Balancing Priorities: Immigration, National Security, and Public Safety

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Executive summary

In response to 9/11 and other threats since, the US government has done a great deal to improve immigration and border processes to boost national security. Yet effectively addressing evolving threats depends on the government's ability to balance the country's immigration, national security, and public safety priorities.

Current immigration policies and systems play an important role in protecting citizens. Federal immigration agencies are a central component of the Department of Homeland Security (DHS). Working in collaboration with federal intelligence agencies and local law enforcement at home and foreign governments abroad, the immigration system has become much more sophisticated and effective since DHS was created in 2001. Apprehensions of unauthorized immigrants along the border are at the lowest levels seen in decades. Screenings used to vet visitors, immigrants, and refugees have increased in complexity and efficacy. Programs that remove criminals from the country now increasingly prioritize enforcement resources to address public safety and security threats.

Still, more can be done. Updating immigration laws and policies would allow the immigration system to more effectively respond to security threats while sustaining the economic, cultural, and social benefits of immigration. The United States can build on existing immigration enforcement and control measures to strengthen national security through several changes:

- Develop comprehensive, consistent metrics to (1) measure the effectiveness of immigration and enforcement efforts, (2) better allocate resources at the border and beyond, and (3) inform the public and policymakers on the state of border security.

- Complete a connected entry and exit system to track and deter visa overstayers and disrupt the international travel of dangerous individuals.

- Foster greater cooperation between local law enforcement and federal immigration officials to more effectively remove high-risk individuals from the US interior while building trust with immigrant communities.

- Screen unauthorized immigrants living in the United States via a mechanism for documentation, allowing immigration enforcement officials to focus limited resources on individuals of concern.

- Update and expand legal immigration visas to redirect illegal immigration flows to vetted channels while meeting economic and humanitarian priorities.

Immigration reforms alone cannot address all the security threats facing the country. Much relies on defense, intelligence, and law enforcement apparatuses. However, the United States should develop practical immigration and border changes that can improve upon the existing security measures while recognizing other important national interests in economic security and meeting its humanitarian obligations.

Foreword

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The current election season, intersecting with terrorist attacks and growing numbers of refugees around the globe, have once again turned the country's attention to our immigration system—specifically, whether or not it is "up to the challenge" of protecting our country. The short answer: yes, but there is always more to do.

We are unarguably safer now than we were before that fateful day in September 2001 when 19 foreign nationals perpetrated the greatest terrorist attack ever on US soil. The changes made in the aftermath of that event, including the creation of the Department of Homeland Security, which I had the honor of leading during the last administration, have improved our ability to detect and prevent known and suspected terrorists from entering the United States. We are sharing intelligence with our immigration agencies and law enforcement and partnering with our allies around the world to prevent and deter terrorist travel. We are working diligently with other countries' law enforcement agencies in joint operations to dismantle human trafficking and smuggling organizations, and we are screening and vetting travelers with more information and earlier in the travel process than ever before.

Unfortunately, the terror threat has evolved as well. We now face a greater threat from so-called "lone wolf" attacks of domestic terrorism, often perpetrated by US citizens or long-time residents who have been radicalized from afar by extreme ideologies spouted by groups like ISIS. This type of threat requires a different type of response, one that involves not just looking at the threat from outside our borders, but also from within. It also requires state and local law enforcement to collaborate with communities at risk to detect and disrupt plots. Although we should look more closely for signs of radicalization in those we admit to the country, it is inconceivable to think that we can somehow predict future radicalization. Our screening processes for immigrants, refugees, and travelers do not include crystal balls. Instead, the best inoculation against radicalization comes from cooperation and building trust with immigrant and other communities.

Does that mean that we should not continue to look for ways to ensure our immigration system is protected from exploitation by those who would wish to do us harm? Absolutely not. There is always more to do. This report by the Bipartisan Policy Center (BPC) and the Chicago Council on Global Affairs points to some of them: adopting standardized metrics on immigration enforcement to understand how we are doing at preventing and deterring threats; completing an entry-exit system that will allow us to know with more certainty who is in the country and who has left; improving the cooperation between federal immigration officials and local law enforcement to build trust to enforce immigration laws as well as build up the community policing necessary to deter radicalization; update our channels for legal immigration to allow enforcement resources to focus on true security threats and not just those coming to work or join family; and creating a mechanism for the millions of undocumented immigrants to come out of the shadows, be vetted and screened and given identification documents.

These common sense solutions align with the recommendations of BPC's Bipartisan Immigration Task Force, which I co-chair, and would help make us safer, further strengthening our immigration system against current and new threats from abroad.

Introduction

In recent years, public fears related to terrorism, refugees, and criminality have grown, raising concerns about the effectiveness of the immigration system in keeping US citizens safe. Incidents involving foreign-born individuals, crime, or weapons that have crossed borders have prompted an array of responses, the most extreme of which include calls to seal borders, end all refugee resettlement, and restrict the entry of people from areas of the world that might pose some risk. On the heels of terrorist attacks in Orlando, Brussels, San Bernardino, and Paris, for example, some voices have called for a "total and complete shutdown of Muslims entering the United States,"[1] suggesting the government should enter a "wartime lockdown"[2] and enact a complete "immigration moratorium."[3] The threat from extremists and criminals who wish to do harm to Americans is real and concern is justified. However, the level of fear being expressed is leading to proposals for extreme "fixes" that can do more harm than good.

Immigration has a significant role to play in supporting national security priorities, and the current systems screen millions of visitors, immigrants, and refugees to keep threats out of the country. This includes interdicting narcotics, preventing the entry of criminals and terrorists, and apprehending unauthorized immigrants.

US immigration agencies share intelligence and cooperate with dozens of federal, local, and international law enforcement and security agencies and analyze millions of pieces of information about travelers, cargo, and vessels in real time. Updated immigration laws, if implemented via much-needed immigration reform, could build upon this strong system, greatly improving both border security and interior enforcement systems and infrastructure.

Nonetheless, reducing the role of immigration policy to the simple notion of border security and restricting the entry of large groups of people—if not all immigrants—in a futile attempt to reduce to zero the risk to the nation is both economically impractical and counterproductive to the goal of safety and security. The United States' power and influence in the world is extended through cultural, educational, and personal exchanges. Its history of immigration has helped it to become the example of how integration of diverse peoples can create the strongest and most prosperous country in the world. Steps to address security concerns must be balanced against these national interests as well.

For example, significantly restricting immigration in the name of security could have significant negative impacts to the country.[8] Legal travel, trade, and immigration generate hundreds of billions of dollars for the

Box 1

Recent events shaping the immigration and security discussion

- Attacks in Orlando and Brussels in 2016 as well as Paris and San Bernardino in 2015 were linked to ISIS and Muslim extremists, intensifying fears of refugees and calls for restrictive immigration policies.[4] News reports that one of the San Bernardino shooters had entered the country on a K-1 "fiancé" visa put the immigration system under scrutiny.[5]

- As Europe struggled to respond to the flow of Syrian refugees in the fall of 2015, some politicians stoked fears about how the situation could manifest in the United States, cautioning that jihadists and Muslim extremists could have infiltrated the refugee flows.[6]

- The July 2015 shooting of Kathryn Steinle, a 32-year-old California woman, by a Mexican national deported five times for criminal activity intensified concern about criminality among immigrants.

- A media frenzy over the threat of Ebola in the United States erupted after two American missionaries were diagnosed with the virus in Liberia in July 2014. Continuing into the autumn of 2014, media coverage intensified. Reactions included calls for a ban on air travel from West Africa and geographically misplaced concerns about Ebola and other diseases spreading to the United States via children migrating from Central America. Current concerns over the Zika virus in Latin America and multiple drug-resistant diseases have continued calls for intensified border screening for health threats.

- News reports of tens of thousands of children and families apprehended in Texas' Rio Grande Valley in the summer of 2014 led to headlines of "floods" and "crises" on the border and fears that criminals and gang members were using the mass migration event to cover their entry.

- Bombs detonated at the 2013 Boston Marathon were linked to brothers from Chechnya; one was a naturalized United States citizen, while the other was a legal permanent resident. The incident divided support around S.744, a bipartisan immigration reform bill being debated at the time.[7]

Box 2

Legislating national security via immigration policy[9]

In the aftermath of 9/11, Congress passed several bills to address the immigration-related aspects of national security. Collectively, this legislation has contributed to improved interagency infrastructure to monitor national security threats within immigrant flows along with reduced immigration along the US-Mexico border.

- USA PATRIOT ACT (October 2001)—Required the FBI to provide criminal records to the Immigration and Naturalization Service—now U.S. Customs and Border Protection (CBP), U.S. Immigration and Customs Enforcement (ICE), and U.S. Citizenship and Immigration Services (USCIS)—during visa screening processes.

- Enhanced Border Security and Visa Entry Reform Act (May 2002)—Mandated that male immigrants from targeted countries submit biometric data, conduct in-person interviews with immigration officers, and re-register on an annual basis.

- US-VISIT (January 2004)—Required nonimmigrants to submit biometric data upon receiving a visa at all ports of entry and again upon leaving the United States. While entry tracking is fully operational, exit systems are still in development along the US-Mexico border.

- Intelligence Reform and Terrorism Prevention Act (December 2004)—Created an Office of the Director of National Intelligence and funded additional surveillance, border enforcement, and immigration detention beds.

- Real ID Act (May 2005)—Created new federal standards for state driver's licenses, including rules to deny licenses to unauthorized immigrants.

economy every year.[10] Moreover, closing the country's authorized and vetted channels for travel, commerce, and immigration may push these economically essential activities into informal or illegal routes, which are by definition uncontrolled, further compromising national security.

In terms of foreign policy, proposals to curtail or place a moratorium on refugees would abrogate US commitments under international treaties, and banning entry of Muslims or others from regions of the world that have experienced terrorism (including Europe) could cause reciprocal bans against US citizens and commerce, further eroding relationships and alliances that are needed to work against terrorist and criminal organizations. Additionally, such actions feed into the rhetoric of extremists that the United States is at war with Islam, further undermining the work of security agencies.

The United States needs pragmatic, sensible approaches to immigration that will improve the nation's security while balancing its role in other key national interests. Immigration policies and systems play an important role in supporting a broader national security

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agenda—and further reforms to secure the border and foster safety should recognize that balance.

I. Current US immigration policy contributes to national security and public safety

Public debate and policy proposals that examine immigration within the context of public safety and anti-terrorism measures are not without precedent in the United States. The years following the terrorist attacks of September 11, 2001, saw the dissolution of the Immigration and Naturalization Service (INS) and the historic creation of the Department of Homeland Security (DHS), where immigration agencies have been incorporated into a larger department whose mission is security.

During this time there was also strong bipartisan support for a series of enforcement-focused immigration bills that passed quickly through Congress (see box 2). While they did not amount to a wholesale reform of the immigration system, these measures collectively contributed to a significant increase in enforcement resources, major changes to the ways immigrants and visitors are

screened to come to the United States, and a more effective national security and public safety apparatus.

Today, the US immigration system is a core component of the federal government's national security efforts, effectively screening and admitting millions of immigrants and visitors each year while minimizing the risk that criminals, terrorists, and weapons can enter the country. The system also monitors the border for unauthorized entry and prioritizes the removal of security threats and persons with criminal convictions from the interior of the country.

Immigration agencies are a part of the comprehensive national security apparatus

The US immigration system was deemed so critical to security that it was incorporated directly into the national security apparatus following the 9/11 attacks. The Department of Homeland Security (DHS) was born out of the consolidation of 22 formerly separate federal agencies,[11] including the country's two main border agencies, the U.S. Customs Service (formerly in the Treasury Department) and the Immigration and Naturalization Service (formerly in the Justice Department). The creation of DHS marked the largest restructuring of executive-branch functions since the Department of Defense was established after World War II.[12]

Today, DHS has grown into the third-largest cabinet department, with an annual budget of $64.9 billion and 240,000 employees (FY2015) working across 16 agencies and other component offices.[13] Expenditures relating to enforcement of immigration and customs laws (which includes all border enforcement) represent more than half (52 percent) of the expenditures of all major federal law enforcement agencies. Similarly, immigration enforcement agencies (including the U.S. Border Patrol within CBP and ICE) employ 45 percent of all federal law enforcement officers.[14]

DHS includes the three main immigration agencies:

- U.S. Immigration and Customs Enforcement (ICE), which investigates and enforces federal laws governing, customs, trade, and immigration to promote security and public safety.

- U.S. Customs and Border Protection (CBP), responsible for keeping terrorists and weapons out of the United States while facilitating lawful international travel and trade.

Figure 1

Department of Homeland Security spending

Fiscal Year	Budget (in billions)
2003	$31.2
2004	$35.6
2005	$38.4
2006	$40.4
2007	$43.0
2008	$47.5
2009	$52.8
2010	$56.2
2011	$55.3
2012	$60.8
2013	$59.2
2014	$60.7
2015	$61.1
2016	$64.9

Source: U.S. Department of Homeland Security

- U.S. Citizenship and Immigration Services (USCIS), which oversees lawful immigration to the United States by granting immigration and citizenship benefits, promoting awareness and understanding of citizenship, and ensuring the integrity of the immigration system.[15]

DHS's budget has more than doubled since its inception, from $31.2 billion in FY2003 to $64.9 billion in FY2016 (see figure 1). The largest portion of this appro-

priation (21 percent) goes to CBP, the principal agency charged with border security.

All three agencies participate heavily in the national security missions of DHS, with linkages to the counterterrorism and intelligence areas of DHS and other federal law enforcement and intelligence agencies. For example, ICE participates in Joint Terrorism Task Forces with the FBI. CBP uses information from the intelligence community to screen incoming travelers and conveyances for risk assessment and to uncover terrorist and criminal activity. USCIS also regularly vets immigration benefits applications against watch lists and for criminality.

Immigration and customs laws are a primary component of border security

The creation of a single agency in charge of US borders, both at and between the ports of entry, not only created the largest single law enforcement agency in the federal government, but also brought two very significant sets of legal authorities together. CBP and ICE, agencies created by combining portions of the former Immigration and Naturalization Service and U.S. Customs Service, now both share the extensive border authorities granted in customs and immigration laws.

All officers/agents of CBP at the borders and ports of entry and ICE's investigative agents are cross-designated to exercise both immigration and customs authorities. Customs laws provide federal officials with the authority to stop and search without warrant any person, vehicle, vessel, or conveyance seeking entry to the United States to determine compliance with US laws—the most expansive set of search authorities of any law enforcement agency in the United States. Immigration laws convey the authority to determine the citizenship and admissibility of any foreign national entering or within the United States. In addition to specific customs laws relating to the import and export of goods and immigration laws relating to the temporary and permanent entry of people, ICE and CBP now also enforce laws against counterfeiting, international weapons trafficking, human trafficking and smuggling, proliferation of nuclear weapons and materials, child pornography, drugs, international money laundering, and the entry of animal and plant diseases and pests.

Continued investments in border infrastructure are a priority

CBP is staffed by 60,000 employees who protect 7,500 miles of land borders and 95,000 miles of coastal shoreline. It processes people and cargo through more than 300 official land, sea, and air ports of entry. CBP's official mission statement is "to safeguard America's borders, thereby protecting the public from dangerous people and materials while enhancing the nation's global economic competitiveness by enabling legitimate trade and travel."[16] This is an expansive mission that balances various national interests. Between the ports of entry, the U.S. Border Patrol, which is part of CBP, has about 21,000 agents to patrol land and maritime borders for those who attempt to enter the United States illegally. At the ports of entry, almost 23,000 CBP officers inspect more than 1 million people each day, including 680,000 incoming land travelers in vehicles and on foot.[17] In 2015, CBP apprehended a daily average of more than 1,300 people at and between ports of entry, including wanted criminals and hundreds of individuals found inadmissible due to national security concerns.[18]

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The current level of investment in border security resources, including agents, fencing, and surveillance technology, particularly at the southern border, reflects a dramatic increase over the past two decades. The total number of border agents has more than doubled since 2002 from 10,000 to nearly 21,000 agents. DHS has also put in place nearly 700 miles of fencing along the southwest border. By 2014, CBP completed 653 miles of the barrier, including 353 miles of pedestrian fence. In addition, some sectors of the US-Mexico border that experience a higher flow of both unauthorized immigrants and drug smugglers have been secured by multilayered barriers, including 36 miles of secondary fence and 14 miles of triple-layered fence. Tactical infrastructure such as stadium lighting also sits along the fence (see figure 2).[19]

In addition to these domestic resources, the United States is cooperating more closely than ever with its neighbors to address criminality and terrorism concerns along its borders. The 2010 Beyond the Border agreement between Canada and the United States outlined a shared "perimeter approach to security," with key

Figure 2

Growing investments in Border Patrol Agents (FY1993-2014)

Source: Bipartisan Policy Center, calculated from CBP, AILA (2005), CBP (2007, 7/2008, 11/2008, 2012), GAO (2011), US Senate (2013), DHS (2000, 2014) data

Figure 3

Declining apprehensions of unauthorized at the border[20]

Source: U.S. Department of Homeland Security
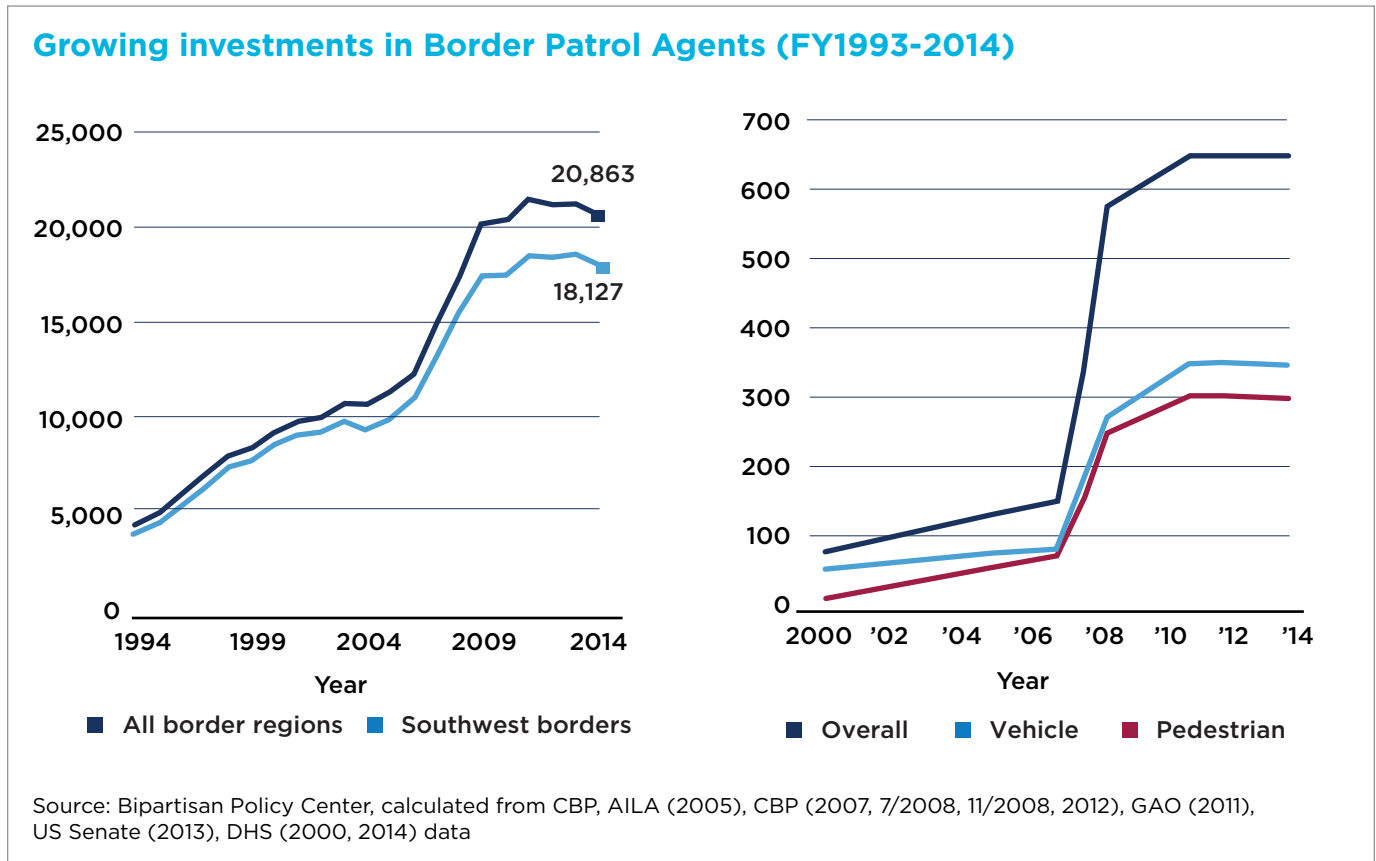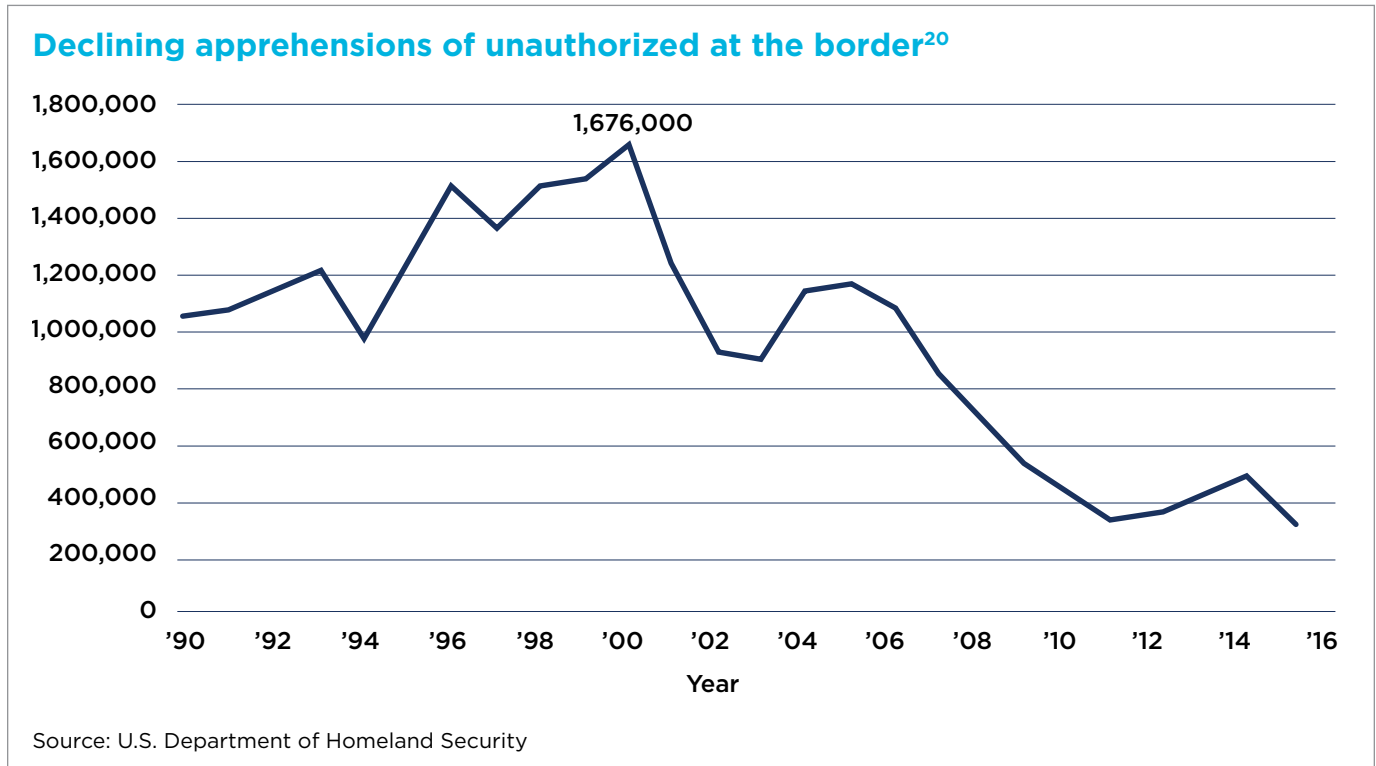
areas of cooperation, including addressing threats early, improving information and intelligence sharing, facilitating trade and economic growth, integrating cross-border law enforcement, and building infrastructure and cybersecurity.[21] That same year, the United States and Mexico announced the 21st Century Border Declaration and subsequent Action Plan, which have increased law enforcement cooperation between the two countries to address threats from cartels and smuggling networks that may be used to facilitate the entry of terrorists to the United States.[22]

Immigration policies include significant vetting and screening of immigrants and visitors

Border security extends beyond securing the physical US borders. The various agencies of DHS also work together—and in concert with outside agencies such as the FBI, the Department of State, the Department of Defense (DOD), the Department of Justice (DOJ), and the intelligence community—to deliver robust, comprehensive screenings for the estimated 370 million people who seek to enter the country each year. This includes immigrants, visitors, and US citizens at more than 300 authorized ports of entry.[23] Since September 11, 2001, and following the recommendations of the 9/11

Commission that investigated those attacks, the United States has almost completely transformed the means by which it reviews visa applications, screens visitors to the United States, and confirms identity, all in the name of preventing those who want to do harm from entering or obtaining immigration benefits (see box 3).

Vetting entry of immigrants and visitors

All prospective legal permanent immigrants to the United States are subject to extensive criminal and medical background checks. Since 2002, USCIS has significantly increased the number and scope of screenings to address a growing range of possible risk factors.[29] Today's criminal background screenings include four separate checks—two fingerprint-based and two biographic, name-based checks—against five different information technology systems housed within the FBI, DOJ, and USCIS. The checks are designed to flag applicants with criminal records, known and suspected terrorists, sex offenders, and those involved in illegal gang activity.[30] If the background check yields an item of national security interest, USCIS will work with law enforcement agencies to determine appropriate action. Under law, USCIS may not approve any case when there are outstanding background checks that are unresolved.[31]

Box 3

How secure is the border?

While border security is a multifaceted challenge, it is often measured in the public mind solely by levels of unauthorized migration, especially from Mexico. Studying that metric is difficult, however, since the government has not collected and published consistent border metrics.[24] Nevertheless, based on available data, government investment seems to be reducing unauthorized migration.

Overall, recent estimates have shown that net immigration from Mexico is now below zero—more Mexican immigrants have returned to their country than have migrated to the United States since 2009, and the overall flow of Mexican immigrants between the two countries is at its lowest since the 1990s.[25] This decline is at least partly due to stricter enforcement of US immigration laws as well as the effect of the economic recession in the United States and improving economic conditions in Mexico.[26] Apprehensions along the border today alone (an imprecise but instructive measure of unauthorized entry) are at some of the lowest levels seen in decades, decreasing from over 1.6 million in FY2000 to around 330,000 in FY2015 (see figure 3).[27]

Further, other metrics tracked and released by CBP and Border Patrol seem to indicate that increased resources at the border have had success. Border Patrol has tracked three types of "known-flow" data collected by their agents to measure their "effectiveness rate": (1) the number of individuals apprehended (apprehensions), (2) the number who flee or are directed back across the border (turn backs), and (3) the number who make it past the border patrol into the United States (gotaways). Typically, apprehensions are the only numbers publicly released, but a 2012 Government Accountability Office report made available known flow data from FY2005 through FY2011. The "effectiveness rate," which measures the percent of known would-be crossers that are apprehended or turned back (i.e., that do not get past Border Patrol) increased in eight of nine border sectors from FY2006 to FY2011, from 69 percent to 84 percent overall.[28]

Even as vetting for immigrants is extensive (due to the permanent nature of their settlement in the country), perhaps the greatest challenge in addressing border security is the sheer volume of nonimmigrants—including visitors and US citizens—entering the country.[32] To help control these flows, DHS manages a biometric screening program called US-VISIT for noncitizens, with a vetting process that starts overseas when individuals apply for a nonimmigrant visa to the United States. US-VISIT compares biometric data against no-fly and other terrorist watch lists.[33]

DHS also uses a variety of travel-related programs—including Passenger Name Record (PNR), the Visa Security Program, Pre-Departure Vetting, and Secure Flight, among others[34]—to identify potential criminals or security risks before they enter the United States (see box 4). These programs have a strong track record of effectiveness. From 2008 to 2009, PNR assisted the government in identifying individuals with potential ties to terrorism in more than 3,000 cases—cases that would not have been identified otherwise. In 2010, a quarter of individuals denied entry to the United States because of potential terrorist ties were initially identified through PNR analysis.[36]

CBP is also implementing "risk-based" approaches to more effectively focus its security and enforcement resources to screen people arriving from abroad. For example, CBP has implemented several "trusted traveler" prescreening programs in order to facilitate the secure travel of low-risk individuals without stifling trade or compromising security. Some of these programs include Global Entry, NEXUS, SENTRI, and FAST, which together have more than 5 million members.[37] These "pre-vetted" programs allow officers to spend necessary time with other travelers who may need closer examination without creating long backups and lines.

Overall, the suite of screenings has been successful at keeping many threats—people or otherwise—out of

Box 4

Antiterrorism screenings[35]

The Department of Homeland Security uses a multilayered, risk-based strategy for detecting, deterring, and preventing the entry of terrorists or their affiliates into the United States. Primary efforts are aimed at identifying known and suspected terrorists, who are identified via various intelligence avenues and are included in the Terrorist Screening Database operated by the FBI Terrorist Screening Center. The database includes both biographic and biometric data.

- **Screen #1** - The majority of foreign nationals traveling to the United States must first obtain a visa from a US State Department consular office abroad. As part of this process, consular officials collect biographic and biometric data to vet against the screening databases and conduct interviews of applicants. In certain countries US Immigration and Customs Enforcement agents are stationed as part of the Visa Security Program to offer additional assessments of risk for applicants for visas.

- **Screen #2** - For those who are exempt from visas, such as travelers from countries in the Visa Waiver Program, the Electronic System for Travel Authorization collects data for vetting against these systems prior to travel.

- **Screen #3** - U.S. Customs and Border Protection requires advance passenger data from all foreign nationals traveling to the United States by air or sea prior to departure, which it uses to check against the databases to identify KSTs who should be denied travel permission. All travelers entering the United States at a land border must present a passport or other approved travel document upon inspection. Using this travel document and vehicle information from automated license plate readers, CBP checks the same databases as those used for air travel to identify known or suspected terrorists, those with criminal histories, or those who may pose higher risks.

- **Screen #4** - Upon arrival, almost all foreign nationals are enrolled or checked in a biometric database that screens against previous entries to confirm identity and check against various watch lists.

In addition to screening for known and suspected terrorists, the government conducts risk assessments of all travelers to the United States. The CBP Automated Targeting System (ATS) conducts an analysis of all advance passenger data and checks against all watch lists, Interpol's lost and stolen passport database, other law enforcement databases, and previous travel records. The information is also vetted against targeting rules in ATS to identify risky travelers who may be subject to additional actions such as issuance of a no-board notice or identification for additional secondary inspection upon entry. DHS also conducts continuous vetting of visas that have been recently issued, revoked, or denied in near real-time to make sure that new information is always available to inform decisions on entry.

Box 5

History of accepting refugees

Over the past 30 years, the United States has re-settled some 3 million refugees, including 207,000 Vietnamese[38] and 125,000 Cubans[39] in 1980 alone. While the United States is a world leader in terms of refugee resettlement—in 2014 it resettled 73,000 refugees, or 70 percent of the United Nations High Commissioner for Refugees (UNCHR) total—the developing world still hosts 86 percent of refugees worldwide.[40] When viewed from a per-capita perspective, the United States trails far behind the top 10 nations in terms of refugees per 1,000 inhabitants (see figure 4).

Of the more than 4 million Syrian refugees registered around the world, just over 12,500 have been re-settled in the United States since 2005.[41] The distinction between hosting and resettling refugees is important when considering the impact of the current unprecedented levels of worldwide displacement that has strained many European nations. The United States benefits from being geographically removed from the major conflicts at the source of this displacement. By and large refugees to do not present themselves at US borders. Instead, those recommended to the United States by UNHCR for resettlement go through an extensive screening process before touching US soil, dramatically reducing security risks.

Figure 4

Number of refugees per 1,000 inhabitants (mid-2015)[42]

Lebanon	209
Jordan	90
Nauru	51
Chad	31
Turkey	24
South Sudan	22
Mauritania	19
Djibouti	17
Sweden	15
Malta	15
United States	.83

Source: The UN Refugee Agency

the country. In FY2015, CBP officers arrested 8,013 people wanted for serious crimes and kept 225,342 inadmissible noncitizens from entering the United States, an increase of more than 14 percent over the previous year.[43] CBP also prevented nearly 12,000 high-risk travelers from boarding flights destined for the United States.[44] While terrorist threats continue to evolve, the process for screening travelers is more comprehensive than ever and continues to adapt to new threats. For example, following the terrorist bombings in Paris and Brussels, the Visa Waiver Program was changed so that nationals from certain designated countries or individuals who recently traveled to certain nations must formally apply for a visa before traveling to the United States.[45]

Additional scrutiny for screening refugees

There have been recent concerns about the government's ability to screen Syrian refugees, yet screenings for refugees are even more exhaustive, involving the highest levels of scrutiny for any group admitted to the United States.[46] Currently, the United States does not offer "immediate sanctuary"[47] to refugees, as was the case in years past. Instead, refugees who have temporarily settled in a refugee camp elsewhere must apply to come to the United States through the United Nations, which has its own vetting processes for referring candidates for permanent resettlement.[48] In fact, the full vetting process—which includes health checks, biometric identity verification, biographical and background screenings, and in-person interviews—can take an average of two years to complete. Screenings are conducted through coordination amongst multiple security agencies, including the FBI, State Department, DHS, the National Counterterrorism Center, and the Department of Defense.[49]

Such comprehensive screenings have allowed the United States to resettle millions of refugees over the last three decades, including from active conflict zones, with extremely few incidences of terrorism.[50] And as

Box 6

Safeguarding against "homegrown" terrorism

While terrorism is often perceived as being synonymous with foreign-born Muslim extremists, research from the New America Foundation on jihadist extremist acts and plots shows that of the attacks in the United States between 2001 and 2015, 46 percent were native-born US citizens. Another 22 percent were naturalized US citizens, and another 12 percent were lawful permanent residents.[51] What's more, of the 71 ISIS followers arrested for supporting the group since March 2014, the vast majority were US citizens or permanent residents, according to a report from George Washington University.[52] Since the majority of these perpetrators were already in the United States, most for many years and some for their entire lives, tackling these networks of "homegrown" terrorists "requires a whole new approach to counterterrorism and homeland security beyond the traditional responses," says US Secretary of Homeland Security Jeh Johnson.[53]

In instances where recruits to extremism have either been born in the United States or have lived in the country since a young age, the US government focuses on community-building techniques, including meetings and gang intervention models that can provide a countering influence.[54] Several arms of the US national security apparatus—including DHS, FBI, DOJ and National Counterterrorism Center (NCTC)—are working together to expand the "preventive side of counterterrorism," particularly in diverse communities. In the past year government officials have held nearly 200 meetings across the country to provide information on recruitment methods used by terrorist organizations and the tools to be able to spot and divert threats. Officials have also encouraged the creation of "intervention models" in communities similar to efforts to protect young people vulnerable to other criminal activity like gang involvement.

Likewise, local immigrant welcoming programs such as the Welcoming America initiatives, now embraced by more than 60 cities and counties across the country,[55] can provide a bulwark against terrorism, facilitating two-way integration between new immigrants and their receiving communities. Federal efforts to bring these local initiatives to scale nationally can provide additional safeguards against homegrown terrorism.

the threat evolves, so does the screening. For example, refugees from Iraq and Syria are subject to additional vetting, with screening for the latter group known as the Syrian Enhanced Review process. Syrian refugees being considered for resettlement are interviewed in person by specially trained staff abroad. Like other immigrants, any cases raising concerns are held in abeyance until all issues are addressed.[56] Finally, the United States prioritizes the admission of women and children refugees, the populations generally understood to represent the lowest risk.

Like immigrants, refugees are required to undergo a medical screening, performed by an authorized physician either overseas or in the United States. The exam involves monitoring for communicable diseases and ensuring compliance with recommended vaccines.[57] Refugees, who are more likely to have come into contact with communicable diseases such as tuberculosis due to their living conditions before resettlement, are also subject to monitoring by local health officials following entry for any health concerns.[58]

These increasingly complex and effective refugee screenings have significantly reduced the risk of criminals and terrorists using the immigration system to enter the United States. In fact, the majority of terror-

ism-related incidents in the United States since 9/11 have been carried out by US-born citizens or by foreign-born individuals who have been in the United States since before these precautions were put in place. Many security experts currently believe that the greatest terrorism threat to the United States is not from foreign terrorists, but so-called "homegrown" terrorists (see box 6).[59]

Calls for increasingly restrictive policies around refugee resettlement must be balanced with the understanding that welcoming and integrating refugees can bolster the United States' efforts to fight terrorism. Refugees can serve as effective allies against terrorist groups like ISIS; advocates cite how resettlement programs benefitted the United States in battling communist propaganda during the Cold War.[60] Research has also shown that resettling refugees in countries far away from conflict zones reduces chances of radicalization.[61]

Immigration laws address criminals and security threats within the country

Beyond the border and other ports of entry, the US immigration system has long prioritized its enforcement resources around the removal of criminal and security threats from the interior of the country. With updated

guidelines and new programs, it is deporting them at higher rates today than in the past.

ICE's Homeland Security Investigations (HSI) leads the agency's counterterrorism and criminal investigation mission. HSI operates the Counterterrorism and Criminal Exploitation Unit (CTCEU), which works with federal partners to prioritize persons of national security interest or criminal or terrorist ties who may have overstayed their visas or are participating in the student visa program (as did several of the 9/11 hijackers).[62] ICE HSI agents also participate in the FBI's Joint Terrorism Task Forces across the country as part of the National Security Unit, assisting and leading investigations involving foreign persons or cross-border crimes.[63]

As part of immigration enforcement, Congress has supported efforts to identify and remove foreign criminals, national security threats, felons, and repeat offenders since the late 1980s. Building on this history, ICE's Enforcement and Removal Operations division (ERO) has operated four programs to target this population that aim to foster cooperation between local law enforcement agencies and federal immigration officials in removing high-risk individuals from the country.

1. Criminal Alien Program (CAP), a program administered by ICE to identify, arrest, and remove unautho-
rized immigrants who are considered a high priority for removal because of criminal activity and are incarcerated in state, local, or federal jails.

2. 287(g) Program, an initiative through which ICE forms a partnership or agreement with state and local law enforcement agencies, delegating them authority to perform immigrant law enforcement functions (including identifying, processing, or detaining unauthorized immigrants) in their jurisdiction.
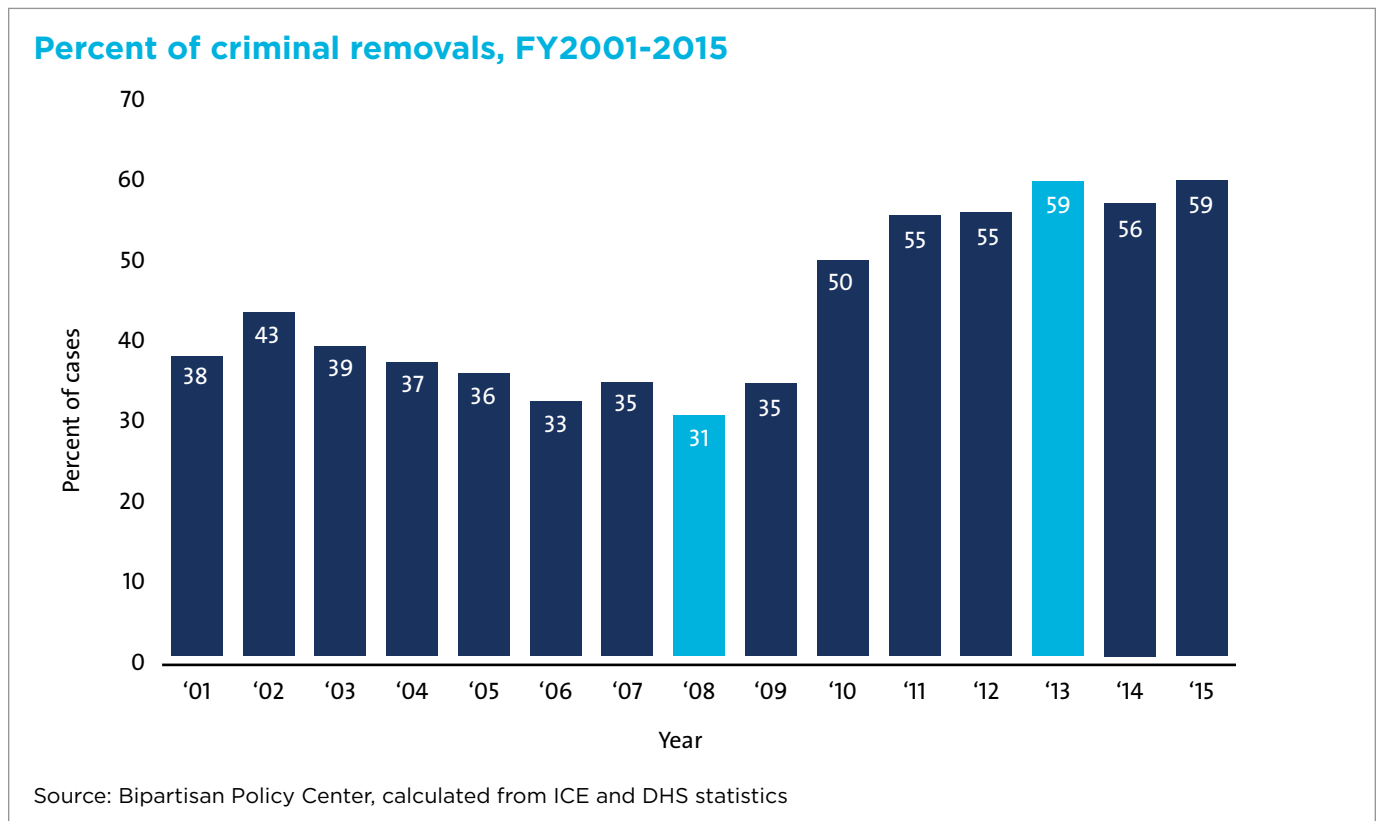
3. National Fugitive Operations Program (NFOP), a program that aims to identify, locate, and arrest fugitive unauthorized immigrants that have been previously removed from the country or have been convicted of crimes.

4. Secure Communities (2008-2014)/Priority Enforcement Program (PEP, 2014-present), allows ICE to take custody of individuals held by state and local law enforcement entities for removal.[64]

From secure communities to priority enforcement

Between FY2008 and FY2013 under Secure Communities, the share of deported immigrants classified as "criminal aliens" nearly doubled from 31 percent to 59

Figure 5

Percent of criminal removals, FY2001-2015

Source: Bipartisan Policy Center, calculated from ICE and DHS statistics

percent (figure 5).[65] In 2015, 98 percent of ICE's removals and returns met one or more of the agency's civil immigration enforcement priorities, and 85 percent of all interior ICE removals and returns involved individuals who had been previously convicted of a crime. This number is up significantly from FY2011 when it was just 67 percent.[66]

While metrics point to improved outcomes over the course of the program, Secure Communities was criticized for eroding trust between police and the immigrant communities that they serve, incentivizing racial profiling and deporting individuals not deemed to be significant security threats.[67] Indeed, several city, county, and state governments opted out of the program during its six-year existence.

In part to address these concerns, the Obama administration announced the creation of PEP as part of the Immigration Accountability Executive Actions in November 2014. PEP promised to address the limitations of the Secure Communities Program, while reinforcing the removal of criminals—including terrorists, convicted felons, gang members, and illegal entrants apprehended at the border—as top enforcement priorities. Tier two priorities include persons convicted of multiple misdemeanors, and priority three includes noncriminals who have failed to heed an order to leave the country.[68]

While critics cite concerns about PEP being too similar to Secure Communities,[69] nearly half of the jurisdictions that previously opted out of Secure Communities were working with DHS under PEP as of December 2015.[70] However, removal statistics from the Department of Homeland Security show a decline in the number of individuals removed from the interior of the country in the last two years and a decline in the percent with criminal convictions. Officials blame this decline in part on the reluctance of many communities to cooperate with immigration enforcement officials.

While there have been congressional efforts to "punish" jurisdictions that fail to cooperate with immigration enforcement efforts, there are limits under the federalist system of government to the means to enforce compliance.[71] Additional efforts at interior enforcement without cooperation from local communities are unlikely to be successful or be able to focus on true threats.

> *Continuing to focus interior enforcement on the priority of public safety and national security threats can protect the country, but doing so will require increased dialogue and cooperation among government, law enforcement, and communities.*

Continuing to focus interior enforcement on the priority of public safety and national security threats can protect the country, but doing so will require increased dialogue and cooperation among government, law enforcement, and communities on how best to ensure these priorities without sacrificing community policing, civil rights, or the integrity of the immigration system.

II. Updating immigration laws could improve national security

Laws, policies, and processes put in place since 9/11 have greatly improved the security of our immigration system and its ability to protect the country from foreign threats. However, it is imperative that the law and policies be updated to meet the evolving threats.

Recent attempts at immigration reform legislation have included provisions to build on the strong existing base of immigration enforcement and control, with updated visa systems and infrastructure that help the government better manage current and future immigration flows, allowing limited resources to be focused on true security threats. Future legislative reform proposals could also help improve and strengthen national security.

However, even the most robust screening and security systems are not impermeable. While our national security apparatus is much more robust than it was in 2001, one of its biggest challenges in managing true security threats is identifying them amongst the large volumes of people entering and living in the United States who do not represent any threat at all. Indeed, attempts to root out potential terrorists, other criminals, and potential health threats amongst annual flows of 170 million travelers (along with the 330 million citizens and permanent residents currently living in the United States[72]) assumes something of a "needle in a haystack" dynamic.

Reforms that allow our immigration system to improve security at the borders and ports of entry, bolster interior enforcement policies and programs, screen unauthorized immigrants in the country and provide them legal status, and open other channels of legal immigration based on economic demands can

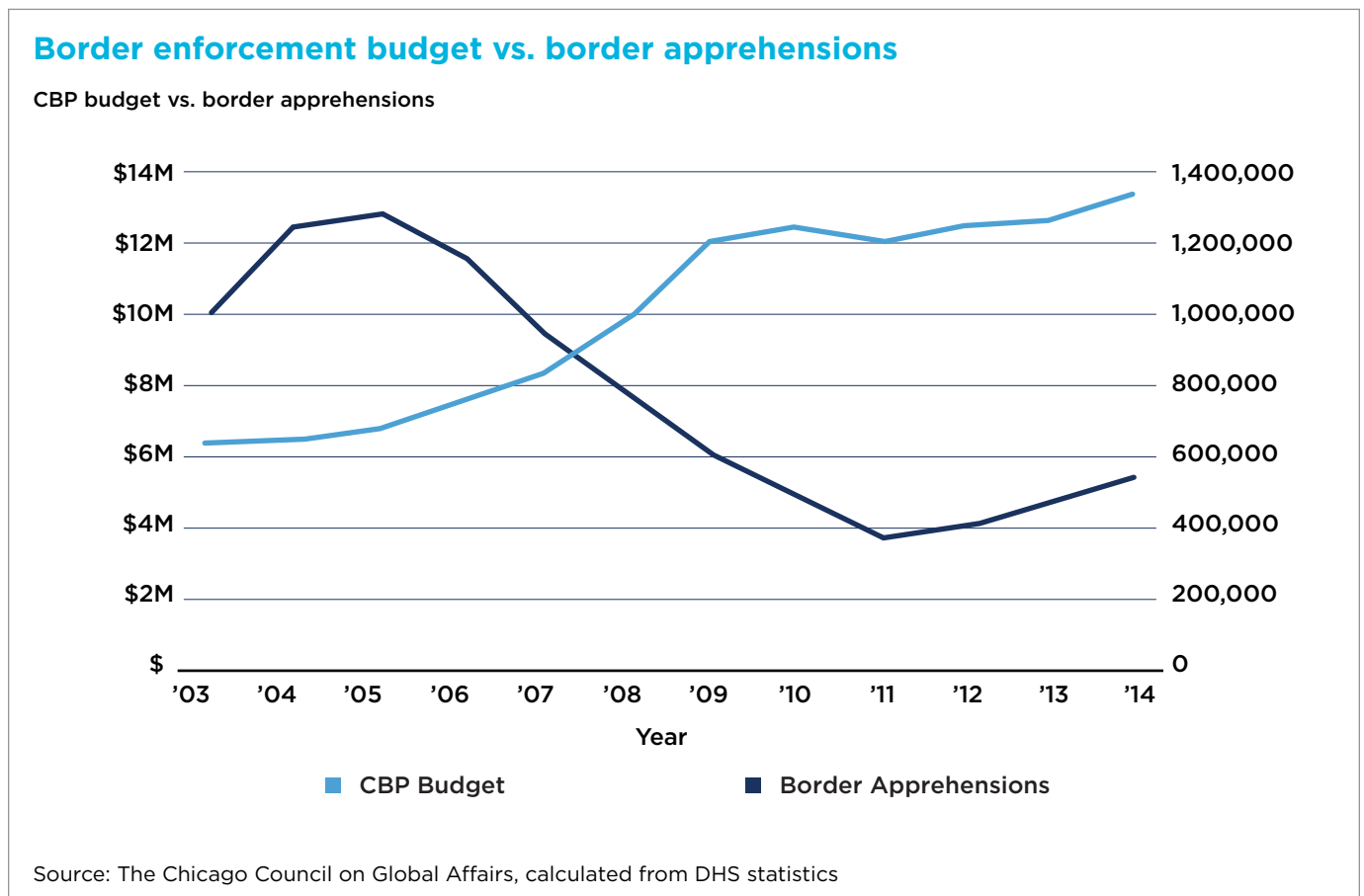focus limited enforcement resources and improve the nation's security.

Effectively investing future border resources

For years the term "border security" has been a call to action for the public and politicians most concerned with illegal immigration.[73] While the notion of "border security" has been pitted against that of "immigration reform" in the rhetoric around immigration, border security measures—including investments in technological infrastructure and mobile surveillance at the US-Mexico border—have been included in most comprehensive immigration reform proposals since at least the 1980s and will inevitability be part of future attempts at reform legislation.[74] Border security was also a central focus of a number of individual immigration bills passed in the aftermath of 9/11—and, as previously mentioned, border funding and resources, including agents, fencing, and surveillance technology, have significantly increased in the past two decades, particularly along the southern border.

Nonetheless, border security remains a sticking point in the current debate on immigration reform. Many may argue that the southern border is essentially secure and additional investments hold diminishing returns, pointing to a nearly 72 percent decrease in apprehensions since a high in 2005 compared to a nearly 100 percent increase in border spending in that same timeframe.[75] However, others point to recent increases in apprehensions signaling concern about future unauthorized migration (see figure 6).[76] Disagreements over the state of the border are exacerbated in large part by a lack of consistent and agreed-upon border metrics (see box 3). Reliable border data is needed to measure the effectiveness of the current infrastructure and to strategically focus future investments.

While DHS and external researchers have long collected a wealth of data and developed methodologies to measure enforcement outcomes, there are currently no objective measures of border control that are publicized widely. Current enforcement metrics do not provide a holistic measure of border security and immigration

Figure 6

Border enforcement budget vs. border apprehensions

CBP budget vs. border apprehensions

Source: The Chicago Council on Global Affairs, calculated from DHS statistics

enforcement. Effectiveness and apprehension rates only measure one aspect of efforts to control unauthorized immigration at the border and exclude other categories of unauthorized entrants, including those who entered legally but overstayed their visas, those who succeed in avoiding detection at or between the ports of entry, those deterred by security measures, and others. These measures are also limited by Border Patrol's imperfect methods of observation and surveillance capabilities.

Without consistent and standardized metrics, policymakers and the public are unlikely to agree on the state of border security, compounding the challenge of agreeing on what or how much should be done to improve it in the future. Defined and objective metrics can provide both policymakers and the public confidence that resources are having an impact on security and could aid in identifying security vulnerabilities.

Policymakers drafting future immigration policy should consult with experts, researchers, and stakeholders to design a set of insightful border metrics and include consistent collection and reporting as a requirement. Reliable data will measure both the investment in enforcement (i.e., resources applied) and the return on that investment (i.e., the effectiveness of the resources applied in addressing unlawful migration).

> *While "securing the border" is important, the totality of immigration enforcement, both at and away from the border, needs to be considered.*

Improving enforcement in the interior

In addition to future border security improvements and enhanced metrics, immigration reform legislation must also tackle how to best address immigration enforcement in the interior. While "securing the border" is important, the totality of immigration enforcement, both at and away from the border, needs to be considered. Overemphasizing one aspect of the system can lead to ineffective, inefficient, and costly enforcement. Unauthorized immigrants—and potentially terrorists and other national security threats—not only cross the border, but can enter through legal ports of entry (POE) by concealment or document fraud. Others can and do enter legally but overstay their period of admission. They are known as "visa overstays." In fact, estimates show that nearly half of the unauthorized population in the country today entered legally at some point in the past.[77] To address this issue, an effective interior enforcement reform strategy would entail building comprehensive

entry-exit systems to address and deter visa overstays and establish better cooperation between local law enforcement and federal immigration officials to ensure community safety.

Entry-exit systems

To address visa overstays, automated entry-exit tracking systems, which match foreign visitors' arrival records to subsequent departure records, were originally conceived in the early 1980s. Since then Congress has mandated by law the implementation of an entry-exit system on several occasions, beginning in 1996. After the September 11 terrorist attacks, the 9/11 Commission again recommended a biometric entry-exit screening system using identifiers like fingerprints, photographs, or iris scans as opposed to only biographic data. While significant advancements have been made in the collection of biographic entry and exit data at land, air, and sea POEs, the full biometric entry-exit system has not yet been put in place due to numerous challenges.

Land borders, and the southern border in particular, present the greatest challenge to the completion of an exit system. No exit tracking occurs at the land border with Mexico—a considerable gap, as about 45 percent of all entry inspections occur at the southwest land border.[78] Space constraints and land ownership issues have prevented the building of exit infrastructure that would allow collection of documents or screening on exit. A data sharing partnership with Canada, through which Canadian officials share their entry data, allows the United States to collect biographic exit data at the northern border. However, Mexico does not have similar entry infrastructure across the southern border and does not inspect all incoming travelers.

Experts agree that the completion of a comprehensive, connected entry-exist system is the most effective way to address visa overstays, as the widespread understanding that the US government has full ability to track visitors would deter would-be overstayers. Completion of an exit system would also have law enforcement value for immigration and national security purposes. A completed system could generate statistics to help the government determine the effectiveness of its enforcement efforts and the size of the overstay population. It could also make enforcement more efficient by reducing

the number of dead-end leads DHS pursues—around 25 percent of the leads investigated by DHS between 2004 and 2012 were individuals who had already departed.[79] Additionally, it would increase the government's ability to deny visa and admission to individuals who have previously violated the terms of their visa. A complete system would also enhance the government's ability to ensure that criminals or terrorists never enter the country or to know whether similarly identified dangerous individuals remain in the country or have departed.

The completion of a synchronized entry-exit system has been included as a key piece of immigration reform proposals in past years. Future reforms should include provisions to complete the construction of this tracking mechanism, allowing the government to better enforce immigration laws in the interior of the country and remove individuals who threaten national security and public safety.

Improved federal-local law enforcement cooperation

State and local law enforcement can play an important role in immigration enforcement as a "force multiplier" that allows federal agencies to identify potentially removable immigrants and make prioritization decisions. Partnerships between state and local corrections facilities and DHS, for example, can help identify convicted criminal aliens who should be removed from the country. However, many jurisdictions have decided that such cooperation negatively impacts relationships with immigrant communities and deters them from reporting crime or assisting in counter-radicalization efforts.

Reforms to our immigration system should foster better cooperation between local law enforcement and federal immigration officials to apprehend criminals, while ensuring community safety and upholding civil liberties. PEP, as previously described, is the Obama administration's attempt to both address tensions between federal and local law enforcement agencies and enforce immigration law. However, the program is a short-term solution born out of the president's 2014 immigration executive actions and is thus vulnerable to change or cancellation with the next administration.

It falls to Congress to create a permanent legislative solution that outlines enforcement and removal priorities and fosters productive collaboration between local law enforcement and federal immigration authorities. Serious conversations remain to be had about the appropriate role for state and localities and their

cooperation with the federal government in immigration enforcement—a topic that enjoys little agreement from both sides of the immigration reform debate at the moment.[80]

Screening unauthorized immigrants

Stepping up interior enforcement without addressing the status of the unauthorized population is likely to face significant political opposition from immigrant advocates and would have significant economic consequences (see box 7). However, implementation of a mechanism for provisional, criteria-based documentation and legal status for the 11 million-plus unauthorized immigrants currently living in the United States would mark a first step in a regularization of their status. This step is crit-

Box 7

Economic impacts of immigration reform

A 2013 Bipartisan Policy Center (BPC) study found that an enforcement-only approach would significantly hurt the economy, reducing GDP by 5.7 percent and increasing deficits by $800 billion over the next 20 years.[81] Immigrants prevent population stagnation and give the United States a demographic edge over the many other developed countries facing rapid aging and decline among their populations. Without immigrants, America's population would stop growing between 2040 and 2050, and the number of retired people per working-age person would increase 30 percent faster over coming decades.[82] Immigration boosts US fertility rates and adds young, working-age people to the population. Just 5.1 percent of immigrants are 65 or older, compared with 13.3 percent of the native-born population.[83] These demographic implications are key to economic prosperity and strength on the global stage.

The study argues that reforming the country's immigration system overall could provide a significant opportunity to strengthen the US economy by boosting gross domestic product (GDP), slashing federal deficits, and spurring growth in the housing sector. The study estimated the fiscal and macroeconomic effects of several immigration reform scenarios and found that under almost every plausible approach, immigration reform benefits the economy.[84] Reform would increase GDP by 2.8 percent over 10 years and 4.8 percent over 20 years, while also cutting federal budget deficits by $1.2 trillion in the next 20 years and increasing residential construction spending by $68 billion per year.

ical to improving national security and would allow for improved cooperation with state and local law enforcement and immigrant communities. Such a measure would ensure compliance with the biometric screenings and criminal background checks that are a standard part of the current immigration process, thus reducing the size of the proverbial "haystack" when rooting out true security threats that might otherwise go undetected among the unauthorized immigrant population.

Screened immigrants can be issued valid identification, thus reducing identity fraud, a significant national security concern that has prompted some states and localities to issue specific identification to unauthorized immigrants.[85] Law enforcement must be able to rely on government-issued identification and know that the bearer of such a document is who he or she claims to be, which was the motivation behind the 2005 Real ID Act (see box 2). Issuing secure federal identification to immigrants who have met screening and background check requirements will allow the government to better direct resources to tracking terrorists and other criminal networks.

Critics of legalization programs often point out that efforts to document the unauthorized population would fail to bring forward those dangerous individuals who benefit from staying in the shadows. While there are most certainly bad actors "hiding" amongst the large unauthorized population in the country, data point to lower levels of crime and criminality amongst immigrant populations (see box 8). The benefits of positively identifying and screening these immigrants—thereby

"taking the hay out of the haystack"—would also help immigration enforcement agencies better focus limited resources and should weigh more heavily in favor of doing something rather leaving the status quo in place.

Temporary executive actions

President Obama has issued several executive actions to address the status of certain low-risk groups of unauthorized immigrants, which include vetting and screening processes. His Deferred Action for Childhood Arrivals (DACA) program, first implemented in 2012, temporarily protects from deportation undocumented youth who arrived in the United States with their parents before their 16th birthday and had completed high school or military service in the country. The program, which also offers work authorization, requires background screening. Those who pose any sort of security risk—having been convicted of a felony, a significant misdemeanor, or having three or more misdemeanors—are not eligible. In 2014 President Obama attempted to expand DACA to include older youth and to create a similar program (Deferred Action for Parental Accountability, or "DAPA") for parents of US citizens or lawful permanent residents. However, these programs were blocked by a federal court. In the summer of 2016 the U.S. Supreme Court upheld the lower court decision when it deadlocked in a 4-4 tie.[91]

Like PEP, programs like DACA and DAPA are temporary and subject to change with a new administration. Congressional action to address the large unauthorized population in a more permanent manner would reap sig-

Box 8

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Immigrants and crime data

Immigrants are less likely to be jailed than the native-born.

- Roughly 1.6 percent of immigrant males age 18 to 39 are incarcerated, compared to 3.3 percent of the native-born, according to an analysis of the 2010 American Community Survey.[86]

- Data from the 1980, 1990, and 2000 decennial censuses reflect this same trend—in each of those years the incarceration rates of the native-born were anywhere from two to five times higher than that of immigrants.[87]

Immigrant youth have lower levels of criminal, antisocial behavior than their peers.

- Immigrant youth are less likely than the native-born to be repeat offenders among "high-risk" adolescents.[88]

- Immigrant youth have the lowest delinquency rates of all young people who were students in US middle and high schools in the mid-1990s.[89]

- Immigrants who are 25 years or older and who do not have a high school diploma are much more likely than native-born dropouts to participate in the labor force, at rates of 61 percent vs. 38 percent.[90]

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nificant returns for security while causing little disruption to communities, the economy, and labor force.

Reforming the legal immigration system to optimize enforcement resources

The need for immigration enforcement at and beyond the border is directly related to the capacity of the legal immigration system to address demand. While border security measures discussed in this paper remain critically important, enforcement can only be effective with changes in the legal immigration system that make authorized entry—both for valid work and family reunification purposes—a more realistic option.

The country's current system is built on outdated visa caps and channels that do not meet the economy's demand for foreign-born labor. The mismatch drives unauthorized entry by immigrants and illegal hiring by employers, especially in sectors such as agriculture that rely on low-skilled labor.[92] The system is also laden with extensive backlogs for family-based visas. As of November 2013, there were 4.3 million people on the waiting list for family-based visas and 113,058 waiting for employment-based visas. Waits can be as long as 24 years, which is a deterrent for using the legal immigration system, even when it might be an option.[93] The resulting volume of unauthorized immigrants—more than 11 million at current count—can undermine more focused efforts to intercept potential terrorists and criminals at the borders.

Congressional legislative reforms are needed to responsibly expand channels for legal immigration, both temporary and permanent. An updated legal immigration system would alleviate some drivers of unauthorized immigration, which, in turn, supports national security and public safety efforts. By channeling immigrants to lawful visa channels, the federal government can also reduce future flows of unauthorized immigration. This would also make it less likely that terrorists or other criminals could "hide" among flows of immigrants crossing the border or living in the United States.

III. Policy highlights

While the US national security apparatus is much more robust and responsive than it was in the aftermath of 9/11, pragmatic updates—linked to immigration reforms— would focus limited enforcement resources on true security threats, improving security along the border and in the interior of the country.

Even as congressional leadership has stated that it will not take up an immigration reform agenda until 2017,[94] the following proposals could guide the creation of future immigration reform and national security proposals. Alternatively, with careful sequencing, they could serve as effective piecemeal solutions in the absence of broader legislation.

Adopt standardized enforcement metrics

To effectively address challenges in immigration enforcement, the federal government must first understand the effectiveness of its current system. DHS should develop a comprehensive, consistent system of outcome indicators that measure the effectiveness of both border security and interior enforcement, and Congress should mandate consistent, clear reporting on these measures. Recently, the FY2016 DHS appropriations bill called on DHS to improve reporting on border enforcement efforts, including additional reporting on unauthorized migration at and between the ports of entry, visa overstays, and removals and departures.[95] Such measurements must be consistently and uniformly adopted to begin to understand immigration trends and opportunities to better address security risks. In order to accomplish this, Congress must provide resources to update its systems and enable the collecting and reporting of these metrics, including allowing the system to track the status of individuals through the immigration benefits and enforcement processes.

Complete entry/exit systems

Since the passage of US-VISIT in 2004, significant advancements have been made in the collection of biometric data upon entry at land, air, and sea ports of entry, but similar exit systems are not yet complete or synchronized. The completion of a comprehensive, connected entry-exist system is the most effective way to address visa overstays, as the full ability by the US government to track visitors would deter would-be overstayers. Congress should pass legislation—and approve funding—to complete this long-awaited system.

Improve cooperation between local and federal officials

Local law enforcement officials are critical allies of federal immigration authorities in removing high-risk individu-

als from local communities. Replacing the controversial Secure Communities Program, the Priority Enforcement Program (PEP) represents an important step forward in fostering cooperation between local and federal law enforcement officials, along with the immigrant communities that they serve. However, as a short-term solution born out of executive action, the PEP program is vulnerable to change or cancellation with the next administration. A long-term, legislative proposal is necessary to ensure that true security threats continue to be prioritized for removal and that it is not done at the cost of eroding trust between law enforcement and local communities.

Create mechanisms to screen and document unauthorized immigrants

The United States sees some 170 million visitors each year and is home to some 330 million citizens and permanent residents.[96] Given the volume, monitoring the activities of high-risk individuals, including potential terrorists, assumes something of a needle-in-a-haystack dynamic. However, vetting and documenting the 11 million unauthorized immigrants currently living in the country allows the government to know "who is here" and focus immigration enforcement resources where they are needed most. President Obama's executive action programs, including DACA and DAPA, offer a provisional means for such documentation but are currently stalled in a federal lawsuit. It falls to Congress to legislate more permanent mechanisms to allow unauthorized immigrants to come forward, pass through standardized immigration screening mechanisms, and apply for documentation.

Update channels for legal immigration

Security experts agree that the best way to stem illegal immigration is to expand channels for legal immigration.[97] Congress should readdress outdated caps, inefficient lotteries, and country-based quotas on both family- and employment-based visas. Updating these channels to meet today's current economic and geopolitical realities allows for more streamlined applications and acceptance rates and alleviates the pressures that drive much of the current unauthorized immigration.

Conclusion

Americans have reasons to be wary of security threats, particularly after shootings in Orlando, San Bernardino, and San Francisco and attacks in Paris and Brussels. Yet directing fear towards immigrants and refugees and focusing policy proposals around closing borders is counterproductive to the larger US national security agenda.

The US immigration system currently keeps tens of thousands of individuals who pose security threats from entering the country each year and is a critical component of our national security apparatus. Nonetheless, updates to the system can better focus limited enforcement resources on true security threats. The country needs pragmatic, sensible approaches to immigration that will improve the nation's security while balancing immigration's role in other key national interests.

The years following the terrorist attacks of 9/11 were among the most productive in recent history in terms of passing bipartisan—if security-heavy—immigration reform legislation. In the aftermath of another series of emotionally resonant events, policymakers now have the opportunity to build on an effective enforcement infrastructure, while crafting sensible immigration reforms. In evaluating policy options for immigration and national security alike, decision makers must look at the opportunity cost as well as the actual cost of policy choices—including the cost of preserving the status quo by delaying needed reforms. These costs continue to grow as the economic, social, and security consequences of inaction mount. While immigration policies alone cannot address all the security threats facing the country, passing immigration reform would reap significant returns in improving the nation's long-term national security.

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