



## **PolitiFact: Cruz’s campaign song misses a beat on facts**

W. Gardner Selby

March 17, 2018

Republican U.S. Sen. Ted Cruz of Texas debuted a song the night of the Texas primaries that set Cruz on course to face Beto O’Rourke on the November ballot.

It’s not a love song. The ditty portrays O’Rourke, a Democrat who represents El Paso in the U.S. House, as a liberal who’s unelectable in Texas.

To the tune of Alabama’s “If You’re Gonna Play in Texas,” the singer opens: “If you’re gonna run in Texas, you can’t be a liberal man.”

Cruz’s song contains a trio of claims. For starters, the singer says O’Rourke started calling himself Beto rather than his given name of Robert to “fit in.” O’Rourke responded to that sally with a tweet showing a photo of the candidate as a boy wearing a shirt inscribed, “Beto,” tracing to his preschool days.

The song’s other claims touched off this fact-check: “Beto wants those open borders/And wants to take our guns.”

Without a doubt, we found, O’Rourke has objected to walling off the border and he favors a ban on civilian purchases of what critics call assault weapons including AR-15s, a type of semi-automatic rifle. However, he’s not called for opening the borders or for government agents to take guns from law-abiding residents.

Let’s dig in more to those claims in the Cruz campaign tune.

The concept of “open borders” drew the PolitiFact Truth-O-Meter initially when Donald Trump in 2016 charged Democrat Hillary Clinton with favoring open borders. Experts said then that making it easier for undocumented immigrants to obtain legal status wasn’t the same as getting rid of enforcement and allowing open borders.

But there’s a longer history to “open borders,” which the U.S. essentially had for 85 years, the libertarian Cato Institute notes. “From 1790 to 1875,” the institute says, any “immigrant from any country could legally enter, live and work in the United States.”

Yet Congress subsequently regulated immigration decade after decade. Nowadays, Cato analyst Alex Nowrasteh told us by email, there “are no members of Congress who support ‘open borders’ or anything that even approaches it.”

Edward Alden, a senior fellow at the Council on Foreign Relations who authored a 2008 book on federal actions to tighten U.S. borders after 9/11, similarly told us he’s unaware of congressional advocates for opening our borders. “It’s a derogatory term,” Alden said, “that doesn’t have a whole lot of analytical meaning. It’s not even in the conversation in Washington.”

Cruz spokeswoman Catherine Frazier, asked the basis of Cruz’s “open borders” claim, pointed out that O’Rourke, an El Paso native and former member of the El Paso City Council, has been full-throated about opposing the border-long wall promised by Trump as unlikely to improve security or the flow of trade. Also, she noted, O’Rourke has questioned the worth of existing border barriers.

From earlier years, Cruz’s camp pointed out a city of El Paso document showing that O’Rourke backed a council resolution objecting to previous federal plans to expand fencing near the border.

O’Rourke told us he doesn’t believe in open borders. Still, he said, “we don’t need walls. We already have over 600 miles of walls, fencing and physical barriers in place. We don’t need them. They’re not making us safer.”

Generally, O’Rourke said, “it should be easier for people to legally cross the border at ports of entry where they have inspections by a customs officer.”

As far as O’Rourke wanting to “take our guns,” Cruz’s camp pointed out that O’Rourke was among sponsors of an unsuccessful 2015 House proposal, opposed by the National Rifle Association, to bar the import, manufacture and sale of “assault weapons.” More recently, we found, O’Rourke ranks among co-sponsors of the 2018 version of the legislation, authored by Rep. David Cicilline, D-R.I., which would bar the import, manufacture, sale or possession of any semi-automatic weapon or “large capacity ammunition feeding device.” But the proposal also says the bar wouldn’t apply to any semi-automatic assault weapon or feeding device lawfully held before the act passes into law.

O’Rourke told us by phone: “My intent is for AR-15s not to be sold to the public.”

Richard Luchette, a Cicilline aide, told us the proposal exempts from the ban 2,258 “legitimate hunting and sporting rifles and shotguns that are named by make and model and specifically exempted from the ban. There are a couple other exemptions too – antique weapons, weapons used by the military and law enforcement, weapons owned at the time of the bill’s enactment, and any firearm that is operated by a bolt, pump, lever, or slide action.”

We noticed that the measure authorizes federal funds to be spent on government “buy-back” programs for semiautomatic assault weapons and ammunition feeding devices. But we saw no language authorizing or directing officials to take existing guns.

**Our ruling:**

Cruz says in his song that O'Rourke wants "open borders and wants to take our guns."

We rate this Cruz claim False.