

**The U.S. Immigration System: The Need for Bold Reforms**  
**February 11, 2021**  
**Rep. Andy Biggs Statement for the Record**

I want to thank the Chair for holding this hearing today. I strongly believe we do need bold reforms to our immigration system. For too long the Department of Homeland Security and the Department of Justice have been woefully underfunded and Democrat Presidents have tied the hands of immigration officials to enforce the law.

Do you know how many aliens in the United States have final orders of removal? According to testimony from then Acting Director Matt Albence in March 2020 before House Appropriations there are over 1 million aliens with final orders of removal on ICE's non-detained docket.<sup>[1]</sup> And DOJ's Executive Office of Immigration Review (EOIR) issued roughly 181,000 final orders of removal in FY 2109 and approximately 70,000 final orders of removal in the first quarter of FY 2020.<sup>[2]</sup>

If this subcommittee wants to encourage "bold reforms" on immigration we should start with ensuring that aliens with final orders of removal are actually removed, if not the entire immigration system is a farse.

Similarly, we have a backlog of over 1 million aliens waiting to have their asylum claims heard either by an immigration judge or USCIS<sup>[3]</sup>, and we know that only a small percentage of these aliens will have their claim approved. That means that vast majority of aliens applying asylum are in the United States simply waiting to have their asylum claims denied. And once those claims are denied the numbers tell us that most of them will never be removed from the United States.

It has also been reported that USCIS is no longer telling aliens who apply for immigration benefits and are denied that if they do not leave the country they may receive a Notice to Appear (NTA) and be put in immigration court proceedings. Let me reiterate this, DHS is no longer telling aliens who are here with no legal status that they need to leave. Supposedly, this is to avoid "undue stress" on the aliens.<sup>[4]</sup> This is ridiculous. If an alien has no legal status they should be told to leave.

Once we are faithfully enforcing our immigration laws, then we can talk about reforms to the legal immigration system. I look forward to the day when we

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<sup>[1]</sup> <https://www.ice.gov/sites/default/files/documents/Testimony/2020/20200311albence.pdf>

<sup>[2]</sup> *Id.*

<sup>[3]</sup> Dept. of State's Report to Congress on Proposed Refugee Admissions for Fiscal Year 2021.

<sup>[4]</sup> [DHS deletes deportation warning over fears of 'undue stress' to illegal immigrants - Washington Times](#)

can have an immigration hearing and I won't have to ask questions about why our laws are not being enforced. Unfortunately, that day is not today.

During his first three weeks in office President Biden has signed several executive orders that have cost Americans jobs. He cancelled the Keystone XL pipeline, he banned oil and gas production on federal lands, and he rejoined the Paris Climate Accord. It is estimated that these actions will cost approximately 1.4 million Americans their jobs.<sup>[5]</sup> The White House has promised the now unemployed Americans "green" jobs but has been unable to tell these workers when or where those jobs will appear.<sup>[6]</sup>

And now, the majority members of his committee are talking about ways to change the immigration system to make it easier for foreign workers to come to the United States and take jobs. Its almost as if they don't care about American workers at all.

It has been 20 years since the first version of the DREAM Act was introduced in Congress. Let that sink in. For 20 years Members of Congress have been floating amnesty for aliens who are in this country illegally. Nobody should be surprised that the number of aliens who would qualify for today's DREAM Act is significantly higher than the number who would have benefited 20 years ago. Why is that? It is because the more amnesty is promised the more aliens come illegally hoping to benefit from the promised amnesty.

One of our witnesses today has advocated for amnesty for 11 million illegal aliens. Which begs the question, should our laws even be enforced? If we provide amnesty, who should be held accountable for breaking our laws? If we can't hold the children accountable should we hold accountable, should we simultaneously bar the parents who brought their children here from receiving amnesty?

As I said, I welcome the opportunity to be bold, but before we do anything else we need to enforce the laws already on the books.

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<sup>[5]</sup> <https://twitter.com/HouseGOP/status/1356295448974270464?s=20>

<sup>[6]</sup> [Psaki spars with Fox News' Peter Doocy over Keystone pipeline job losses | Fox News](#)