



Written by [R. Cort Kirkwood](#) on March 7, 2022

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Border Breakdown: Treason, Not Incompetence

Homeland Security Secretary Alejandro Mayorkas told us just what he thinks of immigration law, and the men and women who enforce it, when leftists claimed that mounted Border Patrol agents “whipped” Haitian illegal aliens near Del Rio, Texas, in September 2021. After photos of the “whipping” zoomed across social media, the Cuban immigrant swiftly denounced the agents and all but declared them guilty. He suspended the agents from duties involving migrants. He promised an investigation and answers within seven days. The agents “do not reflect who we are as a country” and will be punished accordingly, Mayorkas said. Why an investigation was necessary given that the omniscient DHS chief knew they were guilty is a mystery, but one thing about the case wasn’t. Casting the agents as villains gave Mayorkas the narrative he needed to dump 15,000 illegal Haitians into the country. They had to be compensated somehow.



AP Images

But within hours of the supposed whipping, the narrative collapsed. Enhanced photos showed that agents did not have whips, that they did not use their reins as whips, and that they were, as they are sworn to do, enforcing the law. But doing that job violated policy established by Mayorkas and ultimately ordered by President Joe Biden.

The man now known as Brandon announced that policy even before he supposedly defeated President Donald Trump on November 3, 2020, and he quickly promulgated it on Day One of his dubiously conceived presidency. In keeping with that policy, Mayorkas has repeatedly declared in writing and in public speeches that he will not enforce U.S. immigration law, and his subalterns will not deport an illegal alien unless he commits murder or another serious felony. Along with ignoring internal immigration enforcement, Biden and Mayorkas have released hundreds of thousands of illegals apprehended at the border, some of them dangerous criminals. Indeed, Biden and Mayorkas are flying illegals into the country on secret flights that release impoverished “migrants” into unsuspecting communities under cover of darkness.

But the most important takeaway from the Biden-Mayorkas immigration “failure” is that it does not prove that the pair is “incompetent,” or that they “don’t know what they’re doing.” Indeed, from their perspective, what’s happening at the border, and to internal immigration enforcement, isn’t a failure at all. Refusing to enforce the law and bragging about it suggests quite the opposite. It is purposeful. The



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“failure” is designed. The treason has a reason:

Flood the country with “migrants” whom Biden and his party comrades believe will vote for Democrats and permanently enthrone the party. Then begins the dispossession of the American people and the abrogation of their rights, and the imposition of an unconstitutional, totalitarian regime.

Mayorkas’ Orders

Biden’s border treason began when he ordered Mayorkas to terminate President Trump’s Remain in Mexico policy, which required illegals to stay south of the border while asylum claims were adjudicated. Though the U.S. Supreme Court upheld the policy last year after leftists attempted their usual lawfare, Mayorkas terminated the program in June. Knowing that Biden would open the border, “migrants” — leftist code for illegal aliens — had already begun an invasion. In January of last year, when Biden took office, border agents apprehended 78,414 illegals. By July, a month after Mayorkas’ announcement, the number had exploded — agents stopped 213,593. Since Biden took office, the number is more than two million. The message was clear: Come one, come all. The border is open.

In August, a federal judge ordered Biden and Mayorkas to reinstate Remain in Mexico, pursuant to lawsuits from Texas and other states. But that won’t affect Mayorkas’ refusal to enforce immigration law internally. In September, he declared that merely being in the country illegally is no longer a reason to be deported. Claiming that immigration authorities will exercise “discretion” in deciding whom to send back home, Mayorkas wrote that “the majority of undocumented noncitizens who could be subject to removal have been contributing members of our communities for years.”

And if it weren’t for them, well, society could collapse:

They include individuals who work on the frontlines in the battle against COVID, lead our congregations of faith, teach our children, do back-breaking farm work to help deliver food to our table, and contribute in many other meaningful ways. Numerous times over the years, and presently, bipartisan groups of leaders have recognized these noncitizens’ contributions to state and local communities and have tried to pass legislation that would provide a path to citizenship or other lawful status for the approximately 11 million undocumented noncitizens.

The fact an individual is a removable noncitizen therefore should not alone be the basis of an enforcement action against them. We will use our discretion and focus our enforcement resources in a more targeted way. Justice and our country’s well-being require it.

“Justice” actually requires deporting illegals, but in any event Mayorkas then declared that even naturalization fraud would not bar an illegal from citizenship, which was something of an irony given that Mayorkas was caught finagling visas for wealthy foreigners when he worked for President Barack Obama. Obama, in fact, established the precedent of not enforcing immigration law and illegally rewrote it by executive decree, but that fact aside, in December, Mayorkas implemented the no-deportation policy he announced in September. Illegals who landed here before November 2020 will not be deported. Oddly, Mayorkas’s memorandum contains this note on illegals and whether they are a “threat to border security” and “priority for apprehension and removal”:



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A noncitizen is a threat to border security if:

(a) they are apprehended at the border or port of entry while attempting to unlawfully enter the United States; or

(b) they are apprehended in the United States after unlawfully entering after November 1, 2020.

A more arbitrary and capricious application of “discretion” in deporting illegals is almost impossible to conceive. In a speech at the annual convention of the U.S. Conference of Mayors, Mayorkas dispelled any doubts that deportations have, for all intents and purposes, ended.

“Unlawful presence in the United States will alone not be a basis for an immigration enforcement action but rather, we will allocate our efforts, we will allocate our resources on those individuals who pre-sent a current public safety threat, a threat to national security, or a threat to our border security, and that is a very important principle,” he said, continuing:

And we also want, with you, to champion our identity as a country. We want to champion our identity as a nation of immigrants: realize and harness and advance their contributions. That is who I think we are. And I, as an immigrant to this country, say that with tremendous pride and gratitude, not only to my parents, of course, but to the country that gave us this home and me the opportunity to join government service.

Giving Mayorkas that opportunity might have been the biggest mistake this country has ever made, as a tweet from former Trump aide Stephen Miller suggested: “A Cabinet Secretary openly pledges to violate federal law. Impeach.”

Indeed. Mayorkas is violating black-letter U.S. law, Andrew Arthur of the Center for Immigration Studies explained. Illegals must be detained, even if they are applying for asylum, he reported. But monthly court filings from Biden pursuant to the court order that reinstated Remain in Mexico show that Immigration and Customs Enforcement and U.S. Customs and Border Protection (CBP) have released 263,657 illegals.

“Under section 235 of the Immigration and Nationality Act (INA), DHS has two options when it encounters aliens at the border who either entered illegally or sought admission at the ports without proper documents,” Arthur explained:

First, section 235(b)(1) of the INA enables DHS to process those illegal migrants for “expedited removal,” under which they can be removed without appearing before an immigration judge, unless the alien claims a fear of harm upon return or requests asylum.

If aliens in expedited removal do claim fear, they are interviewed by an asylum officer to determine whether they have a “credible fear” of return. If the asylum officer makes a positive credible fear finding (which usually happens, because the standard is low), the alien is placed into removal proceedings before an immigration judge to apply for asylum.

Alternatively, under section 235(b)(2) of the INA, DHS can skip expedited removal, charge those aliens with inadmissibility, and place them directly into removal proceedings.



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Regardless of whether those migrants are processed under section 235(b)(1) of the INA for expedited removal or section 235(b)(2) of the INA for regular removal, however, they are supposed to be detained throughout the entire process — from apprehension to removal or admission.

And refusing to enforce that law isn't the only crime Biden, Mayorkas, and their myrmidons are committing. They are also aiding and abetting illegals in the commission of a crime, apropos 8 U.S. Code § 1324 — Bringing in and harboring certain aliens.

Anyone who helps an illegal alien avoid capture or deportation, knowing that the individual is, indeed, an illegal alien, commits a major federal felony if he:

brings to or attempts to bring to the United States in any manner whatsoever such person at a place other than a designated port of entry or place other than as designated by the Commissioner, regardless of whether such alien has received prior official authorization to come to, enter, or reside in the United States and regardless of any future official action which may be taken with respect to such alien; ...

transports, or moves or attempts to transport or move such alien within the United States by means of transportation or otherwise, in furtherance of such violation of law; ...

conceals, harbors, or shields from detection, or attempts to conceal, harbor, or shield from detection, such alien in any place, including any building or any means of transportation; ...

encourages or induces an alien to come to, enter, or reside in the United States, knowing or in reckless disregard of the fact that such coming to, entry, or residence is or will be in violation of law.

So with every illegal alien released or put on a midnight flight into the heartland, Biden and Mayorkas break at least one federal law, if not several. That fact is one reason Republicans such as Representative Marjorie Taylor Greene (R-Ga.) are seriously discussing impeachment if they retake Capitol Hill in November's midterm elections.

Night Flights

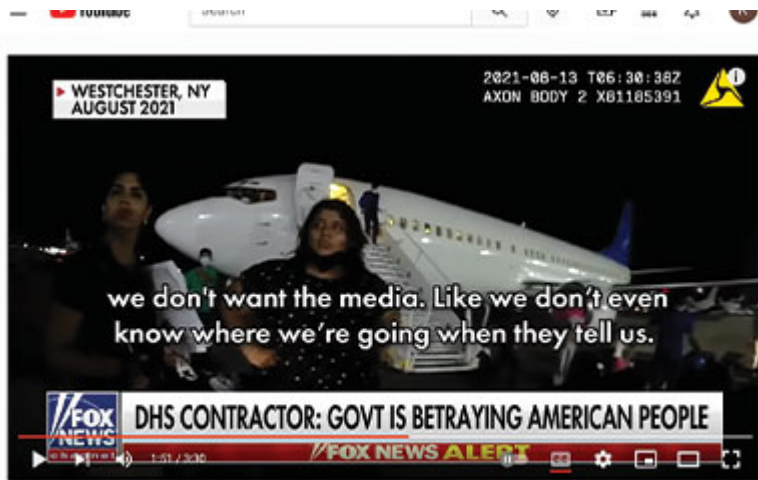
The Biden-Mayorkas Axis of Treason isn't just refusing to deport illegals. It is busing and shipping them from the border across the country into communities where they will disappear, never to be heard from again until they suddenly appear on voter rolls.

Fox News has released myriad videos of illegals boarding buses bound for Anytown, America. Some of those released are dangerous criminals, the network's Bill Melugin reported. Rob Astorino, the Republican county executive for Westchester County, New York — a deep blue area in a deep blue state — released police body-camera video of an illegal-alien invasion flight that landed at the airport there. The video shows a DHS contractor explaining to a cop that he, the contractor, can't identify himself or permit pictures of the illegals. "Everything is supposed to be hush hush," he told the cop.



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[#FoxNews](#)
Bombshell footage reveals Biden admin's undercover migrant flights

And why was that? the cop asked.

“You know why,” the contractor replied. “Because if this gets out, the government is betraying the American people.”

And robbing them, the government data show. Between January and September last year, Biden and Mayorkas spent some \$340 million organizing secret flights and other “detention transportation” that deposit illegals into unsuspecting communities, Representative Mo Brooks of Alabama reported. And as of December 10 last year, the Biden administration had flown almost 50,000 “unaccompanied alien children” into the American interior.

A sign of just how deeply the border treason goes is how the pipeline works — with the assistance of people smugglers called coyotes, and, frighteningly enough, the drug cartels. Biden and Mayorkas have turned CBP into a concierge service for illegals.

Mark Morgan, head of CBP under President Trump, told the *New York Post's* Angie Wong that U.S. officials “now coordinate with the cartels and coyotes on where and when drop-offs will happen.”

“Morgan told me they wanted to avoid scenes like the ones of children being dropped over walls in remote areas,” Wong reported. “It may be safer, but it also makes the cartel’s job easier, and more lucrative. The cartels have taken control of our border, and we’re negotiating with the hostage-takers.”

After the “migrants” are apprehended, they head to “consolidation centers” where “they are given folders color-coded to the city of their destination,” Wong continued:

I saw folders with tickets to Houston, Atlanta, Newark and JFK. The folder also contains an airline ticket, a US passport-looking booklet, cash, prepaid credit cards, travel itineraries and an English translation page. The cover of the folder says in capital letters, “PLEASE HELP ME I DO NOT SPEAK ENGLISH. WHAT PLANE DO I NEED TO TAKE? THANK YOU FOR YOUR HELP” with a smiley face.

Each migrant also receives a set of clothing — a gray or black sweatshirt, dark jeans and black sneakers. They get a blanket, a pillow-sized bag of shelf-life food and a carry-on travel bag. Some have received cellphones.

From [the border town of McAllen, Texas] I boarded a plane to Houston with around a dozen



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migrants. I watched their handlers get them past immigration and security with just a flash of documents, whereas all other passengers had to show identification.

Their handlers, I'm told, are from government-funded NGOs and churches....

Once they arrive at their destination cities, the handlers go missing. I followed one group of female migrants to the airport bathroom and watched as they cleaned up, changed out of the sweatshirts they were given and back into nondescript clothing.

Worse still, illegals can present evidence of criminality as identification to board the flights. "If an individual does not have acceptable ID as listed on TSA's acceptable forms of ID list, TSA will accept additional forms of ID that have the individual's name, with preference given to Government-issued ID," a top DHS official confessed in writing. In addition to arrest warrants, warrants for deportation are also acceptable as ID.

During the same nine months, Breitbart continued, Biden blew \$212 million on illegal-alien healthcare. As bad as all that is, according to government documents divulged last year by Arizona Attorney General Mark Brnovich, Biden and Mayorkas plan not to deport more than 8,000 hardened illegal-alien criminals, including these:

- 19 convicted of homicide
- 27 convicted of sexual offenses
- 9 convicted of sexual assault
- 375 convicted of assault
- 17 convicted of burglary
- 9 convicted of commercialized sexual offenses
- 4 convicted of kidnapping
- 7 convicted of obscenity
- 13 convicted of robbery
- 19 convicted of stealing a vehicle
- 91 convicted of larceny

Though outright murderers, rapists, terrorists, and gang members might get the boot (if ICE can find them), criminals in the following categories wouldn't. A memorandum from DHS official Tae Johnson said of "ICE Removal Priorities":

1. Drug based crimes (less serious offenses), simple assault, DUI, money laundering, property crimes, fraud, tax crimes, solicitation, or charges without convictions.
2. Where a crime is very old — over 10 years and not the reason for the individual's most recent apprehension.
3. [Certain] prior removals or convictions.
4. Gang tattoos or only loose affiliation in records with gang activity.



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Frighteningly, Johnson's memo ordered underlings to err on the side of protecting the illegals — not Americans.

"If there is any question as to whether an individual falls into the category of posing a public safety threat, managers should err on the side of caution and postpone the individual's removal until a full assessment, in coordination with local Office of Chief Counsel, is conducted." The memo went on:

If there isn't sufficient time to determine whether an individual was convicted of an aggravated felony or poses a public safety risk, the individual shall be removed from the manifest until such time as the review is completed.

A synopsis of Biden-Mayorkas immigration policies might explain them this way: U.S. immigration law is now abrogated. The borders are open, deportations are closed, assist all "undocumented immigrants" — criminal record regardless — in colonizing American communities.

Why Open the Borders?

Since February 1, 2021, 12 days after Joe Biden swore to defend his country and the Constitution from all enemies, foreign and domestic, border agents had apprehended or processed more than 2.11 million illegals as of January 31.

The magnitude of that task for border agents is almost unimaginable. That's 5,780 per day, 241 per hour, every day of the week. The figure exceeds the population of every major American city except four: New York, Los Angeles, Chicago, and Houston.

As well, Mexico is aiding and abetting the invasion, Todd Bensman of the Center for Immigration Studies reported in January. Just after Christmas, Mexico armed some 50,000 "migrants" with electronic visas and residency cards. Then the "migrants" marched north in an "ant operation," the colloquialism for moving illegal aliens to the U.S.-Mexico border almost unnoticed. The IDs are routinely found scattered at the border.

The numbers show not only the herculean task border agents face, but also the looming demographic disaster the country faces. Or for the Democrats, a demographic bonanza. Given that immigrants overwhelmingly favor big-government spending, care little about individual liberty, and vote for Democrats, Biden, Mayorkas, and their totalitarian gang know that electing a new people is their path to permanent power. Leaving the borders open and refusing to deport illegals will do it.

But electing a new people will end constitutional government as we know it. Gone will be the protections of the Bill of Rights, as leftists move to outlaw guns, "hate speech," voter ID to ensure honest elections, and anything else they view as a threat or even impediment to the permanent imposition of totalitarian measures that will keep middle-class Americans under permanent control and financially supporting the underclass the Democrats have imported. Import the Third World, get a Third World government.

Leftist Senator Dick Durbin of Illinois clearly explained why Democrats oppose measures such as voter ID to keep elections honest. "The demographics of America are not on the side of the Republican Party," he said. "The new voters in this country are moving away from them, away from Donald Trump, away from their party creed that they preach." In fact, those "new voters" were never Republican; they



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weren't moving away. Immigrants, again, overwhelmingly vote for Democrats, as election data show.

Morgan explained the Democratic End Game to The New American's Alex Newman.

Biden has "destroyed the border," he said. But not without purpose; i.e., not because he is "incompetent," as some professional conservatives and GOP braintrusters contend. "I can draw no other conclusion except they're doing it because they see a perceived political benefit," the 30-year immigration veteran said. Noting that illegals are counted in the census, Morgan said Democrats are "playing the long game," and see future Democratic votes:

They think they're gonna get a redistribution of House seats and actually get additional seats. And at the end of the day ... [the Biden] administration and the Democrats feel that every illegal alien [for which] they find a pathway to citizenship, they believe that's going to equate to a Democratic vote. This is about politics.

No wonder border agents can't stand Mayorkas. Secretly recorded video of Mayorkas in a meeting with angry agents showed just what they think of him.

"I know the policies of this administration are not particularly popular with U.S. Customs and Border Protection, but that's the reality and let's see what we can do within that framework," Mayorkas said in the understatement of the year.

During that meeting, an agent raked Mayorkas over the coals for the policies he and Biden have pursued, and turned his back on the DHS chief. One agent, [TownHall.com](#) reporter Julio Rosas wrote, told Mayorkas how "demoralizing" it is when politicians "demonize" agents who often save illegals from drowning in the Rio Grande or burning to death in the scorching border desert. That was a clear reference to Mayorkas and others who rushed to judgment when leftists circulated the fake "whip" photos on social media.

Recall how Mayorkas reacted. "We do not condone, we do not tolerate any mistreatment of any migrant," Mayorkas tweeted in an incomprehensibly stupid overreaction. "The actions we're taking are swift and strong, and we will take further action as the facts adduced in the investigation compel."

Or maybe the reaction was perfectly comprehensible. Border agents impede the mass migration of illegals across the border and the demographic dispossession of the American people. Smearing the agents as thugs and bullies was just what Mayorkas would do. Thus, the Twitter thread clearly showed that Mayorkas had convicted the agents, at least in his own febrile mind:

We need this resolved swiftly. I anticipate that the results of the investigation will be available by the end of next week & I've committed to making the results public.

The DHS inspector general refused to investigate the matter, a clear signal that the agents did nothing wrong, as the *Washington Examiner* reported. At this writing and as of mid-November, the "investigation" is still incomplete. That's because the agents did nothing wrong, and Mayorkas can't — or won't — admit it. Neither, of course, can or will Biden. And even if an investigation shows they did nothing wrong, agents can't expect apologies from Mayorkas, Biden, and the Democrats who smeared them.



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The agents are guilty of something — but that something is not using “whips” on the put-upon penniless “migrants” from Haiti. They’re guilty of doing their jobs — of defending the border of the United States.

Biden and Mayorkas believe that defending the border is the crime, not their treason in aiding and abetting an illegal-alien invasion. The open-border schemers might find out that belief is mistaken if the GOP resumes power in Congress in January next year and succeeds in impeaching them and removing them from power.

The alternative, leaving Biden in office for a full term, is almost too disturbing to contemplate. Impeachment and removal might be the only thing standing between Americans and the creation of a dystopian, totalitarian corruptocracy that erases the country and Constitution their ancestors created.

The treason must be stopped.

R. Cort Kirkwood is a longtime contributor to The New American. He was a newspaperman for more than 25 years.



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