Gang of Eight Amnesty Bill – Bad for America

1. Amnesty First, Enforcement Never[1]

- The Gang amnesty bill would *only* require the Department of Homeland Security to submit a *plan* to achieve a 90% apprehension rate along the U.S.-Mexico border and to submit another *plan* to determine if and where fencing is needed along the southern border (p.10).
- At that point, 11.1 million illegal aliens would be granted amnesty (called Registered Provisional Immigrant (RPI) status in the bill) (p.11). They would simply have to show that they have not been convicted of a felony or more than two misdemeanors, unless they are immigration-related crimes (p.64). Oh, and they have to say they are not gang members (p. 619) or terrorists (p.66).
- After the amnesty, the bill would require most—but not all—employers in the United States to use E-Verify to determine whether future hires are lawfully present in the United States (pp.436-439). Employers of "casual, sporadic, irregular, or intermittent" workers—as defined by DHS—are exempt from E-Verify (p.415). So…day laborers? Housekeepers? Landscapers? Seasonal workers? Substitute teachers? Child-care providers?
- Even though current law, since 1996, has required DHS to implement a *biometric* entry-exit system at all land, air, and sea ports—a law that has yet to be implemented 17 years later—the Gang amnesty bill would only require a *biographic* exit system at airports and sea ports (p.556). Apparently, the Gang believes that all their new low-skilled and agricultural workers will fly or cruise into the United States, rather than cross over one of the 106 land ports over which the vast majority of crossings occur.
    - Both of the requirements above have to be completed within ten years of enactment...unless an "act of God" or a lawsuit prevents implementation (pp.11-13)—oh, and several pro-amnesty groups have already promised lawsuits.
- Finally, when it comes to the border security plans, if the Secretary of DHS decides that she has not met the 90 percent apprehension standard, she can report that to Congress and thereby "trigger" the Southern Border Security Commission (p.14). This commission, made of up of six political appointees and four border-state Governor appointees, is required to make recommendations to DHS within six months on how to meet the standard, and then the commission dissolves 30 days later (p.18). In other words, no border security must EVER be achieved.

2. U.S. Taxpayers Would Pay Net $6.3 Trillion Cost for Amnesty[2]

- Illegal aliens that receive amnesty would cost U.S. taxpayers $6.3 trillion over their lifetimes in all forms of public benefits, less the taxes they pay (p.vii).

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[1] Page references are to the Schumer's Substitute Amendment to S. 744(MDM13313), http://www.judiciary.senate.gov/legislation/MDM13313.pdf

[2] Page references are to "The Fiscal Cost of Unlawful Immigrants and Amnesty to the U.S. Taxpayer," by Robert Rector. http://thf_media.s3.amazonaws.com/2013/pdf/sr133.pdf

- Particularly expensive are the retirement costs of poor, low-skill amnestied illegal aliens. If they were to begin collecting Social Security and Medicare, the average annual net fiscal deficit would be $22,700 per amnestied illegal alien (p.vi). [The average taxpayer—U.S.- or foreign-born—who retires at the age of 67 has to earn at least $68,000 per year between age 30 and retirement to break even in the amount of Social Security benefits he or she would receive by the age of 80.[3]]

- If the Gang amnesty bill is not passed, and if we continue to fail to enforce our immigration laws, illegal-alien households will cost U.S. taxpayers a net $54.5 billion annually, which is a bargain compared to the $126 billion a year net cost if the full amnesty kicks in (p.vii, 28).

3. 33 Million Lifetime Work Permits Under Gang Bill Over Next Decade—Triple the Current Level[4]

- This is the number of green cards--including lifetime work permits--that would be issued during the first ten years if the Gang amnesty bill were enacted. Every one of these individuals would be *immediately* eligible for Obamacare and would be eligible for more than 80 means-tested welfare benefits after a *maximum* of five years.
  - The $6.3 trillion enumerated above does not include the costs of 22 million of these green card holders; it only includes the costs of the 11.1 million amnestied illegal aliens.
- The 33 million would include:
  - 2.5 million DREAMers, not including the family members they may bring;
  - At least 864,000 amnestied aliens in agriculture;
  - 4.5 million aliens in the visa backlog who would be fast-tracked;
  - 7.7 million amnestied illegal aliens in addition to the DREAMers and Ag workers;
  - 7.7 million alien family members entering through the family chain-migration categories;
  - 6.9 million employment- or skills-based entrants, including their spouses and minor children;
  - 703,000 so-called "unused" visas*;
  - 384,000 aliens with Temporary Protected Status who would receive green cards; and
  - 1.7 million other small miscellaneous categories of aliens.

*The Gang amnesty would provide for the "recapture" of supposedly unused family-preference and employment-based visas between 1992 and 2013, so they can be added to the respective quotas for FY 2015. The drafters of S. 744 either don't understand the way the immigration quota system works, or they don't care to understand it. Under both existing law and S. 744, any unused family visas already roll over to the employment-based preferences in the following fiscal year and unused employment-based visas roll over to the family-preference categories, so there are, in fact, no unused visas.

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[3] The U.S. Social Security Administration Retirement Estimator. http://www.socialsecurity.gov/estimator/

[4] NumbersUSA. "Estimated Permanent Legal Immigration Under S. 744—FY 2015-2024," https://www.numbersusa.com/content/files/10-Year_LPR_Numbers.pdf