

Forum: United States Senate

Issue: Tackling the influx of illegal immigrants from the Southern Border

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Introduction:

Amidst record-high migrant encounters, resulting in a deeply divided political landscape, the United States Senate faces the significant and contentious issue of addressing illegal immigration from the Southern Border, taking economic, social, and political factors into consideration. Policies have varied across different administrations, from strict enforcement under Trump, to more humane approaches under Biden. This polarising and inconsistent approach to immigration leads to insufficient and uncertain management of the Southern Border. Thus, emphasising the need for comprehensive immigration reform that creates long-term policies which balance humanitarian concerns with security. Democrats have urged the need to address the root causes of migration in Central America, in order to find a long-term solution to the challenges faced at the border, such as managing border security or processing asylum claims. They also advocate for legislation that provides legal pathways for migrants, while still securing the border. This perspective reflects a broader belief that effective immigration policies must balance security with compassion. Conversely, Republicans adopt an “America First” approach, arguing that immigration policy needs to limit illegal crossings, and enhance border control, in order to maintain national security. This hardline stance has been characterised by calls for revival of Trump administration policies, such as building a border wall.

With the evolution of the political landscape and the upcoming elections, both parties need to grapple with the implications of their respective strategies, so that the Senate can consider a balanced, bipartisan approach that includes border security, humanitarian treatment of migrants, and pathways to legal status.

Definition of Key Terms:

1. **Illegal immigration:** The act of residing in or entering a country without the necessary authorization to do so, violating the country's immigration laws.
2. **Southern border:** The border between the United States and Mexico.
3. **Asylum seeker:** An individual who has fled their home country as a political refugee and seeks protection in another country.
4. **Refugee:** An individual who has been forced to leave their home country to escape conflict, persecution, violence, or natural disaster, and has now been granted legal status in another country.
5. **Deportation:** The act of expelling a person from a country, typically because they have violated immigration laws.
6. **Amnesty:** A governmental pardon for individuals who have been convicted of political offences, typically used in the context of granting legal status to illegal immigrants
7. **Human trafficking:** The illegal trade of humans for purposes of forced labour, commercial sexual exploitation, or sexual slavery
8. **Smuggling:** The act of illegally transporting people across borders

Background Information

History

The issue of illegal immigration through the southern border of the United States has been a longstanding issue. Early in the 20th century, significant migration from Mexico, driven by labour demands in agriculture and industry began. In the mid-20th century, from 1942-1964, the Bracero Program was introduced. This allowed millions of Mexicans to work temporarily in the US, which helped address the labour shortages during World War 2. Shortly after that, the 1965 Immigration and Nationality Act abolished national-origin quotas, which increased legal immigration while indirectly contributing to a rise in illegal immigration.

Since then, many efforts have been made to curb illegal immigration by fortifying the border in multiple operations, however they have not been enough to solve this issue.

Factors for immigration

Immigrants entering illegally through the southern border have different motives for entering the US, and each requires a specific response.

Economic immigration

Economic factors are a primary reason for illegal immigration, with individuals seeking better job opportunities and living conditions in the US. These migrants often travel through dangerous routes to cross the border, driven by economic instability and poverty in their home countries. The demand for labour in agriculture, service and construction industries in the US continues to attract these undocumented workers.

Asylum seekers and refugees

Humanitarian crises in Central America and other regions have led to an increase in the number of asylum seekers attempting to cross the southern border. These individuals flee from violence, persecution and political instability in their home country. The US asylum system faces significant challenges in processing and accommodating these migrants, which leads to overcrowding of detention centres and legal backlogs.

Human trafficking and smuggling

Illegal immigration is further complicated by human trafficking and smuggling networks. These criminal organisations exploit vulnerable individuals, charging high fees and subjecting migrants to life-threatening and inhumane conditions. While international cooperation and targeted enforcement measures has led to some success, a lot still needs to be done to fully address this issue.

Family migration

Family reunification is another key aspect of illegal immigration. Migrants often seek to join family members already residing in the US, sometimes leading to undocumented entry due to lengthy immigration processes and restrictions.

Timeline

Date	Significant Event
1924	Establishment of the U.S. Border Patrol to regulate and control immigration.
1942-1964	The Bracero Program allows temporary agricultural labourers from Mexico to work in the U.S.
1965	Immigration and Nationality Act abolishes national-origin quotas, impacting immigration patterns.
1986	Immigration Reform and Control Act (IRCA) grants amnesty to millions of undocumented immigrants and imposes sanctions on employers who hire them.
1994	North American Free Trade Agreement (NAFTA) impacts economic conditions in Mexico, influencing migration.
1996	Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) enhances border enforcement and penalties for illegal immigration.
2001	USA PATRIOT Act increases border security measures in response to 9/11 attacks.
2006	Secure Fence Act authorises construction of physical barriers along the U.S.-Mexico border.
2012	Deferred Action for Childhood Arrivals (DACA) provides temporary relief for eligible undocumented youth.
2018	"Zero Tolerance" policy under the Trump administration leads to family separations at the border.
2021	The Biden administration ends "Remain in Mexico" policy and proposes comprehensive immigration reform.

Current Situation

Overview

The current situation regarding illegal immigration through the southern border is complex and influenced by a variety of economic, social and political factors. The influx of

immigrants continues to be driven by economic instability, violence and political unrest in Central America, while US policies and enforcement measures try to manage the steady flow of migrants. One of the most recent attempts at immigration reform was the bipartisan border bill, introduced by Senator James Lankford in collaboration with the White House. This bill aimed to enhance border security, streamline current asylum procedures, allocate more resources and funding to develop the infrastructure and technology at the border crossings, and increase the number of border patrol agents. However, it failed to gather the broad bipartisan support needed for the bill to pass, facing strong opposition from Republican senators as well as failing to get all Democrats on board. Across the border, many factors continue to contribute to the steady flow of migrants attempting to illegally cross the border every day.

Economic instability

Economic hardship remains a significant driver of migration from countries such as Honduras, Guatemala and El Salvador. High levels of unemployment, low wages and a lack of economic opportunities pushes people to seek a better life in the US.

Violence and political unrest

Violence, gang activity and political instability are critical factors influencing migration to the US. Countries in the Northern Triangle of Central America have some of the highest homicide rates in the world. Political turmoil and corruption make this issue worse, leaving many individuals with no choice but to flee for their own safety.

US policies and acts

Deferred action for childhood arrivals (DACA)

Implemented since 2012, DACA provides temporary relief from deportation and gives work authorization to eligible undocumented immigrants who arrived while they were children. While DACA offers temporary protection and allows the recipients to work legally, it does not provide them with a US citizenship, leaving them uncertain about their future. This highlights the need for comprehensive immigration reform.

Trump administration policies

The Trump administration implemented several stringent immigration policies, including the “Zero Tolerance” policy, also known as “Remain In Mexico”. This

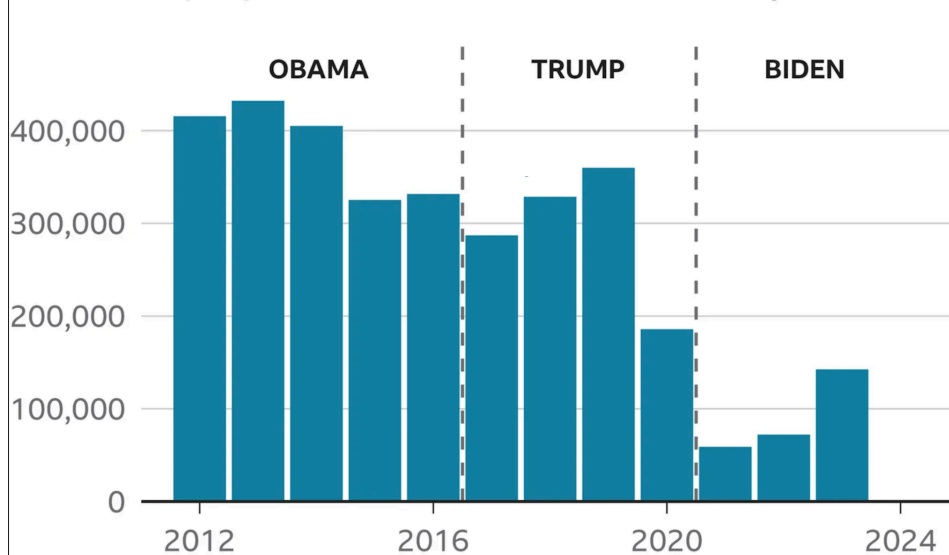
required asylum seekers to wait in Mexico while their claims were processed. These policies faced significant backlash for their humanitarian implications and were subsequently rolled back by the Biden administration. During Trump’s presidency, he also invoked Title 42, a policy that allowed US authorities to expel migrants, including asylum seekers, at the border. Almost 400,000 people were detained and expelled between its implementation and January 2021, when Trump left the White House.

Biden administration policies

The Biden administration sought to reverse many of Trump’s immigration policies, and focused on more humane approaches. On his first day in office, Joe Biden suspended the “Remain In Mexico” policy, and later reversed Trump’s “Zero Tolerance” policy as well. Biden also set up a task force and rolled out reunification programmes, in order to bring together families separated by Trump’s policies. Biden also proposed comprehensive immigration reform to provide a path to citizenship for undocumented individuals in the US. He increased the refugee cap and focused on addressing the root cause of migration from Central America by increasing the aid supplied to those regions. However, surging border crossings and overcrowded detention facilities remain as significant challenges for his administration.

Deportations by US immigration authorities

Number of people removed from US within fiscal year



Note: Fiscal years are from 1 October to 30 September

Source: Department of Homeland Security



Number of deportations across 3 presidential terms

Senators Involved and Their Views

Dick Durbin (D-Illinois)

Durbin has been a long-time advocate for comprehensive immigration reform, and has emphasised the need for a pathway to citizenship for undocumented immigrants, particularly those who came to the US as children. He has supported measures that balance border security with humanitarian considerations, and argues that the US must uphold its values as a nation of immigrants while also addressing security concerns.

Chuck Schumer (D-New York)

As Senate Majority Leader, Schumer has been an advocate for comprehensive immigration reform. He has pushed for legislation that protects DACA recipients and has participated in bipartisan discussions on asylum process reform and border security measures.

Kyrsten Sinema (I-Arizona)

Sinema has been an active participant in bipartisan negotiations on immigration reform, advocating for practical solutions that enhance border security, while ensuring humane treatment of migrants. She has also been a supporter of legislation aimed at improving the asylum process.

Mitch McConnell (R-Kentucky)

As Senate Minority Leader, McConnell has been a consistent advocate for stricter border security measures and has supported legislation that enhances border enforcement. He has been critical of the Biden administration's immigration policies and has called for a robust response to illegal immigration that emphasises accountability and security at the Southern Border.

Ted Cruz (R-Texas)

Like McConnell, Cruz has been a vocal advocate for stringent immigration policies, and has sponsored and supported bills that increase border enforcement funding. He has been very critical of proposals not prioritising immediate border security actions, as he views immigration as a national security issue.

Lindsey Graham (R-South Carolina)

Graham has been involved in various bipartisan immigration reform efforts, calling for a balanced approach to reforming immigration laws that consider security and humane aspects. He emphasised the need for both border security and pathways to citizenship.

Senate Involvement, Relevant Bills

- Bipartisan Border Bill (Failed)
 - Bipartisan proposal from Kyrsten Sinema and James Lankford
 - Aimed to grant Secretary of Homeland Security emergency powers to expel migrants under certain conditions
 - Also aimed to provide substantial foreign aid
 - Faced strong opposition from House Republicans, and did not pass into law
- DREAM Act
 - Proposed multiple times
 - Aimed to provide legal status to undocumented immigrants who arrived in the US as children
 - Has not yet been passed into law
 - Continues to be a focal point for discussions on immigration reform
 - Has garnered various forms of bipartisan support
- US Citizenship Act 2021 (Failed)
 - Aimed to provide pathway to citizenship for undocumented immigrants
 - Included provisions for reforming asylum process and border security
 - Sparked important discussions about immigration reform
- American Rescue Plan Act 2021 (Passed)
 - Despite its focus on economic relief during COVID-19, it still allocated funding for various immigration-related services
 - Support for the processing of asylum claims
 - Resources for immigration courts to reduce backlogs
 - Signed into law by President Biden
 - Represented a significant step in addressing some operational challenges within the immigration system
- Funding for Border Enforcement 2021 (Passed)
 - Funding increases for Customs and Border Protection, asylum officers, and immigration judges
 - Aimed to improve the processing of asylum claims
 - Wanted to bolster the underfunded immigration system
- Patriot Act 2001 (Passed)

- Passed shortly after 9/11 attack
- Gave government expanded powers to monitor and detain suspected terrorists, including immigrants
- Not directly linked toward border crisis, but the increased monitoring and scrutiny of immigrants can exacerbate tensions related to immigration enforcement
- Zero Tolerance Policy 2018 (Ended)
 - Implemented by Trump Administration
 - Called for criminal prosecution of all adults crossing the border illegally, including asylum seekers
 - Thousands of children were separated from their parents at the border, and placed in government custody or foster care
 - The policy was widely criticised and seen as inhumane and a violation of human rights
 - Ended in June 2018

Possible Solutions

Expand legal pathways for migration	- This includes creating more opportunities for legal immigration (temporary worker programs, family reunification visas) to reduce incentives for illegal border crossing.
Streamlining asylum application processes	- By increasing resources for immigration courts to efficiently process claims and ensure due process, the time it take to apply for asylum could be significantly reduced.
Enhancing border security measures	- Increasing funding for personnel for border enforcement agencies like Customs and Border Protection (CBP) and Immigration and Customs Enforcement (ICE) could improve surveillance and interdiction capabilities.

	<ul style="list-style-type: none"> - Advanced technologies like drones, sensors and biometric identification could be utilised to detect and deter illegal border crossings
Improving conditions in migrants' country of origin	<ul style="list-style-type: none"> - The provision of foreign aid to address poverty, violence, and political instability in Central American countries that are driving migration - Support of economic or governmental reforms in Central American countries that create greater opportunities and stability for their citizens
Reform immigration laws and enforcement	<ul style="list-style-type: none"> - Comprehensive immigration reform through legislature that creates a pathway to legal status for undocumented immigrants already in the US - Implement measures (such as E-Verify) to address the issue of employers hiring undocumented immigrants, and thus the accessibility of jobs for these migrants, reducing the incentive to illegally enter the US - Ensure humane treatment of migrants in detention centres, that adhere to human rights standards

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Useful Links

[Pew Research Centre](#): Provides analysis on immigration trends and public opinion

[American Immigration Council](#): Offers resources on immigration laws and policies, as well as insight into the immigrant experience

[U.S. Citizenship and Immigration Services](#): Official government website with forms, resources, and case status

[U.S. Immigration and Customs Enforcement](#): Gives an outline for agency enforcement initiatives and priorities

[U.S. Customs and Border Protection](#): Provides statistics on apprehensions and describes border security efforts

[Congressional Research Service](#): Publishes nonpartisan reports on legislation and issues for Congress

Each senator's gov website			
Chuck Schumer (D-NY)	schumer.senate.gov	Mitch McConnell (R-KY)	mccconnell.senate.gov
Jon Tester (D-MT)	tester.senate.gov	Marco Rubio (R-FL)	rubio.senate.gov
Mark Kelly (D-AZ)	kelly.senate.gov	Mitt Romney (R-UT)	romney.senate.gov
Michael Bennet (D-CO)	bennet.senate.gov	Susan Collins (R-ME)	collins.senate.gov
Dick Durbin (D-IL)	durbin.senate.gov	Lisa Murkowski (R-AK)	murkowski.senate.gov
Chris Murphy (D-CT)	murphy.senate.gov	James Lankford (R-OK)	lankford.senate.gov
Kyrsten Sinema (I-AZ)	sinema.senate.gov	Lindsey Graham (R-SC)	graham.senate.gov
Joe Manchin (I-WV)	manchin.senate.gov	Ted Cruz (R-TX)	cruz.senate.gov

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