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Remarks by Secretary of Homeland Security Jeh Charles Johnson on "Immigration: Perception versus Reality" at Rice University - As Delivered

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Houston, Texas
Rice University

(As delivered)

[PDF of presentation](#)



"Immigration: Perception versus Reality"

James A. Baker III
Institute for Public Policy
June 8, 2015



Homeland
Security

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The Public Perception June 2013 Survey

"Just your best guess—compared with ten years ago, do you think the number of immigrants entering the U.S. illegally today is higher, lower, or about the same?"

55% — Higher
15% — Lower
27% — About the same
3% — Unsure or refused to answer

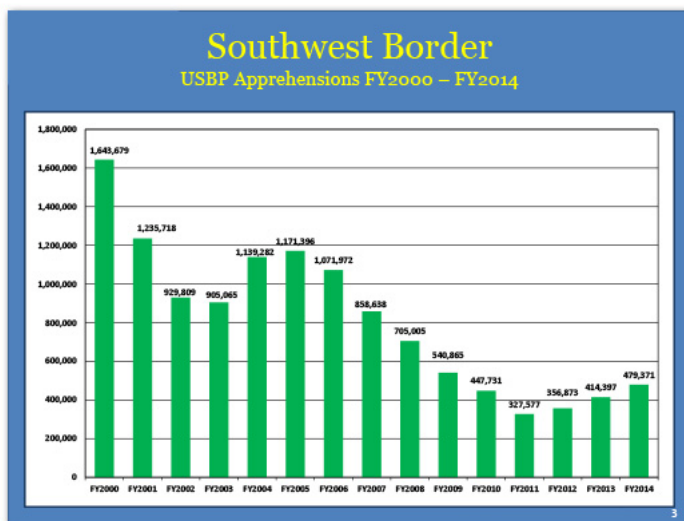
Pew Research Center/USA Today survey, "Borders First" a Dividing Line in Immigration Debate.

2

Two years ago a public survey was conducted in which the following question was asked:

"Just your best guess – compared with ten years ago, do you think the number of immigrants entering the U.S. illegally today is higher, lower or about the same?"

A majority surveyed, or 55%, said "higher."^[1]



In fact, the opposite is true. Apprehensions on the southern border -- which are a direct reflection of total attempts to cross the border illegally -- have declined significantly over the last 15 years, and are a fraction of what they used to be.

There is a lot of emotion and partisanship wrapped around the subject of immigration. Facts are too often drowned out by demagoguery, suspicion, exaggeration, and misperception.

Frankly, it has also been the case that, for too long, not enough immigration data has been shared publicly by the Department of Homeland Security and its immigration components. This too breeds suspicion and misperception to fill the void.

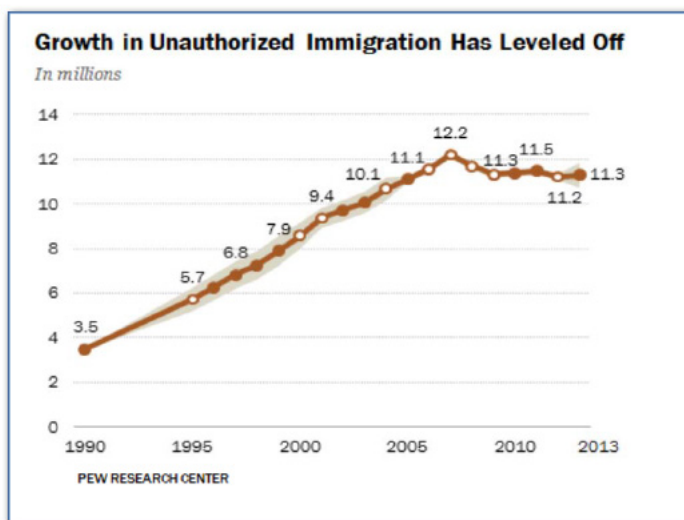
I am on a mission to separate fact from fiction about immigration in the public mind, and share more information. I am pleased to have the opportunity to do so here, at the James A. Baker Institute in Houston.

In fact, over the last 15 years -- across the Clinton, Bush and Obama Administrations -- our government has invested more in border security than at any point in the history of this Nation.

In fact, over the last 15 years, the number of apprehensions on our southwest border has declined significantly, from a high of 1.6 million in the year 2000 to a range of 300,000 to 400,000 in recent years.

We had a setback last summer, when the number of migrants -- most notably unaccompanied children and adults with children -- illegally crossing our southern border into South Texas spiked to unprecedented levels. We responded aggressively and the numbers fell off sharply almost immediately.

In fact, overall apprehensions on our southern border this fiscal year are now 34% less than they were at the same time last year. If that rate continues for the remaining four months of this fiscal year, apprehensions of those attempting to cross our southern border illegally will be at the lowest point since the 1970s.



In fact, over the last 15 years, the estimated number of undocumented immigrants in this country grew to a high of about 12.2 million in 2006, dropped to around 11.3 million, and has stopped growing for the first time since the 1980s.^[ii]

Fixing Our Immigration System



- Immigrant accountability
- Prioritizing felons over families
- Prioritizing border security
- Southern Border Campaign Plan
- Ending Secure Communities
- Pay reform for ICE ERO personnel
- Helping military families
- Promoting access to citizenship
- Supporting high-skilled workers
- Consistency in legal guidance



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In fact, there were ten executive actions the President and I announced last November to fix our broken immigration system, only one of which is the subject of litigation. Overall, these actions are devoted to strengthening border security, prioritizing the deportation of dangerous criminals, promoting and increasing access to citizenship, supporting high-skilled businesses and workers, and a number of other things to reform our immigration system. Nine out of 10 of these initiatives are well underway.

Today's Border Patrol

Today's Border Patrol

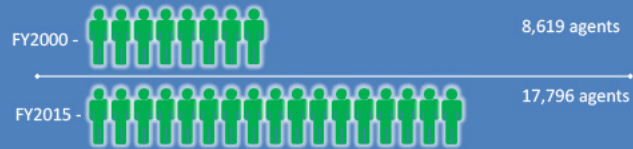


\$3.5 billion budget/ 22,000 personnel/ 20,499 agents

6

Over the last 15 years, while other government agencies have faced cutbacks and limits in these times of fiscal constraint, our national leaders in Congress and the Executive Branch have chosen to build our U.S. Border Patrol to an unprecedented level in resources. Today's Border Patrol is itself one of the largest agencies of our government, with a budget of \$3.5 billion, a total of 22,000 personnel, 20,499 border patrol agents, and the largest-ever level of technology and equipment.

Border Patrol Agents on the Southern Border



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Fifteen years ago, we had 8,619 Border Patrol agents dedicated to the southwest border; in 2015 that number is 17,796 and growing.

Total Fence on the Southern Border



Primary Fence



Secondary Fence



Tertiary Fence



Vehicle Fence

8

Fifteen years ago we had just 77 miles of fence across the southwest border; today there is about 700 miles of total fence across the southwest border.

Underground Sensors



9

Fifteen years ago we had few if any underground sensors to detect illegal migration at the southwest border; today we have 11,863 of these devices.

Aircraft

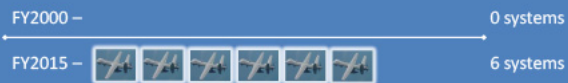


Slide 21

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Fifteen years ago, the Border Patrol had 56 aircraft; today the number is 119.

Unmanned Aerial Systems



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Fifteen years ago, the Border Patrol had no unmanned aerial vehicles; today we have 6 of these for surveillance of illegal activity over the southwest border.

Mobile Surveillance System



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Fifteen years ago the Border Patrol had 1 mobile surveillance system; today we have 39.

Mobile Video Surveillance System



FY2000 – n/a

FY2015 –                                        179 systems









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Fifteen years ago we had little if any mobile video surveillance capability; today we have 179 of these.

Remote Video Surveillance Systems



FY2000 –                    140 systems

FY2015 –                    272 systems

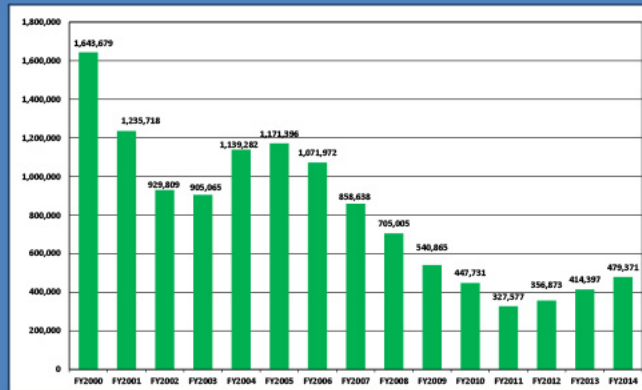
14

Fifteen years ago we had 140 remote video surveillance systems; today we have 272 of these.

Today the Border Patrol has the largest deployment of people, vehicles, aircraft, boats and equipment along the southwest border in its 90-year history.

And, this Nation's long term investment in border security has produced significant, positive results over the years.

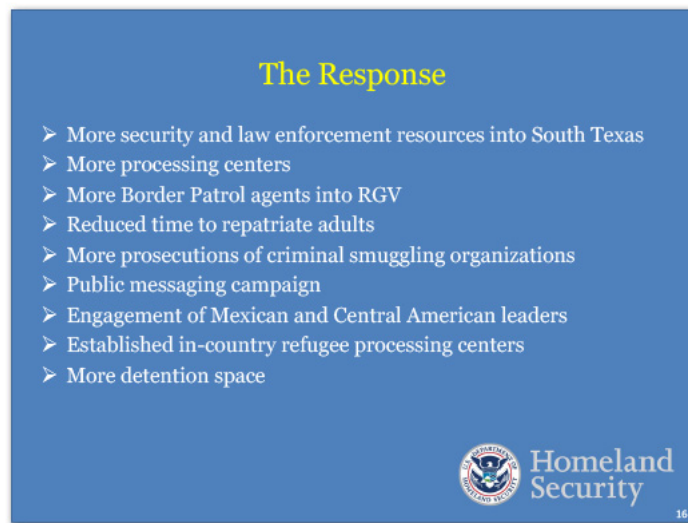
Southwest Border USBP Apprehensions FY2000 – FY2014



As I said before, illegal migration into this country peaked in the year 2000, reflected by over 1.6 million apprehensions that year. In fact, illegal migration into this country has dropped considerably since then, reflected by the decline in total apprehensions from 1.6 million in 2000 to around 400,000 a year in recent years. Last fiscal year the number of apprehensions on the southwest border was 479,371.

The increase in fiscal year 2014 was due mostly to the unprecedented spike in illegal migration into the Rio Grande Valley sector of the border, in South Texas. Almost all of it came from Guatemala, Honduras and El Salvador. It consisted of large numbers of unaccompanied children and adults with children.

In fact, more than 53% of all apprehensions across the southwest border in FY 2014 were just in the Rio Grande Valley sector.



In response, we did a number of things.

We put additional resources, additional border security and law enforcement resources into South Texas.

We opened new processing centers across the Southwest to handle the additional illegal migration.

We reassigned hundreds of border patrol agents to the Rio Grande Valley Sector.

We dramatically reduced the time it takes to repatriate adults. We added additional flights to repatriate people back faster to their home countries.

We dedicated resources to the prosecution of the criminal smuggling organizations – the coyotes -- that were inducing people to take the long, dangerous journey from Central America.

We launched a renewed, aggressive public messaging campaign in Central America, highlighting the dangers of the journey, and correcting the misinformation the coyotes are putting out about supposed “free passes” or “permisos” if you come to the United States.

The President, the Vice President, and I all engaged with the leaders of Mexico, Guatemala, Honduras and El Salvador to coordinate our responses.

We established in-country refugee processing centers in Guatemala, Honduras and El Salvador, to enable parents lawfully in the U.S. to apply to have their children in Central America interviewed there and brought here safely and legally.

We created more detention space in Dilley and Karnes, Texas.

Family Residential Centers

Now let me say something additional about immigration detention.

Last summer a large part of the spike we saw consisted of unaccompanied children. By law, DHS transferred those children to the Department of Health and Human Services, which was then required to promptly place them in a setting that is in the best interests of the child.

Another large part of the spike was adults who brought their children with them.

Prior to last year, out of 34,000 beds for immigration detention in all of DHS, we had only 95 for adults with children, as they waited for resolution of their immigration cases.

We needed to build more, and we did.

There are objections to family residential centers and I want to address them.

In fact, the number of families who are apprehended at the southern border has declined dramatically since last summer.

In fact, most families apprehended at the southern border are not detained. They are released and instructed to appear in court for their

immigration case. Even among those who arrive at family residential centers, most are released on conditions intended to secure their appearance at court for their immigration cases.

In fact, as of April 25th, 70% of family members detained had a length of stay less than 60 days, and 50% under 30 days.

But, we understand the sensitive and unique nature of detaining families, and we are committed to continually evaluating it.

Several weeks ago, we began a new initiative to enroll families apprehended crossing the border illegally into our alternatives-to-detention program. We want to put more people, including families, in our alternatives to detention program. This is reflected in our budget request to Congress for Fiscal Year 2016, which seeks funding to expand our capacity for this program from 36,000 participants today to 53,000 participants in 2016.

We have recently undertaken a number of other new measures concerning family residence centers. They include the following:

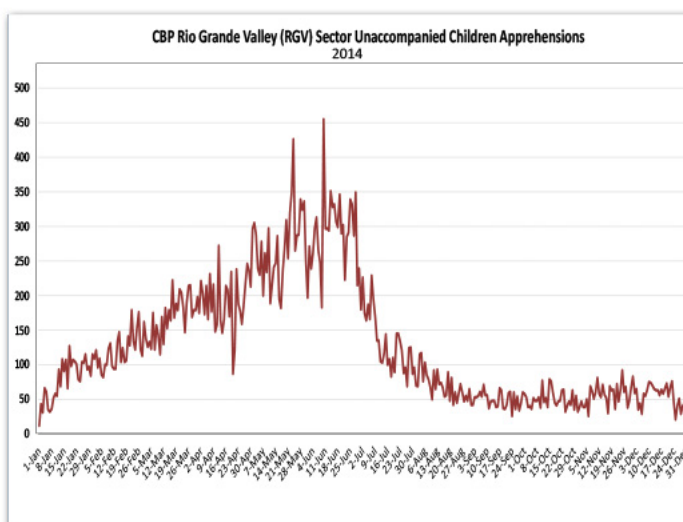
First, as of last week, we began a review of the cases of any families detained beyond 90 days, and every 60 days thereafter, to evaluate whether detention during the pendency of their immigration case is still appropriate. Priority is being given to the review of the cases of families who have been in these residential centers the longest.

Second, we have discontinued invoking general deterrence as a factor in custody determinations in all cases involving families.

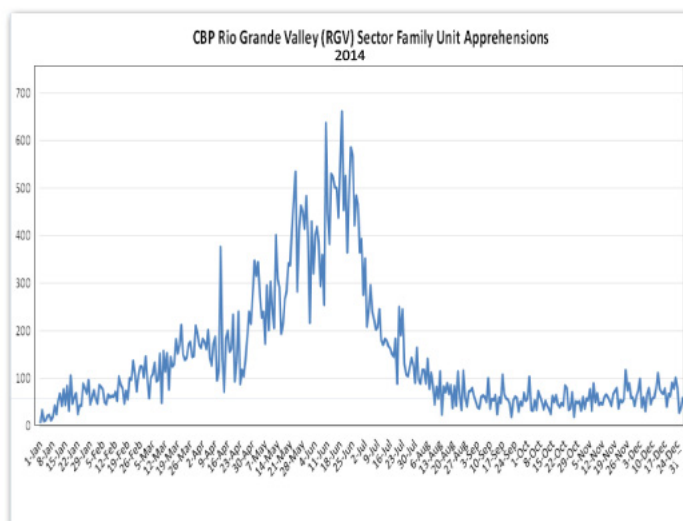
Third, we are creating a Federal Advisory Committee of outside experts to advise the Director of U.S. Immigration and Customs Enforcement and me concerning family residence centers.

Fourth, we are undertaking additional measures to ensure access to counsel, attorney-client meeting rooms, social workers, educational services, comprehensive medical care, and continuous monitoring of the overall conditions at these centers.

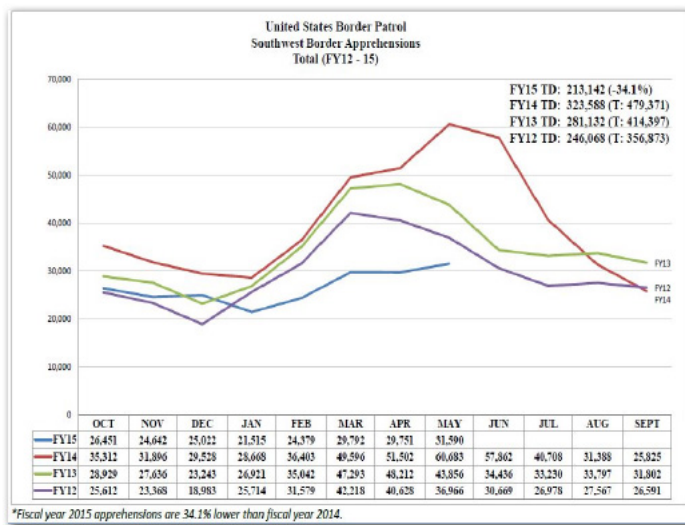
Fiscal Year 2015



Beginning in mid-June 2014, the number of illegal migrants crossing into south Texas dropped sharply.



Illegal migration by parents who brought their children followed a similar sharp downward path in 2014.



So far this year we have not seen a return of the spike from last year, or anything close to it.

In Fiscal Year 2014, through the month of May, apprehensions on our southern border were at 323,583. Through the month of May this fiscal year, total apprehensions on our southern border are at 213,145 – a 34% decrease. If this pace continues – and I’m not saying it will necessarily – through the last third of this fiscal year, the total will be the lowest since 1972.

The bottom line of all this is, in recent years the total number of those who attempt to illegally cross our southwest border has declined dramatically, while the percentage of those who are apprehended has gone up. Put simply, it’s now much harder to cross our border illegally and evade capture than it used to be – and people know that.

I’ve been talking about this for over six months. The mainstream media is finally starting to report it themselves.

On May 15, the *Houston Chronicle* published a story headlined “Immigration debate rages on while border arrests drop.”^[iii]

On May 28th, *The Washington Post* ran a front-page story with the headline “Migrant flow at border abates,” followed by the report: “As the Department of Homeland Security continues to pour money into border security, evidence is emerging that illegal immigration flows have fallen to their lowest levels in two decades.”^[iv]

On May 12th, *The Washington Times* ran a front-page story entitled “Illegal border crossings down due to refuting ‘permiso’ myth.”^[v]

Finally, on May 5th *The Wall Street Journal* ran an opinion piece which basically makes my case for me:

“Immigration Debate Caught in a Time Warp . . . the premise of [the] immigration debate – that waves of Hispanic immigrants are sweeping across our southern border, swelling the nation’s population of undocumented immigrants and transforming the culture and economy – is caught in a kind of time warp, dominated by trends of decades past and largely missing the immigration issues that really matter today.”^[vi]

The Future

Though the numbers have in fact declined dramatically, we are not declaring mission accomplished. The poverty and violence that are the “push factors” in Honduras, Guatemala and El Salvador still exist. The economy in this country – a “pull factor” -- is getting stronger.

The President and I are committed to building an even more secure border, and a smart strategy to get there.

The Future

- Implementing a Risk Based Strategy
- Better Technology
- More Equipment
- Enhanced Detection Capability
- More Resources
- More Aid to Central America



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Our Fiscal Year 2016 budget proposal includes a \$373 million request for improved border technology and infrastructure, to include more remote video surveillance capability, sensors, night vision detection devices, wireless sensor data link systems, re-locatable towers, and replacement fence.

Fixing Our Immigration System



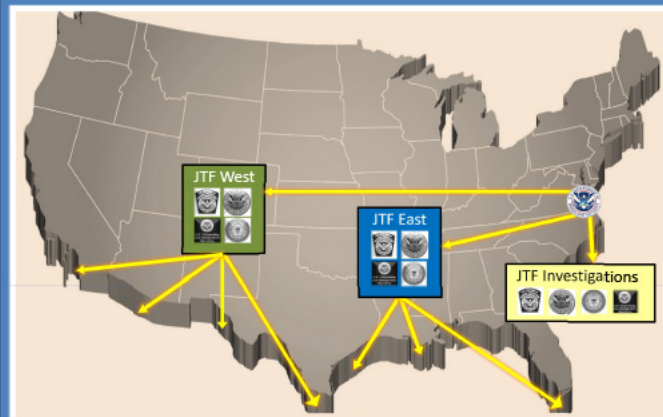
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- Consistency in legal guidance



21

Our executive actions also strengthen border security. As part of the executive actions, we have prioritized the removal of anyone who came to this country illegally after January 1, 2014.

The Southern Border Campaign Plan



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We have created the Southern Border and Approaches Campaign. To promote border security, this Campaign will, for the first time, put to use in a combined and strategic way, the assets and personnel of U.S. Customs and Border Protection, U.S. Immigration and Customs

Enforcement, U.S. Citizenship and Immigration Services, the U.S. Coast Guard, and other resources of the Department when necessary. We are discarding the stove pipes in our Department.



As part of our executive actions we are also promoting and increasing access to U.S. citizenship. We are working to permit payment of the application fee by credit card. We will also launch a multi-lingual citizenship awareness program, to encourage those who are eligible for citizenship to apply. The first phase will move forward in July and the second phase will launch in September.

We are launching a Welcoming Communities Initiative in which we will work with state and local governments to promote immigrant integration. Houston, with Mayor Parker's leadership, is already a model community for this.

The President's Task Force on New Americans, which USCIS Director León Rodríguez leads, is hard at work implementing its strategic action plan.

As part of our executive actions, we are working quickly and aggressively to implement reforms to strengthen the program that provides Optional Practical Training for students in the STEM fields who are studying at U.S. universities.

We finalized and have begun implementing a new policy that allows certain spouses of high-skilled workers on the path to a green card to apply for work authorization.

As part of our executive actions, we have published guidance on the L-1B program that allows specialized foreign employees to work temporarily at an American office of a multinational company.

We are improving the pay scale for our immigration enforcement personnel.

As part of our executive actions we have issued new enforcement priorities. This is clearer and sharper guidance to the field, stating that we must prioritize the use of our immigration enforcement resources on the removal of those who are dangerous criminals. Conversely, we are making it clear that we should not expend our limited resources on deporting those who have been here for years, have committed no serious crimes, and have, in effect, become integrated members of our society.

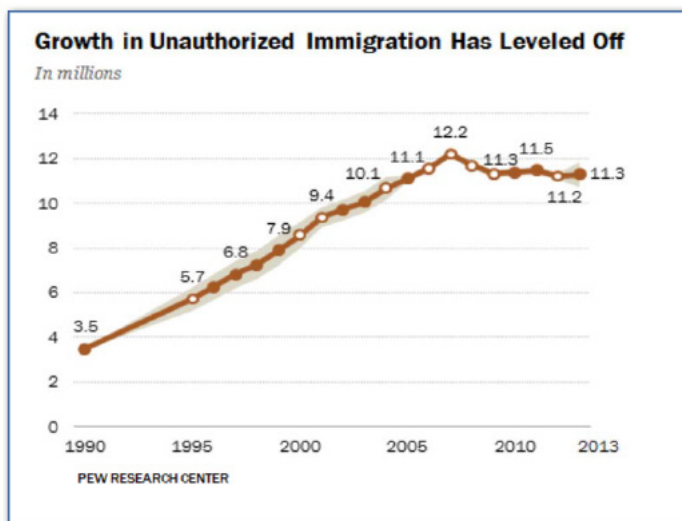
These new priorities have been in effect since January, and we are already seeing some preliminary signs that these policies are benefitting public safety.

Consistent with these new priorities, U.S. Immigration and Customs Enforcement has begun a new push in the interior of this country to search for and apprehend undocumented immigrants who have been convicted of serious crimes, through "Operation Cross Check" and other initiatives. Currently, 96% of all those detained by ICE and the Border Patrol fit within the top two of the three enforcement priorities; 76% of those currently detained by ICE and the Border Patrol are in the top priority – convicted felons, those convicted of an offense that involves participation in a criminal street gang, those apprehended at the border while attempting to cross illegally, and anyone suspected of terrorism or espionage, or who otherwise poses a danger to national security.

We have ended the controversial Secure Communities program, and are replacing it with a new Priority Enforcement Program. Secure Communities was a program by which our immigration personnel lodged orders known as "detainers" to hold individuals in local jails, so that they could be handed directly over to federal authorities for immigration enforcement purposes after their time in police custody. But, Secure Communities had become embroiled in political and legal controversy. A rapidly expanding list of city, county and state governments – depending on how you count, 275 -- enacted laws, ordinances, executive orders and policies that limit or outright prohibit their cooperation with federal immigration enforcement personnel.

We therefore acted to stop this ineffective program, and the growing resistance to it. Our new Priority Enforcement Program is a balanced, common-sense approach to help us achieve this goal. We are now reaching out to governors, mayors and local communities to seek cooperation with us in the new program. We are seeing good progress. For example, last month the Los Angeles Board of Supervisors voted to encourage the Los Angeles County Sheriff's Department to work with us to implement the new program.

Our overarching goal is to enforce our immigration laws in a way that promotes public safety, national security and border security.



Finally, we must reckon with the 11.3 million undocumented immigrants who are here in this country. More than half have been here over 10 years. Many have spouses and/or children who are United States citizens or legal permanent residents.^[vii] As *The Washington Post* noted in that story I cited earlier:

"[a] key – but largely overlooked sign of ebbing flows is the changing makeup of the illegal population. Until recent years, undocumented immigrants tended to be the young men who were streaming across the border in pursuit of work. But demographic data show that the profile of the typical immigrant now is much likely someone who is 35 or older and has lived in this country a decade or more."^[viii]

We must reckon with these people.

These people are here, they live among us, and they are not going away. They are not going to "self-deport." No administration – Democratic or Republican – is going to deport this large a population of people. We simply do not have the resources to do that.

Must we, should we, leave these people, unaccounted and unaccountable, in the shadows of American life?

In 2012, we created the Deferred Action for Childhood Arrivals program. As part of this program, to date, 670,000 people have come forward, submitted to a background check, and got on the books to become accountable and pay taxes. This is not citizenship, it's not lawful permanent residence, and it is not amnesty. It is a determination by the government to defer deportation for a period of two years, and an authorization to work during that same period.

President Obama and I want to go further, and extend the eligibility for deferred action to parents who are not removal priorities, have kids who are citizens or lawful permanent residents, and have been here five years or more. Our lawyers at the Department of Justice say we have the legal authority to do this. This was one of the executive actions we announced in November.

One federal district judge in Brownsville disagreed, and temporarily enjoined this new deferred action program, along with an expansion of the deferred action for childhood arrivals program we announced at the same time.

That case is on appeal, and we will continue to fight it and defend it. I believe we will prevail, as deferred action is a tool that has been in use by Republican and Democratic Administrations for decades.

To those in Congress who say we do not have the authority to issue deferred action without a change in law, I say change the law; don't just be a naysayer.

According to a new poll by the Pew Research Center, 72% of the American people think immigrants who are in the U.S. illegally and meet certain requirements should be allowed to stay legally.^[ix]

From the perspective of homeland security and law enforcement, we should encourage people who have lived here for years, and are not going anywhere, to come out of the shadows and get on the books. We want to know who these people are, and we want to encourage them to report crime.

We want these people to work on, not off, the books, and pay taxes.

I submit it's also the right thing to do. In the United States of America, do we say to a class of people who have lived here for years and are not going away: we know you are here, your family is here, but you are destined to live in this country as a second-class person? Or do we give them an opportunity to earn a better place?

Over and over again, in the life of this Nation, there have been classes of people who, by virtue of their race, gender, religion, or nationality, exist on the margins of society and struggle to seek our acceptance. It has been the tradition of this great Nation that, ultimately, we hear their claims and grant them relief.

My faith in America tells me that, sooner or later, we will do the same here.

I hope it is sooner. Thank you very much.

[i] "Borders First", A Dividing Line in Immigration Debate," Pew Research Center and USA Today Survey, (June 23, 2013).

[ii] Jeffrey S. Passel, D'Vera Cohn, Jens Manuel Krogstad and Ana Gonzalez-Barrera, "As Growth Stalls, Unauthorized Immigrant Population Becomes More Settled," Pew Research Center's Hispanic Trends Project (September 3, 2014).

[iii] Kevin Diaz, *Immigration Debate Rages on While Border Arrests Drop*, Houston Chronicle, May 15, 2015.

[iv] Jerry Markon, *Migrant Flow at Border Abates*, The Washington Post, May 28, 2015.

[v] Stephen Dinan, *Illegal Border Crossings Down Due to Refuting 'Permiso' Myth*, The Washington Times, May 12, 2015.

[vi] Gerald F. Seib, *Immigration Debate Is Caught in a Time Warp*, The Wall Street Journal, May 5, 2015.

[vii] Jeffrey S. Passel, D'Vera Cohn, Jens Manuel Krogstad and Ana Gonzalez-Barrera, "As Growth Stalls, Unauthorized Immigrant Population Becomes More Settled," Pew Research Center's Hispanic Trends Project (September 3, 2014).

[viii] Jerry Markon, *Migrant Flow at Border Abates*, The Washington Post, May 28, 2015.

[ix] Pew Research Center, June 2015, "Broad Public Support for Legal Status for Undocumented Immigrants," Questions 36-37.

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