



THE WHITE HOUSE

WASHINGTON

January 4, 2019

Dear Members of Congress:

Congratulations to Speaker Nancy Pelosi, and her entire team, on her election to be Speaker of the House. I look forward to working together on our shared priorities for the American People, including rebuilding our infrastructure, reforming unfair trade deals, and reducing the price of prescription drugs. Our recent bipartisan success on numerous legislative accomplishments such as Criminal Justice Reform, opioid legislation, and the Farm Bill, underscores the extraordinary achievements that are possible when we rise above party politics to advance the good of the Nation as a whole.

As we begin this new Congress, our first task should be to reopen the Government and to deliver on our highest duty as elected officials: the security of the Nation and its borders.

It is the sovereign right of every nation to establish an immigration program in its national interest—lawfully admitting those who have followed the rules, while denying entry to those who break the rules or fail to meet the requirements established in law.

A nation that fails to control its borders cannot fulfill its most basic obligations to its citizens—physical safety, economic security, essential public services, and the uniform protection of our laws.

I was grateful for the opportunity to meet with Congressional leadership at the White House this Wednesday to discuss the border security crisis, and the need for a government funding bill that secures the border and keeps Americans safe.

During the meeting, there was debate over the nature and extent of this crisis and its impact on Americans. It had been my hope that Homeland Security Secretary Kirstjen Nielsen would have the opportunity to deliver a presentation discussing the facts about the depth and severity of the humanitarian crisis and the security crisis that is now unfolding at the Southern Border.

However, some of those present did not want to hear the presentation at the time, and so I have instead decided to make the presentation available to all Members of Congress. I encourage you to review it carefully, to share it with your staff, and to discuss it with other lawmakers. In crafting a Homeland Security bill, it is essential that we make decisions based upon the facts on the ground—not ideology and rhetoric—and that we listen to the law enforcement personnel on the front lines. The Southern Border is a very dangerous place—in fact, Border Patrol agents routinely encounter some of the most dangerous criminals, cartels, and traffickers anywhere in the world.

Effective border security must dramatically reduce the entry of illegal immigrants, criminals, and drugs; it must keep out terrorists, public safety threats, and those otherwise inadmissible under U.S. law; and it must ensure that those who do enter without legal permission can be promptly and safely returned home.

As the enclosed presentation makes clear, current funding levels, resources, and authorities are woefully inadequate to meet the scope of the problem. We are no longer in a status quo situation at the Southern Border but in a crisis situation. Status quo funding is not enough.

- In fiscal year (FY) 2018, 17,000 adults at the border with existing criminal records were arrested by Customs and Border Protection (CBP) and border agents.
- In FY2017 and FY2018, ICE officers arrested approximately 235,000 aliens on various criminal charges or convictions within the interior of the United States—including roughly 100,000 for assault, 30,000 for sex crimes, and 4,000 for homicides.
- We are now averaging 60,000 illegal and inadmissible aliens a month on our Southern Border.
- Last month alone, more than 20,000 minors were smuggled into the United States.
- The immigration court backlog is nearly 800,000 cases.
- There has been a 2,000 percent increase in asylum claims over the last five years, with the largest growth coming from Central America—while around 9 in 10 claims from Central American migrants are ultimately rejected by the immigration courts, the applicant has long since been released into the interior of the United States.
- In FY2017, roughly 135,000 illegal and inadmissible family units arrived from Central America. Of those, less than 2 percent have been successfully removed from the country due to a shortage of resources and glaring loopholes in our federal laws.
- So far in FY2019, we have seen a 280 percent increase in family units from FY2018.
- 300 Americans are killed every week from heroin—90 percent of which floods across our Southern Border.
- Illegal immigration is a humanitarian crisis: 1 in 3 migrant women is sexually assaulted on the journey northward to the U.S. border; 50 illegal migrants a day are referred for emergency medical care; and CBP rescues 4,300 people a year who are in danger and distress.

Illegal immigration is NOT progressive—by every measure, it is unfair, unjust, uncompassionate, and cruel. Many people are killed. It hurts both those who make the journey and so many communities bearing the cost in lives, safety, and dollars.

Senator Chuck Schumer once said: “Illegal immigration is wrong, plain and simple. Until the American people are convinced that we will stop future flows of illegal immigration, we will make no progress on dealing with the millions of illegal immigrants who are here now, and on rationalizing our system of legal immigration. That’s plain and simple and unavoidable.”

Absolutely critical to border security and national security is a wall or a physical barrier that prevents entry in the first place. Members of both parties—including then Senators Obama and Clinton, current Senator Schumer, and many other members of the House and Senate—all voted for a hard, physical barrier. Walls work. That’s why rich, powerful, and successful people build them around their homes. All Americans deserve the same protection. In Israel, it is 99 percent effective.



We must also close the legal gaps in America's defenses. Loopholes in federal law that prevent removals provide a magnet for illegal entry, and a lucrative business model for vicious coyotes, while overwhelming the U.S. immigration system. The worst loopholes incentivize the smuggling of minors. Under these legal loopholes, if an illegal minor, or those traveling with a minor, merely set foot on United States soil, they cannot be successfully returned home. This explains the profound increases in the arrival of minors travelling both alone and with adults on the dangerous journey to our border.

To protect these children from abuse, and stop this illegal flow, we must close these loopholes. This is an urgent humanitarian necessity. Children are terribly used by criminals and coyotes to gain access to our country—they are the biggest victims of all.

The most pressing legal changes are as follows:

- Terminate the Flores Settlement Agreement—which is preventing families from being held together through removal; and
- Amend the Trafficking Victims Protection Reauthorization Act (TVPRA), to allow for the safe and humane return of illegally-smuggled minors back to their families in their home countries.

Americans have endured decades of broken promises on illegal immigration. Now, is the time for both parties to rise above the partisan discord, to set aside political convenience, and to put the national interest first. Now is the time—this is the moment—to finally secure the border and create the lawful and safe immigration system Americans, and those wanting to become Americans, deserve.

Sincerely,

A large, bold, black handwritten signature, likely of Andrew Stenseth, written in a cursive style.