



US SENATE

**US Immigration and Customs Enforcement
and Children Detention**





ARTIGO 8



SUMMARY

Introductions	07
1. The American Senate: Legislative Power in the United States of America	08
1.1. Description	08
1.2. Leadership	09
1.3. Background Information	09
1.4. Powers and Duties	09
1.5. Legislation	09
2. The American Senate: Procedures and standing rules ...	09
2.1. Debates	09
2.2. Filibuster	10
2.3. Voting	10
2.4. Closed Sessions	10
3. Historical Background of Immigration in the United States	10
3.1. History of Immigration	10
3.2. History of Immigration Policies	11
4. Immigration Agencies and Policies under Trump's Administration	15
4.1. Recent Immigration Guidelines	15
4.2. Legal Immigration Policies	16
4.3. ICE	16
4.3.1. What is ICE and its branches	16
4.3.2. Powers and Duties	17



4.3.3. Recent Policies and their Repercussion	18
4.4. The Wall	19
5. Political Parties in the United States Of America.	19
6. Delegations	20
7. Bibliographic Reference	31





THE AMERICAN SENATE

INTRODUCTIONS

Hi! My name is Pedro Ávila and I will be one of the directors of this Senate (along with Pedro, Leticia and Gabriela - people that really inspire me -). I am the president of Rhetoricae, Colégio Santo Antônio's debate society. I am also a writer and fanatic for politics. I will be glad to debate with any of you about any topic whenever you want. We are here to help you, so if you need anything just hit me up. It will be a pleasure to be part of this Senate with you!

Cheers! See you!

Hey, my name is Pedro Lee, I am currently 18 years old (by the time of SiSA I'll be 19) and I study Law in PUC-MG. I graduated in Colégio Santo Antônio in 2018 (being a director in SiSA is an excuse to be back in the school facilities kkkkkkkkkk), school that will forever be a part of me. UN Models - along with music and sports - have been a passion of mine since 2015, when I first participated in an event of such importance. However, I've only started to join committees that use the English language last year (2018). I've been in love with such committees ever since, and it is such a great pleasure to work alongside some of the brightest minds of this century (love you Pepe, Gabi and Let). I really hope that the delegates who conceded us the ho-

nour of being in our committee fall in love with UN Models in English as much as I did! See you all at SiSA!

Dear Delegates, my name is Leticia Ferreira and I will be part of this incredible chair. My passion for model UN started in 2017 and since the beginning modeling in English has got a special place in my heart. Through this time I had the privilege to form the first English speaking committee of SiSA in its sixth edition, to participate in a Harvard MUN for Latin America in January of this year and, finally, moderating this wonderful committee will be the perfect opportunity to end in a high note my experience with this model. I wish you an unforgettable experience and that new debates and perspectives are created in your life.

Hi, senators! I'm Gabriela Brandão and I'm 16 years old. In SiSA's seventh edition, I'll have the pleasure to be one of your directors in our beloved U.S. Senate! I started attending models back in 2017 and this is my third time directing a committee. Our model is one of the projects in which I strongly believe and being able to take part in it is an honor to me. I hope that, in our sessions, you'll keep in mind how the history of immigration came along through the years and the power you'll have in your hands over this humanitarian issue. If you need any help, please, don't hesitate to ask. Welcome to our Senate! See you soon! xx

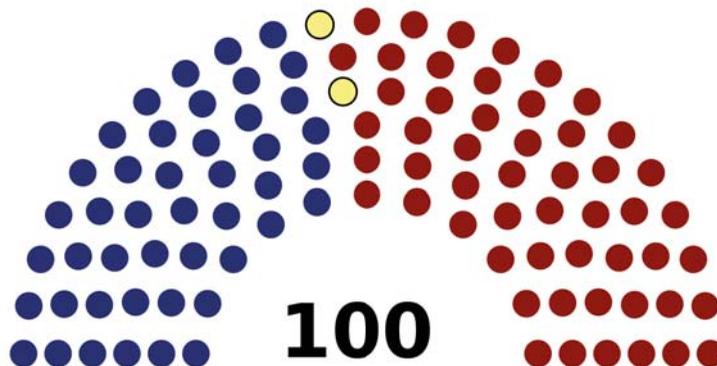
1. AMERICAN SENATE: LEGISLATIVE POWER IN THE UNITED STATES OF AMERICA

1.1. DESCRIPTION

The United States Senate is one of the chambers of the United States Congress and, along with the United States House of Representatives, it composes the Legislative power of the United States of America.



Senate membership, since January 8, 2019



Total Seats: 100

Republican seats: 53

Democrat seats: 45

Independent seats: 2 (caucus with Democrats)

1.2. LEADERSHIP

-President of the Senate: Mike Pence (R)

-Majority Leader: Mitch McConnell(R)

-Minority Leader: Chuck Schumer (D)

-Majority Whip: John Thune(R)

-Minority Whip: Dick Durbin(D)

1.3. BACKGROUND INFORMATION

The duties of the Senate are specified by Article One of the United States Constitution. The Senate is composed of 100 senators, each representing one of the 50 states, with each state regardless of its population being equally represented by two senators, who serve for 6 years after being elected. From 1789 until 1913, however, they used to be elected by legislatures of the states they represented. Since 1913, when the Seventeenth Amendment was added to the American Constitution, they have always been popularly elected. The Senate Chamber is located in the north wing of the Capitol, in Washington, D.C.

1.4. POWERS AND DUTIES

As the upper house of the Congress, the Senate has several powers of advice and consent; including the ratification of treaties and the confirmation of many powerful chairs in the American government, as for example Cabinet Secretaries, Supreme Court justices, federal judges, flag officers, regulatory officials, ambassadors and other federal officials. It also has the responsibility of conducting trials of the presidents impeached by the House, providing the last decision that's going to decide the president's fate.

The Senate is considered to be a more deliberative and more prestigious body than the House of Representatives due to the fact that an elected Senator holds its position for a longer time than a Congressman or Congresswoman (they only serve for 4 years).

The presiding officer of the Senate is the Vice President of the United States, who is also the President of the Senate. If the Vice President is not present, the "President Pro Tempore", who is usually a member of the party that has most seats, presides over the Senate. In the early 20th century, parties started electing their leaders, although they are not constitutional offices, which means that theoretically they don't have more power than any other Senator.

1.5. LEGISLATION

Bills may be introduced in either chamber of Congress. The approval of the Senate and the House is needed for any bill to become law. Both Houses must pass the same version of the bill; if there are differences, they may be resolved by sending amendments back and forth, or by calling a conference committee, which includes members of both bodies, in order to negotiate the terms of the bill.

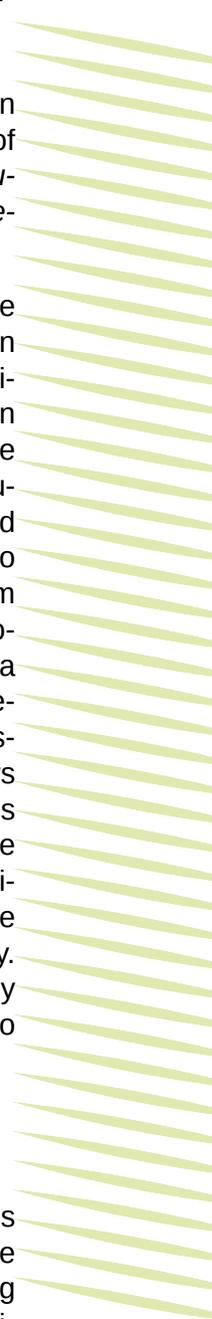
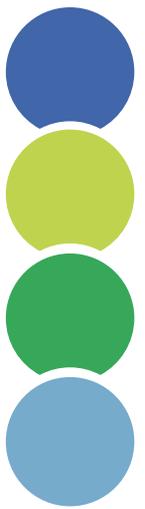
2. THE AMERICAN SENATE: PROCEDURES AND STANDING RULES

The Senate's ability to determine its own rules comes from Article One, Section 5 of the United States Constitution: *"Each House may determine the rules of its proceedings..."*

There are currently 44 rules. Some of the rules are just formalities and they are often ignored, while some others help to organize the flow of the debate. The Constitution requires that the majority of senators be present (quorum) for the Senate to do business. According to the Senate's rules and customs, a quorum is just not assumed to be present if a senator requests a quorum call by "suggesting the absence of a quorum". In practice, senators often ask for a quorum call when they want to delay proceedings without the need to adjourn the session. In many cases, such as a delay allows Senate leaders to negotiate compromises off the floor or gives them time to come to the Senate floor to make speeches without having to constantly be present in the chamber while waiting for the opportunity. Once the need for a delay has ended, any senator may request unanimous consent to revoke the quorum call.

2.1. DEBATES

When the Senate is in session, the Senators are only allowed to give a speech if they are given permission to do so by the presiding officer. Usually, the Majority Leader and Minority Leader are considered priority during



debates, even if another senator asks permission to speak first, as they are more powerful and their speeches are usually more decisive and important. All speeches must be addressed to the presiding officer, and not directly to other senators. Usually, they are referred to as “Mr President” or “Madam President.” If the senator that is speaking wants to refer to another member(s) he should use the third person. In most cases, senators do not refer to each other by their names, but by the state represented by the referred member, using forms such as “the senator from Hawaii” or “the senator from Texas.”

The length of these speeches is not limited by the rules, but the Senate normally reaches unanimous agreements imposing time limits.

2.2. FILIBUSTER

As there is no rule imposing time limits during speeches, a Senator may engage in what is called a “Filibuster”. A Filibuster consists in giving a speech long enough to delay business in the Senate.

In order to a bill to be voted, a debate on the bill is required to occur beforehand. However, if the debate lasts for too long, the bill may never be put to a vote. Therefore, if a Senator does not wish the approval of a bill, he or she may use this tactic. Nevertheless, if three-fifths of the Senators wish to end the debate, the filibuster may be averted.

2.3. VOTING

When a debate comes to an end, the bill in question is put to a vote. In most cases, the Senate votes by voice votes; the presiding officer puts the question, and then the Members answers either “Yea!” (in favour of the motion) or “Nay!” (against the motion). The presiding officer then announces the result of the voice vote. Any senator, however, may challenge the presiding officer’s assessment and request a recorded vote. The request may be granted only if one-fifth of the senators present agrees. When a recorded vote is held, the responsible clerk calls the roll of the Senate in alphabetical order. Then, each sena-

tor responds when his or her name is called (still with “Yea!” or “Nay!”). If the vote is tied, the Vice President, if present, is required to vote in order to decide if the motion will pass or not. If the Vice President is not present, the motion doesn’t pass.

2.4. CLOSED SESSIONS

Sometimes, the Senate may go into what is called a secret, or closed session. During a closed session, all doors are closed, and the Senate is completely cleared of anyone not sworn to secrecy or not instructed in the rules of the closed session, like any type of media, for example. Any Senator has the right to call a closed session as long as the motion passes, with a majority of votes in favour of it.

3. HISTORICAL BACKGROUND OF IMMIGRATION POLICIES IN THE UNITED STATES

“Once I thought to write a history of the immigrants in America. Then I discovered that immigrants were American history.” – Oscar Handlin.



3.1. COLONIAL ERA

Since its beginning, America revealed itself as a nation of immigrants. Its original inhabitants crossed the land bridge connecting Asia and North America tens of thousands of years ago. During the entire Colonial Era, it experienced major waves of immigration, mainly from the European continent.

In the 16th century, major colonization programs were launched in eastern North America by many European nations, such as England, France, Spain and the Netherlands. A great variety of social and religious European groups came to settle on the land: adventurers, soldiers, farmers, indentured servants, tradesmen and a few from the aristocracy. Some searched for the increasing of their nation's political power and private wealth, while some aimed for freedom from persecution. Therefore, reuniting natives and immigrants, the country started to build its own history to become the superpower it is known to be nowadays.

3.1.1. PARLIAMENTARY AND COLONIAL NATURALIZATION LAWS

The parliamentary private naturalization was the highest legal status an alien resident could obtain in the colonies. However, it was an expensive process. In the 1670s, it cost applicants upwards of 50 pounds. The early naturalization law had a conservative approach as the religious prejudice, xenophobia and fears of foreign political views had a great influence. The law also embedded sacramental tests, restricting non-Christians from its benefits.

However, there were also the colonial naturalization laws. Most colonial provinces developed their own naturalization policies outside of English law, therefore they varied by region. As the royal colonial charters did not explicitly grant them this power, it was an expression of the public will through provincial legislation.

3.2. 18TH CENTURY

3.2.1. COMMON SENSE – THOMAS PAINE (1776)

In January of 1776, Thomas Paine published a pamphlet which was entitled "Common Sense". His goal was to set forth his arguments in favour of American independence. At the time, most colonists considered themselves Britons. Paine, however, brought out a

new concept of a distinctly American political identity.

"Europe, and not England, is the parent country of America. This new world hath been the asylum for the persecuted lovers of civil and religious liberty from every part of Europe. Either they have fled, not from the tender embraces of the mother, but from the cruelty of the monster; and it is so far true of England, that the same tyranny which drove the first emigrants from home pursues their descendants still."

Its impact spread all over the Thirteen Colonies and it was an immediate sensation. Swaying people towards independence and revolution, in some interpretations, he was able to form one of the first definitions of what it meant to be an American.

3.2.2. THE NATURALIZATION ACT OF 1790

[...
In the act, naturalization
was limited to
immigrants who were
FREE WHITE PERSONS OF
GOOD CHARACTER. ...]

In March of 1790, the original United States Naturalization Law was written. It established the first law towards the granting of national citizenship. In the act, naturalization was limited to immigrants who were free white persons of good character. This meant that Native Americans, indentured servants, slaves, free blacks and later Asians were excluded.

To file a Petition for Naturalization, the law required two years of residence in the United States and one year in the state of residence, prior to applying for citizenship. The applicant would have to prove its good moral character and take part in an oath of allegiance to support the Constitution of the United States. After all these procedures and with the

approval of the court, one would be considered as a citizen of the United States.

The Act, however, was repealed by the Naturalization Act of 1875, in which the residence requirement was extended to five years, and then by the Naturalization Act of 1798, in which it was extended to 14 years. This law is thought to be a demonstration of what the nation's Founders thought about the powers of the U.S. Government over immigration.

During the mid-1800s, the influx of newcomers resulted in an anti-immigrant sentiment among factions of America's native-born. Immigrants were often seen as unwanted competition jobs, and many suffered discrimination because of their religious beliefs.

3.3. 19TH CENTURY

3.3.1. THE NATURALIZATION ACT OF 1802

Under Thomas Jefferson's government, the Naturalization Law of 1802 replaced the Naturalization Act of 1798. It was the major piece of naturalization legislation written during the 19th century. There were minor revisions, but the basic nature of the admission procedure remained the same.

Among its provisions, some can be highlighted. The "free white" requirement was maintained, the intention to become a U.S. citizen had to be declared at least three years in advance and the previous 14-year residency requirement was reduced to 5 years. Regarding the infants, resident children of naturalized citizens and the children of U.S. citizens born abroad were to be considered citizens.

3.3.2. EXCLUDING ACTS

In the end of the 19th century and in the beginning of the 20th century, some acts of restrictions on immigration were presented and passed. The Page Act of 1875, the Chinese Exclusion Act (1882), the Scott Act (1887), the Immigration Act of 1903 and the Immigration Act of 1917 can be mentioned as examples of laws which supported the barring of certain political and ethnic groups. People

with physical or mental defects, beggars, imbeciles, illiterate adults, unaccompanied minors and most Asians were excluded. These documents all marked a turn toward nativism.

Some of the most radical provisions included, on the Chinese Exclusion Act (1882), were the debarment of all Chinese labourers for 10 years and the denial of naturalization to Chinese aliens already in the United State. On the Immigration Act of 1903, four groups were codified as inadmissible classes: anarchists, people with epilepsy, beggars, and importers of prostitutes. The Act barred anyone "who disbelieves in or who is opposed to all organized government, or who is a member of or affiliated with any organization entertaining or teaching such disbelief in or opposition to all organized government."

3.4. 20TH CENTURY

3.4.1. IMMIGRATION ACTS OF 1921 AND 1924

The Immigration Acts of 1921 and 1924, also known as the Emergency Quota Act (1921) and the Johnson-Reed Act, both aimed the limitation of the number of immigrants allowed to entry into the United States. Although intended as temporary legislation, the Acts proved to be an important turning-point in American immigration policy. They added numerical limits on immigration and the use of a quota system for establishing those limits.

In the Emergency Quota Act, the number of immigrants admitted from any country annually was restricted to 3% of the number of residents from that same country living in the United States according to the U.S. Census of 1910. People who were born in northern European countries, therefore, had a higher quota and were more likely to be admitted rather than people from eastern or southern Europe and non-European countries. In the Johnson-Reed Act, the percentage was reduced to 2% and was based on the U.S. Census of 1890. In all its parts, both Acts most basic purpose was to preserve the ideal of U.S. homogeneity.

3.4.2. BORDER PATROL (1924)

Since 1904, mounted watchmen of the U.S. Immigration Service patrolled the border in an effort to prevent illegal crossings. However, this effort was irregular and undertaken only when resources permitted. Agencies charged with inspecting people and goods entering and leaving the U.S. noticed that the initiative was ineffective without border enforcement between inspection stations.

With the numerical limits placed on immigration to the United States by the Immigration Acts of 1921 and 1924, illegal attempts of entering the U.S. were now a major pre-occupation and border enforcement received attention from the government. In May of 1924, Congress officially established the U.S. Border Patrol for the purpose of securing the borders and patrolling the seacoast. The Bureau of Immigration and the Bureau of Naturalization were combined in order to form the Immigration and Naturalization Service. From now on, the Border Patrol Academy would train men to watch and protect the borders, even on war periods.

The Today's Border Patrol increased its manpower and implemented modern technology, such as a computer processing location system, seismic sensors and infrared night-vision scopes. After the terrorist attacks of September 11, 2001, Homeland security became a primary concern. In 2003, the Department of Homeland Security (DHS) was established and the U.S. Border Patrol became part of one of its components, the U.S. Customs and Border Protection. With innovative ways to integrate the contemporary technology, the U.S. Border Patrol continues its efforts to control the nation's borders.

3.4.3. THE IMMIGRATION AND NATIONALITY ACT OF 1952 AND 1965 (INA)

Created in 1952, the Immigration and Nationality Act is the

basic body of immigration law in the United States. The Act kept many of the same immigration policies with some major changes. Racial restrictions and gender discrimination were eliminated. Although the policy of restricting immigrants from certain countries remained, the quota was revised. Giving quota exemption to aliens with needed skills and relatives of U.S. citizens was an introduction to selective immigration in the law. Approved in the context of the Cold War, selective immigration was also used to preserve national security.

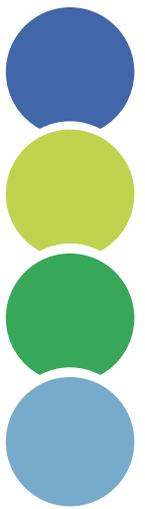
The Immigration and Nationality Act of 1965 was written to amend the original one. With the growing strength of the civil rights movement, calls to reform U.S. immigration policy mounted. The new Act abolished the quota system based on national origins, reducing discrimination and focusing on equal treatment regardless of race or nationality. The preferences provided by the Act were made according to categories, such as relatives of U.S. citizens or permanent residents, those with skills deemed useful to the United States or refugees of violence or unrest. However, there were limits placed on per-country and total immigration.

3.4.4. REFUGEE ACT OF 1980 AND IRCA (1986)

The United States Refugee Act of 1980 was the first major change in U.S. immigration law that attempted to address the realities of modern refugee problems by articulating a national policy. Comprehensive and uniform provisions were provided for the effective resettlement of those refugees who are admitted.

One of its purposes was to create a new definition of refugee based on the one created at the United Nations Convention and Protocol on the Status of Refugees. The Act amended the Immigration and Nationality Act of 1965 by defining a refugee as any person who

[...
ONE OF ITS
PURPOSES WAS
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NEW DEFINITION
OF REFUGEE
...]



is outside his or her country of residence or nationality, or without nationality, and is unable or unwilling to return to, and is unable or unwilling to avail himself or herself of the protection of, that country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.

The Immigration Reform and Control Act of 1986 (IRCA) was passed in order to control and deter illegal immigration to the United States. In its provisions, the Act required employers to attest to the immigration status of their employees and prohibited the recruitment of illegal immigrants knowingly.

3.4.5. ILLEGAL IMMIGRATION REFORM AND IMMIGRANT RESPONSIBILITY ACT OF 1996

The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) was responsible for making major changes on the Immigration and Nationality Act (INA), as illegal immigration was rapidly growing over the country.

The former “deportation proceedings” and “exclusion proceedings” were combined into a single removal proceeding, which could be judged in immigration courts or even the U.S. Supreme Court. Among other changes, the Act gave the U.S. Attorney General broad authority to construct barriers along the border between the United States and Mexico. These measures escalated the fear of Latin-American undocumented immigrants in the United States, reducing their health and mental health outcomes.

Some definitions were also updated. The term “aggravated felony” was expanded and included great many more crimes. However, it explicitly stated that the term must be applied only to convictions for which the term “imprisonment” was completed within the previous 15 years. According to the INA, “inadmissible aliens” and “deportable aliens” are synonymous. A “lawful permanent resident” can either be an “alien” or a “national of the United States”, which requires a case-by-case analy-

sis, depending on the number of continuous years spent in the United States as a legal immigrant.

3.4.6. LEGAL IMMIGRATION AND FAMILY EQUITY ACT OF 2000 (LIFE ACT)

The Legal Immigration Family Equity Act of 2000 expanded temporary visa eligibility for immediate relatives of legal permanent residents and United States citizens, in the direction of making it easier for family members and immigrants to adjust their status within the United States.

A new temporary visa, called V visa, was created. It was aimed for spouses and minor children of legal permanent residents who were themselves awaiting approval of permanent residency. The Visa allowed them to visit their relatives in the United States and work while they awaited approval. However, individuals must have been waiting for at least three years to qualify for the new visa.

The LIFE Act allows people to obtain Green Cards regardless of the manner they entered the country, if they were working in the United States without authorization and if they failed to continuously maintain lawful status.

3.5. 21ST CENTURY

3.5.1. THE SECURE FENCE ACT OF 2006

The Secure Fence Act of 2006 authorized the construction of 700 miles of double-layered fencing along part of the United States – Mexico border, signed into law by former President George W. Bush. It was claimed that the Act was “an important step forward in the nation’s efforts to control its borders and reform our immigration system”. It also added authorization for vehicle barriers, checkpoints and lighting along the border as well as increased use of advanced technology, such as cameras, satellites and others. It stated: “This bill will help protect the American people. This bill will make our borders more secure. It is an important step toward immigration reform.”

In 2007, an amendment was written and approved. The U.S. Department of Homeland Security (DHS) argued to Congress that different border terrains require different types of fencing. A one-size-fits-all approach across the entire border, therefore, was not suitable. By April 2009, DHS had already erected about 613 miles of new pedestrian fencing and vehicle barriers along the southwest border. Among the effects, it did not put an end to drug traffic, as Lawrence Downes, the New York Times op-ed writer, wrote in 2013: "A climber with a rope can hop it in less than half a minute. ... Smugglers with jackhammers tunnel under it. They throw drugs and rocks over it. The fence is breached not just by sunlight and shadows, but also the hooded gaze of drug-cartel lookouts, and by bullets. Border agents describe their job as an unending battle of wits, a cat-mouse game with the constant threat of violence. "

The environment also became an issue as the fence caused habitat fragmentation that adversely affected wildlife, including endangered species. A 2011 study published in the journal *Diversity and Distributions* determined that "small range size is associated with a higher risk of extinction, and for some species, the barriers reduce range by as much as 75%." Some endangered species can be highlighted: the Arroyo Toad (*Anaxyrus californicus*), the California red-legged frog (*Rana draytonii*), the black-spotted newt (*Notophthalmus meridionalis*), the Pacific pond turtle (*Clemmys marmorata*) and the jaguarundi (*Puma yagouaroundi*).

3.5.2. DEVELOPMENT, RELIEF, AND EDUCATION FOR ALIEN MINORS ACT (DREAM ACT)

The DREAM Act is an American legislative proposal composed of many phases for qualifying alien minors in the United States. It would first grant conditional residency and, upon further qualifications, permanent residency, offering youth hopes for a better future.

For someone to be a beneficiary of the proposed Act, they would have to follow some requirements. They must be inadmissible or

deportable from the United States or under the Temporary Protected Status and be younger than 18 years old on the date of entry in the country. They must have proof or residence in the United States for at least four consecutive years, have graduated from an American high school and be of good moral character.

The Act was the first to include important aspects of life, such as healthcare, education and employment opportunities. Depending on eligibility standards, the DREAM Act could benefit as many as 1.2 million young people in the United States, giving them an opportunity to reach their educational, economic, and human potential. About economic impacts, a study by the Center for American Progress estimates that if passed, the DREAM Act would create 1.4 million jobs by 2030.

4. IMMIGRATION AGENCIES AND POLICIES UNDER TRUMP'S ADMINISTRATION

4.1. RECENT IMMIGRATION GUIDELINES

The Trump's administration guideline towards immigration is supported upon two main courses of action: new policies towards reducing legal immigration and the effort to discourage illegal immigration.

**[... his believe that
NEW ARRIVALS CREATE
undue competition for
American workers. ...]**

Trump has argued that his immigration policies are driven by national security concerns and an endeavor to preserve jobs for Americans, due to his believe that new arrivals create undue competition for American workers.

This economic argument against immigration comes at a as the unemployment rate has fallen to 3.8 percent, the lowest level in nearly two decades. Some American businesses are seeking for workers, and the slowing of legal immigration could further strain a job

market in which a record 6.6 million positions are unfilled.

Trump has consistently emphasized his intention to base the U.S. immigration system on “merit” rather than family ties, preferring those well skilled, with financial resources and who also speak English. Critics of this transformation argued that it discriminates against people from poorer and nonwhite countries, keeping in mind his remarks about Muslims and his characterization earlier this year of Haiti, El Salvador and African nations as “shithole countries.”

4.2. LEGAL IMMIGRATION POLICIES

The number of people receiving visas to move permanently to the United States is on track to fall pace to drop 12 percent in President Trump’s first two years in office, analysis of State Department data. Similar trends in many others immigrations categories are observed e.g. refugee arrivals are on pace to drop by 75 percent from 2016 levels, according to federal data.

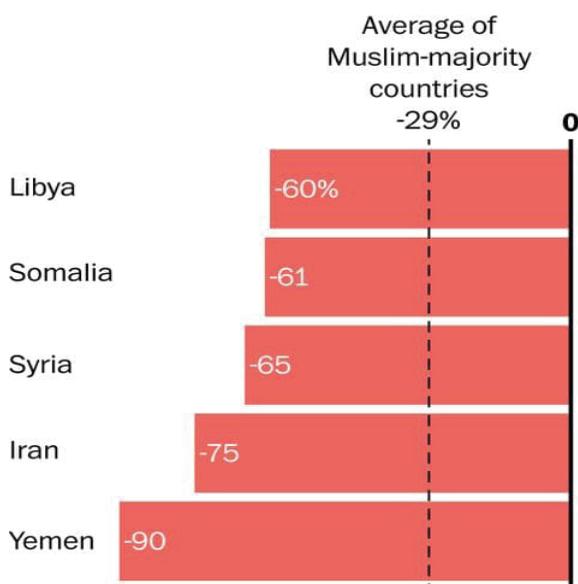
However, due to the lack of visa application data release, it is unclear whether part of the drop in immigrant visas reflects declining interest in immigrating to the United States.

• The Muslim or Travel Ban

Executive Order 13769, referred to as the Muslim ban or the travel ban, was an executive order signed by United States President Donald Trump. Executive Order 13769 suspended the U.S. Refugee Admissions Program (USRAP) for 120 days, suspended the entry of Syrian refugees indefinitely, suspended entry of those whose countries do not meet adjudication standards under U.S. immigration law for 90 days, and included exceptions on a case-by-case basis. Homeland Security lists these countries as Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen. The short-term effect caused more than 700 travelers to be detained, up to 60,000 visas to be “provisionally revoked” and a decrease on the number of refugees to be admitted into the United States in 2017 to 50,000.

Countries most affected by the travel ban

Percent change of immigrant visas issued from 2016 to 2018



Note: Data as of May 2018

Source: State Department

THE WASHINGTON POST

On June 26, 2018 the Supreme Court upheld that ban, paving the way for an even more dramatic decline in arrivals from those countries.

Among the most affected are the Muslim-majority countries on the president’s travel ban list, like Yemen, Syria and Iran, where the number of new arrivals to the United States is heading toward an 81 percent drop by Sept. 30, 2018, the end of the second year under Trump.

The Post’s analysis also found immigration declines among nationalities not targeted by Trump’s travel ban, due to the change in procedural criteria in accepting applications. For example, the number of immigrant visas approved for Africans is on pace to fall 15 percent.

4.3. ICE

4.3.1. What is ICE and its Branches

U.S. Immigration and Customs Enforcement (ICE) serves as the principal investigative

agency of the U.S. Department of Homeland Security (DHS). ICE was created through a 2003 merger that combined the investigative and interior enforcement forces of the U.S. Customs Service and the Immigration and Naturalization Service.



<http://time.com/4946747/immigration-plainclothes-brooklyn-courthouse/> JOSE CABEZAS—AFP/Getty Images

ICE has a clear mission, which is to “promote homeland security and public safety through the criminal and civil enforcement of federal laws” that are directed toward customs, trade, immigration, and border control. With an annual budget exceeding more than \$5.7 billion and more than 20,000 employees throughout the United States and in 47 foreign countries, ICE has become a major federal law enforcement agency.

Furthermore, it is organized into two principal operating components and one smaller department.

4.3.2. POWERS AND DUTIES

Enforcement and Removal Operations (ERO)

ICE's Enforcement and Removal Operations (ERO) is responsible for enforcing the immigration laws of the United States through its effective enforcement and removal operations of illegal aliens, paying particular attention to fugitives and illegal aliens who pose a threat to national security, as well as individuals who recently crossed the border. The ERO is also responsible for managing

aliens in custody and providing them with access to legal resources and advocacy groups.

In FY2012, the ERO removed 366,292 individuals, with 191,412 of those being convicted criminals.

As stated on ICE's website:

“To identify, arrest, and remove aliens who present a danger to national security or are a risk to public safety, as well as those who enter the United States illegally or otherwise undermine the integrity of our immigration laws and our border control efforts. Enforcement and Removal Operations (ERO) upholds America's immigration laws at, within and beyond our borders through effective enforcement and removal operations.

ERO enforces the nation's immigration laws in a fair and effective manner. It identifies and apprehends removable aliens, detains these individuals when necessary and removes illegal aliens from the United States.

ERO transports removable aliens from point to point, manages aliens in custody or in an alternative to detention program, provides access to legal resources and representatives of advocacy groups and removes individuals from the United States who have been ordered to be deported.”

Homeland Security Investigations (HSI)

ICE's Homeland Security Investigations (HSI) is responsible for investigating terrorist and other criminal organizations who threaten national security. As such, the HSI is responsible for investigating immigration crime, human smuggling, financial crimes, and weapons and contraband smuggling, among others. This ICE division is also responsible for conducting investigations aimed at protecting critical infrastructure industries that are vulnerable to sabotage, attack or exploitation.

There are more than 10,000 employees, including 6,700 special agents, who work out of the HSI Division's 26 field offices.



There are 6 divisions within the HSI:

● INTELLIGENCE (HSI-INTEL)

HSI-Intel is home to the National Incident Response Unit (NIRU), which ensures that ICE is prepared to respond to national emergencies, such as natural disasters and terrorist attacks. In the event of a national emergency, NIRU would serve as the central communications center (nerve center) between ICE and local, state and federal agencies.

● INTERNATIONAL AFFAIRS

It is responsible for enhancing national security through coordinated investigations of transnational criminal organizations. Its operations include investigating, disrupting, and dismantling these criminal organizations that engage in the smuggling of people, weapons, money, narcotics, and even sensitive technologies. It also investigates threats that these criminal organizations pose to commercial trade, travel, and financial systems

● NATIONAL INTELLECTUAL PROPERTY RIGHTS (IPR) COORDINATION CENTER

The National Intellectual Property Rights (IPR) Coordination Center works to combat global intellectual property theft. Working as a task force, the IPR partners with several member agencies and participates in government-industry collaborations that support its ongoing enforcement initiatives. The IPR shares information, develops initiatives, coordinates enforcement activities, and conducts investigations related to IP theft.

● MISSION SUPPORT

● DOMESTIC OPERATIONS

● NATIONAL SECURITY INVESTIGATIONS DIVISION

The National Security Investigations Division (NSID) is responsible for identifying, disrupting, and dismantling transnational criminal and terrorist organizations that threaten the security of the country. The NSID is organized into two programs:

- The *Counter-Proliferation Investigations Program*

- The *Student and Exchange Visitor Program (SEVP)*

Office of the Principal Legal Advisor (OPLA)

OPLA, the smallest department of ICE, serves as the exclusive representative of DHS in immigration removal proceedings before the Executive Office for Immigration Review, litigating all removal cases including those against criminal aliens, terrorists, and human rights abusers.

OPLA also provides a full range of legal services to ICE programs and offices. OPLA provides legal advice and prudential counsel to ICE personnel on their customs, criminal, and immigration law enforcement authorities, the Freedom of Information Act and Privacy Act, ethics, legal liability under the Federal Tort Claims Act, and a range of administrative law issues, such as contract, fiscal, and employment law. OPLA represents the agency before the Merit Systems Protection Board, the Equal Employment Opportunity Commission, and the Board of Contract Appeals. OPLA attorneys provide essential support to the Department of Justice in the prosecution of ICE cases and in the defense of ICE's authorities in federal court.

In addition to its headquarters in Washington, D.C., OPLA has 26 Offices of Chief Counsel with a presence in more than 60 locations throughout the United States.

4.3.3. RECENT POLICIES AND THEIR REPERCUSSION

In recent years, U.S. Immigration and Customs Enforcement (ICE) has detained and deported record numbers of people from the United States. Many of ICE's removal tactics take away even the right to a fair hearing in court, as the government rushes to judgment and tries to ram people through a rubber-stamp system that ignores individual circumstances. These enforcement programs

pose a variety of threats to civil liberties: they implicate the Fourth Amendment's protection against unreasonable searches and seizures, the constitutional guarantee of due process, and the constitutional guarantee of equal protection and freedom from discrimination based on race, ethnicity, and national origin. ICE's enforcement practices also impose heavy social costs, tearing American families apart and undermining community trust in law enforcement.

For months, members of Congress have been demanding answers about how many families are being separated as they are processed at stations along the southwest border, in part because the Trump administration has in the past said it was considering taking children from their parents as a way to deter migrants from coming here.

Officials have repeatedly declined to provide data on how many families have been separated, but suggested that the number was relatively low. But new data reviewed by The New York Times shows that more than 700 children have been taken from adults claiming to be their parents since October, including more than 100 children under the age of 4. The data was prepared by the Office of Refugee Resettlement, a division of the Department of Health and Human Services that takes custody of children who have been removed from migrant parents. Accusations of abuse in ICE custody are numerous and serious, and they preexisted the Trump era. An investigation by ProPublica and the Philadelphia Inquirer reported cases of racial profiling, fabricated evidence and warrantless searches — all given little scrutiny by overwhelmed immigration courts. During the past few years, there have been hundreds of accusations of sexual abuse, racial slurs, abusive strip searches and verbal harassment in ICE jails, prisons and detention centers.

One asylum seeker, Gretta Soto Moreno, has called the facilities worse than normal prisons because ICE “feels like it can treat immigrants any kind of way.” Some media vehicles are characterizing the ICE as “Trump’s personal bullying squad”.

ICE's 40 per cent increase in arrests within the United States after Trump took office is now closely associated with the president's political priorities. His sweeping executive orders on immigration broadened the focus of enforcement beyond serious threats to public order. Arrests of immigrants without criminal convictions have spiked. Routine “check-ins” with ICE officials can end with handcuffs and deportation. “Sanctuary cities” — cities that limit how much local law enforcement officials can comply with federal immigration authorities — are being targeted with additional personnel. ICE recently announced a new policy that makes it easier to detain pregnant women. Asylum seekers have often been denied “humanitarian parole” while their cases are decided, effectively jailing them without due process.

4.4. THE WALL

4.4.1. HISTORY



The Mexico–United States border is an international border separating Mexico and the United States, extending from the Pacific Ocean in the west to the Gulf of Mexico in the east. The border traverses a variety of terrains, ranging from urban areas to deserts. The Mexico–US border is the most frequently crossed border in the world, with approximately 350 million documented crossings annually. For that reason, in 1993, President Bill Clinton mandates the construction of a 13-mile “Border Wall” along with a line in the sand between San Diego and Tijuana. It was projected to cost \$39 million and reduce border apprehensions from 100,000 per day to 5,000 per day for those 13 miles.

After an enormous increase on the unemployment and several terrorist attacks - such as the 9/11 - President George W. Bush approved to increase border patrols from 10,000 to 20,000 officers in 2008. It also demanded that everyone should present international travel documents when crossing the border by car or plane.

4.4.2. TRUMP AND THE WALL



<https://www.independent.co.uk/news/world/americas/us-politics/donald-trump-mexico-wall-enrique-pena-nieto-border-transcript-a7875876.html> (AFP/ Getty Images)

One of President Donald J. Trump's main campaign promises was to build a "Great Wall", in order to keep Mexicans and other immigrants out of the US. He also claimed Mexico would pay for its construction. Some estimates show an \$8 to \$12 billion cost for such a project, while others find there are enough uncertainties to drive the cost to between \$15 and \$25 billion. In January 2017, Mexican President Enrique Peña Nieto said the country would not pay for the wall.

A study by the Center for Immigration Studies claimed that a wall along the Mexican border could save taxpayers \$64 billion by reducing crime and welfare costs for undocumented immigrants over the next 10 years. Some dispute this, claiming the wall and maintenance would cost more than predicted and that illegal immigrants would just find another way into the nation. In August 2017, while speaking at a rally in Phoenix, Arizona, Trump stated he

will close down the U.S. government if necessary to force Congress to pay for the wall.

The US Government started a shutdown on December 22nd, in order to get a 5-billion-dollar fund for the construction of the wall. Since that day, approximately 800,000 federal agents have been on shutdown.

5. DELEGATIONS

Our Senate will be constituted of thirty senators, on which each senator will represent his state. Looking forward to maintaining the actual distribution of senators according to their parties, our house will be formed by sixteen Republicans, twelve Democrats and two independents. Hence, the Republicans will have their majority in the house.

REPUBLICAN SENATORS:

● ALASKA (LISA MURKOWSKI)

Lisa Ann Murkowski is an American politician serving as the senior United States Senator from Alaska and has held that seat since 2002. She is a member of the Republican Party and is the second most senior Republican woman in the Senate.

In 2007, Lisa Murkowski voted against the McCain-Kennedy proposal to offer amnesty to undocumented immigrants. Later, Murkowski was one of two Republicans who voted for the DREAM Act in 2010. She was also one of fourteen Republicans in 2013 who voted for a comprehensive immigration bill that offered a pathway to citizenship for undocumented immigrants. In 2018, Murkowski voted in favour of the McCain/Coons comprehensive immigration bill which did not include funding for a border wall as well as in favour of the bill proposed by Collins to grant a pathway to citizenship for 1.8 million Dreamers and to include \$25 billion for border security; she voted against the Republican bill, backed by President Trump, which would have reduced and

restricted legal immigration. After Trump announced a 'zero-tolerance' migration policy that separates children from parents Lisa Murkowski opposed the Trump administration's actions and called the policy "cruel, tragic"

● ARKANSAS (TOM COTTON)

Thomas Bryant Cotton is an American politician serving as the junior United States Senator for Arkansas since January 3, 2015.

Cotton has stated "We cannot afford to grant illegal aliens amnesty or a so-called earned path to citizenship. Amnesty would cost billions of dollars that our government cannot afford. Also, amnesty would attract millions of new illegal aliens, just as the 1986 amnesty did, by advertising to the world that America lacks the political will to enforce its borders. Finally, amnesty is unjust and immoral because it favours those who broke our laws over those standing in line at embassies hoping to immigrate legally."

Cotton supported President Trump's 2017 Executive Order 13769 that temporarily curtailed immigration from seven predominantly Muslim countries. He stated that "It's simply wrong to call the president's executive order concerning immigration and refugees 'a religious test' of any kind. I doubt many Arkansans or Americans more broadly object to taking a harder look at foreigners coming into our country from war-torn nations with known terror networks; I think they're wondering why we don't do that already."

After the violent incidents surrounding 2017 Unite the Right rally, Cotton issued a statement condemning white supremacy. Cotton stated that "White supremacists who claim to 'take America back' only betray their own ignorance of what makes America so special: our country's founding recognition of the natural rights of all mankind and commitment to the defense of the rights of all Americans. These contemptible little men do not speak for what is just, noble, and best about America".

In September 2017, Cotton stated that he would support legalization of existing recipients of Deferred Action for Childhood Arrivals by giving them green cards if Congress passed legislation that would protect American workers from the effects of that legalization, including requiring E-Verify.

● COLORADO (CORY GARDNER)

Cory Scott Gardner is an American politician serving as the junior United States Senator from Colorado since 2015. A Republican, he was the U.S. Representative for Colorado's 4th congressional district from 2011 to 2015 and a member of the Colorado House of Representatives from 2005 to 2011.

Gardner criticized President Donald Trump's 2017 executive order to impose a ban on travel to the U.S. by citizens of seven Muslim-majority countries, saying: "While I am supportive of strengthening our screening processes and securing our borders, a blanket travel ban goes too far. I also believe that lawful residents of the United States should be permitted to enter the country. I urge the Administration to take the appropriate steps to fix this overly broad executive order".

● FLORIDA (RICK SCOTT)

Richard Lynn Scott is an American businessman and politician, serving as the 45th and current Governor of Florida since 2011. He is the United States Senator-elect from Florida.

In 2010, Scott ran for Governor as an immigration hard-liner. At the time, he favored similar laws as Arizona's controversial Arizona SB 1070 which targeted illegal immigrants and criticized Florida lawmakers for not being tougher on illegal immigrants. Scott called for police to check individuals' immigration status. By 2014, PolitiFact wrote that Scott had "abandoned promises to get tough on illegal immigration." Over time, Scott has moderated his views on immigration. In 2011, Scott opposed giving in-state tuition for illegal immigrants, but reversed



course in 2014 and signed a bill giving DREAMers in-state tuition. In 2013, Scott vetoed legislation that would have given DACA-eligible immigrants the ability to obtain temporary driving licenses. By 2018, he spoke in favor of giving DREAMers a path to citizenship.

In June 2018, Scott opposed the Trump administration family separation policy, which involved separating children from their parents, relatives, or other adults who accompanied them in crossing the border, sending the parents to federal jails and placing children and infants under the supervision of the U.S. Department of Health and Human Services. In a letter to United States Secretary of Health and Human Services Secretary Alex Azar, Scott wrote: "I have been very clear that I absolutely do not agree with the practice of separating children from their families. This practice needs to stop now."

● GEORGIA (DAVID PERDUE)

David Alfred Perdue Jr. is an American businessman and politician serving as the junior United States Senator from Georgia since 2015. He was elected in 2014 to the seat previously held by Saxby Chambliss, who retired. Perdue won the Republican primary and defeated Democratic nominee Michelle Nunn. He is a first cousin of Sonny Perdue, former Governor of Georgia and current United States Secretary of Agriculture.

In 2017, Perdue co-sponsored the RAISE Act, which would reduce legal immigration by 50% and cap refugee admissions to 50,000 individuals per year.

● IDAHO (MIKE CRAPO)

Michael Dean Crapo is an American politician serving as the senior United States Senator from Idaho, a seat he was first elected to in 1998. A Republican, he previously served as the U.S. Representative for Idaho's 2nd congressional district from 1993 to 1999.

Mike Crapo thinks the US needs better screening for refugees entering the United States, but he opposes banning them from coming based on what group or what country

they come from. Crapo disagrees with banning people from the country based either on their religion or on their country of origin, both of which have been proposed at times by Republican presidential nominee Donald Trump, who proposed banning Muslims from entering the United States and has said more recently he wants to ban people who come from countries with terrorism links. However there is legitimate concern about whether terrorists are able to make it into the U.S. through refugee resettlement, and the federal government needs to address it.

● KANSAS (JERRY MORAN)

Gerald Wesley Moran is an American politician serving as the junior United States Senator from Kansas since 2011. A member of the Republican Party, he served as Chairman of the National Republican Senatorial Committee for the 113th U.S. Congress, during which he led successful Republican efforts in 2014 election, producing the first Republican Senate majority since 2006. Previously, he served as a member of the United States House of Representatives, representing Kansas's 1st congressional district.

Moran critiqued President Donald Trump's 2017 executive order imposing a temporary ban on entry to the U.S. to citizens of seven Muslim-majority countries, stating: "While I support thorough vetting, I do not support restricting the rights of U.S. citizens and lawful permanent residents. Furthermore, the far-reaching national security policy should always be devised in consultation with Congress and relevant government agencies."

● LOUISIANA (JOHN NEELY KENNEDY)

John Neely Kennedy is an American attorney and politician who has since 2017 served as the junior United States Senator from Louisiana. A Democrat-turned-Republican, he previously served as the Louisiana state treasurer from 2000 to 2017.

Kennedy is in favor of the construction of a wall and other necessary infrastructure on our border that gives complete control over entering and exiting the United States. Kennedy

also opposes the resettlement of Syrian refugees into the U.S. without proper vetting.

● MISSOURI (JOSH HAWLEY)

Joshua David Hawley (born December 31, 1979) is an American lawyer and Republican politician serving as the 42nd and current Attorney General of Missouri since 2017. He is the U.S. Senator-elect from Missouri, having defeated incumbent Democrat Claire McCaskill in the state's 2018 U.S. Senate election. At age 39, Hawley will be the youngest member of the U.S. Senate upon taking office.

Hawley was supportive of Trump's separation of children from their parents who cross the border illegally, saying it was a matter of upholding law and order. In January 2018, Hawley's U.S. Senate campaign did not respond to requests by the Kansas City Star about his views on DREAMers, undocumented immigrants who were brought to the United States as minors. In June 2018, when asked by the Kansas City Star whether he believed that people accused of crossing the border illegally have due process rights under the U.S. Constitution, Hawley did not say.

● NEBRASKA (DEB FISCHER)

Debra Lynelle Strobel Fischer is an American politician serving as the senior United States Senator from Nebraska since 2013. Prior to that, she served two terms in the Nebraska Legislature, representing a rural district in the Sandhills.

While a member of the Nebraska legislature, Fischer voted against the state's version of the DREAM Act in its passage in 2006; she co-sponsored a bill to repeal the state act in 2010.

● SOUTH CAROLINA (TIM SCOTT)

Timothy Eugene Scott is an American businessman and politician serving as the junior United States Senator from South Carolina since 2013. Appointed by Governor Nikki Haley to replace the retiring Jim DeMint, he later won a special election in 2014 and was elec-

ted to a full term in 2016. A member of the Republican Party, Scott was endorsed for the Senate by Tea Party groups.

Tim Scott supports the idea that the government should enforce laws designed to protect the border and to prevent illegal entry of persons into the country. On the other hand, the senator opposes a pathway to citizenship.

● SOUTH DAKOTA (JOHN THUNE)

John Randolph Thune is an American politician serving as the senior United States Senator from South Dakota, a seat he was first elected to in 2004. A member of the Republican Party, he previously served as the U.S. Representative for South Dakota's at-large congressional district from 1997 to 2003.

"The primary role of a government is to provide for the security of its people. To do so, it is essential that we secure our borders and ports of entry. We must be diligent in assuring that individuals who come into the United States do not pose a risk to our national security. For this reason, I have supported immigration reform that would prioritize border security and create a biometric entry-exit system to track visa overstays. We are a nation of immigrants, but we are also a nation of laws, and those laws must be respected and enforced. Our immigration system should reward those who play by the rules and come to America legally".

● TENNESSEE (MARSHA BLACKBURN)

Marsha Blackburn is an American politician and businesswoman serving as the U.S. Representative for Tennessee's 7th congressional district since 2003. A member of the Republican Party, Blackburn previously served in the Tennessee Senate from 1999 to 2003. On November 6, 2018, she became the first woman to be elected to the U.S. Senate from Tennessee, defeating Democratic former Tennessee Governor Phil Bredesen.

She supported President Donald Trump's 2017 executive order imposing a temporary travel and immigration ban barring the natio-



nals of seven Muslim-majority countries from entering the U.S.

Blackburn has expressed support on multiple occasions of President Trump's immigration policy, especially his plan to construct a wall on the United States-Mexico Border.

● TEXAS (TED CRUZ)

Rafael Edward "Ted" Cruz is an American politician and attorney serving as the junior United States Senator from Texas since 2013. He was a candidate for the Republican nomination for President of the United States in the 2016 election.

Cruz adopted a "hard-line stance" on immigration issues during the 2014 border crisis and is an opponent of comprehensive immigration reform. Cruz advocates for an increase from 65,000 to 325,000 annually in skilled foreign workers entering the United States using H-1B visas.

According to McClatchy, Cruz staked out "hard-right immigration stances" during his 2016 campaign for the Republican nomination for President.

Cruz opposes providing a path to citizenship for undocumented immigrants who were brought to the United States as children (so-called DREAMers). In February 2018, he was the sole Senator to oppose a Republican motion to begin debate on legislation intended to resolve the question of what to do with DREAMers. Cruz has called for the repeal of the clause of the 14th amendment, which grants citizenship to those born in the United States.

Cruz defended the Trump administration's policy of separating migrant children from their parents. Cruz blamed the migrant parents for crossing the US border to seek asylum and argued that the Obama administration had the same policy.

● UTAH (MITT ROMNEY)

Willard Mitt Romney is an American politician and businessman who is the United States Senator-elect from Utah. He previously ser-

ved as the 70th Governor of Massachusetts from 2003 to 2007 and was the Republican Party's nominee for President of the United States in the 2012 election.

The former GOP nominee also described himself as a "deficit hawk," a stance he said makes him "more conservative than a lot of Republicans and a lot of Democrats."

Romney added that his Republican bona fides extended to the ongoing debate over immigration, pointing to the fact that on the 2012 campaign trail he opposed the Deferred Action for Childhood Arrivals program rescinded by Trump last year.

"I'm also more of a hawk on immigration than even the president," Romney said, according to The Daily Herald.

● WYOMING (JOHN BARRASSO)

"I want to make sure that we have a secure border. I want to make sure that the laws are enforced and I want to make sure our citizens are safe,"

John Anthony Barrasso III is an American physician and politician serving as the junior United States Senator from Wyoming and a member of the Republican Party. He was appointed to the Senate in June 2007, following the death of Craig L. Thomas, and won a special election in 2008 to fill the remaining four years of Thomas's term. He was re-elected to a full six-year term in 2012. In November 2018, Barrasso was elected to serve as Senate Republican Conference chairman.

- ◆ Block illegal immigrants from securing a driver's license. (Aug 2008)
- ◆ Voted NO on continuing federal funds for declared "sanctuary cities". (Mar 2008)
- ◆ Voted NO on comprehensive immigration reform. (Jun 2007)

"Securing our borders is a chief responsibility of the federal government. One of the first bills I introduced in the US Senate would help block illegal immigrants from securing a driver's

license. Some states are acting as sanctuaries for illegal immigrants by not performing even a cursory check to see whether a person is in our country legally before issuing them a license. My legislation will take away ten percent of those states' highway funds if they fail to comply with the law".

DEMOCRATIC SENATORS:

● CALIFORNIA (DIANNE FEINSTEIN)

Dianne Goldman Berman Feinstein is an American politician serving as the senior United States Senator from California. She took office on November 4, 1992. A member of the Democratic Party, Feinstein was Mayor of San Francisco from 1978 to 1988.

In September 2017, after Attorney General Jeff Sessions announced the rescinding of the Deferred Action for Childhood Arrivals program, Feinstein admitted the legality of the program was questionable while citing this as a reason for why a law should be passed. In January 2018, in her opening remarks to a Senate Judiciary Committee hearing, Feinstein said she was concerned there might be racial motivation in the choice by the Trump administration to terminate the temporary protected status, based on comments he made denigrating African countries as well as Haiti and El Salvador. She is in favor of maintaining families together at the border and has proposed some bills that would keep them together.

● MARYLAND (BEN CARDIN)

Benjamin Louis Cardin is an American politician serving as the senior United States Senator from Maryland, first elected to that seat in 2006. A member of the Democratic Party, he previously was the U.S. Representative for Maryland's 3rd congressional district from 1987 to 2007. Cardin served as a member of the Maryland House of Delegates from 1967 to 1987 and as Speaker of the Maryland House of Delegates from 1979 to 1987, the youngest person to hold the position in history. In his half-century career as an elected official, he has never lost an election.

Ben Cardin is against the construction of the wall. Although he does believe that the border security system is broken and must be fixed, he disagrees with the ways proposed by Republicans and President Trump. From his point of view, the President is using children - and separating them from their parents - as leverage to build a wall. Hence, he disagrees with other Democrats and does not support the bill proposed by Senator Dianne Feinstein that keeps the families together.

● MASSACHUSETTS (ELIZABETH WARREN)

Elizabeth Ann Warren is an American politician and academic serving as the senior United States Senator from Massachusetts, a seat she has held since 2013. Warren was formerly a professor of law and taught at the University of Texas School of Law, the University of Pennsylvania Law School, and most recently at Harvard Law School. A prominent scholar specializing in bankruptcy law, Warren was among the most cited law professors in the field of commercial law before she began her political career.

In January 2017, after President Trump signed executive orders to build a wall around the Mexico–United States border, address undocumented immigrants, and remove federal funding from sanctuary cities, Warren released a statement questioning why the day that the orders were signed was not declared "the Trump Administration's First Anti-Immigrant Day" and said none of the president's actions would make the United States safer. Warren said the executive orders would "tear apart the fabric that makes us strong and united as a country" and "hurt working parents and children who have risked their lives to flee war, violence, and poverty" while wasting the money of taxpayers on what she called "irresponsible and misguided pet political projects".

In September , when asked by a reporter about working with President Trump on immigration reform, Warren said, "If we can get something that is full DACA for our Dreamers, a chance that 800,000 young people won't be thrown out of the only home most of them

have ever known, that they can continue to be here, that they can continue to go to school, they can serve in our military, they can be part of our economic growth and prosperity, then that's great."

In December, during a Senate floor speech, Warren said that President Trump had broken a promise "to protect 800,000 Dreamers who were brought to the United States as kids" when his administration ended DACA. Warren stated that the solution to this issue was in the hands of Congress and could be achieved through passing the Dream Act, advocating against Congress adjourning "so that we can celebrate the holidays with our families while nearly 800,000 Dreamers fear being ripped apart from their brothers, their sisters, their mothers, their fathers and deported to a country they barely know". She stated that the Dream Act had enough bipartisan support to pass and questioned what Senate Majority Leader Mitch McConnell was waiting for in not bringing the legislation up for a vote.

In April, Warren was one of five senators to send a letter to acting director of ICE Thomas Homan on standards used by the agency when determining how to detain a pregnant woman, requesting that pregnant women not be held in custody unless under extraordinary standards after reports "that ICE has failed to provide critical medical care to pregnant women in immigration detention — resulting in miscarriages and other negative health outcomes".

In June, during an interview with MSNBC, Warren said that the zero-tolerance policy was allowing President Trump to take America "to a dark and ugly place" and said she cared about "whether people push Trump to stop this, that's where we need to be right now." She advocated for Republicans to try urging Trump to apply discretion and end the mass separation of children from adults facing charges for crossing the border. At a rally later that month, Warren advocated for abolishing Immigration and Customs Enforcement "with something that reflects our morality and that works" and that President Trump seemed to believe "the only way to have immigration rule is to rip parents from their family, is to treat

rape victims and refugees like terrorists and to put children in cages."

In July, Warren was one of eleven senators to sign a letter requesting the agencies responsible for reuniting families provide weekly updates until every separated child was returned to their parents in the form of a list of separated children, a list of their parents and other adult members of their families in addition to a list connecting the lists of children and parents and a briefing for the lawmakers on the strategies used to reunite families. Later that month, Warren was one of the twenty-two senators to sponsor the Stop Shackling and Detaining Pregnant Women Act, which if enacted would prohibit immigration officers from detaining pregnant women in a majority of circumstances and improve conditions of care for individuals in custody.

In August, Warren was one of seventeen senators to sign a letter to United States Secretary of Homeland Security Kirstjen Nielsen demanding that the Trump administration take immediate action in attempting to reunite 539 migrant children with their families, citing each passing day of inaction as intensifying "trauma that this administration has needlessly caused for children and their families seeking humanitarian protection." Later that month, Warren said the United States needed "an immigration system that is effective, that focuses on where problems are" and immigration laws "that focus on people who pose a real threat", adding that separating a mother from her child was not making the country safer.

● MONTANA (JON TESTER)

Raymond Jon Tester is an American politician serving as the senior United States Senator from Montana, a seat he was first elected to in 2006. He is a member of the Democratic Party.

In December 2010, Tester voted against the DREAM Act, which would have created a pathway to citizenship for the foreign-born children of illegal immigrants. He has said, "Illegal immigration is a critical problem facing our country, but amnesty is not the solution. I do

not support legislation that provides a path for citizenship for anyone in this country illegally.”

Jon Tester voted against the bill proposed by Senator Dianne Feinstein that would keep the families together.

● NEVADA (JACKY ROSEN)

Jacklyn Sheryl Rosen is an American politician serving as the U.S. Representative for Nevada's 3rd congressional district since 2017. She was elected to the United States Senate in the 2018 election, defeating Republican incumbent Dean Heller. She is the only freshman in the U.S. House of Representatives who won a seat in the U.S. Senate during the 2018 midterm elections and the only challenger to defeat a Republican incumbent Senator in the 2018 cycle.

Jacky supports “comprehensive immigration reform”, although she does not believe the Immigration and Customs Enforcement agency should be abolished. She supports comprehensive immigration reform with an earned pathway to citizenship: “Only through comprehensive reform can we secure our borders, find and deport criminals, and bring millions of undocumented immigrants out of the shadows and into our economy. Passing immigration reform legislation would create thousands of jobs in Nevada, grow our local economy and improve the finances of programs like Social Security. Jacky will fight for immigration reform that stays true to our American values and maintains America's position as a beacon of liberty, hope, and opportunity across the world” she said.

● NEW JERSEY (BOB MENENDEZ)

Robert Menendez is an American politician serving as the senior United States Senator from New Jersey, a seat he has held since 2006. A member of the Democratic Party, he was first appointed to the U.S. Senate by Governor Jon Corzine and was later elected Chair of the United States Senate Committee on Foreign Relations in January 2013. He stepped down from that post in April

2015 upon being indicted on federal corruption charges.

Menendez is an “aggressive advocate” of immigration reform, calling it the “civil rights issue of our time”. Menendez had introduced multiple pieces of legislation in attempts to overhaul what Menendez calls our “failed immigration system.” Menendez introduced the Comprehensive Immigration Reform Act of 2011. It was seen as a sweeping overhaul of the U.S. Immigration System; the 697-page bill died in the Senate Judiciary Committee. In 2009 he introduced the Orphans, Widows, and Widowers Protection Act, granting a pathway to citizenship for the undocumented widowers and orphans of deceased U.S. Citizens.

Menendez is a strong supporter of the DREAM Act, saying that, “Children should not be punished for the actions of their parents. These kids have grown up as Americans, worked hard in school and now they want to serve our country in the military or pursue a college education. This is the only home many of them have known and they should be encouraged to pursue the American dream.” He voted for the DREAM Act in 2007 and was a co-sponsor along with 31 other members of the Senate in the Act's failed passage in 2010.

Menendez voted against denying legal status to illegal immigrants convicted of domestic violence, crimes against children and crimes relating to the illegal purchase or sale of firearms, but voted in favor of establishing a six-month to twenty-year ban for undocumented immigrants seeking citizenship who had been convicted for the same crimes along with obstruction of justice, human trafficking and the participation of criminal gang activity.

Menendez has been a supporter of the Comprehensive Immigration Reform Act of 2006, and the Comprehensive Immigration Reform Act of 2007, voting for both bills. Menendez voted against Senate Amendment 1151, declaring English as the national language of the Federal government of the United States.



He voted for the Secure Fence Act of 2006, building 700 miles (1,100 km) of physical barriers and expanding surveillance at the Mexico-United States border, and was a supporter of Senate Amendment 4775, a provision Department of Defense Appropriations Act, 2007 which would have appropriated \$1.8 billion for the construction of 370 miles (600 km) of triple-layered fencing, and 461 miles (742 km) of vehicle barriers along parts of the Southwest.

On January 28, 2013, Menendez was a member of a bipartisan group of eight Senators which announced principles for comprehensive immigration reform (CIR). Menendez was recognized in 2014 by the National Council of La Raza (America's largest Latino advocacy organization) for his work in supporting immigration reform as a member of the "Gang of Eight."

● NEW YORK (KIRSTEN GILLIBRAND)

Kirsten Elizabeth Gillibrand is an American attorney and politician serving as the junior United States Senator from New York since January 2009. She previously held the position of U.S. Representative for New York's 20th congressional district from 2007 until her Senate appointment. Gillibrand is a member of the Democratic Party.

Gillibrand's views on illegal immigration have shifted since she joined the Senate. Noted for having relatively conservative viewpoints while in the House, she quickly switched some opinions upon entering the Senate.

As a Representative, Gillibrand opposed granting any sort of amnesty to illegal immigrants and supported empowering local police to enforce federal immigration laws. She also opposed giving federal contracts to employers that hire illegal immigrants and supported increasing the number of border patrol agents. She was a co-sponsor of the SAVE Act, which aimed to increase the number of border guards, increase surveillance, and hasten deportations. Breaking with former New York Governor Eliot Spitzer, Gillibrand opposed his plan to issue driver's licenses to illegal immigrants. She also voted in favor of legislation

targeting and withholding federal funds from sanctuary cities. Americans for Better Immigration, an immigration reduction lobby, graded Gillibrand at a B.

Following her appointment to the Senate, Gillibrand's positions were criticized by immigration advocates and Democratic elected officials, especially in New York. She subsequently changed some of her positions, explaining that "it's a case of learning more and expanding my view." She now opposes deporting illegal immigrants and cutting off funds to sanctuary cities. She also supports an earned path to citizenship for illegal immigrants. In 2010 she was a co-sponsor of the DREAM Act, which would have provided pathway to citizenship for undocumented immigrants who arrived under the age of 16, complete at least 2 years of college or 2 years of military service and are under age of 35 at the time of enactment; the proposal was subsequently filibustered in the Senate in December 2010. She also supports a moratorium on home raids until comprehensive immigration reform is passed.

In 2018, Gillibrand announced that she was in favour of abolishing ICE, making her the first US Senator to do so. She called for a "new agency with a very different mission," one that "separate the criminal justice from the immigration issues."

In August 2018, Gillibrand was one of seventeen senators to sign a letter spearheaded by Kamala Harris to United States Secretary of Homeland Security Kirstjen Nielsen demanding that the Trump administration take immediate action in attempting to reunite 539 migrant children with their families, citing each passing day of inaction as intensifying "trauma that this administration has needlessly caused for children and their families seeking humanitarian protection."

In November 2018, Gillibrand was one of eleven senators to sign a letter to United States Secretary of Defense James Mattis concerning "the overt politicization of the military" with the Trump administration's deployment of 5,800 troops to the U.S.-Mexico border and requesting a briefing and written justification

from the U.S. Northern Command for troop deployment while urging Mattis to “curb the unprecedented escalation of DOD involvement in immigration enforcement.”

● OHIO (SHERROD BROWN)

Sherrod Campbell Brown is an American politician serving as the senior United States Senator from Ohio, a seat he was first elected to in 2006. A member of the Democratic Party, he served as the U.S. Representative for Ohio's 13th congressional district from 1993 to 2007 and the 47th Secretary of State of Ohio from 1983 to 1991. He started his political career in 1975 as an Ohio State Representative.

Sherrod is against the construction of the wall. For him, the border wall is ludicrous. He also supports the DREAM Act and the idea that dreamers were brought to the USA as children, through no fault of their own, and they are American in every sense but the paperwork. He voted against the bill proposed by Senator Dianne Feinstein that would keep the families together.

● PENNSYLVANIA (BOB CASEY)

Robert Patrick Casey Jr. (born April 13, 1960) is an American attorney and politician who is currently the senior United States Senator from Pennsylvania. He previously served as Pennsylvania Auditor General from 1997 to 2005 and as Pennsylvania Treasurer from 2005 to 2007.

Casey supported the Secure Borders, Economic Opportunity and Immigration Reform Act of 2007 (S. 1348), a bill voted down in the 110th United States Congress, which would have provided a path to legal citizenship for undocumented persons currently residing in the United States. He also supported the Clinton amendment, the Menendez amendment, and the Alaska amendments.

He took part in a Philadelphia International Airport protest against President Trump's January 2017 travel ban. Leaving a black-tie event on Saturday night to join the pro-

test, he tweeted: “I won't stand by as the promise of America is diminished.”

In May 2017, Casey, along with nine other senators and 13 members of the House of Representatives, requested in a letter to the Homeland Security Secretary, that they stop the detention of four children and their mothers at the Berks County Residential Center. Many of the families had been detained there without legal recourse for more than a year and a half. Casey also personally took to social media with impassioned appeals to the White House on behalf of a Honduran 5-year-old and his 25-year-old mother being held at the same facility and were now facing deportation. They had fled violence and death threats and sought asylum in the US back in 2015 but failed their credible fear interview. Attorneys have since been appealing their case, and the legal team was in the middle of the process of applying for Special Immigrant Juvenile Status for the child when they were awakened at 3:30AM on May 3 by Immigration and Customs Enforcement and put on a plane to Honduras. “This child and his mother deserved better from this Administration. They got the absolute worst,” Casey remarked.

● VIRGINIA (TIM KAINE)

Timothy Michael Kaine is an American attorney and politician serving as the junior United States Senator from Virginia since 2013. A member of the Democratic Party, he previously served as the 38th Lieutenant Governor of Virginia from 2002 to 2006 and 70th Governor of Virginia from 2006 to 2010. Kaine was his party's nominee for Vice President of the United States in the 2016 election.

Kaine supports President Obama's Deferred Action for Childhood Arrivals (DACA) and Deferred Action for Parental Accountability (DAPA) programs, which would allow up to five million undocumented immigrants to gain deferral of deportation and authorization to legally work in the United States. Alongside fellow Virginia Senator Mark Warner and many other members of Congress,



Kaine signed on to an amicus brief in support of the program in the Supreme Court case of *United States v. Texas*.

Kaine also supports comprehensive immigration reform, which would allow persons illegally present in the U.S. to earn legal status by paying a fine and taxes.

● WASHINGTON (MARIA CANTWELL)

Maria Elaine Cantwell is the junior United States Senator from Washington, first elected in 2000. A Democrat, she previously served in the Washington House of Representatives from 1987 to 1993 and the United States House of Representatives from Washington's 1st congressional district from 1993 to 1995, after which she worked as an executive for RealNetworks. She is Washington's second female senator, after Patty Murray.

In May 2006, Cantwell, along with 38 of 44 Senate Democrats, voted in favor of the Comprehensive Immigration Reform Act of 2006 (S. 2611). This controversial legislation includes provisions to improve border security, increases fines and other punishments for employers of illegal immigrants, the creation of a guest worker program (which includes an almost doubling of the number of H1-B visas), and creates a path to citizenship for illegal immigrants already in the country. The bill, with support from Republican Party leadership, passed 62–36. The debate would have also commenced on the DREAM Act, though this was halted due to a Republican filibuster.

"I spoke with a voter recently who was in tears. Her grandparents survived the Holocaust, and their desperate quest for safety led to her life in the United States. She is well acquainted with first-hand accounts of that terrible era in human history. Reflecting on news of tragic abuses by US Immigration and Customs Enforcement on our borders, she told me "I never thought I'd live in a country where these things happen." We cannot and will not look away. I will fight for humane, rational and constructive Immigration policies. We are, after all, a nation of immigrants and I haven't forgotten that." ~ Maria Cantwell

● WISCONSIN (TAMMY BALDWIN)

Tammy Suzanne Green Baldwin is an American politician serving as the junior United States Senator from Wisconsin since 2013. A member of the Democratic Party, she previously served three terms in the Wisconsin Assembly, representing the 78th district, and from 1999 to 2013 represented Wisconsin's 2nd congressional district in the United States House of Representatives.

In June 2013, Baldwin voted for S. 744, the Border Security, Economic Opportunity, and Immigration Modernization Act, which would have enabled undocumented immigrants to acquire legal residency status and, later, citizenship.

She voted against Kate's Law in 2016.

In 2017, immigration reduction advocacy group NumbersUSA gave Baldwin an overall grade of F, with a score of 11% on immigration bills. On the reduction of unnecessary worker visas, she scored a C; on the reduction of refugee and asylum fraud, and on the reduction of amnesty enticements, she scored F-.

INDEPENDENT SENATORS:

● MAINE (ANGUS KING)

Angus Stanley King Jr. is an American politician and attorney serving as the junior United States Senator from Maine since 2013. A political independent since 1993, he was the 72nd Governor of Maine from 1995 to 2003.

King strongly criticized President Donald Trump's Executive Order 13769, which barred the admission of refugees to the U.S. and barred travel by nationals of several Muslim-majority countries to the country. King stated: "This is probably the worst foreign policy decision since the invasion of Iraq. What it's done is played right into ISIS's hands. They want us to turn this into a war of the west against Islam. They have explicitly said they want to drive a wedge ... There are 1.6 billion Muslims in the world and we don't want a war with all of them. We don't need a war with all of them.

We're not opposed to all of them." King noted that U.S. forces fought alongside Muslim Iraqi troops and that much valuable counterterrorism intelligence was shared with the U.S. by Muslim nations.

● VERMONT (BERNIE SANDERS)

Bernard Sanders is an American politician serving as the junior United States Senator from Vermont since 2007. The longest-serving Independent in congressional history, he was first elected to the U.S. House of Representatives in 1990 and caucuses with the Democratic Party, enabling his appointment to congressional committees and at times giving Democrats a majority.

In 2007, Sanders helped kill a bill introducing comprehensive immigration reform, arguing that its guest-worker program would depress wages for American workers. In 2010, he supported the DREAM Act, which would have provided a path to citizenship for undocumented immigrants brought to the United States as minors. In 2013, he supported the Gang of Eight's comprehensive immigration reform bill after advocating for the provision of a \$1.5 billion youth jobs program, which he argued would offset the harms of labour market competition with immigrants.

The Vermont Senator supports a path to citizenship. He would protect the vast majority of undocumented immigrants from deportation. He'd abolish most detention centers and allow the undocumented to buy health insurance through the Affordable Care Act.

"We are a nation of immigrants. I am the son of an immigrant myself. Their story, my story, our story is a story of America: hard-working families coming to the United States to create a brighter future for their children. The story of immigrants is the story of America, a story rooted in family and fueled by hope. It continues today in families all across the United States." ~Bernie Sanders, on his website *berniesanders.com*

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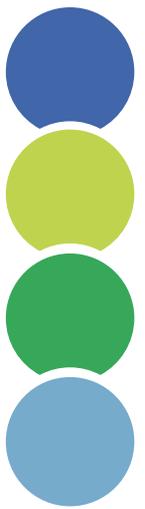
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