

# NEWS ARTICLES ON KEY ISSUES – MARCH 27, 2024

## U.S. BORDER PATROL STATISTICS

U.S. Border Patrol Southwest Border Encounters FY2019		
USBP	Demographic	Total
Southwest Border	Unaccompanied Alien Child	76,020
	Family Units	473,682
	Single Adult	301,806
<b>Southwest Border Total Apprehensions</b>		<b>851,508</b>

U.S. Border Patrol Southwest Border Encounters FY2020		
USBP	Demographic	Total
Southwest Border	Unaccompanied Alien Child	30,557
	Family Units	52,230
	Single Adult	317,864
<b>Southwest Border Total Apprehensions</b>		<b>400,651</b>

U.S. Border Patrol Southwest Border Encounters FY2021		
USBP	Demographic	Total
Southwest Border	Unaccompanied Alien Child	144,834
	Family Units	451,087
	Single Adult	1,063,285
<b>Southwest Border Total Apprehensions</b>		<b>1,659,206</b>

Data Sources: <https://www.cbp.gov/newsroom/stats/sw-border-migration/fy-2019>; <https://www.cbp.gov/newsroom/stats/sw-border-migration/fy2020>; <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters>

### U.S. Border Patrol Southwest Border Encounters FY2022

USBP	Demographic	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	Total
Southwest Border	Unaccompanied Alien Child	12,625	13,745	11,704	8,607	11,779	13,892	11,857	14,420	14,929	13,003	10,993	11,539	149,093
	Family Units	41,556	43,279	49,437	30,419	25,165	34,052	37,082	51,166	44,071	42,851	39,305	44,579	482,962
	Single Adult	104,932	109,991	109,461	108,851	122,226	163,237	154,565	158,784	133,399	125,980	131,476	151,479	1,574,381
<b>Southwest Border Total Apprehensions</b>		<b>159,113</b>	<b>167,015</b>	<b>170,602</b>	<b>147,877</b>	<b>159,063</b>	<b>211,181</b>	<b>203,504</b>	<b>224,370</b>	<b>192,399</b>	<b>181,834</b>	<b>181,774</b>	<b>207,597</b>	<b>2,206,436</b>

Data Source: <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters>

### U.S. Border Patrol Southwest Border Encounters FY2023

USBP	Demographic	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	Total
Southwest Border	Unaccompanied Alien Child	11,654	12,780	11,829	9,034	10,418	11,852	11,062	9,442	6,732	10,035	13,527	13,154	131,519
	Family Units	46,745	49,827	60,843	25,829	25,643	33,269	46,555	45,026	31,271	60,165	93,111	103,027	621,311
	Single Adult	146,735	145,073	149,346	94,650	94,460	118,551	126,304	116,914	61,535	62,442	74,416	102,582	1,293,008
<b>Southwest Border Total Apprehensions</b>		<b>205,134</b>	<b>207,680</b>	<b>222,018</b>	<b>129,513</b>	<b>130,521</b>	<b>163,672</b>	<b>183,921</b>	<b>171,382</b>	<b>99,538</b>	<b>132,642</b>	<b>181,054</b>	<b>218,763</b>	<b>2,045,838</b>

Data Source: <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters>

### U.S. Border Patrol Southwest Border Encounters FY2024

USBP	Demographic	OCT	NOV	DEC	JAN	FEB	Total
Southwest Border	Unaccompanied Alien Child	10,699	11,944	12,457	7,485	9,364	51,949
	Family Units	84,407	82,689	101,710	39,807	45,973	354,586
	Single Adult	93,648	96,481	135,570	76,928	85,307	487,934
<b>Southwest Border Total Apprehensions</b>		<b>188,754</b>	<b>191,114</b>	<b>249,737</b>	<b>124,220</b>	<b>140,644</b>	<b>894,469</b>

Data Source: <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters>

## LATEST NEWS

### Texas Marks Third Anniversary Of Operation Lone Star

By the Office of the Texas Governor, Press Release, March 8, 2024

- ❖ As of March 8, Texas has bused:
  - Over 12,500 migrants to Washington, D.C. since April 2022
  - Over 39,100 migrants to New York City since August 2022
  - Over 32,200 migrants to Chicago since August 2022
  - Over 3,400 migrants to Philadelphia since November 2022
  - Over 16,600 migrants to Denver since May 18
  - Over 1,500 migrants to Los Angeles since June 14
- ❖ Press Release Source: <https://gov.texas.gov/news/post/texas-marks-third-anniversary-of-operation-lone-star-1>

### Texas AG accuses Catholic nonprofit of 'human smuggling,' sues to shut it down

By Armando Garcia, ABC News, February 21, 2024

- ❖ The Texas Attorney General's (AG) office is suing to shut down a well-known Catholic nonprofit that helps to shelter migrants in El Paso, Texas. Officials from the AG's office visited Annunciation House on Feb. 7, demanding it provide extensive documentation that included the identities of all migrants the organization has helped within 24 hours, according to court records. An attorney representing Annunciation House filed a lawsuit on Feb. 8 to delay the release of the records and examine the legality of the AG's request. The AG's office filed a counterclaim accusing Annunciation House of engaging in human smuggling. It alleged the organization provides information to migrants in its shelters about the legal system and how to file an asylum claim. In a statement, Attorney General Ken Paxton accused the organization of "worsening illegal immigration."
- ❖ Source: <https://abcnews.go.com/US/texas-ag-accuses-catholic-nonprofit-human-smuggling-sues/story?id=107414563>

### El Paso judge says he's concerned that Ken Paxton has "ulterior political motives" in migrant shelter probe

By Uriel J. García, Texas Tribune, March 7, 2024

- ❖ A state judge admonished a lawyer for Texas Attorney General Ken Paxton during a court hearing Thursday, March 7, saying that he is worried that the state's investigation into an El Paso migrant shelter may be politically motivated. District Court Judge Francisco Dominguez of El Paso made his comments during a hearing on whether Annunciation House, a network of migrant shelters, has to hand over documents the attorney general has demanded. Dominguez interrupted Ryan Baasch, a Texas assistant attorney general, during his closing arguments to dispute the state's characterization of its investigation. Baasch said the case has unnecessarily escalated and the documents the state has asked for are "innocuous material." He said state officials have offered to negotiate with Annunciation House.
- ❖ Source: <https://www.texastribune.org/2024/03/07/texas-el-paso-migrant-shelter-investigation-hearing-judge/#:~:text=El%20Paso%20judge%20says%20he's,attorney%20general's%20office%20has%20demanded.>

### El Paso judge blocks Ken Paxton's efforts to subpoena Annunciation House

By Uriel J. García, Texas Tribune, March 11, 2024

- ❖ A state judge on Monday, March 11, blocked Attorney General Ken Paxton's attempts to investigate an El Paso migrant shelter and questioned the state's intentions behind demanding documents from the non-governmental organization. In an order essentially blocking Paxton's subpoena of Annunciation House, state district court Judge Francisco Dominguez suggested the attorney general may want to shut down the network of migrant shelters for political reasons. That's something the judge told Ryan Baasch, an assistant attorney general, during a court hearing last week. "The Attorney General's efforts to run roughshod over Annunciation House, without regard to due process or fair play, call into question the true motivation for the Attorney General's attempt to prevent Annunciation House from providing the humanitarian and social services that it provides," Dominguez wrote in Monday's order. "There is a real and credible concern that the attempt to prevent Annunciation House from conducting business in Texas was predetermined." Annunciation House had asked Dominguez to determine if it was obligated to release the documents Paxton's office requested. In his ruling, Dominguez said Paxton's office must go through the state's court system if it wants to investigate the nonprofit. "Both the Attorney General and Annunciation House are now obliged to litigate this matter within the guidelines set forth by the Texas Rules of Civil Procedure, created to ensure fair play between litigants," Dominguez wrote.
- ❖ Source: <https://www.texastribune.org/2024/03/11/texas-migrant-shelter-investigation/>

### **Judge blocks Paxton's effort to stop nonprofit**

By Benjamin Wermund, WASHINGTON BUREAU, March 11, 2024

- ❖ An El Paso judge on Monday, March 11, said Attorney General Ken Paxton acted “without regard to due process or fair play” in his effort to shut down a Catholic nonprofit that has helped shelter and feed asylum seekers for decades. District Judge Francisco Dominguez temporarily blocked the effort to close Annunciation House, which Paxton has accused of operating as a “stash house” and taking part in “human smuggling.” “The Attorney General’s efforts to run roughshod over Annunciation House, without regard to due process or fair play, call into question the true motivation for the Attorney General’s attempt to prevent Annunciation House from providing the humanitarian and social services that it provides,” Dominguez wrote. “There is a real and credible concern that the attempt to prevent Annunciation House from conducting business in Texas was predetermined.” The conflict started last month when the attorney general sought records from Annunciation House related to its work with migrants. The El Paso organization said it would provide the information, but could not meet the deadline laid out by the attorney general’s investigators and sued to receive a temporary restraining order. Paxton, in turn, filed a counterclaim, accusing the nonprofit of violating state law by refusing to turn over the records. His office sought to revoke Annunciation House’s license to operate in Texas. Dominguez ruled that the conflict over the records Paxton sought would have to be decided before an enforcement action could be taken. Paxton’s counterclaim seeking to close the nonprofit was therefore moot, Dominguez ruled.
- ❖ Source: <https://www.houstonchronicle.com/politics/texas/article/ken-paxton-texas-migrants-18889619.php>

### **El Paso declares a state of disaster to keep shelters open as migrants continue to flood across the border into the city as President Biden blasts Donald Trump in State of the Union for stopping him tackling immigration reform**

By Nic White, Dailymail, March 8, 2024

- ❖ A border town inundated with 900 immigrants a day has extended a state of emergency to keep shelters open. El Paso Mayor Oscar Leeser extended the disaster declaration in the Texas city on Thursday, March 7, for a fourth time as the crisis showed no signs of ending. Lesser's declaration has to be re-signed every week after the city council failed to renew a longer-term ordinance due to one holdout councilman. Lesser said the declaration was needed to maintain emergency plans that allowed public buildings to be used as shelters, and helped charities deliver aid. 'The City of El Paso remains unwavering in its dedication to addressing the pressing humanitarian and public safety issues brought about by the influx of migrants,' he said.
- ❖ Source: <https://www.dailymail.co.uk/news/article-13171819/El-Paso-disaster-shelters-migrants-Joe-Biden-State-Union.html?ITO=applenews-us>

### **Reader voices: Nothing Catholic in Ken Paxton's targeting of Annunciation House**

By Letters to the Editor, San Antonio Express-News, March 2, 2024

#### **❖ Border agony during Lent**

Re: “Nonprofit that aids migrants targeted by Paxton,” Front Page, Feb. 22:

Texas Attorney General Ken Paxton made the decision to sue Annunciation House in El Paso for assisting migrants seeking help in the U.S.

Paxton’s office has chosen the wrong time to sue, although there is no right time for what he is doing. Catholics are in the season of Lent. Many of us use these 40 days to reflect on our own agony in the garden, as well as the agonies of all people.

For Annunciation House, this is their agony in the garden.

For Catholics in the Diocese of El Paso and throughout all of Texas, this incident should make us reflect on how we vote.

Who is to say Paxton won’t go after other charitable institutions?

The Rev. James E. Schellenberg

- ❖ Source: <https://www.expressnews.com/opinion/letters-editor/article/paxton-text-texas-algorithm-biden-18691866.php>

## **San Antonio's Migrant Resource Center is running out of money**

*By Molly Smith, San Antonio Express-News, March 7, 2024*

- ❖ If Congress doesn't authorize more money for migrant assistance, the city of San Antonio may have to pull from other federal program dollars if it wants to keep the Migrant Resource Center open. At its current rate of spending, the city is on track to run out of Federal Emergency Management Agency funds by September — though those dollars were intended to cover the city's costs for the facility through September 2025. Catholic Charities operates the Centro de Bienvenida, commonly referred to as the Migrant Resource Center, under contract with the city. The religious nonprofit is expected to exhaust its FEMA dollars by December. After August, the San Antonio Food Bank won't be able to provide meals to the center. Since 2021, more than 600,000 asylum seekers have passed through San Antonio after crossing the border, according to the city. Of the \$35.6 million that FEMA has allocated to San Antonio, the city has spent just over \$25 million, or about \$1.3 million per month to lease the facility, provide janitorial services and security, and transport asylum seekers to San Antonio International Airport. Since May, the city has staffed an Airport Transfer Center where migrants wait to be shuttled to the airport — an effort to alleviate overcrowding at the resource center, which can hold only 700 people indoors. The city has started reducing staff at both the resource and airport centers in an effort to cut costs. That might extend FEMA dollars for three months beyond September — at best, said Deputy City Manager María Villagómez. A potential backup plan would be to reallocate unused federal coronavirus relief dollars. Another option would be to pull from \$14 million the city has set aside in case the federal government doesn't reimburse it for costs stemming from the February 2021 freeze and the pandemic. As a last resort, the city could pay for migrant assistance out of the general fund budget, which is part of the city's overall \$3.7 billion budget, and which pays for basic city services.
- ❖ Source: <https://www.expressnews.com/news/article/migrant-resource-center-border-bill-18708307.php>

## **SENATE BILL 4 (SB 4)**

### **Biden administration asks Supreme Court to block Texas from arresting migrants under SB4 law**

*By Camilo Montoya-Galvez, CBS News, March 4, 2024*

- ❖ On March 4, the Biden administration asked the Supreme Court to block Texas from enforcing an immigration law known as SB4 that would allow state law enforcement officials to arrest migrants suspected of crossing into the U.S. without authorization. One of the most far-reaching state immigration laws in modern U.S. history, SB4 would empower Texas law enforcement officials to stop, jail and prosecute migrants on state criminal charges of illegal entry or reentry. It would also allow state judges to issue de facto deportation orders against suspected violators of the law. Last week, U.S. District Court Judge David Ezra granted a request from the Justice Department and the American Civil Liberties Union and temporarily blocked Texas state officials from enforcing SB4, which was set to take effect on Tuesday. He ruled that immigration arrests and deportations are federal responsibilities and rejected Texas' argument that the state is facing an "invasion" by migrants. But at Texas' request, the 5th Circuit Court of Appeals over the weekend suspended Ezra's order on administrative grounds while it hears the merits of an appeal. On Monday, after the Justice Department asked the Supreme Court to intervene, Justice Samuel Alito paused the 5th Circuit Court of Appeals' order through Wednesday, March 13, and gave Texas until the end of the business day next Monday to plead its case. If the Supreme Court sides with Texas, SB4 could take effect on March 13 at 5 p.m. ET.
- ❖ Source: <https://www.cbsnews.com/news/texas-sb4-immigration-law-supreme-court-biden/?ftag=CNM-00-10aac3a>

### **SCOTUS temporarily blocks Texas immigration law, reversing 5<sup>th</sup> Circuit ruling**

*By Uriel J. García and William Melhado, Texas Tribune, March 4, 2024*

- ❖ The U.S. Supreme Court temporarily halted a new state law on Monday evening [March 4] allowing Texas police to arrest people suspected of crossing the Texas-Mexico border illegally from going into effect. The nation's highest court stayed a decision from the 5th U.S. Circuit Court of Appeals that would have allowed police to enforce the law as soon as this Saturday. Last Saturday, the New Orleans-based appeals court reversed a lower court's ruling that had previously halted the new state law. The Supreme Court issued a temporary stay until March 13 while the court considers whether it will allow the state to enforce Senate Bill 4. The 5th Circuit ruling on March 2 came just a day after U.S. District Judge David Ezra in Austin blocked SB 4 from going into effect, saying the law "threatens the fundamental notion that the United States must regulate immigration with one voice. Gov. Greg Abbott signed SB 4 in December, marking Texas' latest attempt to try to deter people from crossing the Rio Grande after several years of historic numbers of migrants arriving at the Texas-Mexico border. SB 4 seeks to make illegally crossing the border a Class B misdemeanor, carrying a punishment of up to six months in jail. Repeat offenders could face a second-degree felony with a punishment of two to 20 years in prison. The law also requires state judges to order migrants returned to Mexico if they are convicted; local law enforcement would be responsible for transporting migrants to the border. A judge could drop the charges if a migrant agrees to return to Mexico voluntarily.
- ❖ Source: <https://www.texastribune.org/2024/03/04/texas-sb4-illegal-immigration-law-5th-circuit-court-ruling/>

## **A bid to turn the tide – Texas’ attempt to revamp immigration laws follows losses in high court**

*By Benjamin Wermund WASHINGTON BUREAU, March 7, 2024*

- ❖ Legal experts say it seems unlikely that the court would side with Texas on the deportation law, given how significant a departure it would be from current precedent. The law, known as Senate Bill 4, empowers any law enforcement officer in Texas to arrest migrants they suspect of entering the country illegally and allows judges to order their removal. A federal district judge in Austin last month blocked the law from taking effect, calling it “patently unconstitutional.” The conservative 5th U.S. Circuit Court of Appeals briefly set aside that ruling before the Supreme Court stepped in last week and put the temporary hold back in place. By allowing state and local officials to essentially take over immigration enforcement, SB4 would open the door to every other state deciding their own border enforcement rules, immigration experts said. And the new law would raise serious foreign relations concerns — a point the high court has stressed in past immigration rulings — as Texas authorities try to send asylum-seekers from all over the world across the border into Mexico. In 2022, the court ruled 5-4 against Texas and Missouri’s joint attempt to stop President Joe Biden from ending a Trump-era policy requiring asylum-seekers to wait in Mexico while their cases are decided. The next year, the court ruled 8-1 that Texas and Louisiana did not have standing to challenge Biden’s immigration enforcement priorities. Justice Samuel Alito was the lone dissenter. This year, Justice Amy Coney Barrett joined the majority in a 5-4 order allowing Border Patrol agents to cut razor wire the state strung up along the Rio Grande. The court did not explain the order or issue a final judgment on the ongoing dispute, but experts say it nonetheless is an indication of the state’s uphill battle.
- ❖ Source: <https://www.houstonchronicle.com/politics/texas/article/texas-immigration-deportation-supreme-court-18709763.php>

## **Supreme Court extends freeze on controversial Texas immigration law**

*By John Fritze and Devan Cole, CNN, March 12, 2024*

- ❖ The Supreme Court on Tuesday, March 12, extended a temporary freeze on the enforcement of Texas’ controversial immigration law that allows state law enforcement to arrest and detain people they suspect of entering the country illegally. Without action from the high court, the Texas law would have gone into effect Wednesday, March 13. Now, with the new administrative orders in place, its implementation will remain paused through Monday, March 18. Justice Samuel Alito issued the latest administrative holds, which will give the court additional time to review briefing in the case and do not necessarily signal which way the justices are leaning on the underlying request. The Biden administration and others filed an emergency application with the Supreme Court on March 4 asking the justices to block enforcement of the law. Senate Bill 4, signed into law by Texas Republican Gov. Greg Abbott in December, immediately raised concerns among immigration advocates of increased racial profiling as well as detentions and attempted deportations by state authorities in Texas, where Latinos represent 40% of the population. A federal judge in Austin, Texas, had blocked the state government from implementing the law. But a federal appeals court granted a temporary stay of the lower court’s decision and said it would take effect on March 10 if the Supreme Court didn’t act.
- ❖ Source: <https://www.cnn.com/2024/03/12/politics/texas-sb4-immigration-supreme-court/index.html>

## **BORDER RELATED NEWS**

### **New Braunfels company to build 80-acre base camp for Texas National Guard members assigned to border**

*By Madison Iszler, San Antonio Express-News, February 27, 2024*

- ❖ Texas will pay a New Braunfels-based company about \$171 million to build an 80-acre “base camp” in Eagle Pass for troops dispatched to that area — across the Rio Grande from Mexico — as part of Gov. Greg Abbott’s controversial Operation Lone Star border security initiative. The company, Team Housing Solutions, won the contract from the Texas Military Department to build a camp Abbott has said will house from 1,800 to 2,300 members of the Texas National Guard. It will be southeast of Shelby Park near the Eagle Pass National Bridge. It will include individual rooms starting at 118 square feet, a 700-seat dining facility, a recreation center and medical and psychological health facilities. It will be run by the Military Department, which oversees Texas guard units. The camp is expected to house 1,800 guard members by late October with more rooms to be built if the deployment increases, according to the proposal.
- ❖ Source: <https://www.expressnews.com/business/real-estate/article/new-braunfels-base-camp-border-contract-eagle-pass-18690801.php>

## **Biden Barred From Redirecting \$1.4 Billion in Trump Wall Funds**

*By Ryan Autullo, Bloomberg Law, March 11, 2024*

- ❖ The Biden administration can't redirect \$1.4 billion that Congress allocated for the construction of a wall at the Mexican border, a Trump-appointed federal judge said, handing a win to Texas in the state's deepening feud with the federal government on immigration. US District Judge Drew Tipton of the Southern District of Texas on Friday, March 8, temporarily blocked the administration from spending the money on alternative border enforcement measure, holding that it can be spent only on a barrier system. The US Homeland Security Department's spending decisions "run afoul" of the Administrative Procedure Act, Tipton said, rejecting an argument from the federal government that it has spending discretion and that such decisions are exempt from review under the APA. After taking office in 2021, Biden ordered a pause on the construction of Trump's border wall pending a review of a new border plan. The money was shifted to other border projects that were in various stages of completion, including environmental remediation, flood-control, and cleanup efforts. The redirection of funds drew two lawsuits from Texas: one from the General Land Office, the other coming from the state and joined by Missouri. After the cases were consolidated, a district judge ruled against Texas, dismissing the claims. But in June 2023 that decision was reversed by the Fifth Circuit Court of Appeals, which remanded the case to Tipton to consider Texas' preliminary injunction motion. In order to prevail at this stage, Texas had to show if the funds weren't spend on additional border walls that it would incur unrecoverable costs, and that the barriers, if built, would result in fewer undocumented immigrants entering the country. "Texas has done so," Tipton said.
- ❖ Source: <https://news.bloomberglaw.com/litigation/biden-barred-from-redirecting-1-4-billion-in-trump-wall-funds>

## **ASYLUM SEEKERS**

### **Migrants in Mexico have used CBP One app 64 million times to request entry into U.S.**

*By Camilo Montoya-Galvez, CBS News, February 12, 2024*

- ❖ Migrants in Mexico have made more than 64.3 million requests to enter the U.S. using a phone app, known as CBP One. So far, nearly 450,000 migrants have been allowed into the U.S. under the process, the documents show.
- ❖ Source: <https://www.cbsnews.com/news/immigration-cbp-one-app-migrants-mexico-64-million/?ftag=CNM-00-10aac3a>

### **With San Diego migrant center closing, Border Patrol drop-offs likely to resume at transit stations**

*By Alexandra Mendoza, San Diego Tribune-Union, February 22, 2024*

- ❖ The migrant welcome center that has been serving the rising number people arriving in San Diego County from the border is slated to close by the end of the day [February 22], and leaders estimate it would take \$1.5 million per month to continue to operate it. The \$6 million in county funds — \$1 million per month — that have already been doled out to support arriving migrants and operate the center ran out earlier than anticipated. County Board of Supervisors Chair Nora Vargas said that she's written to President Joe Biden and local philanthropic groups for help. San Diego nonprofits are now scrambling to figure out how to help hundreds of migrants expected to be released by Border Patrol at local transit stations starting Friday, February 23.
- ❖ Source: <https://www.sandiegouniontribune.com/news/immigration/story/2024-02-22/county-shelter>

### **Why New York's Plan to Give Migrants Debit Cards Came Under Fire**

*By Emma G. Fitzsimmons, New York Times, February 23, 2024*

- ❖ The city is planning to give prepaid debit cards to 500 migrant families with children to help them pay for food and baby supplies as part of a pilot program. The cards can only be used at supermarkets, bodegas, grocery stores and convenience stores. City officials said the cards would be loaded once a month, with each person receiving about \$12 per day; for a family of four, that would be roughly \$1,440 per month. The cards will initially go to families who have received a 28-day voucher to stay at a designated group of hotels. If the program is successful, it will expand to more families, with the contract's costs rising to as much as \$53 million. About \$2 million could go to the financial services provider overseeing the program, while the rest would go to families, city officials said. Under the city's contract with the provider, Mobility Capital Finance, a card can hold no more than \$10,000, in order to minimize security and fraud risks, but city officials said there was no reason a card would reach that threshold. No debit cards have been distributed yet, but the program could start soon. The plan received significant attention on Fox News, where Gov. Greg Abbott of Texas said the idea was "insanity" at a time when migrants were being accused of committing crimes. Then a front-page opinion column in The New York Post this week labeled the plan a "debit card boondoggle," incorrectly suggesting that migrants would receive "up to \$10,000 each in taxpayer money" in an "open-ended, multibillion-dollar Bermuda Triangle of disappearing, untraceable cash used for any purpose."
- ❖ Source: [https://www.nytimes.com/2024/02/23/nyregion/migrants-debit-cardsadams.html?unlocked\\_article\\_code=1.Y00.9yNd.OL0keryJah2L&smid=url-share](https://www.nytimes.com/2024/02/23/nyregion/migrants-debit-cardsadams.html?unlocked_article_code=1.Y00.9yNd.OL0keryJah2L&smid=url-share)

### **GOP lawmakers push to end New York's 'sanctuary status'**

*By Alex Gault, The Daily News, February 2024*

- ❖ New York's Republican legislators want to end New York's status as a "sanctuary state" and put an end to the laws and rules that prevent state agencies and law enforcement from working with federal immigration authorities. Republican members of the Senate and Assembly stood in Albany on Tuesday and rallied behind a bill that would end the prohibition on cooperation between state courts and law enforcement with federal immigration authorities. Under current state law, federal authorities are barred from apprehending immigrants at state courthouses, and state law enforcement officials are blocked from cooperating with federal immigration authorities in enforcing federal immigration laws. It's been that way since 2017, when then-Gov. Andrew M. Cuomo signed an executive action aimed at protecting undocumented immigrants who serve as witnesses in state court cases. That order barred state officers or employees from inquiring about immigration status in most cases where that information isn't directly necessary, and barred state officials from disclosing information to federal immigration authorities for the purposes of immigration enforcement.
- ❖ Source: [https://www.thedailynewsonline.com/news/gop-lawmakers-push-to-end-new-yorks-sanctuarystatus/article\\_d0cdf2cc-cc35-11ee-8257-0f3f157dcffc.html](https://www.thedailynewsonline.com/news/gop-lawmakers-push-to-end-new-yorks-sanctuarystatus/article_d0cdf2cc-cc35-11ee-8257-0f3f157dcffc.html)

### **Drownings at US-Mexico border up 3,200% since Trump raised wall**

*By Dani Anguiano, The Guardian, March 8, 2024*

- ❖ Thirty-three people attempting to cross the US border drowned in the Pacific Ocean near San Diego after the Trump administration nearly doubled the height of the walls along the southern border, a staggering increase from previous years. The number of drownings rose by 3,200% from 2020 to 2023, compared to 2016 to 2019, when just one person drowned, according to a study published this week. By 2019 the Trump administration had elevated the barriers around San Diego from 17ft to 30ft. Last year, doctors in San Diego saw more than 400 patients who had been seriously injured at the border wall, a significant increase from 2022. Nearly all of the injuries occurred from people falling off the wall onto the US side of the border.
- ❖ Source: [https://www.theguardian.com/us-news/2024/mar/08/drowning-deaths-mexico-border-wall-trump?CMP=oth\\_b-aplnews\\_d-1](https://www.theguardian.com/us-news/2024/mar/08/drowning-deaths-mexico-border-wall-trump?CMP=oth_b-aplnews_d-1)

### **U.S. judge rejects GOP lawsuit that tried to stop Biden from paroling in migrants**

*By Maria Sacchetti, Washington Post, March 8, 2024*

- ❖ The Biden administration won a major legal victory Friday, March 8, in its effort to reduce illegal immigration at the southern border, when a federal judge in Texas ruled the government may continue a program that accepts 360,000 migrants a year from Venezuela, Cuba, Nicaragua and Haiti. U.S. District Judge Drew Tipton, who has ruled against other Biden administration immigration policies, said Republican opponents of the program, known as parole, for those countries failed to prove that their states were being harmed by it. The parole expansion is a key part of President Biden's border policy at a time of surging border crossings and a reelection campaign where immigration and border policies are front and center. "The Court finds that Plaintiffs have not proven that Texas has suffered an injury and therefore do not have standing to maintain this suit," Tipton, a Trump appointee in the southern district of Texas, wrote in a 31-page ruling dismissing the case.
- ❖ Source: <https://wapo.st/3VKE2v7>

### **Judge blocks tighter Washington state oversight of immigration detention center**

*By Jonathan Stempel, Reuters, March 11, 2024*

- ❖ A federal judge blocked Washington state from enforcing most of a law intended to boost oversight and improve living conditions at the state's only privately run, for-profit immigration detention facility. Friday's [March 8] preliminary injunction issued by U.S. District Judge Benjamin Settle will benefit Geo Group, opens new tab, the owner of the Northwest Immigration and Customs Enforcement (ICE) Processing Center in Tacoma. The center has about 1,575 beds, and is among the largest such facilities in the country. Washington's law required operators of private detention facilities to regularly clean and sanitize living areas; provide detainees with personal hygiene items such as soap, toothbrushes and toothpaste at no cost; and offer nutritious, balanced diets. The law also let state officials conduct unannounced inspections, gave detainees a right to sue over conditions, and provided for civil fines of \$1,000 per violation per day. Geo sued Governor Jay Inslee and state Attorney General Bob Ferguson last July, two months after the law took effect, claiming it was being singled out while Washington spared state-run facilities of tighter oversight. In a 64-page decision, Settle said the law "impermissibly discriminates against Geo" by imposing greater requirements on federal contractors such as the Boca Raton, Florida-based company, than on similarly situated state constituents. Despite's Washington interest in protecting public health and safety, "the court will not permit the state to enforce unconstitutional laws so that it can seek to address the public policy concerns that gave rise to those laws," Settle wrote.
- ❖ Source: <https://www.reuters.com/legal/judge-blocks-tighter-washington-state-oversight-immigration-detention-center-2024-03-10/>

## DEVELOPING STORIES

### Border life goes on despite bill failure and threat to 'shut it down'

By Lauren Villagran, USA TODAY, February 14, 2024

- ❖ Last year, Mexico became the United States' top trading partner, eclipsing China. The U.S. did \$798.8 billion in trade with Mexico – the most ever with any single nation in a single year, according to Forbes. One minute of delay on the border is equivalent to \$778,000 lost in the U.S. economy.
- ❖ Source: <https://www.usatoday.com/story/news/politics/elections/2024/02/13/border-security-rhetoric-affects-communities/72401347007/>

### Arizona bill would make shooting and killing migrants on property legal

By Suzanne Gamboa, NBC News, February 29, 2024

- ❖ Under a bill advancing in the Arizona Legislature, a property owner would be able to kill or threaten to kill people who cross their property to illegally enter the U.S. Although the bill does not mention immigrants, its sponsor, Republican Rep. Justin Heap, said in a committee hearing that his bill was intended to close a loophole to assist ranchers who may witness someone trespassing any section of their land, not just within a mile of their home. The bill would modify the state's existing Castle Doctrine, which allows home and property owners to threaten to use deadly force to stop someone from criminally trespassing into or on their property. They can use deadly force only to defend themselves or another person. The law considers property to be structures for residency, occupied or not. It comes as an Arizona rancher, George Kelly, faces trial next month on second-degree murder charges in the January 2023 shooting death of Gabriel Cuen-Butimea, who had entered the country illegally and was found dead on Kelly's property. Kelly has pleaded not guilty and said he only fired warning shots.
- ❖ Source: <https://www.nbcnews.com/news/latino/arizona-bill-shoot-kill-migrants-property-trespass-border-rcna141147>

### Biden's proposed budget includes \$4.7 billion emergency fund for border migrant surges

By Julia Ainsley, NBC News, March 11, 2024

- ❖ President Joe Biden's budget proposal for 2025 includes a \$4.7 billion emergency fund for border security to enable the Department of Homeland Security to ramp up operations in the event of a migrant surge, according to a portion of the budget reviewed by NBC News. The contingency fund would let DHS tap into funds on an as-needed basis when the number of undocumented migrants crossing the southern border tops a certain threshold that is unspecified in the budget. If the money is not used to address a surge, the money would be transferred to the general funds of Customs and Border Protection (CBP), Immigration and Customs Enforcement (ICE) and the Federal Emergency Management Agency (FEMA). The request is likely to fall on deaf ears among congressional Republicans, who have already refused to fund \$13.6 billion the Biden administration asked for in an emergency supplemental request aimed at responding to a record high number of migrants crossing the border. NBC News first reported that ICE will have to start cutting key operations by May if Congress does not help cover a \$500 million budget gap.
- ❖ Source: <https://www.nbcnews.com/politics/immigration/biden-budget-billions-emergency-fund-border-migrant-surge-rcna142729>

### The Fiscal Impact of Refugees and Asylees at the Federal, State, and Local Levels from 2005-2019

By Robin Ghertner, Suzanne Macartney and Meredith Dost, Office of the Assistant Secretary for Planning and Evaluation – U.S. Department of Health and Human Services, February 15, 2024

- ❖ A study by the Department of Health and Human Services (HHS) released on February 15 showed that refugees and asylum-seekers admitted to the United States from 2005-2019 generated a net \$124 billion to the budgets of the federal government and state and local governments. According to the study, a net \$31.5 billion was added to the federal budget, while a net \$92.5 billion was added to state and local government budgets. In total, refugees and asylees paid \$363 billion to the federal government and \$218 billion to state and local governments through federal, state, and local taxes. Federal, state, and local governments paid \$457.2 billion to the populations during that time period.
- ❖ Source: <https://aspe.hhs.gov/reports/fiscal-impact-refugees-asylees>

### Migrant crossings along the southern border increase as officials prepare for larger spike

By Camilo Montoya-Galvez, CBS News, March 5, 2024

- ❖ Border Patrol agents recorded approximately 140,000 migrant apprehensions between official ports of entry along the U.S.-Mexico border in February. The number of migrant crossings has increased further in March, preliminary figures show. On some days this past week, U.S. border officials processed more than 7,000 migrants in 24 hours.
- ❖ Source: <https://www.cbsnews.com/news/us-mexico-border-migrant-crossings-increase-texas-spring-spike/>



## How Texas is challenging the Biden administration on border policy

By *Arelis Hernández, Nick Miroff, Maria Sacchetti and Ann Marimow, Washington Post, March 12, 2024*

- ❖ **Operation Lone Star:** The initiative was launched in March 2021, when Abbott declared an emergency disaster over illegal migration and cartel drug trafficking. That gave him the authority to deploy thousands of National Guard soldiers and state troopers to the border. State and local law enforcement officers have been empowered to jail migrants on trespassing charges. Funds have been used to build a section of border wall. The Texas legislature has supported the operation by increasing penalties for smuggling and authorizing local police to take on immigration enforcement.
- ❖ **S.B. 4 (arresting and deporting migrants):** Texas last year passed Senate Bill 4, which takes the extraordinary step of making it a state crime for migrants to cross the U.S.-Mexico border into Texas without legal documentation and authorizing Texas to deport undocumented individuals. But a trial judge put it on hold in late February, saying it probably violates the constitutional requirement that the federal government, not the states, regulate immigration and the border. The conservative U.S. Court of Appeals for the 5th Circuit blocked the judge's decision and said the law could take effect while the litigation continues unless the Supreme Court intervened. The high court then temporarily reimposed the pause, and it could rule soon on whether the law will remain on hold until the appeal is decided.
- ❖ **Eagle Pass:** The rural border city of Eagle Pass has become the epicenter of the state's aggressive border security stand in defiance of the federal government. Since 2021, it has seen a significant uptick in migration across its relatively shallow section of the Rio Grande. In response, the governor has taken measures to discourage migrants. First troops unspooled razor wire and deployed river buoys (more on that below). Then, in January, the Texas National Guard took over a municipal park, blocking border agents from the riverfront. Authorities from other Republican states have sent troops to help patrol. Plans are also in the works to create an 80-acre operating base.
- ❖ **Wire barriers in the Rio Grande:** Abbott last year lined the banks of the Rio Grande near Eagle Pass with razor wire to try to block illegal entries from Mexico. The federal government says the sharp barriers have maimed and bloodied migrants at several locations and pose a hazard to U.S. Border Patrol agents, while also preventing them from reaching migrants who have already entered U.S. territory. Under U.S. immigration law, anyone who reaches U.S. soil has the right to seek asylum here. Texas sued the Biden administration to prevent border agents from removing or cutting the wire barriers, and a District Court judge sided with Texas, finding that the barriers limit illegal crossings, which impose costs on the state. But the lower court denied the state's request to block Border Patrol agents from accessing the international border or disturbing the barrier while the litigation continued. Texas appealed that ruling to the 5th Circuit, which issued a temporary order prohibiting Border Patrol agents from cutting, damaging or moving the barriers. The Supreme Court, however, sided with the Biden administration, saying border agents may remove the barriers as needed until their legality is resolved in court.
- ❖ **Sending migrants north:** The Texas governor's decision to bus thousands of migrants north to Democratically led cities like New York, Washington and Chicago is perhaps his most nationally visible border initiative. Since April 2022, Texas has bused more than 100,000 migrants to at least six cities, according to the governor's office. Initially, organizations that help migrants welcomed the free rides. Most migrants released from U.S. Border Patrol custody do not plan to stay in Texas border communities.
- ❖ Source: <https://wapo.st/3TBhnte>

## Laken Riley's death made the news, but here's the real story on undocumented migrants

By *Alex Nowrasteh, USA Today, March 19, 2024*

- ❖ According to my latest research, undocumented migrants in Texas were about 26% less likely to be convicted of homicide than native-born Americans over the decade of 2013-22. Legal immigrants were about 61% less likely. The homicide conviction rate averaged 2.2 per 100,000 undocumented migrants over those 10 years, compared with 3.0 for native-born Americans. Those who came here illegally committed about 6% of all murders for which there were convictions, compared with 90% committed by native-born Americans. At the same time, undocumented migrants were 7.4% of Texas' population and native-born Americans were 82%. Most who entered Texas illegally are from Latin America and the Caribbean. Compared with the entire region, they have a criminal conviction rate of about 6.5 times lower. Even if we assume that the real rate of murders by undocumented immigrants is 50% higher than the conviction rate, they'd still have a lower homicide rate than native-born Americans convicted of homicide in Texas and substantially below those in Latin America and the Caribbean. Suppose you think there's a lower illegal immigration population in Texas than I estimate. In that case, the rate of that population's homicide convictions will be slightly higher but still below that of native-born Americans. Regardless of the measures, legal immigrants have the lowest homicide conviction rate of all.
- ❖ Source: <https://www.usatoday.com/story/opinion/2024/03/19/laken-riley-murder-illegal-immigration-migrants-homicides/72992181007/>

## NYC mayor pushes for national migrant strategy amid asylum-seeker influx

By Kiara Alfonseca, ABC News, March 19, 2024

- ❖ The 'decompression strategy': The proposed strategy is one that has long been acknowledged by immigration scholars and researchers, according to Muzaffar Chishti, a senior fellow at the Migrant Policy Institute (MPI) and director of the MPI office at NYU School of Law. He said the strategy to process asylum-seeking migrants would be akin to the refugee resettlement programs in place throughout the country. "We take refugees from abroad, they come in and we -- the federal government -- decide where they're going to settle," said Chishti. "The federal government should decide where they go -- not [Texas Gov. Greg] Abbott, not buses. And the federal government should make the decision based on: do they have any family they can live with, because family first. If they don't have family, then we send them to the parts of the country where there is need for workers and where the housing is cheap -- not cheap, but inexpensive." Chishti then suggested that states who accept asylum-seekers could be compensated by the federal government, as to not face any fiscal hardship and to incentivize communities. In a Sept. 8 statement, White House Press Secretary Karine Jean-Pierre said "only Congress can really reform." She continued, "You hear us say that all the time: this broken system that has broke — been broken for the past couple of decades, this immigration system — and so, we — that — that could provide additional assistance. The President has done all that he can from his perch, but we need more, and we need Congress to act." According to the International Rescue Committee, refugees are often placed in cities where they already have relatives or friends, or where an established community shares their language or culture to make for an easier transition toward stability -- however, refugees are given final choice in where they resettle. Cost of living and access to health care are also taken into consideration. "We have to accept that this is not a Texas versus New York problem or rural vs. urban problem -- this is a national problem," said Chishti. However, other immigration experts warn that migrants who have been bused from states like Texas to New York City and Chicago have reported poor or unsafe conditions while being transported. "We have reports of people having to go hours -- up to eight hours -- on buses with no air conditioning and no bathroom during the summer," said Galaz.
- ❖ Source: <https://abcnews.go.com/amp/US/nyc-mayor-eric-adams-advocates-national-migrant-strategy/story?id=108077325>

## Mexico's president says Trump won't build border wall: 'It doesn't work'

By Miranda Nazzaro, The Hill, March 25, 2024

- ❖ Mexican President Andrés Manuel López Obrador says he doesn't believe former President Trump would follow through on his pledge to build a wall at the U.S.-Mexico border because of the two countries' economic ties. "Because we understood each other very well. We signed an economic, a commercial agreement that has been favorable for both peoples, for both nations. He knows it. And President Biden, the same," he said in an interview released by CBS News's "60 Minutes."
- ❖ Source: <https://thehill.com/policy/international/4553975-mexicos-president-says-trump-wont-build-border-wall-it-doesnt-work/>

## Feds step in to bail out San Antonio's Migrant Resource Center

By Molly Smith, San Antonio Express-News, March 25, 2024

- ❖ San Antonio's Migrant Resource Center, which had been in danger of running out of money next fall, got a lifeline when President Joe Biden on Saturday [March 23] signed a \$1.2 trillion funding package passed by Congress. The bill, which averted a partial government shutdown, opened up millions of dollars for San Antonio for migrant assistance. That could help the city keep the Centro de Bienvenida, commonly referred to as the Migrant Resource Center, open beyond September. Earlier this month, after Senate Republicans blocked a bipartisan border deal that included migrant assistance for cities, San Antonio officials said they only had enough Federal Emergency Management Agency funds to cover their costs of running the facility through September. The funding package approved this weekend includes \$650 million for FEMA's Shelter and Services Program for fiscal year 2024, which runs through September. That's down \$150 million from what Congress allocated for the previous year. Catholic Charities of San Antonio handles the day-to-day operations of the Migrant Resource Center under a contract with the city. The center opened in summer 2022, and the city pays for its lease and security and janitorial costs. The city also transports asylum-seekers from the San Pedro Avenue site to San Antonio International Airport or the city-run Airport Transfer Center, which opened last May as a temporary waiting area to alleviate overcrowding at the Migrant Resource Center. The facility has room for 700 people. Since January 2021, more than 605,000 asylum-seekers have passed through San Antonio after crossing the border. This month alone, 3,681 people have sought assistance or temporary shelter at the Migrant Resource Center.
- ❖ Source: [https://www.expressnews.com/news/article/federal-spending-package-migrant-assistance-19367204.php?utm\\_content=hed&sid=5b0234e724c17c5e3d919320&ss=A&st\\_rid=8c2c24df-19f7-4f67-8806-52c846c1ab48&utm\\_source=newsletter&utm\\_medium=email&utm\\_term=headlines&utm\\_campaign=SAEN\\_210R\\_eport](https://www.expressnews.com/news/article/federal-spending-package-migrant-assistance-19367204.php?utm_content=hed&sid=5b0234e724c17c5e3d919320&ss=A&st_rid=8c2c24df-19f7-4f67-8806-52c846c1ab48&utm_source=newsletter&utm_medium=email&utm_term=headlines&utm_campaign=SAEN_210R_eport)

## Texas and the feds are at odds over the state's new immigration enforcement law. Here's what it would do.

By María Méndez, *Texas Tribune*, March 18, 2024

- ❖ **What is Senate Bill 4?** This new law would make it a state crime to cross the Texas-Mexico border between ports of entry. If a police officer has probable cause to believe a person illegally crossed the Rio Grande, that person could be charged with a Class B misdemeanor, which carries a punishment of up to six months in jail. For subsequent offenses, the person could be charged with a second-degree felony and face up to 20 years in prison. If the migrant is convicted and has served their sentence, a judge would be required to order police to transport them to a port of entry. A judge could drop the charges if a migrant agrees to return to Mexico, and police could turn over migrant families to Border Patrol agents to avoid separating children from their parents instead of arresting them.
- ❖ **Is the law being enforced?** For now, the law is blocked from going into effect amid an ongoing lawsuit brought forward by immigrant rights advocates and the federal government. The U.S. Supreme Court on March 18 issued an order that temporarily blocks the law until justices decide whether Texas should be allowed to enforce it before federal court challenges are resolved. Justice Samuel Alito did not put a deadline on the temporary order blocking the law and did not indicate when the high court would decide whether to keep the law from being enforced during ongoing litigation.
- ❖ **Could any undocumented immigrant be arrested?** The bill allows police to question and arrest anyone they believe entered Texas through Mexico illegally and is currently without legal immigration status. However, the author of the law has said it is meant to target people who recently crossed the border, not undocumented immigrants who have been living in Texas for years. Texas' statute of limitations blocks legal proceedings for misdemeanors two years after an offense has occurred. The statute of limitations is three years for many felonies. SB 4 prohibits police from arresting migrants in public or private schools; churches and other places of worship; health care facilities; and facilities that provide forensic medical examinations to sexual assault survivors. The bill doesn't prohibit arrests on college or university campuses.
- ❖ **Why is the law being challenged?** Immigration advocacy organizations and the Department of Justice say the law encroaches on the federal government's sole authority over immigration and will lead to racial profiling by police. Texas officials have argued the state needs to step in because the federal government isn't doing enough to stop illegal immigration.
- ❖ **Can Texas enforce immigration laws?** Federal courts, including the U.S. Supreme Court, have previously ruled that immigration laws can only be enforced by the federal government. Texas has argued the law follows federal immigration laws, and that the state has a right to defend itself under Article I, Section 10 of the U.S. Constitution, which prohibits states from engaging in war on their own "unless actually invaded." A federal judge who blocked the law in February said he didn't see evidence of a war in Texas and that the federal government would "suffer irreparable harm" under the law because it could inspire other states to pass their own immigration laws.
- ❖ **How could this affect asylum seekers?** Anyone who enters the U.S., legally or illegally, has up to one year to request asylum. The federal government is asking migrants to not show up at a port of entry and instead make an appointment to meet with an immigration officer. But available appointments fill quickly and many migrants opt to cross the border away from ports of entry and surrender to U.S. authorities. Under SB 4, if Texas police arrest a migrant before they surrender to Border Patrol, immigrants who apply for asylum and are researched by federal agents for criminal histories could be subject to removal from the United States if charged with the new state crime.
- ❖ **Where can I find more information?** Consulates in the U.S. for countries like Mexico could provide their citizens with more information. Immigrant rights groups.
- ❖ Source: <https://www.texastribune.org/2024/03/18/texas-sb-4-immigration-arrest-law/>

## Texas governor predicted donations would pay for busing migrants out of state. He's collected less than 1% of that cost

By Blake Ellis, Melanie Hicken, Kyung Lah and Allison Gordon, *CNN*, March 15, 2024

- ❖ Nearly two years of fundraising to offset the busing program's costs, Abbott's operation has collected less than half of 1% of the roughly \$150 million spent on busing migrants to sanctuary cities, according to a review of state records. And CNN found that the largest donation – \$900,000 – never made it into the state's coffers, either because it was a mistake or a prank. Records show that at most, around \$550,000 has been raised to date. After the \$900,000 contribution was submitted online in September, the website showed that donations had reached more than \$1.3 million, but in December, the tally was readjusted – dropping back down to around \$460,000. Since the busing program started, Texas taxpayers have largely footed the bill. The governor's office says it has transported more than 100,000 migrants from Texas to sanctuary cities around the nation, including New York City, Chicago, Washington, DC and Denver. Given the payments made to private contractors so far as detailed in public records, this means it has cost about \$1,500 to move each migrant out of the state.
- ❖ Source: <https://www.cnn.com/2024/03/15/politics/texas-busing-migrants-donations-invs/index.html>

## **LATEST NEWS – SENATE BILL 4 (SB4)**

### **Supreme Court delays Texas deportation law for a second time**

*By Benjamin Wermund, Washington Bureau, March 18, 2024*

- ❖ The Supreme Court on Monday [March 19] indefinitely delayed a Texas law that would empower state authorities to arrest and deport migrants, an effort by Republican legislators to give the state immigration enforcement powers long left solely to the federal government. For the second time, Justice Samuel Alito extended a stay halting the law, known as Senate Bill 4. The order was released minutes after a 4 p.m. CDT deadline, prompting initial confusion over whether the court decided to let the law stand. Alito offered no explanation in the single-page order and did not set a deadline on the latest extension, blocking the law indefinitely while a longer legal battle plays out over its constitutionality. The law would make it a crime to enter the state from Mexico without permission, and it would allow any law enforcement officer in Texas to arrest migrants they suspect of entering illegally and empower judges to order their removal.
- ❖ Source: <https://www.expressnews.com/politics/texas/article/supreme-court-migrant-deportations-19075948.php>

### **Texas can begin arresting and deporting migrants after Supreme Court declines to delay new state law**

*By Benjamin Wermund, Washington Bureau, March 19, 2024*

- ❖ Texas officials can begin arresting and deporting migrants after the U.S. Supreme Court declined to further delay a new state law that seizes immigration enforcement authority long left to the federal government. After twice delaying the law, known as Senate Bill 4, the high court issued an order Tuesday declining to take further action as a legal battle over the law's constitutionality plays out in lower courts. The order, issued essentially on procedural grounds, clears the way for authorities to begin arresting those they believe entered the state from Mexico without permission — at least for now. Justice Amy Coney Barrett wrote that the case is in a “very unusual procedural posture.” She noted the conservative 5th Circuit Court of Appeals has sped up consideration of the case, but has yet to issue a formal decision in the case. Arguments are scheduled before the appeals court in April. “If a decision does not issue soon, the applicants may return to this Court,” Barrett wrote. Just hours later, the conservative appeals court bumped up the oral arguments to Wednesday morning [March 20], set to take place via Zoom. The law, originally set to take effect on March 5, turns longstanding immigration enforcement on its head by granting the state the powers that have long been left solely with the federal government. It makes it a crime to enter the state from Mexico without permission, allowing any law enforcement officer in Texas to arrest migrants they suspect of entering illegally and empower judges to order their removal.
- ❖ Source: <https://www.expressnews.com/politics/texas/article/supreme-court-migrant-deportation-law-19260650.php>

### **Texas is now allowed to arrest and deport migrants. The rollout could be chaotic, experts say**

*By Benjamin Wermund, Washington Bureau, March 19, 2024*

- ❖ Shortly after the U.S. Supreme Court on Tuesday [March 19] said Texas could begin sending migrants back across the border under an unprecedented new state law, a top Mexican official said the country would not accept them. The response was an early sign of the confusion as law enforcement officials in Texas begin rolling out the new law, according to experts. Known as Senate Bill 4, the law makes it a crime to enter the state from Mexico illegally, and it directs judges to issue return orders for those convicted.
- ❖ Source: <https://www.expressnews.com/politics/texas/article/sb4-texas-deportation-how-it-works-19267686.php>

### **Appeals court blocks Texas migrant law hours after Supreme Court lets it take effect**

*By Benjamin Wermund, Taylor Goldenstein, San Antonio Express-News, March 19, 2024*

- ❖ A federal appeals court late Tuesday [March 19] blocked an unprecedented Texas law that empowers state officials to arrest and deport migrants — several hours after the Supreme Court had allowed it to go into effect. The high court said it could not rule on the Texas law without the 5th Circuit Court of Appeals making the first move. Hours later, the conservative-leaning appeals court scheduled impromptu oral arguments for Wednesday morning [March 20], set to take place via Zoom. Around 10 p.m., a three-judge panel on the 5th Circuit issued a brief order that effectively blocks the law, with no explanation. The judges on the panel are different from those who had briefly blocked the law earlier this month, but said it should be allowed to take effect while a larger court battle played out. Included on the latest panel is Andrew Oldham, former general counsel to Gov. Greg Abbott, who has championed the law, known as Senate Bill 4. The ruling left the fate of the law uncertain once again, after a rollercoaster of court rulings in recent days. SB 4 was technically in place for a few minutes on Monday [March 18], and then again for close to nine hours on Tuesday [March 19].
- ❖ Source: <https://www.expressnews.com/politics/texas/article/scotus-sb4-appeals-migrants-court-19269730.php>

## **Border Enforcement in Disarray as Courts Debate Texas' Power to Arrest, Deport Immigrants**

*By Jess Bravin and Elizabeth Findell, Wall Street Journal, March 20, 2024*

- ❖ The immigration rules governing the southern U.S. border seesawed dramatically Tuesday [March 19] when the Supreme Court allowed Texas to begin arresting and deporting noncitizens on its own—only for another court to step in hours later and block any such state efforts for now. The rapidly shifting landscape comes thanks to a legal showdown between Texas and the Biden administration, which argues that states can't interfere with federal authority over the border. In the afternoon, the Supreme Court declined to block a Texas law known as SB 4, which makes illegal border crossing a state crime and allows state officials to conduct arrests and deportations. The measure had been on hold as the high court weighed the federal government's request to halt implementation during ongoing litigation. A federal district judge had enjoined the law after it was challenged by the Biden administration and immigrant-rights groups, but the Fifth U.S. Circuit Court of Appeals, in New Orleans, issued a temporary order that allowed SB 4 to go into effect. The Supreme Court's action, which split the justices along ideological lines, wasn't a final decision on the law's constitutionality. Then Tuesday night, a Fifth Circuit panel voted 2-1 to issue a new order blocking state enforcement again, with a court hearing set for Wednesday [March 20].
- ❖ Source: [https://www.wsj.com/us-news/law/supreme-court-ruling-deportation-texas-sb4-f8328b6d?st=x7y01dxhez5ixb5&reflink=desktopwebshare\\_permalink](https://www.wsj.com/us-news/law/supreme-court-ruling-deportation-texas-sb4-f8328b6d?st=x7y01dxhez5ixb5&reflink=desktopwebshare_permalink)

## **Appeals court raises doubts of legality of new Texas deportation law, SB4, pointing to past rulings**

*By Benjamin Wermund, Washington Bureau, March 20, 2024*

- ❖ The chief judge on an appeals panel weighing whether to block a Texas' new migrant deportation law appeared skeptical that it does not run afoul of longstanding precedent leaving immigration enforcement solely to the federal government. Questioning the state's solicitor general, Priscilla Richman, the chief judge on the 5th Circuit Court of Appeals, read from a landmark Supreme Court decision from 2012 that held only the federal government has the power to enforce immigration laws. In that case, the high court struck down portions of an Arizona law that authorized police to arrest anyone suspected of being in the country illegally. "Decisions of this nature touch on foreign relations and must be made with one voice," Richman said, reading from the ruling. "It goes on and on and on," she continued. "It talks about the discretion — even if they're here unlawfully, the United States can decide not to remove them. "It seems to me this statute washes that away," Richman said of the new state law, known as Senate Bill 4, The exchange came during a last-minute hearing before the 5th Circuit Court of Appeals, which quickly sprung to action after the U.S. Supreme Court declined to further delay SB4, allowing it to briefly take effect Tuesday afternoon [March 19]. The Supreme Court said it could not take further action until after the 5th Circuit made the first move.
- ❖ Source: <https://www.expressnews.com/politics/texas/article/sb4-deportation-law-fifth-circuit-19310614.php>

## **Greg Abbott vows to continue migrant crackdowns even with Texas' deportation law SB4 paused**

*By Benjamin Wermund, Washington Bureau, March 20, 2024*

- ❖ In his first public appearance since Texas' migrant deportation law briefly took effect Tuesday [March 19], Gov. Greg Abbott did not say whether the state took steps to enforce the law during the roughly nine-hour window it was in place. The governor focused on the back-and-forth court rulings in recent days and said that while the law is blocked again the state would continue to arrest migrants on trespassing and other charges. The U.S. Supreme Court let Senate Bill 4 take effect Tuesday afternoon, pushing a decision to the 5th Circuit Court of Appeals, which halted enforcement nine hours later. The appeals court heard snap arguments in the case Wednesday morning. "Like watching a tennis match, the ball goes back and forth across the net constantly," Abbott said during a previously scheduled keynote speech at the Texas Public Policy Foundation's annual policy summit in Austin. "Know this: What they have stayed is the Texas enforcement of SB4," Abbott said, referencing the 5th Circuit order blocking the law. "But even without SB4, Texas has the legal authority to arrest people coming across the razor-wired barriers on our border, and we will continue to use our arrest authority and arrest people coming across the border illegally."
- ❖ Source: <https://www.expressnews.com/politics/texas/article/greg-abbott-sb4-law-arrests-19317007.php>

### **Texas' migrant deportation law SB4 was in place for 9 hours. It was chaotic.**

*By Benjamin Wermund, Evan MacDonald, Neena Satija, Jhair Romero, Raquel Natalicchio, Cayla Harris, Taylor Goldenstein, San Antonio Express-News, March 20, 2024*

- ❖ The day after Texas was briefly cleared to roll out its unprecedented migrant deportation law, the state's solicitor general could not answer basic questions about how it would work. Outside the Texas Capitol, dozens of sheriffs tasked with arresting migrants under the law, which makes illegal entry from Mexico a state crime, could not agree on how it would be enforced. And a lawyer who trains the officials who would be empowered to order migrants to leave the country under the law said he had to scramble to get "quick and dirty" guidance to them. For about nine hours on Tuesday [March 19], Texas was allowed to police immigration like no other state has tried in recent history. The Supreme Court declined to further halt Senate Bill 4, as it's known, clearing the way for the state to essentially seize immigration enforcement authority long left to the federal government. Though the law was blocked again later that evening, those hours were an early sign of the challenges Texas may face in taking on such a new and expansive enforcement role. The rollout appeared at times piecemeal and confusing, with some law enforcement officials saying they had no guidance from state authorities, even as the House speaker lashed out at any police agency that refused to enforce it. **No one appears to have been arrested under the law while it was in effect.** Still, the ripple effects were profound. Residents living along the border expressed confusion over the law, and leaders of shelters that assist migrants said their clients were gripped by "extreme disbelief and fear." Gov. Greg Abbott's office said in a statement late Wednesday that the governor "continues to work closely with the Texas Department of Public Safety and other law enforcement entities on how to implement Senate Bill 4." They declined to offer details on enforcement plans, and DPS did not respond to a request for comment.
- ❖ Source: <https://www.expressnews.com/politics/texas/article/sb4-texas-migrant-deportation-law-chaos-19324260.php>

### **Mexico asks court to block Texas migrant law, citing threats to trade, citizens abroad**

*By Benjamin Wermund, Washington Bureau, March 21, 2024*

- ❖ The Mexican government is urging a federal court to block Texas' migrant deportation law, arguing it will trample the country's right to regulate its own borders, terrorize the 2.4 million Mexican nationals living in Texas and threaten crucial cross-border trade. The law, known as Senate Bill 4, makes it a crime to enter Texas from Mexico without permission. Mexico's brief said the law "wholly eviscerates" the long-standing principle that immigration should be handled solely by the federal government. The brief also said Mexico is "deeply concerned that enforcement of SB 4 by Texas' officers could lead to improper harassment, detention, removal, and criminalization of Mexican citizens and individuals of Latino appearance." And it said those concerns could put a damper on the \$285.6 billion trade relationship between Texas and Mexico, which is the state's top trading partner.
- ❖ Source: <https://www.expressnews.com/politics/texas/article/mexican-government-texas-migrant-deportation-19361698.php>

### **The courts blocked SB4. Texas soldiers threatened to deport migrants under it anyway.**

*By Jhair Romero, Raquel Natalicchio, Benjamin Wermund, San Antonio Express-News, March 22, 2024*

- ❖ Texas had been barred by a federal court for nearly two days from enforcing its sweeping new migrant deportation law. But that wasn't the message Oscar Martínez, a 35-year-old Venezuelan man, received Thursday afternoon when he tried to cross the Rio Grande into Eagle Pass. A group of Texas National Guard members standing atop a wall of shipping containers on the American side of the border warned him falsely through a megaphone that the law, known as Senate Bill 4, was in effect. "They told me they couldn't let anyone cross because it's a crime and that they could arrest me, send me back and that (Mexican immigration officials) would deport me anyway," Martínez said shortly after in Spanish. The father of three said the guardsmen told him to find somewhere else to cross, anywhere but Texas. Martínez was one of two migrants whom the Houston Chronicle witnessed being intercepted by the Texas National Guard on Thursday as they attempted to cross the river from Piedras Negras, Mexico. Both men said they were threatened with arrest and deportation under SB4, despite the state not having any power to do so. In Martínez's instance, a Chronicle reporter directly heard the guardsmen offer false information about the state of the law. Texas was briefly allowed on Tuesday to enforce the new law, which makes it a crime to enter the state from Mexico without permission and gives state judges the power to issue removal orders to those convicted of illegal entry. A federal appeals court later blocked it again, and a legal battle continues over the state's unprecedented attempt to seize immigration authority from the federal government. The Texas Military Department did not respond to a request for comment on the incidents Thursday, or on what directives have been issued to National Guard members about what to tell migrants about the law. Gov. Greg Abbott's office also did not respond to those questions.
- ❖ Source: <https://www.expressnews.com/news/houston-texas/immigration/article/sb4-texas-soldiers-threatening-migrants-19362944.php>

## Editorial: Texas' SB 4 shows why immigration is a federal issue

By Express-News Editorial Board, March 22, 2024

- ❖ Texas' controversial immigration law, Senate Bill 4, took effect for nine hours this past week. It was nine hours too many. **While no arrests were made under SB 4**, its momentary implementation revealed many significant flaws and underscored why immigration is a federal issue. During arguments Wednesday [March 20] before a panel with the conservative 5th Circuit Court of Appeals, Texas Solicitor General Aaron Nielson characterized SB 4 as a “modest but important statute.” “It’s modest because it mirrors federal law,” Nielsen argued. “It’s important because it helps address what even the president has called a border crisis.” We can think of many words to describe SB 4 — draconian, controversial, problematic, flawed — but modest would never be on that list. SB 4 is a legislative descendant of Arizona’s SB 1070, the so-called “show me your papers” law, which opened the door to racial profiling. The U.S. Supreme Court struck down much of that law in 2012, asserting immigration is the purview of the federal government. But it’s a new court, and SB 4 is designed to push on this question. Upending immigration law precedent and federal authority is hardly modest. As with Arizona’s SB 1070, Texas’ SB 4 also invites racial profiling. Senate Bill 4 creates a new state crime, “illegal entry,” a misdemeanor with a sentence of up to six months in jail. A judge could also offer a defendant the option of returning to Mexico in place of prosecution. Subsequent offenses could result in up to 20 years in prison. Short of seeing a person cross the Texas-Mexico border, how would local law enforcement credibly accuse a person of illegal entry? This is the invitation to racial profiling, and it raises major liability concerns for law enforcement.
- ❖ Source: <https://www.expressnews.com/opinion/editorial/article/texas-sb4-legal-issues-19362938.php>

## Mexico rejects Texas’s ‘draconian’ migrant law

By Ishaan Tharoor, Washington Post, March 22, 2024

- ❖ A controversial Texas state law that empowers local authorities to deport migrants illegally crossing the border is being buffeted by legal whiplash. Earlier this week, the conservative majority in the Supreme Court cleared the way for the law, known as S.B. 4, to be enforced. But only hours later, a federal appeals court blocked enforcement of the law ahead of subsequent deliberations. The proceedings are expected to make their way back to the Supreme Court. The law makes it a state crime for migrants to illegally cross the border and allows Texas judges to order the deportation of undocumented individuals — even though such measures regarding immigration are the province of federal authorities. Critics in the United States and abroad have warned that it is unconstitutional, counterproductive and creates a climate of fear in Texas where anyone potentially suspected of being an undocumented migrant can be subject to questioning by local police. Mexican President Andrés Manuel López Obrador denounced the measures as “draconian,” as well as “dehumanizing” and “anti-Christian,” during a news conference on Wednesday. He warned against any precedent that leads to local state entities superseding federal authority on matters of immigration on both sides of the border. “It’s as if the governor of Tamaulipas applied a law against Texans who were visiting Mexico or passing through Tamaulipas,” López Obrador said, referring to the northeastern Mexican state. “According to our constitution, anything that is related to foreign policy is not the responsibility of state governments.”
- ❖ Source: <https://wapo.st/3vrZJi8>

## As SB 4 remains in legal limbo, El Pasoans send message to migrants: 'Do not be afraid'

By Adam Powell, El Paso Times, March 22, 2024

- ❖ The scene that unfolded at San Jacinto Plaza in Downtown El Paso wasn't a protest, it was a call for humanity and compassion from hundreds of voices weary of the division being pedaled over the situation at the U.S.-Mexico border. Hundreds of faith, civic leaders, activists and advocates gathered in mass on March 21 to send a message to migrants held back nearby by concertina wire and Texas National Guard soldiers: "Do not be afraid." The march and vigil — sponsored by the Hope Border Institute, Las Americas Immigration Advocacy Center, Estrella Del Paso and faith leaders — was held in opposition of the controversial Texas state law, SB 4, which empowers state and local law enforcement agencies to enforce immigration law. Hundreds joined Hope Border Institute, Ruben Garcia, director of Annunciation House, and members of diverse religious traditions as they gathered at San Jacinto on Thursday, March 21, 2024, to march to Sacred Heart Church in Downtown El Paso for a vigil for the human dignity of migrants and to commemorate the anniversary of the fire in the immigration detention in Ciudad Juárez. Hundreds joined Hope Border Institute, Ruben Garcia, director of Annunciation House, and members of diverse religious traditions as they gathered at San Jacinto on Thursday, March 21, 2024, to march to Sacred Heart Church in Downtown El Paso for a vigil for the human dignity of migrants and to commemorate the anniversary of the fire in the immigration detention in Ciudad Juárez. Bishop Michael Hunn of the Episcopal Diocese of the Rio Grande, however, needed no amplification. His voice towered over the crowd with seemingly little effort as he recalled the Bible story of the good Samaritan who, in assisting an ailing stranger, never asked to see the stranger's papers.
- ❖ Source: <https://www.elpasotimes.com/story/news/local/community/2024/03/22/hundreds-march-for-unity-against-gov-greg-abbotts-sb-4-in-el-paso/73062506007/>

## Abbott's Army on the Border: Is It Working?

By J. David Goodman and Edgar Sandoval, *New York Times*, March 23, 2024

- ❖ For many months, the small border city of Eagle Pass, Texas, has provided the backdrop for a bitter legal battle between Gov. Greg Abbott and the Biden administration over how best to handle record numbers of migrants arriving at the border. The court fights, which intensified this week, have centered on claims that the border is in crisis. Mr. Abbott has cited the slowdown as evidence that his aggressive attempt to push the boundaries of immigration law and his \$10 billion program to harden the state's border with Mexico — using National Guard troops, razor wire, helicopters, boats and floating buoys in the Rio Grande — has been working. Federal officials have said that changes in the handling of migrants by the Mexican government were responsible for a sharp drop-off in arrivals all along the border after record highs in December. Immigration experts said crossings often decline in colder months only to rebound in the spring. The latest publicly available federal data on border encounters, released on Friday, has shown a measurable shift to the west in recent months, away from Texas — which makes up 1,254 miles of the nearly 2,000-mile southern border — and into New Mexico, Arizona and California. In February, Border Patrol agents recorded about 87,000 encounters with migrants in California and Arizona, versus 53,000 in Texas. Last year, the numbers were essentially reversed: around 55,000 encounters took place outside of Texas versus 76,000 recorded in the state. (The overall crossings were slightly higher this February.)
- ❖ Source: [https://www.nytimes.com/2024/03/23/us/texas-abbott-border.html?ugrp=c&unlocked\\_article\\_code=1.fU0.W7PK.e5J27RSfOX8k&smid=url-share](https://www.nytimes.com/2024/03/23/us/texas-abbott-border.html?ugrp=c&unlocked_article_code=1.fU0.W7PK.e5J27RSfOX8k&smid=url-share)

## Appeals court declines to reinstate SB4, Texas' migrant deportation law

By Benjamin Wermund, *Washington Bureau*, March 27, 2024

- ❖ A federal appeals panel late Tuesday night [March 26] declined to put Texas's migrant deportation law back in effect, saying the state law seizes powers that are "likely reserved to the United States." The 2-1 opinion from the 5th Circuit Court of Appeals keeps the law on hold while a broader legal battle plays out over the constitutionality of the state's new immigration enforcement scheme. The appeals court is scheduled to hear arguments in the case next week. But the lengthy early ruling from the conservative appeals court is a sign of the uphill battle Texas Republicans face in convincing the courts the law, known as Senate Bill 4, does not run afoul of more than a century of precedent leaving immigration enforcement in the hands of the federal government. Chief Judge Priscilla Richman wrote that even as the state is "nobly and admirably" trying to fill a "gaping void" in immigration enforcement left by a lack of funding and political will in D.C., "it is unlikely that Texas can step into the shoes of the national sovereign under our Constitution and laws." "For nearly 150 years, the Supreme Court has held that the power to control immigration — the entry, admission, and removal of noncitizens — is exclusively a federal power," Richman wrote. "Despite this fundamental axiom, SB4 creates separate, distinct state criminal offenses and related procedures regarding unauthorized entry of noncitizens into Texas from outside the country and their removal." The one judge on the panel to rule in Texas's favor said the decision signals the law will likely never take effect. "We'll likely never know how Texas's state courts and its state law-enforcement officers would have implemented SB4," Judge Andrew S. Oldham wrote. The law makes it a crime to enter the state from Mexico without permission, allowing any law enforcement officer in Texas to arrest migrants they suspect of entering illegally and empowering judges to order their removal. The U.S. Department of Justice, El Paso County and civil and immigrant rights groups sued, arguing the law would interfere with the federal government's enforcement efforts. Texas Republicans, who passed the law last fall, say it is necessary to protect the state against migrants crossing the border in record numbers and Mexican drug cartels. They say the state has to step in because the federal government is not doing enough to stop border crossings. But the appeals panel was not convinced the state could step in, even as Gov. Greg Abbott has called the situation at the border an "invasion." Federal immigration law still trumps the state's attempts, the court decided. Richman repeatedly pointed to a 2012 Supreme Court ruling that held that only the federal government has the power to enforce immigration laws. In that case, the high court struck down portions of an Arizona law that authorized police to arrest anyone suspected of being in the country illegally. Texas Republicans have cast SB4 as an opening for the high court to reconsider the Arizona decision. Richman said the Arizona ruling provides "considerable guidance" on whether Texas can succeed. She wrote that the Supreme Court in that case explained that a "principal feature" of the federal removal system is the broad discretion exercised by immigration officials. Those officials can decide whom to deport, and migrants can seek asylum or other forms of relief at any point in the process. SB4's provisions empowering state officials to make those decisions, Richman wrote, "significantly impair the exercise of discretion by federal immigration officials." "The broadest exercise of federal discretion is the Executive's decision not to pursue either civilly or criminally the very noncitizens whom Texas has drawn a bead upon in enacting new state laws," she wrote. "The discretion to pursue these same noncitizens likely lies exclusively with the Executive."
- ❖ Source: <https://www.houstonchronicle.com/politics/texas/article/sb4-migrant-deportation-appeal-19370797.php>