

IMMIGRATION FRAUD LIES THAT KILL

*9/11 Commission Identified Immigration Fraud
as a Key Embedding Tactic of Terrorists*

Michael W. Cutler
Senior Special Agent, INS (Ret.)

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**Published in the United States of America
ISBN: 978-1-881780-37-3**

**Published by
The Social Contract Press
445 E. Mitchell Street
Petoskey, MI 49770-2623**

**231-347-1171
800-352-4843**

WWW.THESOCIALCONTRACT.COM

To order copies, see inside back cover.

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Foreword

It Isn't Just 'Illegal Immigration'

Understanding Visa Fraud

DISCOURSE ABOUT IMMIGRATION issues often devolves to complaints about “illegal” immigration as opposed to “legal” immigration, which the public is led to believe is always good. Unfortunately, the issues involved are much more complex.

Every year, an average of nearly 50 million foreigners enter the United States legally, an estimated 30 million with visas. A visa is a certificate or stamp marked on a visitor's passport, indicating that the visitor has been granted permission to enter the U.S. for a temporary period of time and subject to the approval of an immigration inspector at the entry point (such as an international airport).

There are various types of visas: (1) a *single entry visa*, valid for only one visit; (2) *multiple entry visa*, allowing any number of visits over a given period of time; (3) *business visa*, permits someone to come here to discuss, negotiate, or make a presentation, but not to take an actual job; (4) *tourist visa*, permits holders to travel freely around the U.S. over a given time period; (5) *resident visa*, allows people to live here for an extended time, but does not allow them to work; (6) *work visa*, allows a holder to come to the U.S. and work here at a specified job for a limited period of time; (7) *student visa*, allows the holder

to study at a specific educational institution. This does not permit them to work in the U.S. and upon graduation or if they end their enrollment, they are supposed to go home; and (8) *fiancé visa* (K-1) allows someone who is engaged to be married to a U.S. citizen to come here. Tashfeen Malik, one of the Muslims who murdered 14 people and wounded 22 in a mass shooting in San Bernardino, California, in December 2015, entered the U.S. on a K-1 visa because her husband, Syed Rizwan Farook, was an American-born citizen. Both died in a firefight with police after their bloody rampage.

Visa holders too often abuse the privilege of entering the U.S. legally for a specific purpose over a specific period of time. And of the millions of people who enter the U.S. annually, federal officials don't know how many foreign visitors overstay their visas. Over twenty years ago, Congress passed a law requiring the federal government to develop a system to track visitors who overstay their visas. In the wake of the September 11, 2001 terror attacks, an entry/exit tracking system was seen as a vital national security, counter-terrorism tool. But such a system is still not in effect.

Michael Cutler, a foremost expert on national security and enforcement aspects of our immigration system, outlines all too well the problems associated with visa fraud.

Wayne Lutton, editor
The Social Contract Press

OUR IMMIGRATION SYSTEM is wide open to fraud—lies that kill. History is replete with examples of using deception as a weapon across a broad spectrum of situations. Fraud is another word for deception.

The *Merriam-Webster* dictionary defines fraud as
1 a : DECEIT, TRICKERY; specifically : intentional perversion of truth in order to induce another to part with something of value or to surrender a legal right • was accused of credit card fraud
b : an act of deceiving or misrepresenting : TRICK • automobile insurance frauds

2 a : a person who is not what he or she pretends to be : IMPOSTOR • He claimed to be a licensed psychologist, but he turned out to be a fraud.; also : one who defrauds : CHEAT

b : one that is not what it seems or is represented to be • The UFO picture was proved to be a fraud.

Successful criminals and terrorists are masters of deception and share a common trait—they all lie and they all strive to become more proficient at lying because their crimes, their freedom, and even their very lives may hang in the balance. They use false or stolen identities to conceal their true identities, their backgrounds, their movements, and their crimes. They lie to cover their tracks, to evade detection, and to escape from the reach of the “long arm of the law.”

Sometimes fugitives cross international borders in order to evade that long arm of the law. These aliens may evade the inspections process at ports of entry by running our borders or stowing away on ships. Or, they may seek to enter the United States by defrauding the lawful immigration system.

Often America's immigration crisis is simplistically equated with failures to secure its land borders. In addition to its northern and southern borders, the U.S. has 95,000 miles of meandering coastline that are patrolled by the U.S. Coast Guard and local law enforcement agencies.

A vulnerability that, until recently has garnered scant attention, is the *legal entry system* administered by inspectors of CBP (Customs and Border Protection) enforcing the immigration laws at hundreds of ports of entry located along America's land borders, seaports, and international airports.

These inspectors are charged with preventing the entry of aliens deemed to be excludible under the provisions of Title 8, U.S. Code, § 1182, which include aliens whose presence, irrespective of race, religion, or ethnicity, would undermine national security, public safety, public health, and would likely become public charges. For nonimmigrants (temporary visitors) the concern is that they could easily violate the respective terms of their admission, including seeking illegal employment that would undermine the jobs and wages of Americans.

Aliens who fall within any of those categories and are determined to enter the U.S., may attempt entry without inspection or they may try to conceal that they are excludible when they present themselves for inspection.

The act of concealing of material facts, by whatever means, constitutes immigration fraud. This includes visa

fraud as well as immigration-benefits application fraud, which may involve the use of fraudulent documents and/or fraudulent schemes, the two traditional forms of immigration fraud.

It has been estimated that nearly half of all illegal aliens entered the U.S. via the legal entry system and then, in one way or another, violated the terms of their admission.

Annually more than 500,000 nonimmigrant aliens fail to depart after their authorized period of admission. Presumably, many aliens enter the U.S. with the intent of working illegally.

However, the beleaguered CBP inspectors are expected to conduct the inspection of an alien in roughly one minute. I am intimately familiar with the frustrations and challenges that they face. I began my career with the INS as an Immigration Inspector assigned to John F. Kennedy International Airport.

Inspectors at ports of entry have a daunting task—to predict the future conduct of aliens seeking admission. Most of the aliens who overstay their authorized period of admission, or otherwise violate the terms of their admission, likely lied to the inspector who asked them why they were coming to the U.S. and how long they planned to stay. Aliens from countries whose citizens are required to receive visas before seeking entry into the U.S. likely lied on their visa applications as well, thereby committing visa fraud.

The visa process helps to screen aliens seeking entry. It provides a record of information about visa applicants including biometrics, and biographical data.

Under Title 18 U.S. Code § 1546, an alien who commits visa fraud faces up to a 25-year jail sentence for

fraud committed in conjunction with terrorism.

The 9/11 Commission strongly recommended that the visa process be tightened up. Nevertheless, while there were 26 Visa Waiver countries on September 11, 2001, today 38 countries are part of this program, in large measure because of the lobbying efforts of the U.S. Chamber of Commerce and its partners from the hotel, hospitality, travel, and manufacturing associations who all collaborated to create the “Discover America Partnership.”

The preface of the official government report, *9/11 and Terrorist Travel—A Staff Report of the National Commission on Terrorist Attacks Upon the United States*, recognizes the implications of unsecured borders:

It is perhaps obvious to state that terrorists cannot plan and carry out attacks in the United States if they are unable to enter the country. Yet prior to September 11, while there were efforts to enhance border security, no agency of the U.S. government thought of border security as a tool in the counterterrorism arsenal. Indeed, even after 19 hijackers demonstrated the relative ease of obtaining a U.S. visa and gaining admission into the United States, border security still is not considered a cornerstone of national security policy. We believe, for reasons we discuss in the following pages, that it must be made one.

The 9/11 Commission clearly equated border security with national security. In the subsection, “Terrorist Travel Tactics by Plot,” the report noted:

Although there is evidence that some land and sea border entries (of terrorists) without inspection occurred, these conspirators mainly subverted the

legal entry system by entering at airports.

In doing so, they relied on a wide variety of fraudulent documents, on aliases, and on government corruption. Because terrorist operations were not suicide missions in the early to mid-1990s, once in the United States terrorists and their supporters tried to get legal immigration status that would permit them to remain here, primarily by committing serial, or repeated, immigration fraud, by claiming political asylum, and by marrying Americans. Many of these tactics would remain largely unchanged and undetected throughout the 1990s and up to the 9/11 attack.

Thus, abuse of the immigration system and a lack of interior immigration enforcement were unwittingly working together to support terrorist activity. It would remain largely unknown, since no agency of the United States government analyzed terrorist travel patterns until after 9/11. This lack of attention meant that critical opportunities to disrupt terrorist travel and, therefore, deadly terrorist operations were missed [p. 49].

The 9/11 Commission repeatedly cited immigration fraud as a key issue. Yet it is ignored by the media and by politicians who, in fact, prefer the beleaguered and broken adjudications system of USCIS (United States Citizenship and Immigration Services), which continues to provide unknown millions of illegal aliens with lawful status and identity documents even though—because they are “undocumented”—there is no easy way to verify their identities or entry data.

Every year USCIS is inundated with a workload that includes, in addition to other obligations, the adjudica-

tion of well over 6 million applications for various immigration benefits, including applications for political asylum, lawful immigrant status, and U.S. citizenship.

In June 2017, Abdirahman Sheik Mohamuda, a Somalia-born naturalized citizen residing in Ohio, pleaded guilty to all counts alleged against him regarding a terror plot he planned to carry out in the U.S.

On June 8, 2017, the DOJ reported, “Two Men Arrested for Terrorist Activities on Behalf of Hizballah’s Islamic Jihad Organization.” In this case the focus was on the guilty pleas of two naturalized citizen “sleeper agents” who had been born in Lebanon. One of the two terrorists was additionally charged with committing naturalization fraud. He used his ill-gotten U.S. citizenship to apply for a U.S. passport that facilitated his international travel in support of Hezbollah. Both had been conducting preparatory surveillance of military and law enforcement facilities, and airports in Michigan and New York.

In addition to the two traditional forms of immigration fraud (documents and schemes), there is a third form of immigration fraud that does not, however, involve aliens. It is perpetrated by advocates for open borders and immigration anarchy who engage in a concerted effort to spread misinformation, disinformation and propaganda. These fraudsters have become adept at what I have come to refer to as the “Immigration Con Game” perpetrated by a long list of politicians, from both parties, often working at the behest of corporate leaders, special interest groups and others who see secure borders as impediments to their wealth and power.

We will explore that third form of immigration fraud a bit later on. Let’s begin by first considering document fraud.

DOCUMENT FRAUD

Under Title 18 U.S. Code § 1028—*Fraud and related activity in connection with identification documents, authentication features, and information* is a serious felony, which can lead to a potential prison sentence of up to 15 years.

Document fraud can be divided into several categories and involve several subsets of crimes. Identity theft involves an impostor using another person's birth certificate or Social Security Card to assume that other person's identity. Identity documents include driver's licenses, Alien Registration Cards (Green Cards), passports and other official documents that include the photo of the bearer.

Other documents are referred to as "supporting documents" and include marriage licenses, diplomas, rent receipts, and utility bills.

According to the *9/11 and Terrorist Travel Staff Report*:

Terrorists travel for many reasons, including to train, communicate with other terrorists, collect funds, escape capture and interrogation, engage in surveillance of potential targets, and commit terrorist attacks.

To avoid detection of their activities and objectives while engaging in travel that necessitates using a passport, terrorists devote extensive resources to acquiring and manipulating passports, entry and exit stamps, and visas. The al Qaeda terrorist organization was no exception. High-level members of al Qaeda were expert document forgers who taught other terrorists, including Mohamed Atta, the 9/11 ringleader, their tradecraft.

The entry of the hijackers into the United States

therefore represented the culmination of years of practice and experience in penetrating international borders. We introduce our monograph with a retelling of the September 11 events from the perspective of border security as we understand it today.

The 19 hijackers used 364 aliases, including different spellings of their names and noms de guerre. As they passed through various countries, their names were recorded by governments and their intelligence and border authorities [p. 1].

This may involve the production of counterfeit documents such as Alien Registration Receipt Cards (Green Cards) in which the entire card is false and the information may be totally fabricated or may contain the actual name, birth date, and alien registration number of an alien who has been granted lawful immigrant status. Fraud documents also include actual documents in which the photograph of the person to whom the document had been issued is replaced by the photo of an impostor.

Another variety of document fraud may be committed when genuine documents are issued to individuals to whom such a document should *not* be issued. In such instances a government official may accept a bribe or is otherwise coerced or duped into providing a document, such as a driver's license, to an individual who does not qualify for that license or where the government official provides such a document with a false name for an individual to conceal his/her true identity.

Finally, actual identity documents may be improperly issued to an individual when blank documents and the machinery used to produce official documents fall into the hands of criminals or terrorists.

Recent instances of such activity emerged from the chaotic situation in Syria where terrorists gained control of government office buildings and seized supplies to produce authentic documents for impostors. Consequently, terrorists and criminals could assume false identities using authentic documents to substantiate their false aliases.

FRAUD SCHEMES

Fraud schemes can range from the extremely simple to the incredibly complex.

When I was an Immigration Inspector at JFK International Airport in New York, my colleagues and I frequently encountered aliens from Third World countries who had the rough and calloused hands of farm workers. This strongly suggested that they were expecting to find work here (and may already have been hired). They were often coached and assisted by smugglers in their native countries to claim that they were “just visiting,” enabling them to be admitted into the U.S.

In order to convince the Immigration Inspector at the port of entry that they had no plans to work and would return to their native countries before their authorized period of admission expired, they often wore suits (sometimes forgetting to remove the labels). They traveled with round-trip airplane tickets to further the illusion that they would return to their home countries as required.

Additionally, these individuals frequently had a thick wad of American dollars rubber-banded together with a large bill on the top, usually a \$50 bill. That wad was filthy, likely having been handed from one alien to another over time. In the other pocket they likely had just a few dollars. Apparently the wad of bills was “show money” intended to create the illusion that they had the

financial resources to pay for their supposedly temporary visit. Shortly after entering the U.S., they would likely be divested of that wad of bills by members of the smuggling ring.

Unfortunately, liberal Immigration Judges tended to reject any argument that the alien who displayed “show money” was really an applicant for admission who should be barred from the U.S. Frustrated Inspectors had to either come up with more evidence of criminal intent or the alien was likely to be admitted into the U.S. *legally*.

Once aliens are admitted they may engage in fraud schemes enabling them to acquire lawful immigrant status to which they would not be entitled if all of the material facts had been known to the officials who adjudicated their applications.

Such schemes are pointed out in the *9/11 and Terrorist Travel* Staff Report:

Terrorists in the 1990s, as well as the September 11 hijackers, needed to find a way to stay in or embed themselves in the United States if their operational plans were to come to fruition. As already discussed, this could be accomplished legally by marrying an American citizen, achieving temporary worker status, or applying for asylum after entering. In many cases, the act of filing for an immigration benefit sufficed to permit the alien to remain in the country until the petition was adjudicated. Terrorists were free to conduct surveillance, coordinate operations, obtain and receive funding, go to school and learn English, make contacts in the United States, acquire necessary materials, and execute an attack [p. 98].

Examples of fraud schemes include marriage fraud

and false claims for political asylum, wherein aliens claim a “credible fear” of persecution (or worse) in their home country because of their race, religion or tribal affiliations.

MARRIAGE FRAUD

Aliens may enter into criminal conspiracies to engage in sham “marriages of convenience” wherein they marry a person as a business deal to acquire lawful immigrant status. Their spouse is generally paid for going through with the marriage and filing the appropriate immigration petitions and applications. Alternatively, some aliens may dupe their hapless American “love interest” to convince her/him to marry them, thereby acquiring lawful immigrant status.

I was temporarily assigned at the beginning of my career as an Immigration Examiner to adjudicate petitions filed by U.S. citizens and lawful immigrant aliens on behalf of their alien spouses (today known as Adjudications Officers in USCIS). During my assignment I helped uncover a marriage fraud ring in which Chinese crew members jumped ship and “married” women of Puerto Rican background who, as it turned out, were prostitutes. These “loving couples” did not speak a common language and the whole sham was arranged by the attorney who represented these folks. This lawyer was subsequently found guilty, disbarred, and sentenced to federal prison. The aliens were deported.

EDUCATION/SKILLS FRAUD

Aliens may also provide bogus diplomas or other documentation attesting to their qualifications for taking certain jobs in the U.S. enabling them to be granted visas or permanent residence based on their skills and/or education. Attorneys, members of the clergy, notaries public, justices of the peace, and employers participate in

these criminal conspiracies. Employers replace their hard working, experienced and loyal American workers with foreign workers under the guise of seeking “exceptional workers.” The only thing “exceptional” about these foreign workers is that they are willing to work for exceptionally low wages under exceptionally adverse conditions, saving money for their greedy employers.

In this case the Chinese aliens, who were here illegally, wanted to acquire lawful status in order to work and, perhaps, ultimately file petitions to bring other family members here.

Aliens who successfully commit immigration benefit fraud provide the *illusion* of adhering to our laws. While many of those aliens simply want to live and work in the U.S., some aliens, as we have seen, have far more sinister intentions.

THE IMMIGRATION CON GAME

This leads us to the third form of immigration fraud—the fraud committed against Americans by journalists, pollsters, and our very own political “leaders” who apparently are more concerned with placating their deep-pocketed campaign contributors, such as the U.S. Chamber of Commerce, executives of Silicon Valley, and various other special interest groups, than they are with living up to their oaths of office. These supremely greedy campaign contributors are getting what they pay for: the best government money can buy.

Here is a good definition of “Theft By Deception,” a crime that is recognized, in part, in the Georgia Code:

- (a) A person commits the offense of theft by deception when he obtains property by any deceitful means or artful practice with the intention of depriving the owner of the property.

(b) A person deceives if he intentionally:

- (1) Creates or confirms another's impression of an existing fact or past event which is false and which the accused knows or believes to be false;
- (2) Fails to correct a false impression of an existing fact or past event which he has previously created or confirmed;
- (3) Prevents another from acquiring information pertinent to the disposition of the property involved.

The "property" that has all too frequently been taken from Americans is their very lives, their livelihoods, and their ability to support themselves and their families.

The "Immigration Con Game" began in earnest with President Carter's administration when immigration was harnessed in order to achieve political goals through two tactics.

First, the Carter administration began the transformation of the language of immigration by expunging the term "alien" from the discussion about immigration. The term "alien" is described in the Immigration and Nationality Act as "Any person, not a citizen or national of the United States." Carter ordered INS employees to stop using the term "illegal alien" to describe aliens illegally present in the U.S., and to instead refer to them as "undocumented immigrants."

There is no insult in the term "alien" or in its definition. That definition provides clarity.

Con artists and swindlers abhor clarity the way a burglar hates bright lights. Referring to all aliens as "immigrants" blurred the distinction between aliens who are in compliance with our immigration laws and aliens who are not.

While the term “alien” has been all but expunged, it was ironically resurrected by those same individuals to create the “DREAM Act,” which is based on an acronym for **D**evelopment, **R**elief, and **E**ducation for **A**lien **M**inors.

While the open borders/immigration advocates refer to illegal aliens as being “undocumented,” in reality they are *uninspected*. No record of entry is created, and their very presence in the United States goes unreported and is unknown to law enforcement. It is far easier for uninspected aliens to assume false identities because if they are fingerprinted, their true identities and entry data likely will not show up in the various databases our government relies upon.

The term “con artist” is short for *confidence artist*. The swindler must first gain the *confidence* of his/her intended victim through a carefully orchestrated plan of action that includes deceptive language, and other tactics, that often play on the victim’s decency, compassion, and vulnerabilities.

Carter’s Orwellian Newspeak has impacted the name of the document issued to aliens who are granted lawful immigrant status. That document used to be called the “Alien Registration Receipt Card” because it is issued to satisfy the requirement of registering aliens present in the U. S. (this requirement began with the Alien Registration Act of 1940). The troublesome term “Alien” needed to be expunged. Today, incredibly, it is referred to as a “PERM” or “Green Card.”

Second, Carter tried to harness immigration by gerrymandering seats in the House of Representatives and consequently altering votes in the Electoral College. INS agents were ordered not to arrest any illegal aliens during

the U.S. census without express written approval of officials in Washington. His goal was to have as many illegal aliens as possible counted in the census. Since most illegal aliens lived in Democratic strongholds, by having them included in the Census, the seats apportioned to those states would increase along with their electoral votes.

What is perhaps the most disconcerting deception is the one perpetrated by members of Congress who know full well that the majority of their constituents want our immigration laws enforced fairly, but effectively, and our borders secured against illegal entry. However, not unlike the magician who says he will cut his assistant in half knowing that if this really happened, he would go to jail and no one will ever work with him again, he must create a convincing illusion of cutting the young lady in two; likewise elected officials give the illusion of acting on the public's concerns about immigration-related problems.

These politicians know that their contributors, such as the U.S. Chamber of Commerce, will stop providing campaign contributions if Congress actually acts to secure our borders and enforce our immigration laws. Consequently they propose legislation but never fund the hiring of an adequate number of agents to enforce the laws. Unenforced laws may as well not exist.

Similarly, distracting constituents by making only one of the failures of the system the focus of their efforts while willfully ignoring the other failing elements of the system have the same effect.

Two of George Orwell's brilliant quotes come readily to mind: "Political language—and with variations this is true of all political parties from Conservatives to Anarchists—is designed to make lies sound truthful and murder respectable, and to give an appearance of solidity

to pure wind.... In a time of universal deceit, telling the truth is a revolutionary act.”

Journalists have been quick to leverage this game of semantics, and the results have led to confusion and divisiveness in the immigration debate today, betraying their professional responsibilities.

In revolutions, the revolutionaries typically seize the radio stations, television stations, and newspaper printing presses. The flow of information is critical to controlling the masses. This is precisely why the Founding Fathers established the First Amendment as the *First* Amendment.

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Democracies rest on the freedom of their citizens to freely express their thoughts and ideas.

Censorship undermines democracy. Journalists have taken to censoring our language by using terms that obfuscate the issues. Substituting “undocumented immigrant” in place of “illegal alien” is nothing but censorship.

Journalists who label advocates for border security and effective immigration law enforcement as “anti-immigrant” and refer to those who oppose secure borders and effective immigration law enforcement as being “pro-immigrant” are engaging in an insidious form of censorship, substituting propaganda for objective and honest news reporting. They are bullying, misleading, and intimidating Americans who want *fair* and *effective* enforcement of our immigration laws.

If journalists were honest, they would refer to advocates for effective immigration law enforcement as being “pro-enforcement” and those who oppose immigration law enforcement as being “anti-enforcement.” Open borders and mass immigration advocates often falsely claim that enforcing our immigration laws is racist, and therefore anyone who seeks to control immigration advocates “racism.” In fact, our immigration laws have absolutely nothing to do with race, religion, or ethnicity.

The U.S. has the most generous immigration policies of any country on earth. Every year we admit tens of millions of nonimmigrant (temporary) foreign visitors. Every year we admit roughly one million lawful immigrants. This is more than all other countries combined. Every year we confer U.S. citizenship upon hundreds of thousands of new citizens.

In the rush to keep up with the workload, background field investigations were replaced by background checks run on computers.

Consider naturalized terrorists such as Faisal Shahzad, the “Times Square Bomber,” or Dzhokhar Tsarnaev, one of the Tsarnaev brothers, who carried out the terror attack at the Boston Marathon.

Incredibly, Shahzad was described by politicians, journalists and even the New York City Police Commissioner as “home grown,” even though he first entered the United States at the age of 20 from his native Pakistan.

Sadly, any law-abiding citizen who actively supports efforts to secure the porous and dangerous Mexican border is deemed “racist.” The true racists are the pollsters, pundits, political consultants, and politicians who have guzzled the Orwellian Kool-Aid. The notion that Americans of Latino ethnicity all oppose effective immigration

law enforcement and oppose border security is outrageous and exemplifies racism.

No rational American, of any ethnicity, wants gang members in school with their own children. Nor do they want narcotics and the gangs that peddle them to set up shop in their communities.

No American wants to worry about losing his/her job to a foreign worker or his life to a foreign terrorist.

Another popular lie repeated on virtually every news program is the following: since we cannot deport 11 million illegal aliens, we must simply accept that they are here and provide these aliens with lawful status to get them “out of the shadows.”

There is no other area of law enforcement where our leaders declare that since we cannot arrest and prosecute all law violators the only solution is a massive amnesty program. Consider that there are far fewer illegal aliens than the number of motorists who own cell phones and may be driving while texting—an extremely dangerous practice banned by most states. Yet no one ever suggests that it is impossible to effectively enforce the laws that ban texting while driving and therefore such drivers should be forgiven. The same can be said regarding concerns about drivers who drive under the influence of alcohol or drugs.

To combat drunk driving and texting behind the wheel, states and communities have stepped up enforcement efforts, imposed ever more stringent penalties for violators, and launched massive advertising campaigns whereby police are patrolling for such law violators, who face severe consequences if they are caught.

During speaking engagements, when folks ask me what I would do with illegal aliens who cannot be arrested and deported, I answer by asking them: what about

drunk drivers who don't get caught? The point is to arrest as many law violators as possible and make it clear that anyone who is caught will face severe punishment. I call this "deterrence through enforcement."

Let me add that the number of illegal aliens is likely far in excess of the constantly repeated figure of 11 million. During the debates that preceded passage of the Immigration Reform and Control Act of 1986, it was claimed that about one million illegal aliens would emerge from the "shadows." By the time they were over, well over 3.5 million aliens availed themselves the opportunity to acquire lawful status.

There probably was considerable undercounting in the original estimate and many more aliens entered the U.S. illegally and then falsely claimed to have arrived by the cutoff date. Comparable undercounting today could mean that there are well over 30 million illegal aliens who could be granted lawful status, obliterating any remaining vestiges of integrity to the immigration system.

Claims that implementing a massive amnesty program would improve our safety by getting the illegal aliens "out of the shadows" are totally bogus. All plans to create a massive legalization program fail to provide the corollary resources to locate and arrest aliens who will not come forward because they know that they are wanted for serious crimes or that they are known to law enforcement or intelligence services because of their association with criminal or terrorist organizations. Such aliens would simply remain in those shadows, likely hiding in "sanctuary cities."

SANCTUARY CITIES

Hundreds of American cities have been declared "sanctuary cities" that openly harbor and shield illegal

aliens from detection by ICE. Sanctuary cities conjure up the images of places of safety and comfort. Sanctuary cities, and the politicians who promulgate policies that shield illegal aliens from detection, are portrayed as being compassionate. In reality, sanctuary cities are magnets that attract and then protect aliens who may be fugitives from justice or are engaged in criminal or terrorism-related activities.

In fact, the most likely victims of crimes committed by transnational criminals are the immigrants who live within the ethnic immigrant communities in which these criminals live and ply their “trades.”

The cynical claim is often made that if police departments cooperate with ICE agents, illegal aliens who are victims of crimes will not come forward. In reality, illegal aliens who are victims of crimes who come forward to work with law enforcement to identify and apprehend those who attacked them can be granted visas that enable them to live and work in the U.S.

Visas are also provided to illegal aliens who provide actionable intelligence concerning major criminal or terrorist organizations.

Mayors of sanctuary cities claim they are shielding immigrants from ICE. Aliens who are legally present in the U.S. need no shielding from ICE. Shielding illegal aliens prevents ICE from identifying human traffickers who smuggled these aliens. This protects smugglers and enables them to continue to operate.

Furthermore, smuggled aliens who pay smugglers to enter the U.S. illegally are not victims of “human trafficking” any more than a customer of a prostitute is a victim of a sex crime.

News programs frequently invite subject matter ex-

perts such as retired police detectives, former FBI profilers, former military generals and former astronauts to talk about news reports within their areas of expertise.

Where immigration is concerned, however, the major networks invite pollsters, pundits, and political consultants to discuss the issues at hand.

For several years after the attacks of 9/11, I was frequently invited to appear on news programs on major networks, often more than fifteen times a month. Suddenly, however, these networks stopped inviting me and other true experts to discuss immigration. This was not an accident or a mere coincidence. This was apparently done to control the message.

Conducting preinterviews of potential guests is a tactic employed by these programs and is not visible to their audiences. If, during that preinterview the potential guest takes the discussion places the network doesn't want to go, the invitation is quickly withdrawn. This is nothing short of a covert subversion of the First Amendment. The audience only gets to see and hear from those who support the network's viewpoint.

Since his election, President Trump has attempted to keep his campaign promises. Invoking his authority under the provisions of Title 8, U.S. Code, § 1182(f), he declared that citizens of seven countries associated with terrorism would be temporarily barred from entering the U.S. until our officials can determine what needs to be done. He later revised his ban and eliminated Iraq from that list of countries.

The media and Democratic Party leadership blithely ignore that after Iranians overran the U.S. Embassy in Tehran, then-President Carter not only barred the entry of Iranians into the U.S. but ordered INS special agents

to focus on locating all Iranians in the U.S. to determine their immigration status and whether they posed a threat to national security. I participated in that effort.

Justices of the Fourth and Ninth Circuits blocked the implementation of President Trump's executive order, but the Supreme Court overruled the lower courts.

An example of the misleading reporting on this issue was the *USA Today* article, "Who can (and can't) travel under the new travel ban," June 30, 2017, that discussed the Supreme Court decision about the Trump Administration's policy. The article breathlessly began:

President Trump's first travel ban targeting majority-Muslim countries in January *unleashed chaos around the world*, as foreigners were stopped from boarding flights overseas and detained or deported after reaching U.S. airports.

Virtually every news report noted that the countries on the list are "majority-Muslim countries." Yet the criteria is not the religion of the aliens seeking entry but *the fact that they are citizens of countries associated with terrorism*, and because of circumstances in those countries it is impossible to effectively vet their citizens.

The overstated "chaos around the world" involved only a few hundred foreign nationals who sought to enter the U.S. but were denied entry. What was *not* reported is that aliens are prevented from entering the U.S. at America's 325 ports of entry every day. A visa does not guarantee that an alien will be admitted into the U.S. The authority to admit aliens is vested in CBP Inspectors and not State Department's Consular Officers who issue the visas.

According to the Congressional Research Service, in 2013, under President Obama, more than 200,000 aliens who applied to enter the U.S. were denied entry at ports

of entry for reasons established in the Immigration and Nationality Act despite the fact that many of these aliens had been issued visas.

Effective law enforcement is much like a game of chess where victory depends on thinking several moves in advance. It is the equivalent of skeet shooting where the shooter leads the target by not aiming at where the clay pigeon is when he pulls the trigger, but where it will be when the buckshot gets there.

Presuming that the U.S./Mexican border is made secure, and immigration law enforcement efforts are ramped up, the desire of aliens to enter the U.S. illegally will not dissipate.

Motorists check traffic reports to bypass obstacles on the road. Similarly, excludible aliens will seek paths of “least resistance” to find alternate routes to get here. Visa fraud and immigration benefits fraud will likely be their tactics of choice to overcome enforcement efforts.

DHS must therefore bring far more resources and resourcefulness to bear in anticipation of sky-rocketing levels of fraud. Those resources include a massive increase in the number of ICE agents to enforce the immigration laws from within the interior of the U.S., an issue raised by the 9/11 Commission.

George Orwell reminded us, in the voices of the pigs that ran the government on *Animal Farm*, that “All animals are equal; but some animals are more equal than others.” And so it is with fraud. All fraud makes fools of its dupes; but immigration fraud kills.

Equal justice under the law is the tonic of choice in our democratic republic. Isn't it high time that we take our medicine by *enforcing* our immigration laws as if our lives depend upon it? If the 3,000 slaughtered 9/11 innocents

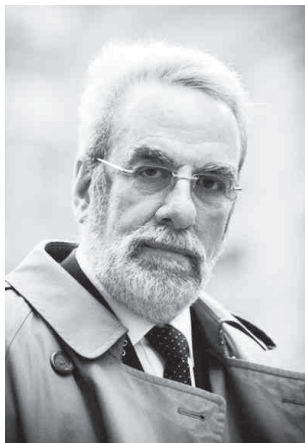
yet could speak, what would be their plea?

John Adams was right, "Facts are stubborn things,"
and we must get the facts into the light of day.

About the Author

MICHAEL CUTLER graduated from Brooklyn College of the City University of New York (February 1971) with a B.A. in Communications Arts and Sciences and is a retired Senior Special Agent of the former Immigration and Naturalization Service (INS).

In 1971, he began his 30-year career as an Immigration Inspector and served as an Adjudications Officer,



and four years later, in 1975, he became a Special Agent. He rotated through every squad in the Investigations Branch of the INS in New York City. In 1988 he became the first INS agent to be assigned to the Unified Intelligence Division of the Drug Enforcement Agency (DEA) and in 1991 was promoted

to the position of Senior Special Agent and assigned to the Organized Crime, Drug Enforcement Task Force where he worked closely with local, state, and federal law enforcement agencies including the DEA, FBI, ATF, U.S. Marshals Service, and with law enforcement agencies of other countries including Israel, Canada, Great Britain, and Japan.

Mr. Cutler has testified before well over a dozen Congressional hearings in both the U.S. House of Representatives and the U.S. Senate. On March 20, 2013, he testified before a hearing conducted by the Senate Judiciary Committee on the topic, “Building an Immigration System Worthy of American Values.”

On May 19, 2002, Mr. Cutler testified before the House Immigration Subcommittee on the topic, “INS’s March 2002 Notification Of Approval Of Change Of Status For Pilot Training For Terrorist Hijackers Mohammed Atta And Marwan Al-Shehhi.” That hearing, archived by C-SPAN, can be viewed in its entirety.

Mr. Cutler provided testimony to the 9/11 Commission and has testified before numerous state legislative hearings. He assisted the law firm retained by Arizona’s Gov. Jan Brewer to defend her and her state against the DOJ lawsuit in response to Arizona’s immigration law, SB 1070. He also provides expert witness testimony at trials where immigration is at issue.

He has appeared on several national television programs on CNN, MSNBC, Fox News, Newsmax-TV, One America News Network, and in a number of documentaries. He is often interviewed on radio programs and is a much sought-after speaker and participant in debates and panel discussions on various aspects of the immigration issue.

His articles regularly appear on the FrontPage Magazine website and in *The Social Contract*. He hosts his own radio program, “The Michael Cutler Hour,” which airs on Friday evenings at 7:00 p.m. (EST) on USA Talk Radio. His website is: michaelcutler.net

USEFUL LINKS

The Social Contract: articles by Michael Cutler

www.thesocialcontract.com

Frontpage Mag: articles by Michael Cutler

<https://www.frontpagemag.com/author/michael-cutler>

Center for Immigration Studies (CIS)

www.cis.org

***Illegal Immigration; Costs, Crimes and Related Problems;
Groups; Immigration; Immigration Activists***

www.DiscovertheNetworks.org

Immigration and Culture (including crime)

www.LimitsToGrowth.org

Immigration Issues

www.fairus.org

Our Issues: Crime and Personal Safety; Victims

www.USinc.org

The Remembrance Project: The Victims of Criminal Aliens

www.theremembranceproject.org

Title 8 – Aliens and Nationality

http://www.law.cornell.edu/uscode/html/uscode08/usc_sup_01_8.html

U.S. Immigration and Customs Enforcement

<http://www.ice.gov/>

United States Illegal Alien Crime Report

www.illegalaliencrimereport.com

The 9/11 Commission Report

<https://www.9-11commission.gov/report/911Report.pdf>

***9/11 and Terrorist Travel: A Staff Report of the National
Commission on Terrorist Attacks Upon the United States***

http://govinfo.library.unt.edu/911/staff_statements/911_TerrTrav_Monograph.pdf

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