



Research Memo: There is Only One Party Loudly Proclaiming the Border is "Open" - the GOP

March 2023

At a February 7 House Oversight Committee hearing on the border and immigration, John Modlin, Chief Patrol Agent in the Tucson Sector testified that, "Apprehended migrants ... primarily tell border agents that they heard the border 'was open.'" Recounting this exchange in his *Washington Post* column, Dana Milbank asked wryly, "Now where would migrants get the false impression that the United States has an open border? Hmm."

The answer is quite clearly that Republicans and right wing allies have made the claim that the border is "open" a central component of their political message throughout the 2022 campaign season and up to now. To this day, Republicans and right wing media advertise in the loudest terms, "the border is open" in hearings, speeches, social media, publicity stunts and media appearances - every chance they get. Millions in ad budgets and additional millions in equivalent free media has amplified this GOP message - disinformation that has spread to migrants and been exploited by smugglers.

Republicans have relentlessly attacked Biden and Democrats for allegedly "opening the border" and thus incentivizing desperate people to make the arduous journey to the border. However, the border is, in fact, not open and the Biden administration and leading Democrats have forcefully maintained this fact and consistently communicated a "don't come" message. The Biden administration also has kept in place restrictive border policies - and even expanded measures implemented during the Trump administration. While we don't support or celebrate the administration's restrictive policies or the simplistic, "don't come" message, they are facts at odds with the GOP and right wing media portrayal.

So where in the world do potential immigrants get the idea the border is open? Look no further than Republicans and right wing media such as Fox News: they have collectively spent tens of millions in paid and media value equivalency peddling this false message. There is only one party that is loudly proclaiming the border is open, and that is the GOP. This disinformation is a gift to smugglers and cartels, who are exploiting it to their own advantage.

- New research from Media Matters¹ found **Fox News mentioned open borders 3,282 times** from November 1, 2020, through March 16, 2023. **Newsmax has mentioned open borders 2,727 times** during the same period. Fox News and Newsmax mentioned “open borders” during time slots **valued at nearly \$27 million for advertisers**. Most of that was on Fox, which had a value of nearly \$24 million. Newsmax’s value was approximately \$3 million.
- America’s Voice ad tracking project identified well over **600 different paid ads from Republican campaigns in the ‘22 midterms that pushed the lie about “open borders.”** Several ads also used clips of Democrats pushing back to support the GOP claim they Democrats are lying about an open border. For example, an ad from Adam Laxalt, the Republican Senate candidate in Nevada, used a clip from Sen. Catherine Cortez Masto saying, “first of all there is no open border” *See additional examples of open borders ads here, here, and here.*
- **Republicans across the board promote the “open borders” disinformation. Examples:**
 - Cong. Maria Elena Salazar: HERE
 - Senate Republicans: HERE
 - Gov. Ron DeSantis: HERE
 - Sen. James Lankford: HERE and HERE and HERE
 - Republican Party: HERE
 - Sen. Mitch McConnell: HERE
 - Speaker Kevin McCarthy: HERE
- **In contrast to the Republican messaging, the Biden administration has repeatedly told migrants, “don’t come” the border is not open.** “I can say quite clearly: Don’t come,” President Biden said when asked about what he would tell migrants arriving at the border in an ABC News interview in March 2021, “don’t leave your town or city or community,” he added. In her very first foreign trip in June 2021 Vice President Harris traveled to Guatemala with the message “Do not come. Do not come.” She added, “The United States will continue to enforce our laws and secure our border.” DHS Secretary Mayorkas has maintained a similar message as telling Politico headline from July 2021 reads “Mayorkas to Cubans, Haitians: Do not come to the U.S.” Mayorkas reiterated the “not come” message in May 2022, stating clearly that “the border is not open.”
- On February 7, 2023, Republicans on the House Oversight Committee held a hearing titled, “On The Front Lines of the Border Crisis: A Hearing with Chief Patrol Agents.” The two witnesses announced by the Committee’s Chair, James Comer, were Gloria Chavez,

¹ Media Matters searched transcripts in the Kinetiq video database for all original programming on Fox News Channel and Newsmax for instances when the term “open” was within two words of the term “border” from November 1, 2020, through March 16, 2023.

Chief Patrol Agent, Rio Grande Valley Sector, and John Modlin, Chief Patrol Agent, Tucson Sector:

At the hearing, Representative Maxwell Frost (D-FL) asked Chief Chavez, “When President Biden took office, did your agents stop enforcing the border and just allow everybody to come in thus creating what we hear here is an open border. Did that happen when the President took office?”

Chief Chavez, “Sir thank you for your question. The answer is no, sir. We continue to enforce policy and laws.”

Frost then asked Chief Modlin “When President Biden took office, did the border just open and did you all just stop enforcing your policies?”

Modlin replied, “Also, thank you for your question. I can tell you this is the fifth administration I’ve worked with starting with the Clinton administration and Border Patrol agents do their job every day.”

The false “open borders” attacks from Republicans and right wing media are part of the relentless GOP political attacks on the issue that started even while Trump was in office - see such examples as Tom Homan on Fox News in August 2020 blaming Biden for a 40% increase in border apprehensions occurring under Trump - a full five months before Biden took office - and the December 2020 efforts from anti-immigrant talking heads Mark Krikorian and Ken Cuccinelli to brand the “Biden effect” before even the new President’s inauguration.

All of the evidence points to strict enforcement of the border under Biden in accordance with U.S. laws. As Cato Institute researcher David J. Bier stated, “*This criticism is not simply inaccurate: it is unhinged from reality in a way that distinguishes itself from normal political hyperbole. Indeed, U.S. immigration policy is effectively closed borders, and Biden’s immigration policies and goals are largely the same as those of President Donald Trump.*”

The reality is that the “open borders” claim is disinformation backed by millions worth of advertising and free media. While Republicans are hoping to engage - and enrage - their base, the reality is that their relentless messaging has a spillover impact. As it turns out, people in other countries have TVs, newspapers, radios and the Internet too. And the clear message from the Republicans is “come, the border is open.”

Additional Background and Resources

- Center for American Progress Action Fund: The GOP's myth of an 'open border' (op-ed for NBC News by Debu Gandhi, senior director of Immigration Policy at the Center for American Progress Action Fund).
- Cato Institute: Biden’s Border Policy Is Not ‘Open Borders,’ (David J. Bier)
- PolitiFact: Fact-checking Greg Abbott’s claims that Biden has ‘open border’ policies

- American Immigration Council: [A Guide to Title 42 Expulsions at the Border](#)
- America's Voice: [Open Borders? Puleeze](#)
- America's Voice: [Three Key Points Ahead of Kevin McCarthy Border Visit and Ongoing GOP Anti-Immigrant Focus](#)