



Written by [Warren Mass](#) on January 26, 2015

Border Patrol Agents' Union Critical of McCaul Border Bill

The National Border Patrol Council (NBPC), the union that represents some 17,000 Border Patrol agents and support personnel, announced on January 23 that they are opposed to the Secure Our Borders First Act (H.R. 399), introduced in the House by Representative Michael McCaul (R-Texas), on January 16.



H.R. 399 “does nothing to preclude anyone in the world from turning themselves in at the U.S. border and obtaining automatic entry and federal benefits,” said NBPC President Kenneth Palinkas in a statement released January 22.

The problem with the bill, asserted Palinkas, is not that it would fail to apprehend illegal aliens at the border, but that it lacks a procedure to quickly process those ineligible for asylum and return them to their home countries. He continued:

Almost anyone at all can call themselves an asylum-seeker and get in; it's a global joke. It's not border security if anyone can recite the magic words and get waved right on in. Those who arrived in the 2014 border run are still here, often living on U.S. support and even applying for U.S. jobs.

A primary handicap facing border patrol agents, Palinkas noted, is a lack of resources to adequately screen immigrants seeking legal status. The NBPC president stated:

We process millions upon millions of applications every year for lifetime immigrant green cards, refugee admissions, asylum-seekers, temporary workers, visitors, tourists, and more — but we do so without any of the resources or mission support we need to screen these individuals properly, let alone to conduct in-person interviews.

The McCaul bill is not the only weak link in the failure of Congress to insist on immigration law enforcement, noted Palinkas. In a statement quoted by Breitbart News, the union leader criticized Congress — especially the Senate — for its unwillingness to offer strong opposition to President Obama's executive amnesty. Palinkas said it was critical for Congress to oppose the administration's action, as it “compromises national security and public safety, while undermining officer morale.”

“Yet where is the outrage from Congress?” Palinkas asked. “After the House passed its legislation to reverse the amnesty, all I hear is silence in the Senate. It seems Congressional leaders will not rise to defend the laws of the United States, but are giving in to the ‘imperial presidency.’”

The House Homeland Security Committee (of which McCaul is chairman) held a markup of H.R. 399 last week and it is expected to go up for a vote on the House floor this week. (However, the *Wall Street Journal*, citing Republican congressional aides, reported on January 25 that some House conservatives are trying to delay an expected Wednesday vote on the border bill.)

Senator Ron Johnson (R-Wis.), introduced S. 209, a companion bill to McCaul's, on January 21. It was



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cosponsored by Senators John Cornyn (R-Texas), Jeff Flake (R-Ariz.), and John McCain (R-Ariz.). Flake and McCain were members of the Senate's "Gang of Eight" that drafted the Border Security, Economic Opportunity, and Immigration Modernization Act of 2013 that passed the Senate but was never voted on by the House.

A statement about the McCaul bill posted on the NBPC website on January 25 noted that the bill has been criticized from both sides of the aisle, with Democrats asserting that the bill is too restrictive, while conservative Republicans say the measure would not strengthen enforcement policies to prevent the release of illegal immigrants into our nation.

The NBPC statement noted the opposition of Senator Jeff Sessions (R-Ala.) to the bill, about which we reported on January 21. A statement posted on the Senate website of Sessions the previous day faulted the McCaul bill for not including a number of reforms the senator believes are needed to achieve what is described as "a sound immigration system." Among the flaws that Sessions found with the bill are that it does not end immigrations officials' "catch-and-release" policies, and that it does not require mandatory detention of illegal aliens and their return to their countries of origin.

Sessions said that until the catch-and-release practice is ended, "any additional funds for DHS will simply be used to facilitate the transfer of more illegal immigrants into U.S communities." Under the present system, he charged, "illegal immigrants actually hope they will be apprehended so they can be released into an American city or town."

A January 25 *Wall Street Journal* report noted that Sessions has had an influence on Republican House members when it comes to immigration legislation. When Representative Mo Brooks (R-Ala.) was speaking about his objections to the McCaul bill last week, he referred to a news release from the senator from his home state, explaining: "I follow the lead of Sen. Jeff Sessions on that one."

Another House Republican, freshman Representative Dave Brat (R-Va.), said when discussing the McCaul bill on a local radio show last week: "I agree with Sessions on about everything he says when it comes to this issue."

Other Republicans, noted the *Journal*, just want to pass the border bill and get on with it. "I'm just tired of defending nothing," said Representative Mark Amodei (R-Nev.) "OK, you wanted border [legislation] first, here you go. Let's turn the page and get onto the other stuff."

McCaul readily admitted that his bill was not a comprehensive fix for immigration problems, stating: "My bill isn't an immigration bill, it's a border security bill."

But opponents of the measure have observed that securing the borders consists not only of stopping illegal aliens at the border, but sending them back home, not releasing them into America. Coming out against McCaul's proposal, Sessions noted: "A nation cannot control its borders if being caught violating those borders does not result in one's swift return home."

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