



## Shhh ... Don't Tell Anyone, But Mayorkas Just Abolished ICE

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Over a two-week period, from Sept. 30 to Oct. 12, Homeland Security Secretary Alejandro Mayorkas effectively abolished the Immigration and Customs Enforcement (ICE) agency. Doing away with the agency that apprehends and removes illegal aliens has become a rallying cry for the far left and was embraced by several contenders for the 2020 Democratic presidential nomination – although, notably, not Joe Biden.

ICE headquarters is still there on 12th St. S.W. in Washington, D.C. Dozens of field offices around the country remain. The 10,000 employees of the agency still collect paychecks. But as a result of two memos issued by Mayorkas, the agency's immigration enforcement functions have virtually ceased to exist. To be clear, ICE wasn't doing much even before Mayorkas issued his edicts – ICE agents were averaging one arrest every two and a half months – but now it's official: ICE has been ordered to stand down.

Mayorkas' first memo, *Guidelines for the Enforcement of Civil Immigration Law*, issued on Sept. 30, defines who, among the 15 million or so illegal aliens living in the U.S., ICE agents may arrest and put into removal proceedings. Under the guise of "setting priorities," Mayorkas limits enforcement to just three categories of illegal aliens: Those who are deemed to be threats to national security, such as terrorists and spies; violent criminals; and those who entered the country after Nov. 1, 2020. And even these categories are smaller than they might appear.

According to the Cato Institute (a libertarian think tank that supports mass immigration), a grand total of 1,485 spies were arrested in the U.S. between 1990 and 2019, of whom 583 were native-born Americans. The Department of Justice reports that between Sept. 11, 2001 and Dec. 31, 2016, 402 foreign terrorists were arrested on U.S. soil.

When it comes to removing violent criminals, Mayorkas' memo carves out some rather large exceptions. "The gravity of an apprehension and removal on a noncitizen's life, and potentially the life of family members and the community, warrants the dedication of investigative and evaluative effort," Mayorkas states.

Violent criminals who are of “advanced or tender age,” have lived in the United States for a “lengthy” period of time, have a mental illness that led to their criminal conduct or whose removal would leave dependents behind, are a no-go for ICE agents. Thus, the sweet-spot for ICE agents attempting to do their jobs is finding a violent criminal, not too young and not too old, mentally competent, without kids. That should keep them busy.

As for the third category, those who were in the country less than 11 months from the day Mayorkas issued his memo – that is nothing more than a moneymaking opportunity for those in the business of selling bogus rent receipts and pay stubs.

But Mayorkas was not satisfied with declaring virtually all illegal aliens off-limits to enforcement. On Oct. 12, he issued a second fiat nullifying the law prohibiting employers from hiring illegal aliens. That key provision of the 1986 Immigration Reform and Control Act (which then-Senator Joe Biden voted for), was intended to eliminate the magnet of jobs that draws illegal aliens to the U.S. When enforced (as it was under the Trump administration), worksite enforcement actions had the dual benefit of nabbing large numbers of deportable aliens, and hitting scofflaw employers with meaningful financial and criminal penalties while discouraging others from doing the same.

Under Mayorkas’ edict, only employers who “exploit” illegal alien workers will be subject to enforcement actions. Needless to say, additional penalties should be imposed on employers who mistreat workers, regardless of their immigration status. But under new ICE policies, companies now have a green light to hire illegal aliens in preference to American workers, so long as they meet certain minimal employment standards – an ironic stance, considering the president fancies himself as an ally of working Americans, and frequently invokes his blue-collar upbringing and the struggles his own family faced.

With just 25 percent of the public supporting the Biden administration’s immigration policies, satisfying the far left’s demand and disbanding ICE entirely may have been politically untenable, so Mayorkas has done the next best thing: He has quietly eliminated nearly all of its functions.