



February 7, 2024

TO: Reporters, Editors and News Directors

FR: The Office of U.S. Senator Jon Tester

RE: Bipartisan Border Security Bill

Senator Tester has [called on his colleagues](#) in Congress to put the bipartisan border security proposal on the floor so that they can debate it before the American people and pass a bill to secure our border now. **There has been a significant amount of disinformation being spread about the bipartisan proposal.** Here are the facts:

- 1. ENDORSED BY THE NATIONAL BORDER PATROL COUNCIL (NBPC) – the organization that represents approximately 18,000 Border Patrol agents and personnel charged with enforcing our country’s border security policies.**
 - **NBPC Endorsement:** “The Border Act of 2024 will codify into law authorities that U.S. Border Patrol agents never had in the past. This will allow us to remove single adults expeditiously and without a lengthy judicial review, which historically has required the release of these individuals into the interior of the U.S.”
 - The men and women in law enforcement tasked with securing our border have made it clear that they need the resources and policy changes in this bipartisan bill to keep our country safe.
 - This bipartisan bill supports law enforcement, provides funds to hire more border agents, gives agents new authority to turn away migrants, and ensures law enforcement has the technology and tools they need to secure the border.
- 2. MOST SIGNIFICANT BORDER SECURITY POLICY CHANGES IN DECADES – tackling our broken system with commonsense fixes.**
 - Raises the standard for asylum screenings and streamlines the asylum process, allowing authorities to focus resources on those with legitimate asylum claims and more quickly remove those who do not qualify.
 - Ends “catch and release” and ensures DHS is detaining or tracking asylum seekers while their claims are pending.
 - Stops cartels from taking advantage of the current asylum system and makes it harder for criminals to enter the country.
 - **Customs and Border Protection Director Troy Miller has endorsed the bill, [stating in a memo](#):** “This proposed legislation would provide the strongest set of tools we have had in decades to effectively manage migration and enhance our nation’s border security.”

3. **MORE THAN \$20 BILLION FOR MANPOWER AND TECHNOLOGY TO SECURE THE BORDER – resources law enforcement have said they need to get the job done.**
 - This bipartisan bill would increase funding for border agents and boost manpower at the border.
 - Funding would deploy technology to better secure the border and combat drug trafficking to crack down on the deadly flow of fentanyl into our country.
4. **REQUIRES THE PRESIDENT SHUT DOWN THE BORDER WHEN OVERWHELMED – an authority that he currently does not have.**
 - The bill empowers and requires the President to close the border when the system becomes overwhelmed – a power the executive currently does not have.
5. **CLAIMS THAT 5,000 MIGRANTS WOULD BE ALLOWED EVERY DAY ARE PATENTLY FALSE – and are part of a disinformation campaign from folks who have not even read the bill.**
 - The bill does not permit 5,000 migrants into the US every day, full stop.
 - The border would shut down when an average of 5,000 individuals are *encountered* at the border over a 7-day period, allowing agents to quickly expel migrants and maintain control of the southern border.
 - This bill speeds up the processing of those migrants with valid asylum claims, and allows those who do not qualify to be removed faster.
 - Conservative Senator James Lankford (R-OK) who helped negotiate the proposal stated that the bill [would have stopped 800,000 entries in the past four months](#) if it had already been signed into law.
6. **ONLY CONGRESS CAN PROVIDE FUNDING AND CHANGE OUR BROKEN ASYLUM LAWS - those arguing congressional action isn't needed are dishonest.**
 - Many of these politicians are the same ones who campaigned on and passed H.R. 2 in the U.S. House of Representatives. H.R. 2 is a bill that Republicans in the House passed to address border security. It is hypocritical for these same politicians to now argue that legislation is not needed.
 - Congress controls the power of the purse – it is up to Republicans and Democrats in Congress to provide the funding that men and women in law enforcement have been asking for. And it is up to Congress to change our broken laws that simply aren't working. These are important actions that only Congress has the power to take.
 - The irony is these politicians who are now blindly opposing a bipartisan solution are the same ones who have said loudly for years that we need policy changes to secure the border. They are revealing in plain sight that they care more about using the border as a political issue.

BOTTOM LINE: These are commonsense provisions that would give Border Patrol and law enforcement agents the tools they need to get the job done at our southern border. Montana sheriffs, mayors, businesses and families have made clear they want Montana's elected officials to secure the border. This bill would do that.

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