

Visa Overstays Don't Negate the Benefits of Border Barriers

Opponents of President Trump's plan to build a wall along much of the Southwest border often argue that it won't be effective because many illegal immigrants enter the U.S. by using visas. Visas allow people to temporarily visit or live in the U.S., but every year, [hundreds of thousands](#) of people don't leave when their visas expire. No matter how strong or tall a wall may be, it cannot stop this activity.

Those who make that claim—including many media outlets and “fact checkers”—are misleading the public by omitting a key fact: Visa entrants are screened by the U.S. government to keep out foreigners who pose risks to the health, safety, or finances of Americans—while illegal border crossers are not.

This lack of screening allows known criminals and others who are likely to harm people to enter the United States, such as the [hundreds of thousands](#) of non-citizens who have committed violent crimes in the U.S. and been deported.

Federal Law

Under [Title 8, Section 1182](#) of federal law, “aliens” who pose risks to the wellbeing of others are generally “ineligible to receive visas and ineligible to be admitted to the United States.” [This includes](#), for example, foreigners who:

- have been convicted of or admit to committing certain crimes “that involve moral turpitude, whether under U.S. law or foreign law...”
- have “a communicable disease of public health significance.”
- are drug abusers or addicts.

- have physical or mental disorders that “may” endanger “the property, safety, or welfare” of themselves or others.
- are “likely ... at any time after admission, to become primarily dependent on the U.S. Government (federal, state, or local) for subsistence.”
- do not “make a credible showing” that “all” of the activities they will engage in “while in the United States are consistent” with their visa applications.
- have “inadequate documentation” to prove that they meet the criteria above or other requirements of federal law.

Purveyors of Half-Truths

In comments and articles about border barriers, many individuals have raised the issue of visa overstays as a foil to Trump’s plan without mentioning that visa entrants are screened for dangers while illegal border crossers are not. Some notable examples include:

- Democratic presidential contender [Beto O’Rourke](#)
- [Kate Smith](#) of CBS News
- [Salvador Rizzo, Glenn Kessler, and Meg Kelly](#), fact checkers for the *Washington Post*
- [Ali Noorani](#), executive director of the National Immigration Forum
- [Sally Kohn](#), CNN Political Commentator
- [Amanda Seitz and Will Weissert](#), fact checkers for the Associated Press
- [Robert Warren and Donald Kerwin](#) of the Center for Migration Studies
- [Alan Gomez](#) of *USA Today*
- [Evan Siegfried](#), Republican strategist and commentator
- [Philip Bump](#) of the *Washington Post*
- [Peter Wade](#) of *Rolling Stone*
- [Julie Hirschfeld Davis and Peter Baker](#) of the *New York Times*

Furthermore, an examination of first 20 results in [Google News](#) for *border wall visa overstay* did not produce any results that revealed the key difference between visa overstays and illegal border crossers. This systematic omission of a vital fact can lead to widespread public ignorance, something that has [become common](#) with many issues.

Likewise, when reporting on illegal immigration and crime, journalists, politicians, and scholars have distorted the truth by:

- lumping legal and illegal immigrants into the same crime data, which causes the low crime rates of [legal immigrants](#) to obscure the high crime rates of [illegal immigrants](#).
- employing [bait-and-switch tactics](#).
- [cherry-picking](#) timeframes that hide the full picture.
- [misrepresenting](#) association as causation.
- using statistical techniques that are [inappropriate to the data](#).
- [failing to mention](#) that the U.S. government has deported more than a million non-citizens who were convicted of committing crimes in the U.S., and yet, they are still more likely to be incarcerated in U.S. correctional facilities than the general U.S. population.

Echoing the [comments](#) of House Speaker Nancy Pelosi and Senate Democratic Leader Chuck Schumer, media outlets have also claimed that border walls are ineffective because some people find ways to get around, under, or over them. However, the purpose of such barriers is not to completely stop illegal border crossings but to stem the tide of them, and this has occurred in a [variety of nations and locations](#) where such barriers were erected.

In summary, prominent organizations and individuals have repeatedly misled the public about the life-threatening consequences of illegal immigration and the role that a

comprehensive border barrier would play in reducing them.

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