other supplies for border crossers. These entities will have access to the processing facilities, now called reception centers.

Instead of supporting this increased access, policymakers should work to dramatically reduce illegal immigration in the first place, thereby reducing the need for these open-borders organizations and lawyers and extinguishing their advocacy role for policies that support illegal immigration.

DANGEROUS SPONSOR PLACEMENT OF UNACCOMPANIED CHILDREN

While the bill would mandate criminal background checks for the U.S. sponsors of unaccompanied minors, it would still allow these children to be placed with illegal-alien and criminal sponsors. Only certain convictions and current trials would bar a person from sponsorship. By placing unaccompanied children with illegal aliens, the U.S. government is directly complicit in the final act of the human trafficking scheme. The bill also kneecaps law enforcement by prohibiting the HHS from sharing sponsor fingerprints or DNA with the Department of Homeland Security.

MORE PERSONNEL

The bill increases the CBP's Border Patrol by 600 officers, adds 300 personnel to ICE, adds 150 new immigration judges, adds 300 asylum officers, and adds other relevant support staff. While more personnel is needed, until the legal loopholes are closed, additional resources will merely accelerate the processing of illegal aliens into the U.S. instead of preventing the waves of illegal immigration in the first place.