

**NEBRASKA TAXPAYERS FOR FREEDOM ISSUE PAPER:
BIDEN REGIME BESTOWS MILLIONS ON ILLEGAL ALIEN FAMILIES.**

BACKGROUND. To stop the 700% increase in illegal alien families flooding across our border. Trump Att.-Gen. Jeff Sessions issued a 2018 memo titled Zero-Tolerance for Offenses under 8 USC 1325(a) that directed federal prosecutors along the southern border to prosecute all illegal aliens under Section 275(a) of the immigration law. Detained illegal alien adults then transferred to the U.S. Marshals Service custody for prosecution while the children, who legally U.S. law cannot prosecute, went to shelters run by the Dept. of Health & Human Services. Immigration law offers children greater legal protections than adults, so while the feds could quickly process adult asylum cases, allowing immediate deportation, children mostly remained in the U.S. in child-welfare shelters or resided with relatives. Sessions argued that an illegal alien should not avoid prosecution only because he or she crosses the border illegally with a child. President Trump directed the Customs and Border Patrol to house minors and adults in separate facilities, following widespread reports of fraud by human smugglers who sought to use unrelated minors to secure U.S. residency benefits, often after prostituting them. Such a detention format already previously used by the federal government, President Obama building many of the facilities for minors about which liberals became apoplectic during the Trump presidency.¹ The zero-tolerance policy definitely deterred illegals from sneaking into the U.S. Subsequently, the Trump Administration did its best to reunite families before deporting illegal alien adults. After his questionable election, Biden issued an executive order condemning Trump and his zero-tolerance policy and allowed deported illegals to fly at taxpayer expense back to the U.S. to retrieve their kids, these adults who previously chose to abandon their 5,500 children. Yet, Biden removed funding for immigration agents that provided shelter, subsistence expenses, transportation, medical care, and access to legal services that would have assisted family reunification. The Biden Regime has opened our southern border to millions of illegals, refused to enforce immigration laws in our interior, and now plans to make illegal aliens millionaires at taxpayer expense.

BIDEN PROPOSAL. Illegal entry is both a civil offense under section 212 of the Immigration and Nationality Act (INA) and a criminal offense under section 275(a) of the INA. A first illegal entry offense is a misdemeanor, punishable by a fine and up to 6 months in prison, or both. Repeat illegal reentry constitutes a felony, punishable by a fine and up to 2 years in prison, or both. Nonetheless, the Biden Regime plans to pay \$450,000 per illegal alien who was part of a separated family unit during the Trump Zero Tolerance Policy period and thereafter. Most of these illegal alien families, consisting of an adult and child, could claim payouts of almost \$1 million, while larger families would receive almost \$1.5 million or more. Total bill for U.S. taxpayers: over \$1.5 billion. This financial payout would exceed monies paid to 9/11 victims and the \$400,000 awarded families of fallen military service members. Expect hordes of illegal aliens from around the globe to overrun our borders.² Payouts meant to settle over 1,000 lawsuits about alleged traumatic and psychological ills stemming from the zero-tolerance policy. These payments would settle multiple lawsuits filed by the ACLU and other radical leftist attorneys.³ Settlement talks are ongoing in a separate lawsuit, known as *Ms. L v. U.S. Immigration and Customs Enforcement*, in which



the ACLU has demanded the government provide illegals with mental-health and other services, along with permanent legal status. The deputy director of the ACLU immigrant rights project and chief negotiator for one of the lawsuits argued that the remedy for separated families “must include not only meaningful monetary compensation, but a path to stay in the country.” Though many Justice Dept. lawyers view the payments as excessive for illegal immigrants who broke the law by crossing the border, lawyers for the border crossers seek about \$3.4 million per family unit. Such settlements have occurred in recent years. For example, in June, 2019, a family of Honduran border violators won \$125,000 in damages, after it filed a lawsuit claiming the federal government had mistreated them while holding them in detention facilities.⁴ These lawsuits have no legal merit, say conservative attorneys, but the Biden Regime freely admits U.S. government liability regardless. Biden granted reunited illegal alien families a 3-yr. conditional release, which grants them a form of temporary legal status and the means to apply for a work permit. This parole clearance intended to apply only for “urgent

¹ ALIPAC. AMERICA LAST: Biden Preparing to Offer One Billion Dollars in Reparations to Illegal Aliens, by Richard Moorhead, Oct. 28, 2021.

² Robert Law, Center for Immigration Studies, Biden Administration Planning to Make Separated Illegal Alien Family Units Millionaires, Oct. 29, 2021.

³ Anna Giaritelli, Washington Examiner, Biden Administration Weighing \$450k-a-person Compensation to Migrant Families Separated by Trump, Oct. 28, 2021.

⁴ Report: Biden Considers Paying Border Crossers \$450K Each in Reparations, by John Binder, Oct. 28, 2021.

humanitarian purposes” and “significant public interest.” Officials generally grant few parole waivers, but the Biden Regime has gone beyond the norm by granting parole to tens of thousands of illegal aliens.⁵ “Damage class actions in this kind of case are pretty rare, it’s hard to think of a recent comparison,” said Margo Schlanger, who managed the civil rights office for the Obama Regime at the Dept. of Homeland Security and now teaches at the U. of Michigan law school. Schlanger said class-action compensation claims are more common in cases involving defective medical devices or other consumer products.⁶ President Biden is simply doing the bidding of leftist Rep. Alexandria Ocasio-Cortez. The New York congresswoman demanded families separated under the Trump Administration win entitlement to reparations.

CITIZEN RESPONSE. The level of anger and dismay felt by taxpaying citizens for the Biden Regime appears unprecedented. Giving taxpayer revenues to lawbreaking illegal aliens ignited a powder keg of ire. Demonstrations planned for Washington, D.C. and nationwide. Citizens remember the average American citizen financially traumatized by the pandemic and subsequent lockdowns imposed by officials in states and cities, businesses and livelihoods damaged or destroyed. Foreigners with no respect for our laws or culture, meanwhile, have hit the jackpot.⁷

CONGRESSIONAL CRITICISM. Texas Republican Rep. Dan Crenshaw reacted to the scheme, saying the Biden Regime wants to pay illegal aliens \$450,000 for their hardship while breaking our laws and noted the payments are worth more than current life insurance programs offered to those serving in the armed forces. “For perspective, if a service member is killed in action, their next of kin gets an insurance payment of \$400,000,” Crenshaw wrote.⁸ Conservative Rep. Greg Murphy (N.C.) penned a letter with 43 GOP colleagues, including NE Rep. Jeff Fortenberry, to the Dept. of Homeland Security (DHS) Secretary Alejandro Mayorkas, Dept. of Health & Human Services (DHHS) Secretary Xavier Becerra, and Attorney General Merrick Garland expressing urgent concern regarding the proposal. Declared Murphy, “It is unconscionable that this would even be a consideration right now as American families are hurting because of President Biden’s failed policies. I am grateful to my colleagues who quickly rallied behind our effort to demand that DHS, DHHS,



and the DOJ immediately reject \$450,000 compensation for illegals – a truly asinine, pro-crime idea that will incentivize illegal immigration and open the floodgates for a surge at the border. President Biden must provide answers as to why this Administration cares more about people who knowingly and unlawfully entered into our country illegally than the American people. The rationale for this egregious abuse of taxpayer dollars is to compensate these persons for ‘lasting psychological drama.’ Do, however, note that these persons crossed into our country in a knowingly illegal manner, fully aware of the consequences of violating our rule of law.” The letter continues, “Promising tens of thousands of dollars to those who unlawfully entered the United States would not only reward criminal behavior, but it would surely send a message to the world that our borders are open, and our rule of law will not be

enforced. Compare this hefty compensation sum [\$450,000] to the 2019 average median American household annual income of \$68,703. The idea that we would give illegal foreigners who broke the law a check that exceeds the amount that our government supplies to our valiant and heroic Gold Star Families is shameful, reprehensible, and morally indignant.” Sen. Steve Daines (Mont.) will introduce an amendment to the upcoming defense policy bill to derail the plan. “It would be unthinkable to pay damages to a burglar who broke into your home for the ‘psychological trauma’ they endured during the crime. And yet the Biden administration wants to reward migrants who illegally entered our country with up to \$450,000 each for just that reason,” said Sen. Tom Cotton (OK.).⁹ “The Biden administration’s promises of citizenship and entitlement programs have already caused the worst border crisis in history — a huge cash reward will make it even worse. This is the height of insanity,” he continued. Sen. Chuck Grassley (IA.) called the plan “unacceptable,” adding, “We should not be paying anything to people who break our laws.” Sen. Bill Hagerty (TN) tweeted, “If you think Biden’s policies were a magnet to illegal immigrants before, just wait until illegal immigrants are paid \$450k EACH for coming here illegally.”¹⁰ Minority House Leader Kevin McCarthy declared the policy “pure insanity.” “The Biden administration is reportedly looking to pay \$450,000 to illegal immigrants who knowingly broke the law,” McCarthy continued, “It’s a slap in the face to our law-abiding citizens who wake up, go to work, and pay their taxes.”

OTHER CRITICS. Former Acting DHS Secretary Chad Wolf slammed the Regime move, saying that there were no limits to what the Regime would do to implement policy damaging to border security and immigration, adding that this latest move “may be at the top of the list.” Donald Trump Jr.: “Holy S**t!!! The Democrats insane. You lost your

⁵ Good Word News, [Biden Administration Could Pay Families of Illegal Immigrants Separated....](#), Oct. 29, 2021.

⁶ Report: [Biden Considers Paying Border Crossers \\$450K Each in Reparations](#), by John Binder, Oct. 28, 2021.

⁷ Rusty Weiss, [Outrage Over Biden Admin Plan to Pay \\$450,000....](#), Oct. 29, 2021.

⁸ [Biden Administration Debates Paying 'hundreds of millions' to families....](#), by Kyle Morris, Fox News. Oct. 29, 2021.

⁹ Stephen Dinan, [The Washington Times, GOP Vows to fight Biden Plan to pay \\$450,000.....](#) Oct. 28, 2021.

¹⁰ Brendan Cole, [GOP Outrage Over Biden Talks to Pay Migrant Families Separated at Border](#), Oct. 29, 2021.

business, your job, family members whose funerals you couldn't attend. The IRS wants to audit you if you had \$600 in your bank account, but if you're inconvenienced coming here illegally \$450,000 EACH!"

AS SITUATION WORSENS. This latest move by the Biden Regime comes as our border crisis reached a new critical level. Data released by U.S. Customs and Border Protection (CBP) showed that the Border Patrol has made



approximately 1.66 million arrests of illegal aliens entering the U.S. from Mexico so far in FY 2021, which started in October, 2020, the highest annual number ever recorded.¹¹ The potential for illegal alien families to receive hundreds of thousands of dollars from the federal government while Americans continue to struggle under the Biden Regime inflationary economic policy is not a great prize for Socialist Democrats ahead of the 2022 midterms, but the Dems do not care.¹² With a record-breaking number of illegal migrants now crossing into the country monthly, not likely that news of generous reparations will act as a deterrent for

those who intend to take advantage of the Regime negligent and chaotic approach to enforcing immigration law. The message from the Biden White House amid a year of immigration crises is that breaking the law pays, as long as you are not an American citizen.¹³

TAKE ACTION NOW. The Biden Regime continues to display its absolute incompetence. To compensate those who acted illegally with millions of dollars, in order to muster votes, while American families delve into savings to buy gas and groceries on the same day is unconscionable. The only way to stop this Biden Regime travesty is to pass legislation in the House and Senate to defund these reparations. Using the information above, lobby your congressman and 2 senators. Email netaxpayers@gmail.com for congressional contact information and to join our NTF *President Watch* project.

Research, documentation, and analysis for this issue paper done by **Nebraska Taxpayers for Freedom**. This material copyrighted by Nebraska Taxpayers for Freedom, with express prior permission granted for its use by other groups in the *NE Conservative Coalition Network*. 11-21. C



¹¹ [Biden Admin in Talks To Offer Up To \\$450K To Every Illegal Border Crosser Separated Under Trump: Report.](#) by Ryan Saavedra, Oct 28, 2021.

¹² [Biden Wants to Give Illegals \\$450K,](#) by Spencer Brown, Oct. 28, 2021.

¹³ The Western Journal, [Biden Admin Plans to Give \\$450K per Person to Illegal Alien Families...](#), Oct. 30, 2021.