

Trump, Migration and NAFTA

Philip Martin: plmartin@ucdavis.edu 25 septembre 2017, 18 heures D-R200, Pavillon Athanase-David, UQAM

Organisation: UQAM | Centre de recherche en immigration, ethnicité et citoyenneté UQAM | Département des sciences juridiques

Donald Trump was elected the 45th US president in November 2016, defeating Hillary Clinton by 304 to 227 electoral votes despite losing the popular vote: Clinton received 66 million votes and Trump 63 million. About 90 percent of Democrats voted for Clinton, and 90 percent of Republicans voted for Trump. Whites voted 58-37 percent for Trump, while Blacks voted 88 to eight percent for Clinton. Asians and Hispanics voted for Clinton by 65 to 29 percent margins; those for whom immigration was the most important issue voted 64 to 32 percent for Trump.

Migration

The US is a nation of immigrants whose motto e pluribus unum, from many, one, reflects openness to newcomers. The US had 42 million foreign-born residents in 2014, almost 20 percent of the world's international migrants. Over half of US migrants were from Latin America and the Caribbean, including 28 percent from Mexico. Another quarter were from Asia, led by China, India and the Philippines. Almost half of all foreign-born residents are naturalized US citizens; a quarter are unauthorized.

The number of unauthorized foreigners, after dipping briefly with legalization in the late 1980s, rose from 3.5 million in 1990 to 8.6 million in 2000, peaked at 12 million in 2007, and dropped to 11 million after the 2008-09 recession. Congress has been debating what to do about unauthorized foreigners for two decades. The House of Representatives approved an enforcement-only bill in December 2005 that would have increased enforcement on the Mexico-US border, required all employers to use the internet-based E-Verify system to check the legal status of new hires, and made illegal presence in the US a crime, making it harder for unauthorized foreigners to become legal immigrants in any future amnesty.

This "Sensenbrenner bill" was denounced for ignoring the benefits of migration, and protests culminated in a May 1, 2006 "day without migrants;" many businesses closed for the day to highlight the contributions of migrants. The Senate in May 2006 enacted a three-pronged comprehensive immigration bill, viz, increase enforcement to deter illegal migration, legalize most unauthorized foreigners and put them on a path to US citizenship, and create new guest worker programs for low-skilled workers, but the House refused to act. The Senate approved another comprehensive immigration reform bill in 2013, but the House again refused to act.

Donald Trump campaigned on seven major issues in 2015-16, two of which involved migration, viz, have the US build and Mexico pay for a wall on the 2,000 mile Mexico-US border and deport the 11 million unauthorized foreigners in the US. Trump charged in June 2015 that illegal Mexican immigrants were "bringing drugs. They are bringing crime. They're rapists, but some, I assume, are good people."

Four of the 30 executive orders issued by President Trump in his first 100 days dealt with immigration: plans to build a wall on the Mexico-US border, to increase deportations, to reduce refugee admissions, and to protect US workers, signaling a new era that emphasizes enforcement against unauthorized foreigners.

The Border Security and Immigration Enforcement Improvements executive order asserts that "border security is critically important to the national security of the United States" and directs the Department of Homeland Security (DHS) to plan for the construction of a wall on the 2,000-mile Mexico-US border, assess the current state of border security, and develop "a strategy to obtain and maintain complete operational control of the southern border," defined as the "prevention of all unlawful entries." A third of the Mexico-US border is currently fenced to prevent the unauthorized entry of people and vehicles. Apprehensions of foreigners just inside the US peaked at 1.8 million in FY2000, over 150,000 a month, and fell to a low of 11,000 in March 2017; apprehensions were 150,000 a month in 2000.

The Enhancing Public Safety in the Interior of the United States executive order deals with cooperation between federal immigration and state and local law enforcement agencies and sanctuary cities. There are almost 500,000 state and local police, compared with 10,000 federal ICE agents who seek out unauthorized foreigners, and Trump would like state and local police to detect and hold unauthorized foreigners for ICE agents. Sanctuary states and cities do not allow their police to cooperate with ICE, prompting threats to deny them federal assistance. The flashpoint is foreigners convicted of US crimes: should ICE be notified as they leave prison?

The Protecting the Nation from Terrorist Attacks by Foreign Nationals executive order sought to suspend the entry of nationals of Iran, Iraq, Sudan, Syria, Libya, Somalia, and Yemen, halt refugee admissions for 120 days and reduce refugee resettlement from 110,000 to 50,000 a year, and called for "extreme vetting" of some foreigners seeking visas to enter the US. After its implementation was blocked, a revised order removing Iraq was issued in March 2017 and also blocked from taking effect; courts said that Trump was trying to unlawfully institute a "ban on Muslims." However, the Supreme Court in June 2017 allowed DHS to block the entry of persons with no "bona fide" relationships to US residents from the six countries.

The Buy American and Hire American executive order directs agencies that deal with guest workers, the Departments of Labor, Justice, Homeland Security, and State, to recommend changes in guest worker programs "to protect the interests of US workers ... including through the prevention of fraud or abuse." The US has a dozen visas that permit foreigners to work temporarily in the US, but the focus is on the H-1B program, which allows most US employers to easily hire college-educated foreigners for up to six years. Several US employers including Disney displaced US workers to open jobs for foreign H-1B workers; Trump promised to "end forever the use of the H-1B as a cheap labor program."

Trump's hard-line on immigration appears to be reducing illegal immigration. Apprehensions of unauthorized foreigners just inside the Mexico-US border have dropped to their lowest levels in two decades. Unauthorized migrants who were returned to Mexico in 2017 reported they paid smugglers an average \$4,100 to enter the US, but half said they would try to re-enter the US illegally again.