



Mexican Immigrants and U.S. Immigration Policy: A Comparative Analysis of the Obama and Trump Administrations



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Introduction

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Immigration policy, defined as “policies whereby states control the influx of persons who want to establish residence within their borders” (Perez, 2015), plays an essential role in the economic growth of a nation. Immigrants strengthen the economy by filling open positions, starting businesses, and creating new products and innovations. As a developed country with an educated workforce, the United States (U.S.U.S.) faces the challenges of an aging population and a declining birth rate. This creates a demand for low-skilled labor to support skilled American workers and American families by providing care for children and older adults, cleaning, and assisting with meal preparation for professional households, in addition to performing other labor-intensive jobs in construction, agriculture, and other industries.

It is essential to understand how different presidential administration immigration policies impact Mexican immigrants because of the important role Mexican immigrants play in the American economy. Mexican immigrants in the United States perform many jobs that keep the American economy running. They work in critical industries such as food, agriculture, construction, hospitality, and manufacturing. Many Americans believe that Mexican immigrants fill jobs that U.S. citizens do not want. However, some Americans believe immigration policies need to prioritize the economic opportunities of American citizens and need to ensure that American citizens do not have opportunities and wages impacted by Mexican immigrants. They believe that Mexican immigrants present a strain on the United States government and American taxpayers by taking community resources away from American citizens, as well as undermining public safety.

The Obama administration took a centrist approach toward Mexican immigration. President Barack Obama enforced American immigration laws, leading to a significant increase in the number of deportations of illegal immigrants to keep illegal immigrants out of the workforce and to keep the American public safe. At the same time, President Obama implemented executive actions that protected many illegal immigrants from deportation. These executive orders created the Deferred Action for Childhood Arrivals (D.A.C.A.) and the Deferred Action for Parents of Americans and Lawful Permanent Residents (D.A.P.A.) policies. These policies allowed undocumented immigrants who had been brought to the United States as children and parents of children who are U.S. Citizens or lawful permanent residents to remain in the country and be eligible for work permits. These policies allowed families to stay together, even if it was for temporary periods.

The Trump administration implemented a strict border policy to limit the number of Mexican immigrants entering the United States. President Donald Trump minimized the use of parole, which allows immigrants into the country without a visa. He forced asylum seekers to wait in Mexico for their U.S. immigration hearings. In addition, he enforced a "zero-tolerance" policy that allowed the United States government to deport adults who crossed the border illegally. This included parents being deported back to their home countries while their children were placed in government custody.

Historical Context and Background

Authors: Mahila Cheralathan and Katherine Liao

Immigration policy has significantly evolved throughout the nation's history, reflecting significant social, economic, and political changes from the 1800s to the 2000s. The nineteenth

Century, prior to 1880, was known as the Open Immigration Era. At this time, immigration was federally unregulated, and policy decisions were made at the state level (Wills, 2004). This allowed many people from different backgrounds to move to the Americas in search of opportunities. However, racism was still imminent in American society, which meant only "free white people" could become citizens (Wills, 2024). This small act of segregation evolved into the Chinese Exclusion Act of 1882, the first significant immigration restriction stating that Chinese immigrants were not permitted to enter the U.S. (Cohn, 2015). In the early 20th century, further restrictions were implemented, such as the "Immigration Act of 1924". This established immigration requirements based on national origin, favoring those from European countries. Furthermore, to preserve the ethnic composition of the country, the U.S. implemented the National Origins Quota System (Cohn, 2015). This system favored Western and Northern European immigration while severely restricting immigration from other countries.

These policies continued until about 80 years later, after the end of World War II. The war caused restrictions to loosen as refugees became more prominent. The National Origins Quota System was then abolished, causing a shift from a preference system based on national origin to family reunification. This significantly changed the demographic of American immigrants. Although people began to have more freedom coming to America, the loosened restrictions did not last long. On September 11, 2001, a group of Islamic terrorists carried out four coordinated suicide attacks against the U.S. (911Memorial). The hijacked planes crashed into the Twin Towers, killing 3,000 people and leaving a lasting stigma against Muslims and Muslim countries. As a result, immigration policies became directly related to national security concerns. This caused restrictions to tighten and airport security to be more thorough.

For two centuries, immigration policies have become increasingly restrictive, denying U.S. citizenship to undocumented immigrants. Although there have been periods when immigration restrictions have loosened and allowed people from other countries to immigrate to the U.S., ultimately, the discrimination and bias against P.O.C. remained resilient throughout immigration history.

To better understand immigration, it is necessary to examine some vital statistics from the past few decades. According to the Pew Research Center, in 2022, the U.S. foreign-born population reached a record of 45.1 million. In 2022, 13.8% of the U.S. population was made up of immigrants, with 23% of Mexico origin. The following largest origin groups were those from India (6%), China (5%), the Philippines (4%) and El Salvador (3%) (Moslimani & Passel, 2024).

Historically, immigration from Northern and Western Europe was favored before 1965, and Asian immigrants faced more difficult restrictions. The introduction of the 1965 Immigration and Nationality Act legitimized the status of many immigrants and opened up immigration from Asia and Latin America.

One of the most debated and polarized questions of the U.S. today is unauthorized immigrants living in the U.S. Based on the 2022 American Community Survey, the unauthorized immigrant population in the U.S. grew to 11.0 million in 2022, reversing a long-term trend from 2007 to 2019. However, the peak of the unauthorized population remains in 2007. The number has likely grown over the past two years, as observed by the increased encounters with migrants at U.S. borders and the number of applicants waiting for a decision on asylum claims. The 2022 estimates do not include new immigrants who were paroled into the country under the Cuban,

Haitian, Nicaraguan, and Venezuelan (C.H.N.V.) programs and Uniting for Ukraine (U4U) – who usually have been considered as unauthorized immigrant populations (Passel & Krogstad, 2024). 37% of the country's undocumented immigrants were from Mexico, but that is by far the lowest percentage ever. The overall decline is attributed to increased Mexican immigrants returning to Mexico and expanded lawful immigration opportunities for Mexico and other countries, especially for temporary agricultural workers. The decrease in Mexico's undocumented immigrants goes hand in hand with the increase of unauthorized immigrants from different parts of the world. The most significant increases were from the Caribbean (300,000), Europe, and Canada (275,000).

Regarding the border security and illegal immigration crisis, former President Donald Trump stated, "Illegal immigration affects the lives of all Americans. Illegal immigration hurts American workers, burdens American taxpayers, undermines public safety, and places enormous strain on local schools, hospitals, and communities in general, taking precious resources away from the poorest Americans who need them most. Illegal immigration costs our country billions and billions of dollars each year." (Trump White House, 2018).

Trump's 2016 campaign trail pitches major immigration reforms, including building a "great, great wall" at the southern border, and decries immigration policy under the Obama administration. He, indeed, is consistent with his words and actions. On January 27, 2017, within a week of his inauguration, President Trump issued a travel ban to deny entry from seven countries for 90 days and suspended all refugee admissions for 120 days. President Trump cited terrorism threats and primarily targeted Muslim-majority countries. However, a federal appeals court upheld the ruling, writing that the Administration had shown "no evidence" that people

from the banned countries had carried out terrorist attacks in the U.S. Nevertheless, the travel ban sparked protests, courage, and chaos at airports (Boghani, 2019).

In addition to the travel ban, the Trump administration responded to the U.S.-Mexico border crisis by restricting the flow of asylum seekers. The Migrant Protection Protocols (Remain in Mexico) require those seeking entry at the southern border to wait in Mexico rather than in the U.S. The Department of Homeland Security sees this policy as a way to restore a "safe and orderly immigration process." Advocates, including a group representing U.S. asylum officers, urged a federal appeals court to block M.P.P., saying it "abandons our tradition of providing a haven to the persecuted and violates our international and domestic legal obligations."

Former President Trump carried out other policies, such as the "zero tolerance" policy in 2018 – those who crossed the southern border illegally would be referred for criminal prosecution, and the child would be separated from the adults. The U.S. Department of Health and Human Services (H.S.S.) identified that more than 2,730 children were separated from their parents.

The previously mentioned policy change clearly demonstrated President Trump's personal attitudes toward immigration, specifically unauthorized immigrants. On the contrary, former President Obama upholds similar goals to President Trump's, aiming to address the broken immigration system. However, he took a relatively moderate approach to it.

In his Address to the Nation on Immigration in 2014, he stated, "Undocumented workers broke our immigration laws, and I believe that they must be held accountable... That is why, over the past six years, criminal deportations have been up 80 percent." What set President Obama apart was his comment about acknowledging the hardships immigrants endure. He noted,

"After all, most of these immigrants have been here a long time. They work hard, often in tough, low-paying jobs. They support their families. They worship at our churches. Many of their kids are American-born or spent most of their lives here, and their hopes, dreams, and patriotism are just like ours. As my predecessor, President Bush, once put it: 'They are a part of American life'" (The White House, 2014).

President Obama's immigration policies were centrist (Boundless, 2017). He executed the Deferred Action for Childhood Arrivals (D.A.C.A.). D.A.C.A. outlines that undocumented immigrants who arrived in the U.S. as children could apply for renewable two-year periods of deferred action from deportation. The policy allows youth to remain in the country and makes them eligible for work permits. Similarly, Deferred Action for Parents of Americans and Lawful Permanent Residents (D.A.P.A.) was created by President Obama. D.A.P.A., akin to D.A.C.A., offered temporary relief from deportation and work authorization to certain undocumented immigrants, in this case, the parents of children who are U.S. citizens or lawful permanent residents. However, several lawsuits from state governments led to an injunction in 2015 blocking D.A.P.A.'s implementation.

In the same Address, President Obama stated, "Immigrants from around the world have given us a tremendous advantage over other nations. It has kept us youthful, dynamic, and entrepreneurial." Aligning with his remarks regarding economic opportunities, President Obama proposed the International Entrepreneur Rule, providing so-called "startup visas" to encourage entrepreneurs from other countries to establish businesses and remain in the U.S.

Obama's Administration and the Impact of D.A.C.A. and D.A.P.A. on Mexican Immigrants

Author: Tracy Le

One of the most prominent Mexican Immigration Policies from the Obama Administration is the 2012 Deferred Action for Childhood Arrivals (D.A.C.A.). D.A.C.A. was primarily enacted to allow certain undocumented immigrants who were brought to the U.S.U.S. as children an opportunity to apply for deferred action; however, it does not provide a path to citizenship for recipients. The policy focuses on protecting eligible immigrants' protection from deportation and a work permit, renewable every two years (D.A.C.A. Information, 2024). D.A.C.A. was announced by an executive branch memorandum by then-president Barack Obama on June 15, 2012. 2 months after the memorandum signing, U.S.C.I.S. began accepting applications for D.A.C.A. recipients (U.S.C.I.S. 2012). Since 2012, more than 800,000 people have been enrolled in the program (Ten Years of D.A.C.A. 2022). An immediate 2012 survey by the Moore Information Group indicates that around 66% of 2012 voters indicated support for D.A.C.A., which later increased to 71% (Moore Information Group 2012). As of March 31, 2023, there are around 578,680 DACA recipients (U.S.C.I.S. 2023). However, D.A.C.A. is often regarded as a "liminal legal condition" where a path to citizenship is not offered, risking deportations for D.A.C.A. recipients' family members at any given time, contributing to the harsh reality of being a D.A.C.A. recipient (Magdalena et al., 2017). For many D.A.C.A. individuals, joining a program where their family members are left out is difficult as they need more protection from state policies.

Mexico has the most D.A.C.A. recipients per country, comprising about 76% of all D.A.C.A. recipients. A particular reason for the significant portion of D.A.C.A. Mexican individuals is the Mexican consulates in the U.S.

Because of the cooperation of the Mexican consulates and local organizations, by the end of 2014, more than 5,000 DACA information sessions were held, exposing D.A.C.A. to approximately half a million young Mexicans (Chuang and Roemer 3). The Mexican consulates utilized two prominent programs to support Mexican D.A.C.A. individuals: Centro de Informacion sobre Actualidad Migatoria (C.I.A.M.) and MiConsulmex. C.I.A.M. was created to have an "open, well-informed and supportive" telephone line that D.A.C.A. youth can refer to. In 2013, Miconsulmex was created to offer specific information on D.A.C.A. applications, particularly with renewing. This resulted in more than 500,000 downloads of the D.A.C.A. application between 2013 and 2019 (Secretaria et al., 2019). Since the commencement of D.A.C.A., young people have had unequal experiences throughout the U.S., depending on where each D.A.C.A. individual resides (Barros et al., 2016), as shown in the map below:

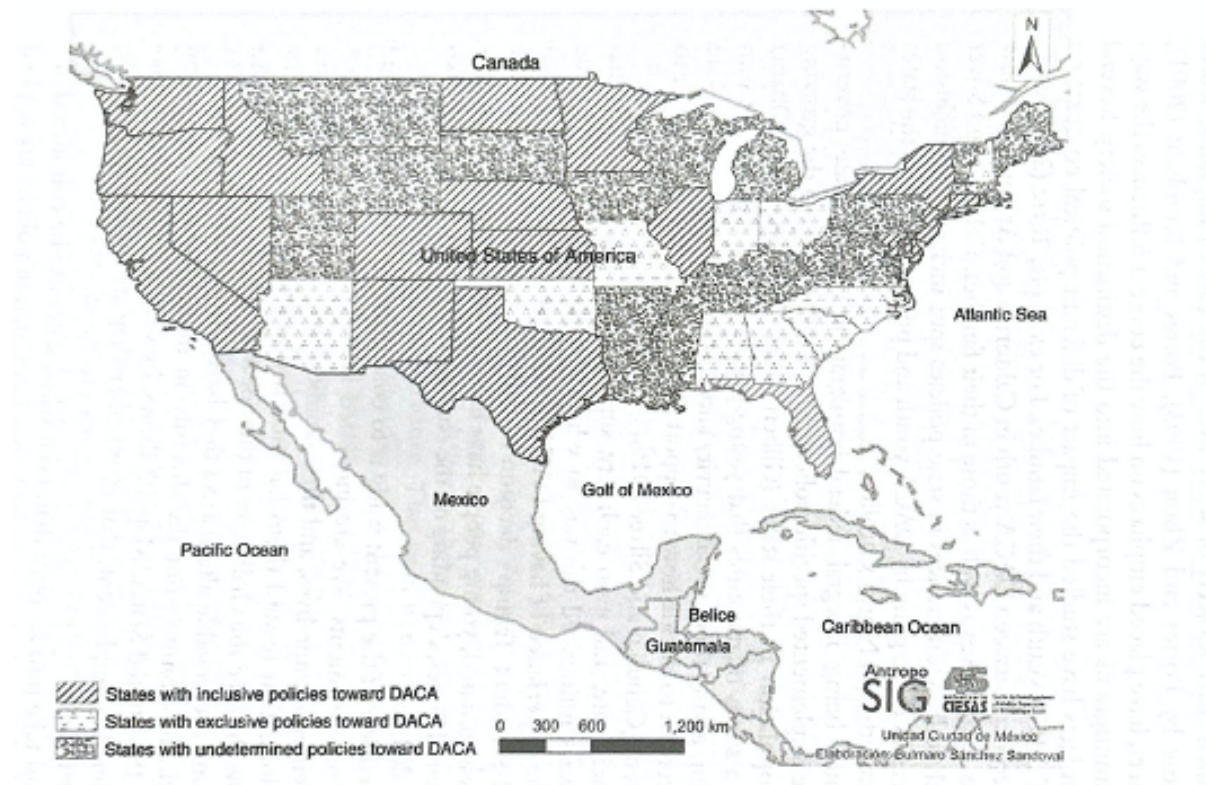


Figure: States and their DACA policies; Source: Barros et al., 2016

In 2014, the American Community Survey concluded that the majority of the Mexican D.A.C.A. individuals resided in Phoenix, comprising 54% of all Mexican D.A.C.A. individuals. Other major metropolitan areas had prominent numbers of Mexican foreign-born D.A.C.A. applicants as well: Los Angeles (39%), Houston (44%), Chicago (39%) (American Community Survey, DACA, 2014).

Another prominent reason for the significant number of Mexican-born D.A.C.A. individuals is "their well-developed immigration service and advocacy infrastructure, comprising information networks, local institutions, and sources of funding for D.A.C.A." (Singer et al. 19). Since the Mexican Revolution and Cristero Revolt that started in 1910 and 1926, respectively, many Mexicans immigrated to the U.S. "to escape religious and political persecution" as well as to improve upon their social and economic life circumstances in Mexico (Gutiérrez 1). In addition, the Mexican government plays a vital role in supporting and providing services such as providing official documents, conducting outreach, and partnering with advocates and legal service providers for Mexican immigrants. Furthermore, there have been increasing philanthropic investments in the Mexican as well as other Latin American D.A.C.A. communities, particularly the organizations listed in the Hispanic Association of Colleges and Universities, such as the Mexican American Legal Defense and Education Fund and the League of United Latin American citizens (Association of Colleges and Universities 2024).

A particular case study of a Mexican D.A.C.A. recipient would be Miguel. Interviewed by the American Immigration Council, Miguel was born in Guadalajara, Mexico, and he came to the U.S. with his parents and older brother when he was six years old. While Miguel studied at a local community college in El Monte, California, D.A.C.A. was initiated. With D.A.C.A., Miguel was able to work and obtain a driver's license, which resulted in the establishment of his credit and a step towards opening his own business as a web designer and app developer. Miguel credits D.A.C.A. for enabling him to strive "for a better future for himself and his family (Gonzalez and Bautista Chavez 3). The effects of D.A.C.A. extend into the Trump

Administration. A senior professor at Centro de Investigaciones y Estudios Superiores en Antropología Social, Dr. Maria Regina Martinez Casas, conducted a survey between October 2017 and June 2018 comprising of 1991 Mexican individuals at several Mexican consulates in the U.S. and in collaboration with personnel from the Undersecretary for North America of the Secretary of Foreign Relations. Around 21% of the interviewees have at least one family member benefiting from D.A.C.A. However, Uksi reported that more than 53% of interviewees with at least one family member benefiting from D.A.C.A. only have one family member who is getting advantages from the program. In interviews with personnel from Mexican U.S. consulates, "the requests for identification cards increased for youth," increasing training for consulate personnel (Maria et al. 22).

Another prominent policy of the Obama administration was the 2014 Deferred Action for Parents of Americans and Lawful Permanent Residents (D.A.P.A.), which "allowed certain undocumented immigrants who were parents of U.S. citizens an opportunity to apply for deferred action" (U.S.C.I.S. 2015). D.A.P.A. was formed on November 20, 2014, in a memorandum by Jeh Johnson addressed to Leon Rodriguez. The memorandum was later turned into an executive action by Obama. The criteria to become a D.A.P.A. recipient were that the applicants had to be residing continuously in the U.S. since before January 1, 2010, they had to be the parent of a U.S. citizen or lawful permanent resident, they had to be at least 30 old at the date of the announcement (November 20, 2014) and have no criminal record (U.S.C.I.S. 2015).

The Migration Policy Institute (M.P.I.) previously estimated that D.A.P.A. would protect as many as 3.6 million unauthorized immigrants from deportation and provide eligibility for work authorization. Additionally, M.P.I. also reported that more than 10 million people live in a household with at least one potentially DAPA-eligible adult, as well as approximately 4.3 million children under 18, with 85% of these children being U.S. citizens (Capps et al. 1). The M.P.I. report stated that D.A.P.A. had the potential to reduce poverty as parents receive authorization to work and start affording primary resources. The increase in work authorization could raise the

average D.A.P.A. family income by 10%. In addition, a 2015 study by American Progress explains the economic benefits of D.A.P.A. as instrumental for contributing to the U.S. cumulative G.D.P. with an "increase of \$164 billion, an \$88 billion increase in incomes for all Americans, and creating 20,538 jobs per year over the next ten years." (Ocampo 2015 or par 4)

Overall, access to work authorization through D.A.P.A. would help undocumented parents contribute to their families as well as to the U.S. economy. As a result, D.A.P.A. would have resulted in significant economic benefits and alleviated the fear of sudden family separations and poverty. However, prior to the implementation of D.A.P.A., 26 states challenged D.A.P.A.'s policies in the case of *U.S. v. Texas*. Texas, in particular, affirmed that the executive branch overstepped its authority in creating the D.A.P.A. program as it violates the Administrative Procedure Act (A.P.A.) since the creation of D.A.P.A. bypassed required formal rulemaking, which included public notice and comment periods. Moreover, Immigration law is generally authorized by Congress, overreaching the Separation of Powers by the executive and legislative branches. The significance of the case was whether states, especially in states bordering Mexico, had legal standing to sue as Texas, in this example, would be required to issue driver's licenses and provide other state services to D.A.P.A. recipients, damaging the state financially. In 2015, the U.S. Court of Appeals ruling for the Fifth Circuit was upheld and agreed that states had standing and that D.A.P.A. most likely violated federal law (U.S. Courts of Appeals for the Fifth Circuit 3). Later, the Supreme Court would rule 4-4, suggesting that D.A.P.A. was to remain blocked (U.S.C.I.S. 2017). On June 15, 2017, John F. Kelly from the Trump Administration filed a D.A.P.A. Revisions Memorandum due to its ineffectiveness to immigrants (D.H.S. 2017).

President Obama's immigration policies remain a hopeful solution for many immigrants as a pathway to citizenship. Ten years after the implementation of D.A.C.A., former President Obama reflected on the success of the program for many Dreamers. It encouraged “them to continue sharing their stories and being advocates in their communities,” working towards a permanent solution in the immigration system for all Dreamers (10 years of D.A.C.A. 2022).

Impact of Trump Administration's Policies

Author: Tracy Le

Former President Trump attempted to terminate as many of former President Obama’s immigration policies. For example, he attempted to terminate D.A.C.A. in the Supreme Court case of the U.S. vs. Regents of the University of California. However, the case was ruled in his favor. This is due to the violation of the Administrative Procedure Act, in which the Department of Homeland Security “failed to distinguish between the protections from deportation and the benefits that come with D.A.C.A.” (U.S.U.S. Supreme Court, 2017). Even though the U.S. Supreme Court ruled against former President Trump, according to Wong, D.A.C.A. youth will still experience increasing stigma against this population, discouraging workers from hiring D.A.C.A. youth as the Trump administration had cast them as a burden to the government and society.

Since the beginning of his candidacy to become president, former President Trump began promoting racial sentiments related to immigrants in general; promoting acts of violence toward this population is defined as "The Trump Effect" (Barros, 2017). The acts of violence were prevalent in more conservative states, as D.A.C.A. youth fought to get accepted to essential services, such as licenses, and to be accepted into universities." For example, one young lady from Denver reported that individuals look at her ‘with bad eyes’ and accuse her of abusing the state of Colorado and using their taxes. She states:

“‘Deport them, they are criminals, they are rapists’ when they really do not know we had to show papers, even the police, because if we had done some crime or something, they were not going to give us D.A.C.A. or so, people do not understand that... people think we are bad, that we have done bad things and we live off the government too” (Nick 69).

During the Trump administration, many immigration policies, including the expansion of the border, were put in place. For example, Executive Order 13767, titled “Border Security and Immigration Enforcement Improvements,” signed by President Trump on January 25, 2017, expanded immigration enforcement and resulted in the commencement of “Build the Wall” along the U.S.-Mexico border. The order directed the D.H.S. to hire 5,000 additional Border Patrol Agents to strengthen enforcement efforts, preventing illegal immigrants from crossing the border, detaining illegal immigrants as their immigration cases were pending, and expediting the removal of all illegal immigrants from the U.S. (White House, 2017). One of the primary reasons that Former President Trump drafted the Executive Order was because of the rising number of Mexican criminal organizations by the Southern border and the chain of transfer and distribution of drugs that were initially formulated in Mexico (Trump, 2015). However, the International Narcotics Control Strategy Report by U.S. U.S. Bureau for International Narcotics and Law Enforcement Affairs published in 2017, states that Mexico has lower levels of illegal drug use than the U.S. U.S.(U.S. Department of State Bureau for International Narcotics and Law Enforcement Affairs 217). The executive order was later enforced. H.R.H.R. 4796, Uniting and Securing America (U.S.A.) Act of 2018, authored by Rep. Will Hurd from Texas. The bill primarily proposed enhanced border security measures, such as increasing the deployment of personnel and investing in better-performing surveillance technologies.

The bill also included provisions to enforce immigration internally, mainly focusing on visa overstays and harsher penalties for those aiding illegal entry into the U.S. (Hurd, 2018). This executive order was strengthened by two prior pieces of legislation: The Secure Fence Act of 2006 and the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. The Secure Fence Act of 2006 aimed to enhance U.S.-Mexico border security by constructing 700 miles of physical barriers and implementing surveillance technology such as cameras, sensors, and drones. Meanwhile, the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 focuses on tightening immigration enforcement by implementing mandatory detention for those who await their removal, introducing re-entry bans and expedited removal, as well as expanding the grounds for deportation. Furthermore, the Trump administration also implemented a \$1.6 billion spending focused explicitly on funding for President Trump's Border Wall constructions, which spread through multiple fiscal years (Livingston, 2018). In fiscal year (F.Y.) 2017, Congress provided the Department of Homeland Security \$292 million to build 40 miles of a steel wall that passes through San Diego, El Centro, and El Paso due to the high smuggling rates in this particular border area (D.H.S. 2018). Over 40% of all border apprehensions occurred in the Rio Grande Valley sector in fiscal year (F.Y.) 2018. In addition to the overall border apprehensions, there was "a violent mob of 1,000 people" that unsuccessfully stormed the Southern border due to the durability of the steel wall. As a result, Congress further provided \$1.375 billion for 84 miles of border wall construction, mainly focusing on the Rio Grande Valley Sector, as well as another 215 miles of the wall primarily located in the southern parts of California, Arizona, New Mexico and Texas (D.H.S. 2018).

In 2019, President Trump requested \$8.6 Billion for the 2020 fiscal year, creating a new fund called the “Border Security and Immigration and Immigration Enforcement Fund” (Immigration Policy Tracking Project 2021). The bill further provides \$1.375 billion for 55 miles of border barrier areas high in drug smuggling in the Rio Grande Valley. Additionally, \$415 million addresses the humanitarian crisis at the border by providing medical care, transportation, processing centers, and consumables during the peak of the COVID-19 pandemic in 2020.

On the other hand, building a robust wall also leads to detrimental consequences, such as increasing illegal crossings for undocumented immigrants to claim asylum. In October 2017, 73% of border crossings were illegal, while the remaining 23% of undocumented immigrants waited in line for their asylums at legal ports of entry. However, in January 2018, the proportion of undocumented immigrants illegally crossing the border jumped to 83%, and the remaining 17% of the undocumented immigrants utilized the legal ports of entry (Ainsley, 2019).

Prominent legislation made during the Trump administration that was aimed explicitly at Mexican immigrants was the Migrant Protection Protocols (M.P.P.), which forced asylum seekers to wait in Mexico for U.S. immigration hearings. The program commenced in January 2019 and sent approximately 70,000 migrants back to Mexico as of August 2022 (T.R.A.C. Immigration 2022). On June 7, 2019, the U.S. and Mexico met to address the shared challenges of irregular migration and migrants entering the U.S. illegally from Mexico. The Mexican government pledged to further enforce Mexico’s southern border through the increased deployment of the National Guard to stop Central American migrants from illegally entering the U.S.U.S. Furthermore, both the U.S. and Mexico emphasize the importance of “promoting development and economic growth in southern Mexico and the success of promoting prosperity, good governance, and security in Central America” (Office of the Spokesperson, U.S. U.S. Department of State 2019).

The M.P.P. lacked accurate representation for asylum seekers' fight for asylum as just 7.5% of asylum seekers managed to hire a lawyer, according to the Executive Office for Immigration Review (E.O.I.R.). By December 2020, the success rate under M.P.P. was exceedingly low, with only 521 individuals granted relief in immigration court out of the 42,012 MPP cases that were heard.

There were groups of individuals who were exempted from remaining in Mexico to hear their asylum cases, which included unaccompanied children, Mexican nationals or citizens, individuals with expedited removal, individuals with a known physical or mental illness, and individuals determined by an asylum officer to face torture or prosecution in Mexico (American Immigration Council 2). However, this exemption was implemented inconsistently across the border as the decision to send a person or family back to Mexico under M.P.P. was discretionary and was made by the individual C.B.P. officers or Border Patrol agents. In a study of 607 asylum seekers sent back to Mexico under M.P.P., just 40.4% of asylum seekers who expressed a fear of returning to Mexico were given a required fear-screening interview (Wong 4). It is estimated that the passing rate for these 'fear of return [to Mexico]' ranged from 1% to 13%. The pressure on asylum officers who conducted these interviews was intense, calling the interviews' lip service (American Migration Policy). As a result, a labor union representing asylum officers named 'The American Federation of Government Employees Local 1924' was formed, and an amicus brief was filed with the Ninth Circuit Court of Appeals asking the court to strike down M.P.P. The labor union states that M.P.P. was "fundamentally contrary to the moral fabric of our nation and our international and domestic legal obligations" while also acknowledging that gang violence, human rights abuses, and kidnapping remain significant issues in Mexico (Allyn, 2019).

The COVID-19 Pandemic significantly impacted M.P.P. as the D.H.S. and E.O.I.R. suspended M.P.P. hearings on March 23, 2020, indefinitely suspending the program on July 17, 2020 (D.H.S. 2020). No individuals under the M.P.P. with pending cases could enter the U.S.U.S. to wait for their case, prompting 6,000 asylum seekers to remain in Mexico (C.B.P. 2021). As of January 2021, more than 700 children crossed the U.S.U.S. border alone while their families waited in Mexico because of insecurity in Mexican border towns (Montoya-Galvez 2021). As of June 2021, D.H.S. reported that nearly 25% of all M.P.P. individuals with a pending status tried to cross the border for a second time (Mayorkas, 2021). As the pandemic progressed, the M.P.P. was almost entirely replaced by Title 42, an emergency health authority allows. U.S. officials should turn away migrants at the southern border to prevent the spread of COVID-19 (Long, 2023).

M.P.P. applicants recalled experiencing significant wait times while residing in border towns that had insufficient necessary life resources to provide for the applicants, especially for younger children in a study by ‘Estamos Unidos: Asylum Project’ by Clinic Legal, Elizabeth (pseudonym) as well as her young child were staying in Ciudad Juarez for several months. Days before her immigration hearing in El Paso, her child was taken away from her, causing Elizabeth to search for her child. As a result, she did not appear for her hearing, and the immigration judge entered an order of removal in absentia against her and her child, contradicting the promise of M.P.P. to protect asylum seekers like herself (Clinic Legal, 2020). M.P.P. applicants recalled experiencing significant wait times while residing in border towns and had “inadequate access to clean water, showers, and bathrooms” (Human Rights Watch 2020).

According to the Associated Press, safe drinking water is scarce, with asylum seekers, with lines stretching for half an hour to fill milk jugs and buckets with water. Several asylum seekers also bathe and wash their clothes in the Rio Grande, where there are elevated levels of E. coli and other bacteria, as well as fishing in the river and cooking the fish over wood fires. The unsanitary conditions also overlapped with poor housing material for asylum seekers to reside in as they “do not really have adequate blankets or clothing” (Doctors Without Borders 2020). Doctors Without Borders reported 2,126 medical consultations and 2,547 mental health consultations for women in the Matamoros camps in 2020, including survivors of sexual violence; 85% of the survivors consisted of women (Doctors Without Borders 2020). Furthermore, National Public Radio states, “Over 1,500 asylum seekers are living in one such tent encampment near the Gateway International Bridge in Matamoros, Tamaulipas” (Leaños Jr., 2019). Due to the safety concerns caused by the COVID-19 Pandemic, C.B.P. agents blocked individuals from attending their court hearings if officials deem an individual is not healthy enough to testify in front of a judge by conducting medical screenings (Hennessy-Fiske, 2019). Mexico took little to no action in response to the poor residential conditions. When requested to provide aid and space for asylum seekers again in February 2023, the Ministry of Foreign Affairs, on behalf of the Government of Mexico, “e x p r e s s e s its rejection of the U.S. government's intention to return individuals processed under the program to Mexico” (Garcia & Owen, 2023). In general, neither the encampments nor migrant shelters meet accessibility or standards for living, especially for individuals with disabilities.

President Trump's executive orders and implementation of policies strengthened the physical security of the wall, preventing more illegal immigrants from crossing the Southern border. However, his negative remarks about the Mexican government caused an increase in hatred among Mexican and Latin American nationals on U.S. soil. As a result, his policies also reflect the detrimental humanitarian conditions that illegal immigrants and asylum seekers have to adapt to. Furthermore, the policies illustrate the problematic reality for Mexican and Latin

American immigrants in finding a path to their American Dream.

Deportation Statistics and Policies

Author: Maya Berdjis

The presidencies of both Barack Obama and Donald Trump highlighted two contrasting chapters in American politics. Both administrations tackled critical issues such as healthcare reform, immigration, and deportation enforcement, yet their approaches and ideologies were distinctly different. Obama's Administration focused on expanding healthcare access and adopted more lenient immigration policies, compared to Trump's Administration, which prioritized deregulation, restricting immigration, and significantly ramping up deportation efforts. This analysis will delve into the differing policies of these two administrations on healthcare, immigration and deportation supported by relevant data.

Obama's most notable healthcare reform was the Affordable Care Act (A.C.A.), also known as "Obamacare," enacted in 2010. The goal of A.C.A. was to broaden healthcare access, lower medical costs, and ensure coverage for those with pre-existing conditions. The A.C.A. expanded Medicaid and introduced subsidies to help lower-income individuals purchase health insurance. It also required Americans to have health insurance or face penalties. It is stated by the National Archives and Records Administration that "On March 23, 2010, President Obama signed the Affordable Care Act into law, putting in place comprehensive reforms that improve access to affordable health coverage for everyone and protect consumers from abusive insurance company practices."

By 2016, the A.C.A. had reduced the uninsured population by roughly 20 million, with Medicaid expansion providing coverage to over 15 million people. The uninsured rate dropped to a historic low of 8.6% by 2016.

In contrast, Trump's Administration sought to repeal and replace the A.C.A. Although attempts to completely dismantle the A.C.A. failed in Congress, Trump made substantial cuts to the program and eliminated the individual mandate penalty in 2017. NPR stated, "The very day President Trump was sworn in — January 20, 2017 — he signed an executive order instructing administration officials "to waive, defer, grant exemptions from, or delay" implementing parts of the Affordable Care Act, while Congress got ready to repeal and replace President Obama's signature health law." Instead of the A.C.A., Trump's Administration advocated for market-based healthcare solutions, such as short-term health plans that bypassed A.C.A. standards. These changes weakened several critical aspects of the A.C.A., resulting in a rise in the uninsured rate to 9.2% by 2019. Additionally, Medicaid enrollment plateaued in non-expansion states as healthcare costs escalated.

Obama focused on increasing government involvement to guarantee healthcare access for all, whereas Trump aimed to reduce federal control and promote market-based healthcare solutions. This difference underscores the fundamental ideological divide between the two leaders regarding the government's role in healthcare.

On immigration, Obama pursued comprehensive reform, seeking a balance between enforcement and providing a path to citizenship for undocumented immigrants. He supported the DREAM Act, which aimed to grant legal status to undocumented individuals brought to the U.S. as children.

When Congress failed to pass the DREAM Act, Obama introduced the Deferred Action for Childhood Arrivals (D.A.C.A.) program in 2012, temporarily protecting eligible young immigrants from deportation. The Anti-Defamation League explained precisely what D.A.C.A. aimed to do, stating, "D.A.C.A. enables certain people who came to the U.S. as children to meet several key guidelines to request consideration for deferred action. It allows non-U.S. citizens who qualify to remain in the country for two years, subject to renewal. Recipients are eligible for work authorization and other benefits and are shielded from deportation." Despite these efforts, Obama was criticized for the high number of deportations during his presidency, especially in his first term. Under Obama's Administration, over 3 million individuals were deported, earning him the title of "Deporter-in-Chief." Nevertheless, D.A.C.A. offered protection to around 800,000 young immigrants by 2016. Immigration and Customs Enforcement (I.C.E.) deported an average of 350,000 people annually between 2009 and 2015.

Trump, on the other hand, took a more restrictive and enforcement-focused approach to immigration. He emphasized building a border wall, imposed travel bans on several Muslim-majority nations and reduced legal immigration. An article from the Bipartisan Policy Center stated, "The orders focused on border security, interior enforcement, and "extreme vetting" and temporary entry bans for refugees and nationals from certain Muslim-majority countries." His Administration attempted to rescind D.A.C.A. in 2017, although the courts later reinstated it. Trump also enacted a "zero-tolerance" policy that resulted in family separations at the border, a policy that faced widespread condemnation. His immigration agenda centered on securing the U.S. from crime and protecting the economy from immigrant competition.

By 2020, Trump's Administration had deported about 935,000 individuals, though the pandemic led to fewer deportations compared to Obama's time in office. I.C.E. arrests of non-criminal immigrants significantly increased under Trump, with non-criminal arrests rising from 27% in 2016 to 58% in 2017. Pew Research Center showed a chart that explained, "I.C.E. arrests went up after Trump took office, but remain lower than during much of Obama's tenure."

Additionally, legal immigration dropped by nearly half between 2016 and 2020 due to Trump's stringent policies. Obama's approach to immigration, while enforcement-driven, included protections for specific groups like D.A.C.A. recipients. Trump, however, focused on more aggressive tactics toward both legal and illegal immigration, stressing deportation and border security. Although both administrations relied on enforcement measures, their goals and strategies diverged significantly.

Obama's Administration, particularly in its first term, conducted large-scale deportations, resulting in the removal of over 3 million individuals. However, in his second term, Obama shifted focus toward deporting criminals and recent border crossers, which led to fewer deportations of non-criminal immigrants. By contrast, Trump concentrated on deporting both criminal and non-criminal immigrants, including those who had been living in the U.S. for more extended periods. Despite fewer overall deportations under Trump—partly due to the pandemic—his policies resulted in increased I.C.E. arrests and more significant immigration court backlogs.

While Obama's deportation policies were initially aggressive, they later targeted criminal offenders. Trump expanded deportation efforts to include non-criminal immigrants and increased I.C.E.'s enforcement role. Though both administrations removed large numbers of immigrants, their approaches were severely different.

Comparative Analysis

Author: Arushi Tripathi

Under the Obama administration, immigration policies were lenient and protective towards undocumented immigrants. With the introduction of the Deferred Action for Childhood Arrivals 2012 (D.A.C.A.), young, undocumented persons could enter the U.S.U.S. and apply for temporary relief from deportation while gaining work permits and a pathway to stability. D.A.C.A. primarily benefited Mexican immigrants, who made up the majority of the DACA-eligible population. Obama's Administration recognized the potential of young immigrants and aimed to provide them with foster families with the ultimate goal of community stability. Furthermore, Obama strove to reduce deportations, focusing on enforcing severe criminal convictions rather than non-violent offenders. Under this focus, deportation rates significantly declined, allowing families to stay together and thrive in their communities. Since August 2012, over 800,000 individuals applied for D.A.C.A. status, with approximately 90% of applicants granted protection. About 78% of D.A.C.A. recipients are from Mexico and other Latin American nations such as El Salvador, Guatemala, and Honduras ([National Immigration Forum](#)). Most D.A.C.A. recipients are young adults between 18 and 30, emphasizing the program's focus on young immigrants. This commitment to protecting vulnerable populations fostered a sense of belonging and stability within immigrant communities while expanding the social and economic framework of the U.S. By permitting young individuals to live, work, and receive education in the U.S., the Obama administration enhanced the potential of immigrants as contributors to American society.

However, the challenges D.A.C.A. faced demanded immigration reform, and the need for immigration reform complicated the path to citizenship for many immigrants. On his first day in office, President Trump signed three executive orders on immigration, further complicating the process of gaining legal status and citizenship for groups deemed to take job opportunities from Americans, increase taxes for Americans, and jeopardize public safety (Trump White House Archive). These orders aimed to increase deportations and promote the enforcement of strict immigration laws nationwide. Policies such as the travel ban and increased family separation illustrated a shift toward policies aimed at implementing fear within Mexican communities. Under Trump's Administration, deportation rates surged, with removals increasing by over 12% in his first year (Pew Research Center). These policies affect not only undocumented immigrants but also individuals from diverse backgrounds, fostering a constant fear of deportation, regardless of criminal history or ties to their community.

Furthermore, Trump's "zero tolerance" policy further worsened these fears by mandating the detainment of families suspected of illegally crossing the border. According to the Department of Justice, 2,8000 children were separated from their parents and placed in foster care. This policy not only tore families apart but created criticism from human rights advocates who advocated for more humane immigration policies.

The contrasting policies under Obama and Trump also had profound impacts on Mexican immigrants. Under the Obama Administration, the introduction of D.A.C.A. ensured legal protection. It provided stability for many families, allowing them to pursue an education and employment without the constant threat of deportation. D.A.C.A. recipients were able to access opportunities that improved their economic prospects. Studies indicated that 91% of D.A.C.A. recipients were employed, with many reporting increasing wages and job security (Lizet, Center for

American Progress, 2015). Economic stability within immigrant communities allowed families to thrive while improving local economies.

In contrast, the Trump administration's immigration policies created the fear of deportation and family separation. A study conducted by the National Institute of Health found that the mental health of Mexican undocumented immigrants greatly suffered under these policies. Research shows that one in three Latino American immigrants reported feelings of anxiety or depression due to the chance of being deported and its effects on their families (National Institutes of Health). The impact of these approaches not only shaped the experience of individual immigrants but had broader impacts on their communities as well. Under Trump's policies, individuals were less likely to seek help or report crimes to law enforcement.

Public and legal reactions to the contrasting immigration policies significantly influenced the perception of undocumented immigrants among the American population. During Trump's Administration, public opinion became increasingly polarized, creating a societal divide on immigration issues. Public opinion became more security-centric as there was increased concern regarding the methods implied for border security between the U.S. and Mexico (Pew Research, 2014). While organizations like D.A.C.A. advocated for their humanitarian approach, Trump's policies catalyzed a shift in public attitudes. Many more Americans supported stricter immigration measures, instilling nationalist sentiments prioritizing border security over opportunities for immigrants to gain citizenship (Pew Research, 2024).

While Obama was in office, the media emphasized the positive contributions of immigrants to American society, promoting hardworking individuals who fueled economic growth and cultural diversity. Reports showed how immigrants were essential to agriculture, technology, and health care, contributing significantly to the economy. According to the

American Immigration Council, immigrants contributed approximately \$2 trillion to the U.S. economy in 2016, highlighting their role as essential workers (American Immigration Council). The media also featured personal stories of immigrants protected by the D.A.C.A. program, portraying them as ambitious individuals fueled by the American Dream. Public perception was more sympathetic, supporting the potential benefits of immigration policies.

However, when the Trump Administration enforced its immigration policies, media portrayal shifted dramatically. Trump's campaign labeled undocumented immigrants as threats to public safety, regarding them as "criminals," "rapists," and "drug dealers." A 2018 study conducted by the Cato Institute discovered that undocumented immigrants were significantly less likely to commit crimes than native-born Americans (Cato Institute). However, contradicting reports led to fear of surrounding immigrants. Trump's policies and statements, including family separation, caused further media scrutiny, deepening societal divides on the issues of immigration.

Long-Term Effects and Legacy

Author: David Jang

A few years later, Joe Biden, the vice president under Obama (2009-2017), rose to the presidential seat. As a member of the Democratic party, he sought to undo President Donald Trump's (2017-2021) presidential policies that opposed immigration (Debusman, 2024). Although Republican president Donald Trump discouraged immigration because he viewed immigrants as harmful, Biden held an opposite view. Joe Biden encouraged migration.

One of Donald Trump's immigration policies was when he appealed to Title 42, a healthcare policy, to expel immigrants and asylum seekers. Title 42 is an emergency health law

that does not allow immigrants to come into the U.S.U.S. if they come from disease-infested areas. However, because of this law, authorities turned away migrants from entering through the US-Mexico border to prevent the spread of COVID-19 (Long, 2023). On the other hand, under Joe Biden, immigration staff implemented a policy where migrants who cross the border receive penalties. However, although Biden decided to keep Title 42 in place, which contributed to 2,400,000 people being expelled between the date it was implemented and May 2023, he provided many opportunities for future migrants (Debusman, 2024). The Democratic president allowed regional processing centers to be placed in Latin America to help migrants apply for legal entry into the U.S.

Around January 2019, Donald Trump's Administration implemented a policy called the "Migrant Protection Protocols". This policy made asylum seekers wait in Mexico until the date of their U.S. immigration hearings. 70,000 people were returned to Mexico due to this policy where they were sought after by dangerous gangs (Debusman, 2024). 1,500 people were kidnapped, and thus, Biden sought to change this inhumane policy. On Biden's first day in the White House, the Administration sought to remove this "Stay in Mexico" policy. This move was contested by a court in Texas, ringing the policy back in December of 2021. Finally, the U.S.U.S. Supreme Court removed this policy by stating that proper policy removal procedures were not implemented (Debusman, 2024).

The difference in their policies is also revealed in how many families were reunited under Biden's presidency compared to Trump's. Under Trump's presidency, there was a "zero tolerance" policy that made authorities send back immigrants who crossed illegally (Debusman, 2024). This caused a separation in families, with Trump continuously supporting the policy. During 2017-2021, during Donald Trump's reign as president, around 3,900 children were

separated from their parents (Debusman, 2024). On the other hand, President Joe Biden allowed for some families to be reunited. He allowed for a task force to bring together many families, although there are still 1,400 children who have not been joined with their families (Debusman, 2024). Biden also caused the stoppage of family holds in Immigration and Customs Enforcement Detention. Additionally, to bring together separated families with an illegal immigrant from El Salvador, Honduras, Guatemala, and Colombia, he created family programs (Debusman, 2024).

Another difference between the two presidents is that the Democratic president relied on heavy use of parole compared to Donald Trump so that migrants without visas could enter the U.S. Currently, 30,000 migrants on parole can enter the U.S.U.S. due to the program for Cubans, Nicaraguans, Venezuelans, and Haitians (Debusman, 2024). When Trump was president, he aimed to do the opposite of what Biden did. The Republican president created the "Stay in Mexico" policy and did not utilize parole. Trump promoted the idea that parole should not be used carelessly and frequently. In contrast, Biden promoted the idea that these migrants need help because of persecution, and thus, parole should be used as much as possible.

Until recently, Republican Trump and Democrat Biden were running for the presidency once again. They still expressed that their goals have not changed. Trump still dislikes illegal immigration and discourages any migrant from crossing the border lawlessly. However, Biden still holds a compassionate view towards any migrant and believes they can take part in our economy. During their memorable debate, Trump stated, "They are sending people that have lots of problems, and they're bringing those problems with us. They're bringing drugs. They're bringing crime. They're rapists. And some, I assume, are good people." Trump also blamed Biden for letting in undocumented immigrants, frequently saying that he would fix the immigration issue.

Therefore, Trump, when he was elected, promised to deport around 15 million to 20 million immigrants and crack down on immigration (Egan, 2024). Due to the deportation of immigrants, there will be a shortage of workers. Thus inflation would worsen, increasing prices and wages (Egan, 2024). Additionally, Trump said that he would seek to end "birthright citizenship," which allows children of immigrants to become citizens because they were born in the U.S.U.S. (Yilek et al., 2024). Along with Trump's commitment to end "birthright citizenship," he promises to further militarize the US-Mexico border and arrest illegal migrants (Yilek et al., 2024). He also seeks to target migrants who adopt Marxist and Communist ideologies (Yilek et al., 2024).

Recently, the Biden administration has attempted to be stricter about immigration by rejecting immigrants who are "ineligible for asylum" (Egan, 2024). The Biden-Harris administration also promises to take away fentanyl from those who try to cross the border, restrict illegal migrants from receiving asylum, punish people who disobey immigration laws, deploy technology, infrastructure, and law enforcement staff to secure the southern border, and take away visas from government officials and C.E.O.s that are outside the U.S. who profit from unlawful immigration (The White House, 2024). The Administration will also try to keep noncitizen individuals together with their citizen family members. Noncitizens will also be given opportunities to apply for lawful residence (The White House, 2024). This will lead to the U.S. economy strengthening and keeping prices under control. Since June of 2024, the requirements for people to apply for lawful residence is that they had to have lived in the U.S. for at least ten years and be married to an official citizen (The White House, 2024). Furthermore, the process of receiving visas for D.A.C.A. receivers and Dreamers will be made easier. If a Mexican immigrant graduates with a degree from a college or university and receive employment offers, they will receive their visas more quickly (The White House, 2024).

In conclusion, Joe Biden took the presidential seat after the Obama and Trump presidential runs. He has offered many opportunities to Mexican immigrants so that they could come in legally. He has also sought to reunite families and fix US-Mexico border security. On the other hand, Trump has implemented many programs to deter Mexicans and keep them in their homelands, where they are exposed to persecution and gang violence. In his current presidential run, he also seeks to deport massive amounts of Mexican immigrants, causing a shortage of workers and separation of families.

Conclusion

Author: Kiran Nanda

In conclusion, immigrants have had an extreme influence on America socially, economically, and politically. Socially, immigrants have built the nation's cultural diversity and have played a crucial role in shaping its identity. America is a nation built and shaped by immigrants. However, as more immigrants arrive, the challenge of integrating them into society has sparked significant political debates and controversy. Different political parties and leaders, notably former Presidents Trump and Obama, have taken oppositely extreme stances on immigration, reflecting the complexities and tensions surrounding this issue. This ongoing debate highlights the different perspectives on immigration policy and also underscores the importance of finding common ground in addressing the needs and contributions of immigrants in America.

The primary goal of former president Obama was to establish a balance between compassion and the rule of law by facilitating the integration of lawful immigrants while

strongly opposing illegal immigration. He established several programs aimed at improving accessibility to the legal immigration stream to achieve this goal. The Deferred Action for Childhood Arrivals (D.A.C.A.) and the Deferred Action for Parents of Americans and Lawful Permanent Residents (D.A.P.A.) policies were notable as they together created opportunities for a vast number of immigrants from Mexico. D.A.C.A. gave undocumented immigrants who entered the nation as minors permission to stay, shielding them from deportation and granting them the ability to apply for work permits. Similarly, D.A.P.A. made it possible for parents of lawful permanent residents and citizens of the U.S.U.S. to live together and prosper without worrying about being separated. Obama made it clear that he believed diversity is a crucial asset that strengthens America's identity. Moreover, he made it apparent that he believed that immigration was vital to the U.S.U.S. of America by continuously stressing the role that immigration played in the country's success throughout his presidency.

On the other hand, former president Trump had a far stricter stance on immigration, aiming to drastically reduce the amount of immigrants from Mexico who had legally entered the country. In contrast to Obama, who sought to integrate legal immigrants, Trump concentrated on tearing down the immigration framework that his predecessor had put in place. Through the Supreme Court lawsuit *U.S.U.S. v. Regents of the University of California*, he attempted to end D.A.C.A. and remove protections for undocumented people who were brought to the country as minors. His "zero-tolerance" policy caused many family separations by forcing individuals who had crossed the border illegally to be deported. Furthermore, on January 25, 2017, Executive Order 13767 was signed with the intention of strengthening immigration enforcement and launching the contentious "Build the Wall" project along the border between the U.S. and Mexico. Throughout Trump's term, "The Wall" was funded by the Trump administration. This

strategy resulted in the parents' deportation and the placement of their kids in government custody. Trump also ordered asylum seekers to stay in Mexico while their immigration proceedings in the U.S. were being handled, further reducing the use of parole, which allows individuals to enter the U.S. without a visa. All things considered, Trump's initiatives demonstrated a strong conviction that immigration was a threat to the country, as he worked to eradicate it rather than encourage it, drastically altering the immigration scene in the U.S.

Before making judgments or speaking on the subject of immigration, our society as a whole—especially our leaders—must be informed and educated, as is the case with all political matters. Americans might better understand the complexity of this subject by comparing the policies of former Presidents Obama and Trump. Their divergent viewpoints and practices draw attention to the complex issues surrounding immigration. However, before delving into these opposing strategies, it is critical for Americans to understand the historical background information, legal requirements, and individual experiences associated with immigration. A more robust understanding of the issue helps Americans engage meaningfully in discussions, advocate for policies that reflect their values, and ultimately make informed decisions. An educated public is vital for creating a more compassionate and effective immigration system that benefits everyone.

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