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Shutdown worsens strain on U.S. immigration system

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Tens of thousands of U.S. immigration officers and agents are showing up for work each day to guard the Mexico border, where President Trump insists on putting a wall. But the government is shut down, so no one is getting paid.

The paralysis in bank accounts extends to overburdened U.S. immigration courts. New filings are piling up on dockets already backlogged by nearly 1 million cases, but many of the judges and clerks who process them have been sent home.

And when U.S. companies and employers want to check the immigration status of potential hires, they are greeted by a red banner across the top of the government's E-Verify website. Those services are "currently unavailable due to a lapse in government appropriations," it says.

Twelve days into the standoff over Trump's \$5 billion border-wall demand, major components of the U.S. immigration system are offline, out of order or under worsening strain.

The spreading impact shows the risks of [border-wall brinkmanship](#) at a time when federal agencies are struggling to cope with soaring numbers of migrant families and asylum seekers crossing the border and swamping U.S. courts.

Dirty parks, closed museums: The government shutdown enters 12th day

The closing of Washington's star attractions has left many tourists and furloughed locals frustrated with both President Trump and Congress. (Luis Velarde /The Washington Post)

And while the administration threatens to crack down on companies that hire unauthorized workers, the funding freeze has crippled the main compliance tool for employers trying to make sure they're following the law.

Trump met at the White House on Wednesday with congressional leaders but appeared no closer to a deal, extending the dysfunction for at least another day.

Deb Wakefield, an employment attorney in Dallas, said she's heard from several clients in the past few days who say they cannot complete the hiring process at their manufacturing plants because E-Verify is down. Her clients include a mattress factory and a chemical plant, she said, and both employers hire a lot of immigrants.

"They're saying, 'We can't run E-Verify, what are we supposed to do?,' " she said. "But all they can do is wait."

U.S. Border Patrol agents, Immigration and Customs Enforcement officers and other front-line enforcement personnel at the Department of Homeland Security remain on duty as "essential" workers, but with little more than an assurance they will eventually be paid.

The shutdown has squeezed their finances during what has been one of the busiest and most stressful periods in recent years at the U.S.-Mexico border. The arrival of record numbers of families and children has prompted DHS officials to declare a full-blown humanitarian [crisis](#).

Agents are taking into custody more than 2,000 migrants per day on average, according to the latest Customs and Border Protection statistics, and 65 percent of those border crossers are families and children. With

nowhere to detain them, the government has been releasing hundreds onto the streets in El Paso, Yuma, Ariz., and other border cities.

Two Guatemalan children died in December after being taken into U.S. custody, and the deaths have left agents on edge as they cope with outbreaks of influenza, bronchitis and other infectious diseases among the large groups of Central Americans showing up day and night.

Some of the highest single-day arrest totals occurred over the holidays, according to DHS, while agents remained in the field without compensation.

“These front-line federal employees are key to our nation’s security and economic success, and they do not deserve to be treated this way,” said Tony Reardon, president of the National Treasury Employees Union, which represents the blue-uniformed Customs and Border Protection officers, as well as agriculture inspectors and other staff stationed at border crossings and airports.

Reardon said those workers are doing their jobs “without knowing when they will receive their next paycheck.”

“They have worked through the holiday season, many had scheduled leave canceled at the start of the shutdown, yet they continue to protect our country,” he said. “Like many of us, they are opening the usual bills for mortgages, rent, utilities and food. They are not, however, opening a paycheck.”

Trump has often showered praise on Border Patrol agents and ICE officers, earning broad support among their rank and file. But a prolonged shutdown could sap that support if morale at the border suffers. Leaders of the unions that represent Border Patrol agents and ICE officers — outspoken Trump supporters — did not respond to requests for comment.

Of the roughly 245,000 employees at DHS, only 14 percent will continue to get paid through the shutdown, because their agencies have other sources of revenue beyond congressional appropriations.

Most of the 17,000 employees at U.S. Citizenship and Immigration Services continue to process immigration applications, asylum requests and other filings because the agency derived much of its funding from fees.

Yet there are 179,000 DHS employees who remain on the job unpaid, in addition to 32,000 furloughed until the White House and lawmakers can reach a deal.

“The dedicated men and women of DHS are fully prepared to protect the homeland and keep Americans safe during this lapse in government funding,” said DHS spokesman Tyler Houlton. “We urge Congress to fully fund DHS in order to pay the federal employees on the front lines defending our nation.”

The Executive Office for Immigration Review, the immigration court system run by the Justice Department, did not respond to requests for comment, because its public affairs staff has been furloughed.

But Ashley Tabaddor, president of the National Association of Immigration Judges, the union that represents the country’s approximately 400 judges, said the impact of the disruption has been “immense.”

Immigration judges all received furlough notices on Dec. 26, she said, but many have since been instructed to return to court to adjudicate cases of detainees in immigration custody. The judges are also working without pay.

Some of those judges have their calendars booked three to four years in advance because of the backlog of cases, Tabaddor said, so hearings that have been canceled in recent days cannot be rescheduled until 2021 or beyond.

“The irony is not lost on us,” Tabaddor said, “that the immigration court is shut down over immigration.”

https://www.washingtonpost.com/world/national-security/shutdown-worsens-strain-on-us-immigration-system/2019/01/02/97dd0ef6-0ebe-11e9-84fc-d58c33d6c8c7_story.html?utm_term=.83c793747241