

Congress of the United States
Washington, DC 20515

President Donald Trump
The White House
Washington, D.C. 20500

Dear Mr. President,

We are grateful for your leadership by focusing on the crisis on our southern border. Your efforts have successfully awakened the American people and changed the narrative on this issue.

The legislative solutions you have proposed, including a southern border wall, hiring additional Border Patrol agents, and closing asylum loopholes, will undoubtedly go a long ways towards fixing our immigration system. Indeed, those solutions will also weaken the magnet that has attracted the attention of the cartels in Mexico and Central America and immigrants seeking to abuse loopholes to get into our country. Without the long term fixes you have proposed, our immigration system will continue to be determined by foreign countries, cartels, and illegal immigrants.

In addition to the fixes you have proposed, your administration has authority under current law to take additional enforcement actions that would complement your efforts. If leaders in your administration take this issue as seriously as you, these actions should be discussed and carried out as swiftly as possible.

1. Train Border Patrol to conduct credible fear interviews.

As proposed in your Presidential Memorandum of April 29, 2019, the Department of Homeland Security has established a pilot program to train U.S. Border Patrol agents to conduct credible fear interviews. This program should be expanded so every Border Patrol station has resources to conduct interviews before aliens are released and prevent unnecessary release of individuals who do not qualify for asylum.

2. Limit ICE Parole Policy.

ICE policy directive 11002.1 issued December 8, 2009 exploits 8 C.F.R. § 212.5(b), which allows for case-by-case parole of certain aliens whose “continued detention is not in the public interest.” ICE has used this category to release thousands of illegal aliens, many of whom likely do not qualify for asylum. The ICE policy directive should be immediately repealed and 8 C.F.R. § 212.5(b) should be amended to exclude the public interest category.

3. Limit Work Authorization.

8 U.S.C. § 208(d) allows for the Attorney General to grant employment authorization to asylum applicants who have waited longer than 180 days for their case to be adjudicated. Statute does not however require employment authorization to be granted. Given that asylum cases are taking years to adjudicate, guaranteed access to employment authorization is serving as a huge pull-factor for migrants, contributing to the current crisis-level numbers. 8 C.F.R. § 1274a.12(c)(8), which **requires** an asylum applicant to apply for employment authorization should be immediately repealed and employment authorization should be granted only to aliens whose asylum applications have been approved.

4. Raise Asylum Fees.

As you suggested in your April 29, 2019 Presidential Memorandum, the Department of Justice and the Department of Homeland Security should immediately set a fee structure and impose fees for asylum applications and employment authorization, as allowed under 8 U.S.C. § 1158(d)(3). This would discourage frivolous and fraudulent applications from being filed.

5. Promulgate Flores Regulation.

DHS and HHS should work to immediately issue final regulations to terminate the *Flores* Settlement Agreement. The regulations must address family detention and undo the damage done by the 9th Circuit, who improperly extended *Flores* to apply to family units. That decision has undermined our ability to detain migrants in accordance with current law and has led to a drastic surge in family units coming across the border. In April 2019, fraud was found in 25% of “family units” apprehended. We must end the exploitation of children along our southern border.

6. Negotiate Safe Third Country Agreement with Mexico in USMCA Negotiations.

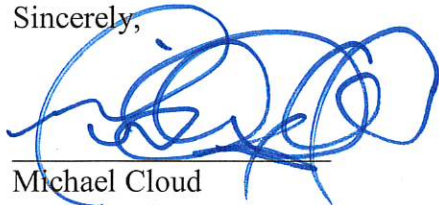
8 U.S.C. § 1158(a)(2)(A) allows for aliens to be removed to another country in which their life or freedom would not be threatened on account of race, religion, nationality, membership in a particular social group, or political opinion if the United States has a “safe third country” agreement with that country. Establishing such an agreement with Mexico should be a priority in any USMCA negotiations.

7. Enforce the Migrant Protection Protocols.

Fully implement your administration’s Migration Protection Protocol, which would require immigrants from Central America to remain in Mexico while they wait for their immigration hearings.

These recommendations come from a series of serious and thoughtful discussions. We believe that there are those in your administration who are aware of these options that will remediate the crisis on our southern border. These actions, if taken immediately, would go a long way to slow the hemorrhaging on our southern border. We encourage you to direct your administration to take these vital steps to secure our southern border and will do all within our power to help implement the necessary means to protect all Americans.

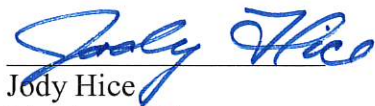
Sincerely,



Michael Cloud
Member of Congress



Chip Roy
Member of Congress



Jody Hice
Member of Congress



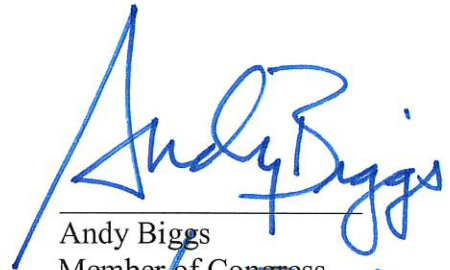
Paul Gosar
Member of Congress



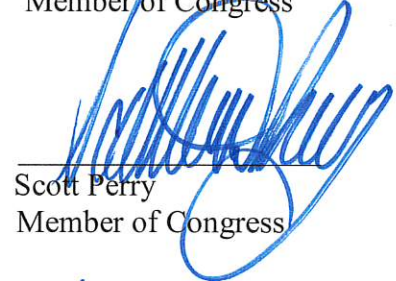
Debbie Lesko
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