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Florida Attorney General's Office News Release

Enforcing Immigration Laws when Biden Won't



TALLAHASSEE, Fla.—Attorney General Ashley Moody and U.S. Representative Bill Posey are renewing efforts to give states more authority to combat illegal immigration. With Title 42 set to expire again in May, and President Joe Biden's administration providing no adequate plan to deal with the expected flood of inadmissible immigrants, Attorney General Moody is working with U.S. Representative Posey, who represents Florida's 8th Congressional District, to introduce legislation this week that would enable state attorneys general to act where the U.S. Department of Homeland Security fails and enforce the nation's public-safety immigration laws.

Attorney General Ashley Moody said, "In just two years, Biden has completely destroyed border security. U.S. Customs and Border Protection sources report that 1.2 MILLION inadmissible immigrants evaded authorities. The out-of-control Southwest Border continues to allow thousands of pounds of illicit and deadly substances like fentanyl into the country, causing record-shattering drug overdose deaths in the United States. If the federal government refuses to act, then state attorneys general should be able to step up and actually enforce our nation's laws—to protect the citizens of their states."

U.S. Representative Bill Posey said, "Maintaining operational control over our borders is critical to our security and our ability to stop drug smugglers, human traffickers, and those on terrorist watch lists, who are invading our country and mean to do harm to our communities. When the federal government abdicates its role in securing our nation's borders and refuses to enforce immigration laws, states should have authority to protect their citizens."

Under the Immigration and Enforcement Partnership Act of 2023, set to be introduced Friday, if a state attorney general finds that DHS is not adequately fulfilling the non-discretionary duties under Title II of the Immigration and Nationality Act, the attorney general may request in writing that the DHS secretary do so. No later than 30 days after receiving a request, the secretary shall

either ensure that the duties are adequately fulfilled by officers and employees of the DHS, or authorize state officials to enforce federal immigration law. If the secretary does not comply, the attorney general may file a civil action to enforce these requirements. The bill also requires the courts to expedite proceedings on such action to the greatest extent practicable.

Since President Biden took office, more than 4.5 million immigrant encounters have occurred at the Southwest Border, with more than 250,000 encounts in December 2022 alone. CBP estimates that 1.2 million gotaways evaded authorities and entered the U.S. during Biden's first two years of office. CBP is seeing increased numbers of individuals on the terrorist watch list attempting to enter the U.S.—98 during Fiscal Year 2022, a 553% increase over the previous year. Authorities intercepted 53 individuals on the terrorist watch list just in the last four months.

The out-of-control status at the border is concerning because of the amounts of deadly illicit drugs, like fentanyl, that floods in while border authorities are overwhelmed with inadmissible immigrants. Since February 2019, CBP seized 29,592 pounds of fentanyl at the Southwest Border. This is enough to kill the entire population of the United States more than 20 times over.

Attorney General Moody and U.S. Representative Posey are also fighting to end human trafficking in Florida. The Southwest Border is a gateway for human smugglers to bring trafficking victims into the nation. Due to the chaos at the border, many are sneaking by enforcement officials. The risk of being trafficked is higher with noncitizens who pay to be smuggled into the country. U.S. Immigration and Customs Enforcement officials state that dangerous human smuggling circumstances are encountered every day at the Southwest Border.

Attorney General Moody and U.S. Representative Posey first proposed the legislation in the 117th Congress and are renewing efforts to pass this much-needed measure to allow state officials to do what DHS seemingly is not willing to do.