

IMMIGRATION DISCUSSION FACT SHEET

- The illegally present foreign national population is currently estimated to be approximately 11.5 -12 million people (Pew Hispanic Center estimates). Other estimates range to 20 million illegally present foreign nationals. (Pew Hispanic Center, Research Report, “The Size and Characteristics of the Unauthorized Migrant Population in the U.S.”, March 7, 2006 – estimates based on the March 2005 current population survey.)
- According to the Pew Hispanic Center, the illegally present foreign national population is approximately 56% Mexican, 22% other Latin American, 13% Asian, 6% European and Canadian and 3% Africa and other nations. Ergo, 44% of the illegally present population is Other Than Mexican (OTM). The debate should be about all illegally present foreign nationals (not just Mexican nationals). All countries are represented by illegally present foreign nationals, not just Mexican nationals.
- “Deportable aliens located” in the U.S. from 2000-2005 was reported to be 7.866 million people or approximately 1.311 million per annum on average. (2005 Yearbook of Immigration Statistics, Department of Homeland Security (DHS).)
- Estimated Florida population of illegally present foreign nationals is 800k – 950k people (Pew Hispanic Center estimate April 26, 2006).
- The last amnesty in 1986 reflected a spike of 418,000 illegally present persons, located, compared to the year before, possibly an intrusion surge inspired by the amnesty discussed and ultimately adopted that year. There were an estimated 3.2 million illegally present foreign nationals in the U.S. when the last amnesty was adopted into law.
- Recurrent statements from Congress and the President indicate that the Nation cannot identify and deport 12 million people. Yet in 2004 the ~ 800K law enforcement officers of the United States identified and arrested 14.094 million people on 11.7 million reported crimes. A strong argument may be made that constricting illegally present foreign nationals in the worksite by enforcing **existing** law will yield more voluntary departures from deterrence through enforcement attrition and general deterrence rather than mechanical arrest. (Crime in the United States, 2005, FBI Uniform Crime Report.)
- There are currently less than 12,500 Border Patrol Officers (a force smaller than the Chicago, Illinois or New York City, New York Police Departments and just slightly larger than the Los Angeles, California Police Department). The Border Patrol is responsible for 1,989 miles of Mexican border, 5,252 miles of Canadian border, 95K miles of coastline border and navigable waterway, 429 commercial airports and 300 seaports (per DHS). This yields ~ 1 border patrol post (24/7) for every 45 miles of border.
- Interior investigators who are relied upon to detect the 12-20 million illegally present foreign nationals within the U.S. constitute a force of ~ 5,600 people. This staffing level

yields an agent to illegally present foreign national ratio of approximately 1 agent to 2,143 illegal foreign nationals (lower end magnitude) or 1 agent to 3,571 illegal foreign nationals (upper magnitude).

- If legislation permits an additional amnesty program the databases that would be consulted to determine the actual identity of the person offered amnesty, to determine whether a particular foreign national possesses a prior criminal record in their country of origin or country of last residence and to determine whether the person is of good character and has no associations with known terror organizations or multi-national gangs either do not exist (emerging / “third world” countries), are protected by privacy laws (countries of the European Union / industrialized nations) or are databases not accessible because they are maintained by countries unfriendly to the U.S. (Syria, Iran, Cuba, Sudan, Libya, North Korea).
- Current circumstance for mandatory forced departure from the U.S. includes a practical problem for countries that will not accept their foreign national back or do so in an untimely manner, requiring that the U.S. release the illegal foreign national back into the general U.S. population. (Numerous presidential speeches including the President’s Arizona speech on Homeland Security, 28NOV05 and California speech, Immigration, 24AP06.)
- It has been reported that the Department of Labor, Social Security Administration and Internal Revenue Service do not now report suspect or detected illegal foreign nationals to the Department of Homeland Security, either by law or policy. This is a domestic security flaw.
- The Government Accountability Office (GAO) estimates that the criminal alien population costs our prisons and jails \$5.8 billion for calendar years 2001 through 2004). There were approximately 270,000 incarcerated criminal aliens used to calculate these costs (state and local 2003 data plus Federal 2004 data). Actual estimate of criminal aliens booked annually into our prisons and jails is 630,000 persons (DHS news release fact sheet, April 20, 2006). Extrapolating values from the total persons booked into state and local facilities and adding federal values yields an estimated cost for criminal aliens of approximately \$10.6 billion for the four year period (2001 – 2004).
- DHS estimates that there are more than 590,000 alien fugitive absconders at large who have been ordered removed from the United States by an immigration judge. This number is increasing annually at a rate of 40,000 per year (DHS fact sheet, 20Apr.06).
- The Department of Justice estimates that there are 30,000 gangs with 800,000 members in 2,500 communities in the United States. Gang membership in MS-13 alone is estimated at 8,000 – 10,000 hard core members. (Congressional testimony, Chris Swecker, Asst. Director, Criminal Investigation Division, Federal Bureau of Investigation, 20Apr.05). Transnational gangs such as MS-13 are judged to be composed of a significant, “often a majority”, membership of foreign nationals (Congressional testimony, Michael Garcia, then Assistant Secretary, I.C.E., DHS, 13Apr.05).

- Illegal foreign nationals, criminals and terrorists have been exploiting the system in an “epidemic” of false identity and benefit acquisition (citizenship/LPR, etc.) fraud. One single Mexico-based organized crime (O.C.) family – Castorena family – had cells in 33 U.S. states and required each cell to pay \$15,000 per month for the ability to operate fake document “franchises”. Fraudulent documents manufactured by this O.C. family have been found in **every** state (Fact sheet, DHS, April 20, 2006).
- The Treasury Department currently permits banks to accept, as bonafide identification, the Consular Cards created and issued by foreign consulates in the U.S. Foreign consulates have been demonstrated to use differing or non-existent protocols to authenticate identity before issuing these cards. Use of these suspect identity cards to open bank accounts and transact financial business permits the illegal foreign national population to create or further the creation of fictitious identity, construct an illusion of legitimacy and accrue sufficient resources to remain in the U.S. (Testimony of Steve McCraw, Office of Intelligence, Federal Bureau of Investigation, House Judiciary Subcommittee on Immigration, Border Security and Claims; June 26, 2003.)
- The federal government currently issues ~\$9K in cash and benefits to Cuban Nationals for purposes of resettlement. The current cost to be smuggled from Cuba to the U.S. is ~\$8K+, an odd but perhaps explainable coincidence. (Chinese Nationals pay from \$16K+ whereas Mexican Nationals pay ~\$1.2K+). A smuggling vessel intercepted off Florida in 2006 contained 35 people, mostly Cuban Nationals but also numerous Chinese Nationals. Cuba has been reported to maintain a relationship to several of the Latin foreign terror organizations included on the U.S. State Department’s Foreign Terror Organization List (a list containing 42 organizations). The U.S. Department of State currently identifies at least 6 organizations that are Latin or have Latin cells including Hezbollah.
- There are currently reported to be 83 non-immigrant and 147 immigrant varieties of visa classes; total number 230. The “Z” Visa being proposed for future guest workers will make this 231. This is enough variation to accommodate virtually any exception and conceivable visitor scenario permutation! The Immigration and Naturalization Act is remarkably complex and discourages enforcement as well as voluntary compliance.
- Testimony to Congress reports a backlog of immigration applications totaling approximately 3.4 million cases as of the end of 2003 (testimony of Eduardo Aguirre, Jr., June, 2004). Ostensibly these applicants are attempting to **legally** enter the U.S. and we would be better advised to match a willing legal immigrant/non-immigrant to a job rather than accept illegal foreign nationals for jobs who we have not vetted into the U.S. Recent information suggests that this backlog may be 1.2 million or as low as 600,000 due to expedited handling (see Mike Maxwell Congressional testimony, April 6, 2006). The 4,000 application review employees (“benefit adjudicators”) of the United States Citizenship and Immigration Services (“USCIS”) processed 7.5 million applications in FY 2005.
- Numerous jurisdictions (including the states of Colorado, Arizona and Georgia and many local city/county jurisdictions) are initiating legislation to clarify authority to permit local

law enforcement of immigration law rather than wait for Congressional action. These laws vary in scope but include constricting access of illegal foreign nationals to work and detention of foreign nationals believed to be illegally resident in the U.S.

- Frequently the argument for amnesty is couched in concern that persons in-migrating from Mexico should be permitted to stay inasmuch as Mexico's poverty forces people to risk their lives to come illegally into the U.S. Formal data published by the United Nations, Human Development Report, 2005 suggests that Mexico has 9.9% of its' population "living below \$1 a day" whereas Ethiopia has 26.3%, Mali has 72.3%, Zambia 63.7%, Madagascar 61.0%, Nicaragua 45.1%, Bangladesh 36.0% and El Salvador 31.1% as examples. In fact, Mexico ranks above (less poverty) the poverty stricken countries of Haiti, Yemen, Cambodia, Morocco, India, Egypt, Honduras and 83 other countries on the poverty index. All countries report some poverty including the U.S. Mexico is not unique in this attribute and fares better than many.
- Current law (Immigration and Nationality Act – INA) permits all U.S. employers to import labor in the event that positions cannot be filled by U.S. citizens, legal permanent residents or legal visitors/workers. Employers may apply for foreign worker legal status under the Bureau of Citizenship and Immigration Services. Form I-129, "Petition for Nonimmigrant Worker" (H-1B, TN, H-1C, H-2A, H-2B, H-3, L-1A, L-1B, O-1, O-2, O-3, P-1, P-2, P-3, Q-1 or R Visa) permits a U.S. employer to pay a fee of \$190 plus either \$1500 or \$750 depending upon the number of workers employed in the employer's business (after certifying to the Department of Labor that the employer has been unable to fill the job(s) with U.S. citizens or other legal workers) to sponsor a non-immigrant worker to fill jobs.

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