



LOCAL 2544

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Honorable Jon Kyl
United States Senate
730 Hart Senate Office Building
Washington, D.C. 20510-0304
VIA FACSIMILE @ (202) 224-2207

Dear Senator Kyl,

I am writing to inform you that we are extremely surprised and disappointed at your decision to support the latest Senate bill regarding illegal immigration. No matter how it is presented to the American people, and no matter how our elected representatives try to spin it and avoid the word “amnesty”, the sad fact remains that this bill will provide amnesty to the millions of illegal aliens who have succeeded in avoiding arrest. Simply put, the bill would forgive illegal aliens for breaking our laws and it would make the vast majority of them “legal” residents.

Local 2544, now representing about 2,600 Border Patrol agents in Arizona, endorsed your Senate bid last year with the clear understanding that you would not support amnesty for illegal aliens. We feel we have been sold out.

As we all learned from the 1986 amnesty debacle, the simple fact of the matter is that **amnesty does not work**. It simply rewards lawlessness, which naturally encourages more lawlessness. In this case, it will encourage continued massive illegal immigration. History proves this. We legalized approximately 3 million illegal aliens pursuant to the 1986 Immigration Reform and Control Act, and now, 20 years later, we’re looking at legalizing 12 to 20 million more? This is disgraceful. Further, I can tell you from first-hand experience that corruption was absolutely rampant with the previous amnesty program, and there is no doubt that corruption will be rampant again if a bill with amnesty attached to it becomes law. Why is it that some politicians naively think that telling a class of people it is acceptable to ignore our current laws will encourage that same class of people to obey future laws? Border Patrol agents successfully exposing corruption after the implementation of the 1986 amnesty program were admonished and ordered to “stand down” (I was one of those so ordered). We were told that anyone who had applied for, or indicated that they were going to apply for amnesty, was not to be questioned. The result was that the border became more chaotic. When illegal aliens were encountered and subsequently released without questioning it

emboldened them, and many were engaged in smuggling operations using their “amnesty” status as a cover for their smuggling activities. The 1986 amnesty program, from a law enforcement perspective, was nothing short of disastrous. You were a freshman congressman in 1986, and you should know this. The border is only under marginally better control now than it was then. In fact, there are areas of the border in which we have less control now because we aren’t allowed to do our jobs effectively. For example, we have burdensome restrictions such as our ridiculous “vehicle pursuit” policy, whereby we have to back off just about any smuggler in a vehicle who “exceeds the posted speed limit” (regardless of whether he or she is smuggling illegal aliens, drugs, weapons, or anything else imaginable). We have geographic areas within this country that we are ordered to stay away from, for instance, Phoenix, Arizona is full of illegal aliens, and we aren’t allowed to patrol there because our presence may offend someone. These restrictions, and others, make it nearly impossible to be effective at times. Anyone who claims the border currently resembles anything “under control” should explain how it is that millions of illegal aliens are still managing to sneak in every year. It doesn’t add up, no matter how many public relations ploys some of our top managers dream up to fool the American people. It’s a very simple equation – if the border was “secure” people wouldn’t be able to get in unless they presented themselves legally at a designated port of entry. We are arresting more than 1 million per year, and we lose more than we arrest. Do the math.

Aside from this bill being bad public policy, astronomically expensive for the taxpayers, and bad for this country’s security, I want to assure you that amnesty is a tremendous morale breaker for frontline Border Patrol agents who are trying to secure this nation’s borders against all odds, and at an ever-increasing risk of personal harm. **We would like any politician, just once, to explain to us why we risk our lives to keep people out of this country, when the same people we are trying to keep out will be legalized anyway after they get by us.** And again, let’s be clear, most of them do get by us. We are basically destined to fail before we ever get started.

This bad habit of rewarding those who successfully break our laws for the sake of political “compromise” makes no sense. As a Border Patrol agent who has already seen this fiasco played out once, I cannot begin to tell you how frustrating it is to try and do the job you were sworn to do when your entire mission has been sold out on the back end. I am extremely proud to be a 21-year veteran Border Patrol agent and I’m proud of the rank-and-file agents I work with. However, I’m not so proud of some of our politicians and “leaders” within the Border Patrol who seem to have lost touch with reality. Is there any wonder that we can no longer recruit a sufficient number of agents to meet hiring goals? We’re not even close. Our managers in Washington have become so desperate that they are now sponsoring a NASCAR team to improve our image, and they are offering rewards of \$1,500 to current employees who recruit new agents. They will call this “thinking outside the box”. We call it desperation. It is not

happenstance that prospective young law enforcement officers are refusing to join the Border Patrol in the numbers we need. They are heading elsewhere because they see that we have been sold out. This is not surprising when we work for an Administration more concerned with appeasing the corrupt Mexican government than supporting the rank-and-file agents it hires to secure our borders. Our "immigration system" is not necessarily "broken". That's just a convenient excuse (the oft repeated line "our immigration system is broken and needs to be fixed"). The real problem is that our leaders' willpower is broken. We aren't allowed to enforce our laws properly. The country of Mexico is broken. It needs to be fixed by the citizens it victimizes. Rather than fix the corrupt system they live in, the Mexican government chooses to export their poverty problems to the United States. It's simple, and they should be held accountable instead of being coddled, rewarded, and empowered to continue the abuse of their own citizens.

We hope that you will re-evaluate your position on this disastrous bill and that you will stand up for this country. We are sorely lacking leadership at multiple levels within our government. Is there anybody in Washington representing the interests of the American people anymore? How is it that the will of the vast majority of Americans is continuously ignored? Elected representatives are supposed to perform the business of the American people.

This new amnesty scheme simply will not work. We have already seen the chest thumping and the empty promises of "tough enforcement" that is supposed to make amnesty more palatable to Americans. Unfortunately, reality and history dictate that these measures are long on amnesty, short on enforcement, and ultimately, bad for the American people.

Sincerely,

Edward Tuffly II
President
Local 2544
National Border Patrol Council