

**USS**

**United States Senate**



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**Chair**

Joaquín Pérez

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**Official Language**

English

**Topic A**

*Reform of the immigration system and emergency*

**Topic B**

*Fiscal Reform and Economic Disparity*

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## 1. Letter from the Chair

Dear Delegates,

Welcome to the United States Senate committee in this edition of MSMUN. We are Joaquin Perez and Emiliana Garcia and we will have the utmost honor of being your presiding chair.

Committees like this are rare in Model UN. However, its exclusivity and unique structure offer delegates an opportunity for academic growth through research, negotiation, and debate. Furthermore, in the three days of the model you will utilize communication and negotiation skills in order to strike deals and pass bills into acts.

At the time of writing, the U.S. election results have not yet been announced. However, this is a critical moment for the United States as division on both sides is growing and political unrest risks the core values of American society. Hence, we choose extremely relevant and divisive topics in order for you to visualize the complexity of American politics. Additionally, we expect (and for the sake of comedy within the committee) for each delegate to embody his/her representative the best possible to make the committee like real life.

We wish you the best luck and we will be on call 24/7 to answer any doubts or questions about the committee.

Sincerely,

Joaquin Perez and Emiliana Garcia



## 2. Introduction to the Committee

### 2.1. History

In 1787 the constitution of the United States was signed by 39 out of the 55 delegates who were present at the ad-hoc convention, witnessing the creation of what would soon become the world's greatest superpower. The Constitution was ratified when 9 of the 13 states approved its terms, thereby enacting it into law. An important note to be made at this point is that the Bill of Rights or the famous "amendments" are different from the Constitution itself. This is because the Bill of Rights talks about individual rights, and the Constitution sets up the three branches of government and their respective functions. However, both documents were of a great contentious nature, and many argue that at the time they led to the separation of the union.



Image: The Editors of Encyclopaedia Britannica. "Constitutional Convention | History and Compromises." *Encyclopedia Britannica*, 7 Mar. 2023, [www.britannica.com/event/Constitutional-Convention](https://www.britannica.com/event/Constitutional-Convention).

The 1787 Constitution established a bicameral legislature, inspired by the British parliamentary system—specifically, the House of Lords. This structure consisted of a lower chamber, the House of Representatives, and an upper chamber, the Senate. Founding Father James Madison stated, "The use of the Senate is to consist in proceeding with more coolness, with more system, and with more wisdom, than the popular

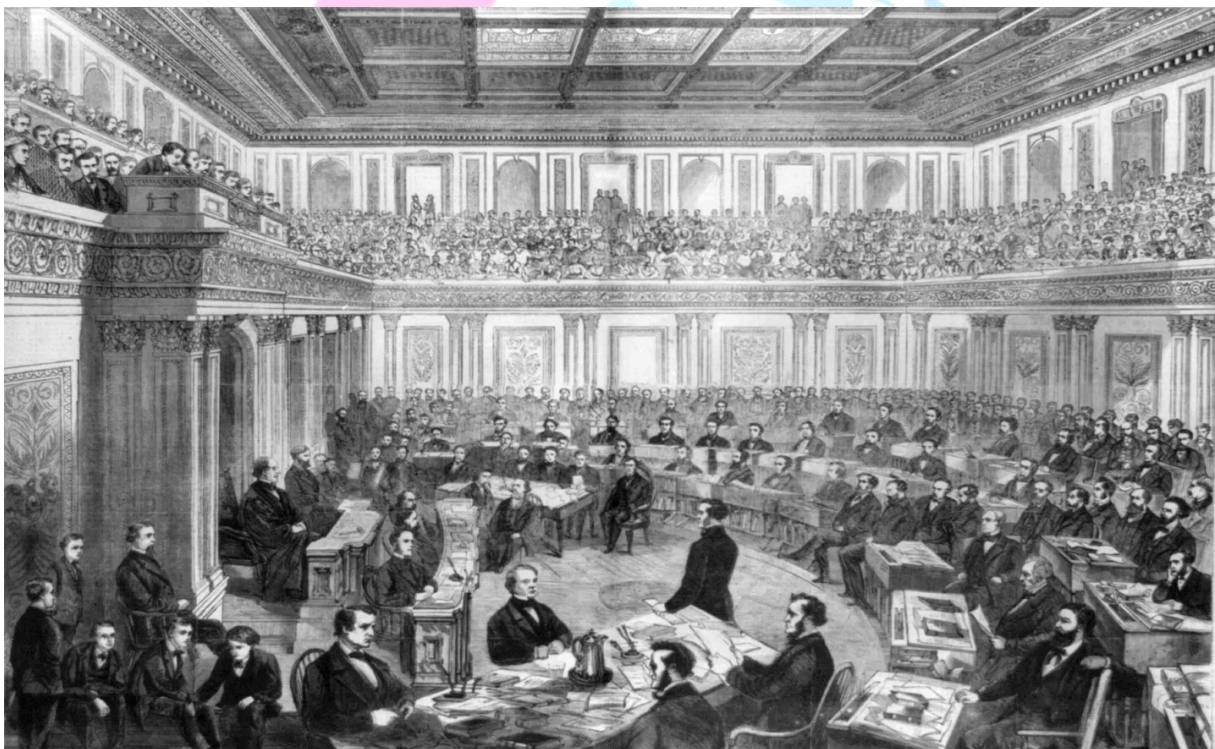
branch." In short, it proposed that the Senate would serve as a "checks and balances" system for the entire federal government (USAGov, 2023) Furthermore, Senate terms were set at 6 years for the incumbent senators (different from that of a term in the House of Representatives which lasts 2 years). This was set because it was meant to provide a "stabilizing effect" to the new national government, for senators to have more sense of community amongst themselves, and for new legislation not to be affected by customary elections.

Upon the formation of the legislative body, the matter of its elections was discussed and was also very contentious amongst the states in the Union. Many states with larger populations, argued that the Senate should be chosen with equal proportion (like in the House of Representatives) meaning that senators would be chosen for a state depending on the population of the state. In contrast, smaller states advocated for equal representation in the Senate, ensuring that each state, regardless of population, had the same number of senators.. Finally, it was voted unanimously that every state would have two senators in their representation, first elected by the state legislature, but then in 1913, changed so the senators would be elected by popular vote. Thus, this is why we can see a state like Wyoming with two senators, but with only one representative, because of the population factors.

At first, the Senate met in secret at the Federal Hall in New York City, with virtually no records of it being held 5 years to its creation thereafter. However, with more progressive ideals and periods like the Civil War, or both world wars, senate rules became laxer, and its operation was in part changed. Most notably, in the first world war, Senators found a loophole in the Senate rules commonly called the "filibuster." In short, the term and practice were first used when a group of a small fraction of dissenting senators who were opposed to the idea of

arming merchant ships during the First World War, figured out that if they could continue to hold a debate, voting on important matters could be postponed indefinitely. A 2/3 majority is required to close a debate and proceed to a vote. Consequently, a group of 41 senators can indefinitely delay voting on issues that would otherwise pass with a simple majority.

Image: ---. "United States Senate | Definition, History, and Facts." *Encyclopedia Britannica*, 31 Mar. 2023, [www.britannica.com/topic/Senate-United-States-government](https://www.britannica.com/topic/Senate-United-States-government).



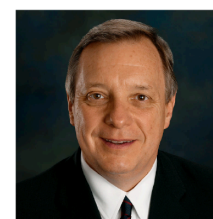
An important and respected jurist at the time, Sir Henry Maine called the U.S. Senate "the only thoroughly successful institution which has been established since the tide of modern democracy began to run." While some might question the efficiency and credibility of the Senate, it is undeniable that the power it holds as an institution cannot be compared to that of any in the States or if not, the world. Its motto in Latin "E Pluribus Unum" translates to

“amongst many one” symbolizing the uniqueness of the Senate and of the country to which it serves, The United States of America.

## 2.2. Purpose

As stated, the first article of the Constitution sets up the bicameral legislative system, which is deemed the first branch of government in the representation of the people. Through the years, the Senate has developed a particular and intriguing composition that still lives to this day. For instance, the Vice President of the United States, in this case, Kamala Harris, serves as the President of the Senate, while in her absence serves a pro-tempore president (for the time being) which is as of now Chuck Grassley (R-Iowa) is voted upon by the Senate, and is usually the senator who has served the most time in his/her term. On the other hand, both the Democratic and Republican factions in the Senate and House have “leadership” whereby senators of their party hold an election for one of them to be their spokesperson and manage the party within that legislative branch. Also, the “whips” are part of the leadership which comprises the second in command after the minority or majority leader. The current minority leader of the Senate is Mitch Mc Conell (R-Kentucky) and the majority leader is Chuck Schummer (D-New York).

### Senate Leadership 116th Congress





*Image: Blog Image 2018 Election Senate Leadership | Novogradac.*  
[www.novoco.com/atom/174901](http://www.novoco.com/atom/174901).

On a more specific note, it is important to consider some of the powers delegated to the Senate by the Constitution. Some examples may include:

- Senators can advise and vote on presidential appointments, such as that of a federal judge, executive branch official, or generally someone in the high representation of the United States Government.
- The Senate can vote to approve treaties with foreign States, and at the same declare war on other countries if it sees fit (in the case of the U.S. This has happened 11 times).
- In an impeachment trial, both the House and Senate will be involved in the proceedings. For instance, the House will act as the defense and prosecution, while if the vote to impeach passes the House with a simple majority, then the Senate will act as a grand jury to convict the impeachment with a two-thirds majority vote. Impeachment can be applied to Presidents or Supreme Court Justices in cases of extreme misconduct.
- When investigating a case, the Senate can issue subpoenas to depose a witness to acquire pertinent information and/or testimony.

- The Senate, along with the House of Representatives has the power to propose and bring legislation into law. By that fact, both houses must vote with a simple majority on the same document, for it to be brought into full effect. As an example, the proposed law is famously called a “bill” and when that “bill” passes both houses of the legislative system it now becomes an “act” making it legally binding. Likewise, the Senate can also vote to repeal or modify an act.
- The Senate also has the power to modify the Constitution of the United States. This requires a two-thirds vote by both houses.
- The President of the United States has the power to veto a bill passed by the Senate (due to the President’s signature being necessary for that bill to pass to law); however, the Senate can override that veto, with then again, a two-thirds vote.
- The Senate is tasked with the oversight of both the executive branch and federal agencies by dividing itself into different committees, which will be explained later on.

As mentioned, the Senate is tasked with the functions of the executive branch and the federal government; nevertheless, let's focus on the oversight of federal agencies. In total, the Senate has 24 ad-hoc committees that serve to regulate every function of the federal government. The Senators are chosen for each committee, usually are experts on the matter, and can better serve their home state while being on that committee. Each committee also has a Senator who acts as its chair (generally every committee has other sub-committees which are specialized in specific matters). The committees are the following:

- Agriculture, Nutrition, and Forestry
- Appropriations

- Armed Services
- Banking, Housing, and Urban Affairs
- Budget
- Commerce, Science, and Transportation
- Energy and Natural Resources
- Environment and Public Works
- Finance
- Foreign Relations
- Health, Education, Labour, and Pensions
- Homeland Security and Governmental Affairs
- Indian Affairs
- Joint Committee on Printing
- Joint Committee on Taxation
- Joint Committee on the Library
- Joint Economic Committee
- Judiciary
- Rules and Administration
- Select Committee on Ethics
- Select Committee on Intelligence
- Small Business and Entrepreneurship
- Special Committee on Aging
- Veterans' Affairs



Like in real life, the Chair will call the roll to which present Senators can only answer in the form of “present” or “under protest.” Furthermore, regular motions will be voted in the verbal form of “yay” or “nay” and votes to pass bills or other pertinent matters will be passed by paper to the chair. Moreover, what is known as a “party to the dispute” will be brought in the form of a witness, and will be deposed by both the Republicans and Democrats.

## **Topic A: Reform of the immigration system and emergency**

### **3.1. Introduction to the Topic**

The immigration system in the United States is extensive and multi-faceted, which is designed for a country formed by immigrants. The Immigration and Nationality Act (INA) is the legislation that controls immigration laws in the United States. Up to 675,000 permanent immigrant visas may be issued by the US each year under the INA in a variety of visa categories. The INA places no restrictions on the annual entry of spouses, parents, and minor children of U.S. citizens beyond those 675,000 visas (American Immigration Council, 2024). Furthermore, it was created to control the flood of foreigners looking for work or safety, so that those who utilize it are benefited from it . However, the immigration situation has grown more difficult in recent years, which has led to what many view as an immigration crisis. According to Moslimani and Passel (2024), in 2022, 13.8% of the US population were immigrants, accounting for over 30 million people, moreover over 23% of immigrants come from Mexico, followed by India and China.

#### *Figure 1.*

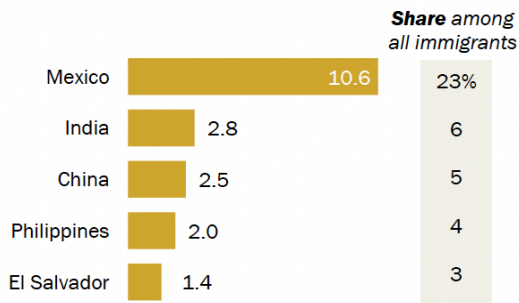
Mexico, China and India are among top birthplaces for U.S. immigrants.



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## Mexico, China and India are among top birthplaces for U.S. immigrants

Top 5 countries of birth for immigrants living in the U.S. in 2022, in millions



Note: China includes Hong Kong, but not Taiwan.

Source: Pew Research Center tabulations of 2022 American Community Survey (IPUMS).

PEW RESEARCH CENTER

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Note. Moslimani, M., & Passel, J. S. (2024, July 22). *What the data says about immigrants in the U.S.* Pew Research Center.

<https://www.pewresearch.org/short-reads/2024/07/22/key-findings-about-us-immigrants/#:~:text=The%20U.S.%20foreign%2Dborn%20population,13.8%25%20of%20the%20U.S.%20population.>

The U.S. immigration system includes various programs to protect unauthorized immigrants. However, applicants must meet specific criteria to qualify for these protections., as stated by Moslimani & Passel (2024), this programs include:

**Temporary Protected Status (TPS):** As of July 2022, around 650,000 immigrants were granted TPS. TPS is provided to people who, due to unusual and temporary situations such as natural disasters, violent crimes, or civil instability, are unable to safely return to their native country.

**Deferred Action for Childhood Arrivals (DACA):** DACA provides benefits to about 600,000 immigrants. Through this system, people who were brought to the country as minors before 2007 are permitted to stay here.

**Asylum applicants:** Due to threats in their native countries, approximately 1.6 million immigrants have pending asylum claims in the United States as of mid-2022. While they await a ruling on their case, these immigrants are permitted to remain in the United States.

**Other protections:** Several hundred thousand people have sought special visas in order to enter the country legally. Victims of human trafficking and some other criminal crimes are eligible for these kinds of visas.

Besides that, there are more than 30 million immigrants working in the United States. There are an estimated 8.3 million undocumented workers, compared to the majority (22.2 million) who are legal immigrants. While this is a considerable increase over 2019, it is comparable to levels seen in 2007 (Moslimani & Passel, 2024). By the same, it is important for the US to maintain the immigrant flow in their country, as it helps with the economy, as well as the development of their nation with humanitarian protection and the promotion of diversity (American Immigration Council, 2024).

### **3.2. History**

According to Giovagnoli (2013), for almost a decade, other events have surpassed efforts to comprehensively reform the immigration laws in the United States. These events range from foreign wars and national security concerns to the financial crisis that threatened to collapse the global economy.

On top of this constantly evolving lineup of national emergencies, chances to advance real reform have become rare due to years of partisan political warfare and the reappearance of a volatile restrictionist movement that relies on intense discourse.

Due to the belief that effectively deporting noncitizens will lower illegal immigration and open up possibilities for more rational outcomes in the future, many in both parties chose a political strategy that prioritized immigration enforcement above immigration reform. Rather, the remarkable spike in deportations, the practically daily stories of prejudice and divided families, the passing of state anti-immigrant laws, and the unprecedented spending on immigration enforcement finally took its toll.

In the 2012 federal elections, voters made it clear that they were sick of the needless suffering that came with immigration laws that were only enforced. More than ever, there is a chance to create immigration policies that are in line with American needs and values. The White House, members of Congress, and various organizations have introduced proposals to reform the immigration system.. These suggestions differ and will likely change even more as they convert into legislation, but there are a number of common themes that present (Giovagnoli, 2013).

As stated by the Council on foreign relationships (n.d.), The United States' social, political, and economic development has been greatly aided by immigration. Since many Americans can trace their ancestry to migrants who were forced to leave their home countries—either because they were escaping persecution or conflict, or because they were brought by force in the case of many enslaved people—the United States presents an intriguing case study for immigration policy.

Economic situations, national security concerns, and aspects of social prejudice have all influenced American politicians' decisions about immigration policy throughout the country's history.

Immigration is still an ongoing debate in today's political environment, influenced mostly by contrasting opinions about the rules that should control the southern border of the United States. Those issues are founded in a history of developing approaches to immigration policy.

The fact that there are more immigrants living in the US than any other country in the world is one reason why this is such a heated issue. From 1783 and 2019, the number of immigrants to the United States exceeded 86 million. The economic and social fabric of the United States, which is admired by many for acting as a "melting pot" for various ethnicities and cultures, has benefited from the imports.

### **3.3. Past Action**

As stated by the Center for Immigration Studies (n.d), the United States Immigration system has changed constantly throughout the years from the 1800s till the 2010s.

In the 1800s, America still had the most liberal immigration laws in the world, and immigration has played a significant role in American history. Before the age of lightning-fast communications and transportation, America welcomed a large number of immigrants to populate its unpopulated areas. Following the Civil War, several states enacted immigration

laws, and in 1876, the Supreme Court ruled that controlling immigration fell within federal jurisdiction. 1891 and 1895 saw the creation of the Bureau of Immigration through laws.

Then in the 1900s to the 1950s, from 1900 to 1920, approximately 24 million immigrants landed during what is known as the “Great Wave”. The start of World War I halted immigration from Europe, but once the war ended, large-scale immigration returned, prompting Congress to enact new immigration laws in 1921 and 1924, notably the national origins quota system. By allocating a quota to each nationality according to its representation in previous U.S. census data, immigration was restricted. This quota specifically benefited immigrants from Northwestern Europe. Additionally, in 1924, Congress established the U.S. Border Patrol under the Bureau of Immigration.

Over the next two decades, immigration was extremely low, with net immigration even falling below zero for a few years during the Great Depression. Because the national-origins system from the 1920s persisted after Congress re-codified and consolidated all prior immigration and naturalization laws into the Immigration and Nationality Act of 1952, immigration remained relatively low throughout the 20 years that followed World War II. Under a formal 1951 agreement between the United States and Mexico that made the Bracero Program permanent, American agriculture continued to import seasonal labor from Mexico, just as they had done during the war.

After in the 1960s, Congress instituted a preference system in 1965 to replace the national origins system, with the aim of bringing skilled immigrants to the US and fostering family unity among immigrant groups. This bill significantly moved immigrants' countries of origin

out of Northwestern Europe. In the ensuing decades, applicants for immigration visas began to come primarily from Asia and Latin America, not Europe. The number of immigrants entering annually would more than quadruple as a result of this legislation, rising from about 320,000 in the 1960s to over a million by the 21st century.

Furthermore, in the 1980s, the congress continued to respond to refugees with special legislation, and the preference system kept limiting the annual amount of immigration visas available. The United States lacked a general policy guiding refugee admittance until the Refugee Act of 1980.

The Immigration Reform and Control Act (IRCA) was passed by Congress in 1986. The two main components of this legislation were enforcement and amnesty. Aliens granted amnesty under IRCA had to fulfill two requirements: either they had been continuously residing in the United States since January 1982, or they had finished ninety days of agricultural labor between May 1985 and May 1986. Approximately 94 percent of amnesty applications were accepted, granting about 3 million people legal status.

In the 1990s, Congress changed immigration laws once more in 1990. The 1965 Immigration Act was amended and expanded upon by the 1990 Immigration Act, which markedly raised the overall volume of immigration to 700,000 and increased the number of visas available by 40%. The act kept family reunification as the major entrance channel, while more than doubling employment-related immigration. Additionally, the law allowed for the lottery-based admission of immigrants from "underrepresented" nations in an effort to



diversify the immigration stream. A study on immigration, which became known as the Jordan Commission, was also required by the 1990 Act.

The U.S. Commission on Immigration Reform operated from 1990 to 1997 and was named for its chairwoman, former Representative Barbra Jordan. While covering a wide range of immigration-related topics, the Commission began with the belief that "credibility of immigration policy can be measured by a simple yardstick: people who should get in, do get in; people who shouldn't get in, are kept out; and people who are judged deportable are required to leave." From then, the commission examined every facet of immigration law in four reports. In the first, it was discovered that both inside and at the border, enforcement was lacking and needed to improve. It was suggested that an automated employment verification system be developed for internal enforcement so that employees could differentiate between legitimate and unauthorized workers. The second report recommended that skilled workers and closest family members be given priority when it came to legal immigration concerns. The third report addressed concerns related to asylum and refugees. The fourth report concluded by restating the main ideas of the other studies and the necessity of a new immigration strategy. Few of these recommendations were put into practice.

Congress enacted four smaller amnesties during the 1990s as well. The first was the 1994 Section 245(i) amnesty, which pardoned some 578,000 illegal aliens who had each been fined \$1,000. Afterwards, this amnesty was extended twice more, in 1997 and 2000.

Approximately one million illegal aliens, primarily from Central America, who had been living in the United States since 1995 were granted legal status by the second law, the Nicaraguan Adjustment and Central American Relief Act (NACARA), which was passed in

1997. In 1998, the Haitian Refugee Immigration and Fairness Act (HRIFA) passed after it was argued that barring Haitians from NACARA was discriminatory.

Then in the 2000s, the Legal Immigration Family Equity Act (LIFE) of 2000 was an act that provided a path to citizenship for certain illegal immigrants who were waiting in line for visas. The impact of September 11th was how the terrorist attacks of September 11th led to increased scrutiny of immigration policies and a decline in public support for amnesty.

After the failed Immigration Reform Bills The House and Senate passed conflicting immigration reform bills in 2006, but were unable to reach a compromise. Lastly, despite the defeat of the Comprehensive Immigration Reform Act of 2007 which had bipartisan support, this bill failed to pass the Senate due to public opposition.

Finally in the 2010s, With the 2012 executive order Deferred Action for Childhood Arrivals (DACA), which provided around 700,000 undocumented immigrants who entered as children with temporary protection from deportation, President Obama first turned his attention to immigration. In order to expand visa programs and give some 11 million undocumented immigrants a path to citizenship, a bipartisan group known as the "Gang of Eight" introduced the Border Security, Economic Opportunity, and Immigration Modernization Act in 2013. Nevertheless, the bill failed because the House did not take it up after it passed the Senate. Deferred Action for Parents of Americans (DAPA), which Obama announced in 2014 in an attempt to safeguard millions of parents without legal status, was never put into effect due to legal objections.



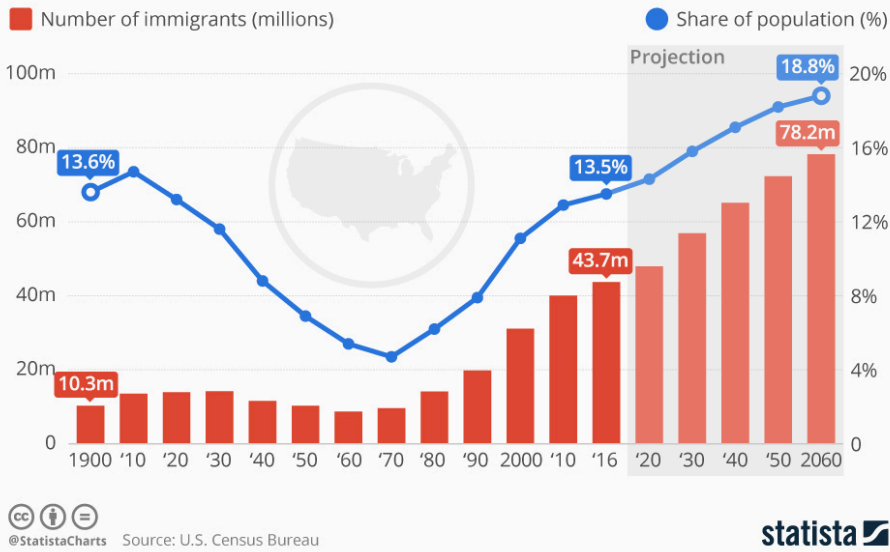
Donald Trump took a tough position on immigration throughout the 2016 presidential campaign, which won over conservative voters and helped him win the presidency. Following his election, Trump implemented a number of initiatives, including the removal of DAPA and a travel restriction that targeted people of particular nations, coupled with plans to phase out DACA. 2018 saw a failure in Congress to enact legislation aimed at protecting DACA individuals and addressing more general immigration issues, as a number of suggested bills were not supported enough. DACA's future remained unclear as a federal judge ordered that the program must once again accept new applicants, and the Supreme Court was still to rule on the matter.

### **3.4. Current Situation**

The United States Immigration has been a changing aspect in the legislation constantly, making it unstable. Roy, et al (2024) affirm that, “Immigrants composed an estimated 13.9 percent of the U.S. population in 2022, amounting to roughly 46 million people out of a total of almost 335 million”, which gives to interpretation that for the most part the economic and social sectors and benefited from the constant flow of immigrants in the US.

## U.S. Immigrant Population Hit Record 43.7 Million In 2016

Number of immigrants in the U.S. and share of population



Note: McCarthy, N. (2017). *U.S. Immigrant Population Hit Record 43.7 Million In 2016*. Statista. Statista. Retrieved from <https://www.statista.com/chart/11534/us-immigrant-population-hit-record-437-million-in-2016/>.

This line graph demonstrates how the number of immigrants is constantly increasing with the passing of years. The highest rate was found in 2016, after almost decades of exponential increase where the numbers grew very fast and they turned into significant rates. In this chart it is also possible to see a prediction, in which by 2060 it is expected that the number of immigrants will reach 78.2 million, which is around double of what it was in 2016. It leaves to interpretation that the immigration system needs to be established in order to control and maintain a stable flow with the passing of years.

The last major attempt to modify immigration laws occurred in 2013, after ten years of debates in Congress on various immigration reforms, some of which were deemed comprehensive and others of which were piecemeal. (The term "comprehensive immigration reform" refers to omnibus legislation that aims to handle the following issues: border security,

interior enforcement, the million unauthorized immigrants living in the country, the demand for high- and low-skilled labor, and their legal status.) President Ronald Reagan's 1986 executive order granting legal amnesty to approximately three million undocumented residents was the last significant piece of legislation to pass Congress. President George H.W. Bush increased legal immigration in 1990 by raising the cap on immigrant visas from 270,000 to 700,000, though he later lowered the quota to 675,000. While working with legislative Democrats, President George W. Bush attempted to compromise on a new comprehensive plan in 2007, but it was ultimately unable to get sufficient support in the Senate.

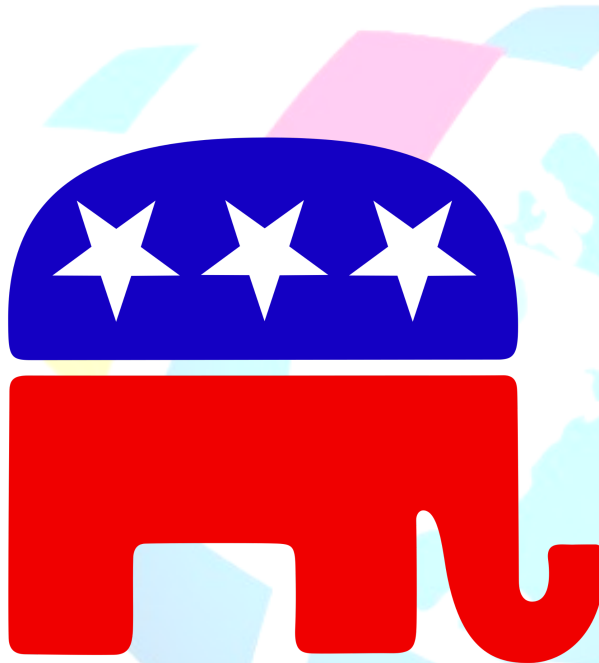
President Barack Obama made a concerted effort to draft a comprehensive plan that combined increased border security measures with a pathway to amnesty for unauthorized immigrants. This law was enacted by the Democratic-led Senate in 2013, but the Republican-controlled House of Representatives never got around to implementing it. Congress did not give President Trump's and President Biden's initiatives any real thought.

Biden ran his 2020 presidential campaign on a platform of undoing nearly all of Trump's immigration measures. Though it did originally maintain many pandemic-related limitations, the Biden administration has since lowered immigration enforcement within the country, abolished the travel bans, expanded green card access for certain undocumented immigrants, and ended the contentious Title 42 policy. The administration also decided to expand TPS protections, end the Remain in Mexico program (with Supreme Court approval), raise the

refugee cap to 125,000 for fiscal years 2022–2024, and restart construction of the U.S.–Mexico border wall after initially stopping work on it.

### 3.5. Block Position

#### Republicans:



Republicans support employing US soldiers to stop migrants from crossing into the US, believe that restricting immigration makes the US safer, and view immigration as a serious threat to the nation (Hammer et al, 2019).

According to Oliphant, J. B., et al (2022), approximately 82% of conservative Republicans believe that enhancing border security should be a top priority for US immigration policy; 54% of moderate and liberal Republicans share this opinion. Comparatively, a third of moderate and liberal Republicans (34%) and around six out of ten conservative Republicans (58%) believe that increasing the number of immigrants deported from the nation is an extremely important aim. (Roughly 60% of Republicans who identify as conservative or lean GOP are conservative).

Additionally, republicans have presented a work plan for the next elections, in which they outline six key points on how they want to secure the border from immigrants (Rappaport, 2024). They include:

1. Secure the border
2. Enforce immigration laws in the interior of the country
3. Increase deportations
4. Strengthen vetting procedure
5. Penalize sanctuary cities
6. Put american workers first

**Democrats:**



Democrats do not see immigration as a serious issue, and they regularly and significantly disagree with Republicans on policy matters (Hammer, et al, 2019).

As stated by Oliphant, J. B., et al (2022), more conservatives and moderates among Democrats than liberals are inclined to

believe that more restricted objectives are very or somewhat significant to US immigration policy. Compared to 44% of liberal Democrats, seven out of ten conservative and moderate Democrats believe that bolstering border security should be a very or somewhat essential aim.

Additionally, compared to liberal Democrats, conservative and moderate Democrats are twice as likely to believe that expanding deportations should be a top priority (50% vs. 25%).

The majority of liberal Democrats (85%) believe that establishing a legal path for the majority of undocumented immigrants to remain in the nation is an essential goal, with 44% saying it should be extremely important. This is a goal that three quarters of moderate and conservative Democrats view as significant, and thirty-two percent of them view it as very essential. Just nearly three out of ten Republicans who identify as conservatives (28%) agree that obtaining legal status should be a top priority, compared to half of moderates and liberals among Republicans.

Moreover, the democratic party has also created a work plan to Secure the border and fix the broken immigration system. They plan to construct a beneficial immigration system so that migrants can safely reside in the US (The American presidency project, 2024). They state multiple aims, such as:

1. Reform the asylum system
2. Temporary Emergency Authority to Shut Down the Border
3. Fighting human trafficking
4. Cracking Down on Trafficking Illicit Fentanyl
5. Legal immigration pathways
6. Keeping Families Together and Supporting Long-Term Undocumented Individuals, including Dreamers
7. Fast, Efficient Immigration Decisions

### 3.6. Case Studies

In the United States, The Supreme Court is the highest jurisprudential authority and the ultimate appeal before the law. It aims to interpret the law through the lens of legal realism, as well as through what was originally meant for the Constitution at the time of its writing. Hence, it has incomparable powers and can overturn or influence any decision made by the President or even the legislative bicameral body. This is because the decisions this court makes, set precedents, and such precedent is looked upon in legislative engineering when designing a law or taking executive action. Here are a few examples of how The Supreme Court Of The United States has actively shaped the topic and aspects of the immigration system:

#### **Department state v. Munoz**

After Sandra Muñoz, an American citizen, married Luis Asencio-Cordero, an El Salvadorian citizen, in 2010, the couple attempted to get Asencio-Cordero an immigrant visa so they could live together in the United States. Muñoz petitioned U.S. Citizenship and Immigration Services to have Asencio-Cordero classified as an immediate relative. USCIS granted Muñoz's petition, and Asencio-Cordero traveled to the consulate in San Salvador to apply for a visa. After multiple interviews with Asencio-Cordero, a consular officer denied his application, citing a clause that renders inadmissible a noncitizen whom the officer "knows, or has reasonable ground to believe, seeks to enter the United States to engage solely, principally, or incidentally in" certain specified offenses or "any other unlawful activity."

However, in the United States ex rel. Knauff v. Shaughnessy, the Court reaffirmed the long-standing principle that "the United States can, as a matter of public policy... forbid aliens



or classes of aliens from coming within [its] borders," and that "no limits can be put by the courts upon" that power. Pp. 8–15. This Court has not interfered with such policy choices, despite the way they affect the spousal relationship. Muñoz would face troubling collateral repercussions if he were to assert his entitlement to procedural due process in another person's legal proceeding. Her stance would introduce a novel interpretation of constitutional law, which would forbid the government from acting in a way that might "indirectly or incidentally" impair the legal rights of a citizen. *Castle Rock v. Gonzales*, Refer to *O'Bannon v. Town Court Nursing Center*, for example. While Muñoz has undoubtedly experienced pain as a result of Asencio-Cordero's visa application being denied, this pain does not grant her the constitutional right to take part in his consular procedure. Pp. 15–18.

### **Trump v. Hawaii**

President Trump issued Proclamation No. 9645, suspending the entry of aliens into the United States, lawfully using the broad discretion granted to him under section of the Immigration and Nationality Act (INA), 8 U.S.C. The Proclamation does not violate the Establishment Clause. The Proclamation placed entry restrictions on citizens of foreign states whose systems for managing and sharing information about their citizens the President deemed inadequate in an effort to improve the vetting processes for foreign nationals visiting the United States. It also identified ongoing gaps in the data required to determine whether citizens of specific countries pose a security threat.

The government's assertion of a valid national security interest is bolstered by three further admission policy elements. First, three nations with a majority of Muslims—Iraq, Sudan, and Chad—have been taken off the list since the President imposed entrance restrictions in



January 2017. Second, the Proclamation contains multiple exclusions for different categories of foreign nationals for those nations that are still subject to entry restrictions. Finally, all covered foreign people wishing to enter as immigrants or nonimmigrants may apply for the waiver program established by the Proclamation. In light of these facts, the government has provided enough national security rationale to withstand a rational basis examination. Pp. 33–38.

### **3.7. QARMAS**

1. What is your senator's and party's stance regarding the immigration system and its subsequent reforms?
2. Why do you think the creation of an immigration system has failed in the U.S.?
3. Do you think politics has an influence in the country's courts and do you think individuals, especially immigrants, are being treated unfairly because of it?
4. Why is it important to establish a stable immigration system?
5. When drafting a Bill, what would YOU propose regarding the immigration system reform?

### **3.8. Useful Resources**

<https://www.presidency.ucsb.edu/documents/2024-democratic-party-platform#ch7>

<https://thehill.com/opinion/immigration/4786522-republican-immigration-policy-2024/>

<https://www.uscis.gov/about-us/our-history/explore-agency-history/overview-of-agency-history/origins-of-the-federal-immigration-service>

<https://library.law.howard.edu/civilrightshistory/immigration/history>

<https://history.state.gov/milestones/1921-1936/immigration-act>

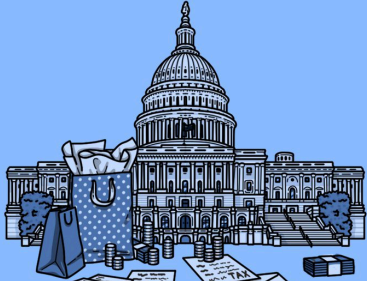
<https://www.pewresearch.org/short-reads/2015/09/30/how-u-s-immigration-laws-and-rules-have-changed-through-history/>



## **Topic B: Fiscal Reform and Economic Disparity**

### **4.1. Introduction to the Topic**

In this time in history, fiscal reform and economic disparity have



## **Fiscal Policy**

*['fi-skəl 'pä-lə-sē]*

The use of government spending and tax policies to influence economic conditions, especially macroeconomic

become one of the most pressing issues for the United States and as a consequence, for the entire world. In a nutshell, fiscal reform concerns the use of the government's revenue (from the public sector and/or taxation) and its impact on the economy. While on the other hand, economic disparity alludes to an economic or social condition that's considered unfair and unequal (this topic also encompasses other issues like systematic racism and discrimination at a nationwide level). One would think and imagine that the world's richest and strongest economy would have no problems maintaining both itself and giving an excellent quality of life for its citizens, however sadly, they would be utterly wrong. Down below are some fast facts provided by the Federal Reserve Bank of St. Louis:

### **Key Takeaways**

For the first quarter of 2024 (through March 31):

#### **How much wealth inequality is there in the U.S.?**

- The top 10% of households by wealth had \$6.9 million on average. As a group, they held 67% of total household wealth.
- The bottom 50% of households by wealth had \$51,000 on average. As a group, they held only 2.5% of total household wealth.

#### **What is the current generational wealth gap?**

- Younger Americans (millennials and Gen Zers) owned \$1.25 for every \$1 of wealth owned by Gen Xers at the same age.<sup>3</sup>
- Younger Americans (millennials and Gen Zers) owned \$1.26 for every \$1 of wealth owned by baby boomers at the same age.

#### **What is the current racial wealth gap?**

- Black families owned about 23 cents for every \$1 of white family wealth, on average.
- Hispanic families owned about 19 cents for every \$1 of white family wealth, on average.

### **What is the current wealth gap by household education?**

- Families headed by someone with some college education (but no four-year degree) had 30 cents for every \$1 of wealth held by families headed by a four-year college graduate.
- Families headed by someone with a high school diploma had 22 cents for every \$1 of wealth held by families headed by a four-year college graduate.
- Families headed by someone with less than a high school diploma had 9 cents for every \$1 of wealth held by families headed by a four-year college graduate.”

Image: Investopedia. (n.d.). *Fiscal policy*. Retrieved from <https://www.investopedia.com/terms/f/fiscalpolicy.asp>

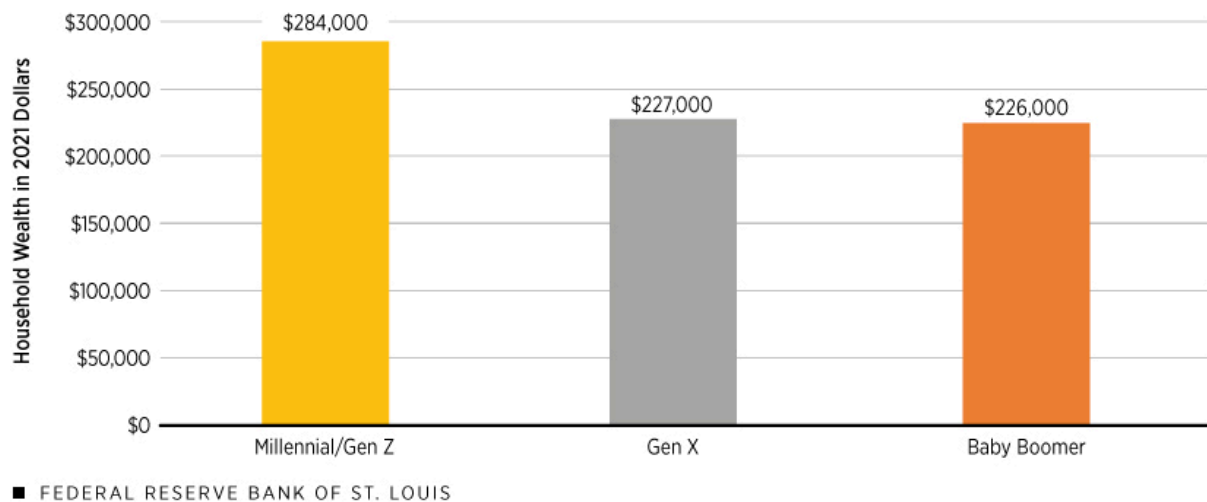


Image: Federal Reserve Bank of St. Louis. (n.d.). *Federal Reserve Bank of St. Louis*.

<https://www.stlouisfed.org/>

Furthermore, it is essential to consider the extreme levels of debt that the U.S. Possess (which will be explained in the current situation), and as of August 18, 2024, reaches a staggering 35 trillion dollars bearing in mind that its GDP is of approximately 28 trillion (on the same dates) indicating a 7 trillion dollar deficit. To sum up its biggest expenses, Medicare goes first with 1.8 trillion, Social Security goes second with 1.4 trillion, and defense goes third with 900 billion. Because of this, and having to raise the debt ceiling every time the U.S. Surpasses its debt limit, Republicans or Democrats both agree on the fact that under their own terms, there must be some type of fiscal reform in American society to prevent a catastrophe.

With its various committees and resources, The United States Senate has the responsibility to oversee and approve budget proposals, further on passing appropriation bills which destine resources to federal agencies. Furthermore, with an “invisible wand” the

Senate also has the power to raise the debt ceiling and force the hand of the executive, which in turn has led to multiple government shutdowns.

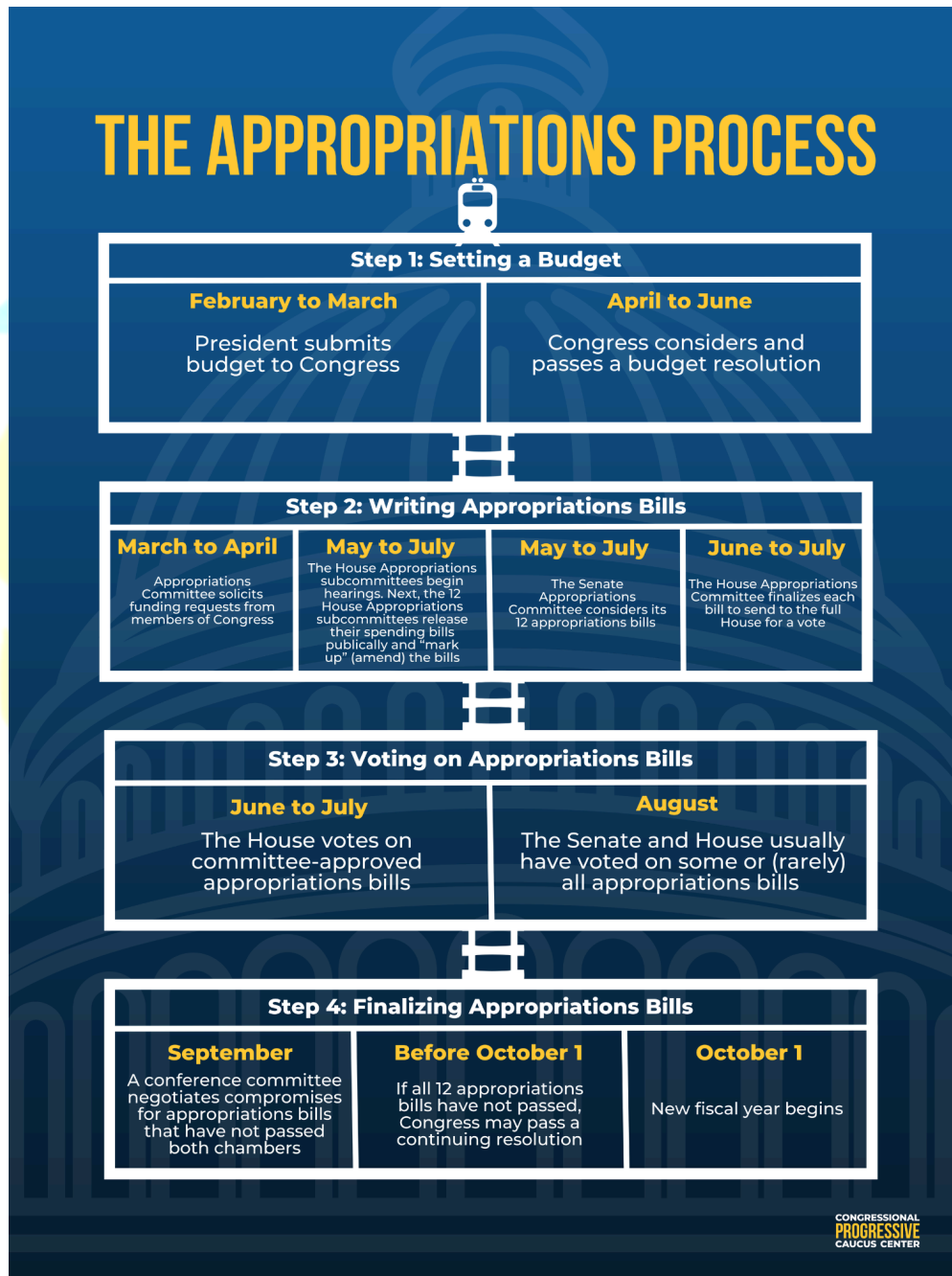


Image: Progressive Caucus Action Fund. (n.d.). *Appropriations timeline*.

<https://www.progressivecaucuscenter.org/appropriations-timeline>

## 4.2. History

Formally, the concepts of economic inequality and fiscal reform began at the end of the 19th century, when the U.S. started to experience high levels of inequality due to rapid industrialization, placing wealth in the hands of the elite. Such figures included Andrew Carnegie (steel industry) and John. D. Rockefeller (gas industry) which were key in the economic development of the country. Because of this, more “progressive” leaders started pushing for the first of fiscal reforms which aimed to reduce “the gap” and redistribute wealth amongst americans. Because of this, the 16th amendment was conceived in 1913, stating that: “The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.” essentially, giving congress the authority to levy an income tax. Based on this newfound principle, a progressive tax system was established where higher incomes were taxed at higher levels (still used today) as well as other taxes for companies, capital gains and others.

This new source of federal income derived from the taxes of citizens, empowered the federal government to establish government agencies, hire government employees, build new and extensive infrastructure, and fund external projects such as the first world war. However, this was short lived, as the great depression impacted the United States in the 1930’s, worsening inequality and increasing poverty and unemployment rates. Nonetheless, under the administration of Franklin. D. Roosevelt, programs like social security were established (as a



means to protect workers) as well establishing public works and labor protections, which in part promoted the foundation for a nationwide social safety net.

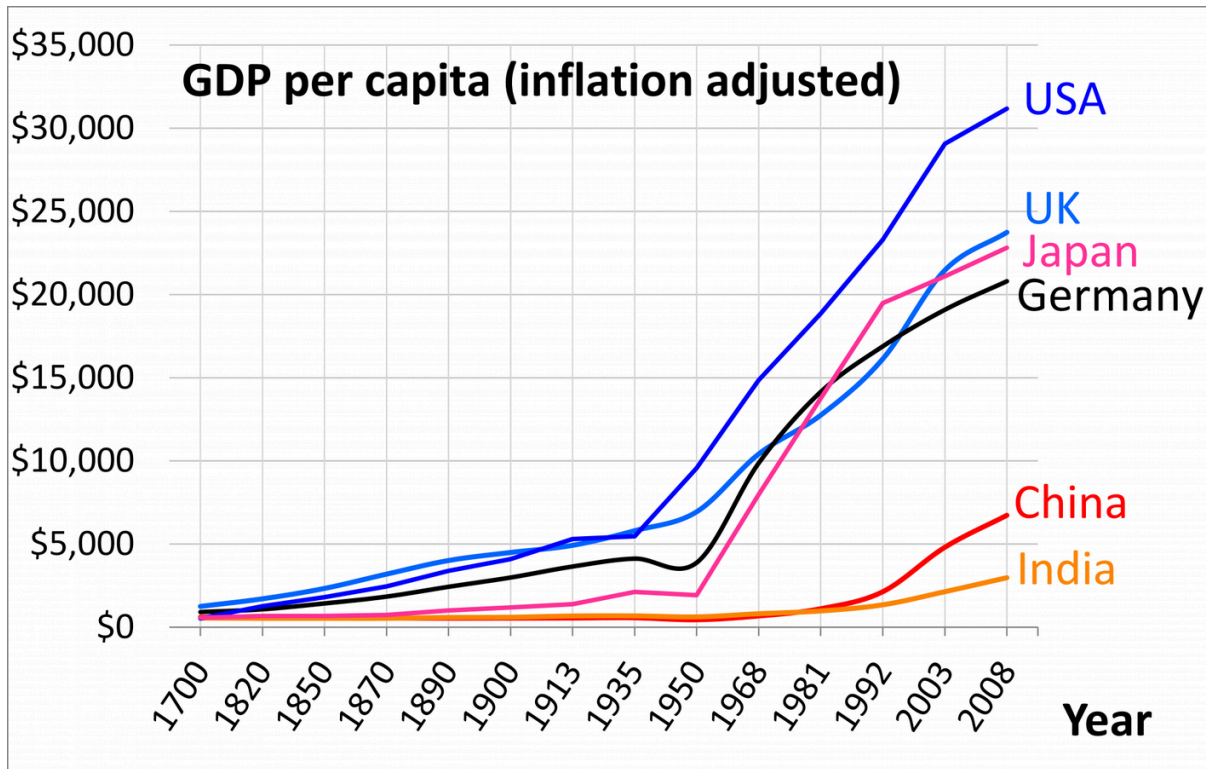


Image: Maddison, A. (2008). *Per capita GDP of China, Germany, India, Japan, UK, USA: 1700 AD-2008 AD.* University of Oxford (https://commons.wikimedia.org/wiki/File:1700 AD through 2008 AD per capita GDP of China Germany India Japan UK USA per Angus Maddison.png)

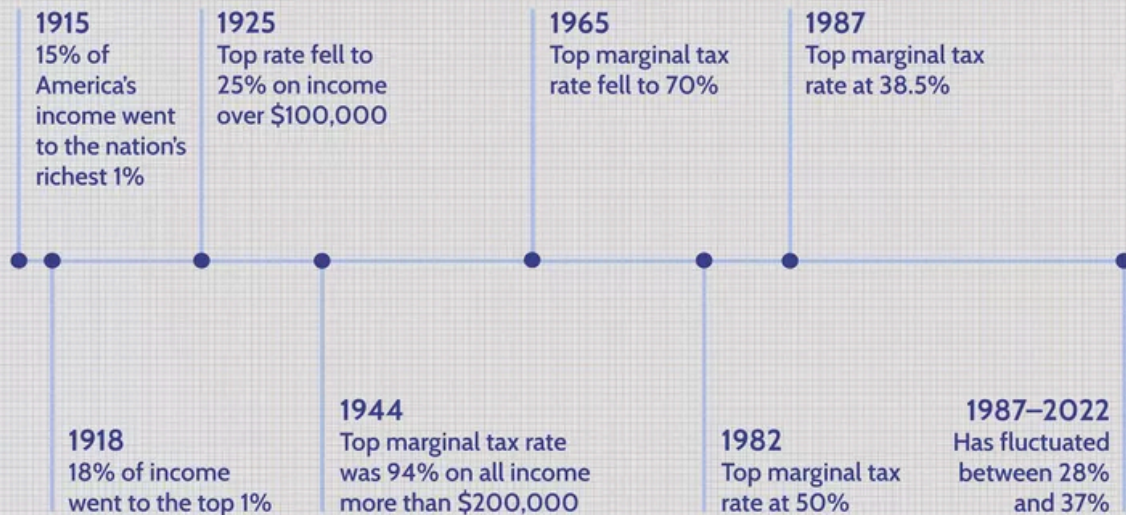
Many argue that the main cause for economic recovery in the United States over the following decades was due to the second world war, since it brought millions of direct and indirect jobs, propping the economy to reset once again. Furthermore, the post world war 2 years saw the rise of the nuclear family and the beginning of the era of consumerism, which many argue prompted the economy even more and saw the foundation of many new



companies and small businesses. On the other hand, President Lyndon B. Johnson introduced programs like medicare, medicaid, greater funding for education and food stamps which still exist to this day in American society. Following this, the 1980's saw the era of Reaganomics, that was doctrine by President Reagan to greatly reduce taxes (especially for the higher earners) in order to promote economic growth and spur investment. During this time, the U.S. Economy grew to large extents, however, many argue that it contributed to rising debt as well as more economic inequality.

The second half of the 20th century saw explosive economic growth and not only placed the U.S. As one of the world's biggest economies, but instead, the biggest of them all, providing loans to other countries and funding overseas projects to expand its never ending influence in the world's politics. Nonetheless, the start of the 21st century also saw many events that shifted the U.S. Culture and politics in favor of a new fiscal reform and a new American dream. For instance, the war on the middle east, the result of events like 9/11, cost the tax-payers trillions of dollars to ultimately end in the retrieval of U.S. Troops and the complete destruction of countries like Afghanistan. Additionally, the mortgage crisis of 2008, triggered by subprime loans and a lack of regulation of the financial sector, caused millions of Americans to lose their homes, savings and pensions.

## Income Inequality in the U.S.




 Investopedia

Image: Investopedia. (n.d.). *Fiscal policy*. In **Investopedia**.

<https://www.investopedia.com/terms/f/fiscalspolicy.asp>

In present-day politics, fiscal reform is a must and both parties say that they have a way of solving America's never ending economic problems (explained in 4.5) It is imperative to look back at the history books, remembering what actions have been effective and what could be changed for future bills in favor of the American people and the greater good.

## 4.3 Past Action

### 1. New Deal Legislation

- Background: Following the Great Depression, President Franklin D. Roosevelt's administration implemented multiple initiatives to address economic disparity and unemployment.
- Essential aspects:
  - Social Security Act (1935): created programs like unemployment insurance, pensions for the elderly, and aid for disadvantaged families, reducing poverty rates, and favoring the elderly population.
  - National Labor Relations Act (Wagner Act, 1935): empowered labor unions, allowing workers to collectively negotiate for improving wages and working conditions.
  - Fair Labor Standards Act (1938): established instruments like federal minimum wage, overtime pay, and harsh restrictions on child labor.

### 2. Great Society Programs

- Background: President Lyndon B. Johnson aimed to combat poverty and racial inequality with a series of social and economic reforms.
- Essential aspects:
  - Medicare and Medicaid (1965): provided health care to the elderly and groups of low-income individuals, improving access to basic services and reducing the previous burden of health costs.

- Economic Opportunity Act (1964): generated programs like Head Start and Job Corps, working towards ending the cycle of poverty through education and other employment opportunities.

### **3. Reagan-Era Tax Reforms**

- Background: President Ronald Reagan's administration emphasized supply-side economics, with the famous doctrine that reducing taxes would spur economic growth and benefit all income levels.
- Essential aspects:
  - Economic Recovery Tax Act (1981): promoting major tax cuts, especially for top earners and corporations, to incentivize economic growth.
  - Tax Reform Act (1986): simplified and defined the tax code, reduced the top individual tax rate from 50% to 28%, and closed many fiscal loopholes to avoid taxes.

### **4. Welfare Reform**

- Background: Under President Bill Clinton, welfare programs underwent significant changes, with a clear focus on reducing dependence on government assistance and encouraging employment.
- Essential aspects:
  - Personal Responsibility and Work Opportunity Reconciliation Act (1996): replaced aid to Families with Dependent Children (AFDC) with Temporary Assistance for Needy Families (TANF), introducing work requirements and time limits on assistance.

## **5. Affordable Care Act (OBAMACARE)(2010)**

- Background: Aimed at reducing income disparity by addressing healthcare access, which disproportionately affected lower-income households.
- Key Actions:
  - Affordable Care Act (2010): Expanded Medicaid eligibility, provided subsidies for private insurance, and implemented measures to prevent discrimination based on pre-existing conditions, improving healthcare access for millions.

## **6. Tax Cuts and Jobs Act (2017)**

- Background: Under President Donald Trump, this legislation marked the largest overhaul of the U.S. tax code in decades, with significant cuts for corporations and the wealthy, sparking debates about its effect on economic disparity.
- Key Actions:
  - Reduced the corporate tax rate from 35% to 21%.
  - Lowered individual tax rates but disproportionately benefited high-income earners.
  - Limited state and local tax (SALT) deductions, affecting taxpayers in higher-tax states.



#### 4.4. Current Situation

From the data and statistics we have observed, and from the history we have read, income inequality is higher than ever and fiscal reform is necessary now more than at any time in history. Normal day-to-day American citizens face trouble paying the bills, sending their kids to school, affording a medical emergency or even, sparing 500\$ dollars for an unexpected expense. In other words, for average earners, life has become too expensive and the American dream is seen as a privilege for the wealthy. Apart from the lack of redistribution of wealth, and high tax burdens enforced on income earners (different from capital gains or companies) there are other factors like inflation, unemployment, artificial intelligence, etc, that affect one's potential earnings and society's ability to maximize those earnings in having a high quality of life.



Although there are multiple campaign promises and perspectives for the redistribution of wealth in America (which will be explained by party in the following point) there is one factor in which both candidates and parties agree upon: the middle class. It is common



knowledge that since its conception, the middle class and the nuclear family has been the bedrock on which the country has been built on, as a result, promoting its economic prosperity and well being, is not only necessary towards pushing the economy forward and expanding industries, but in this case, towards winning an election and changing history.

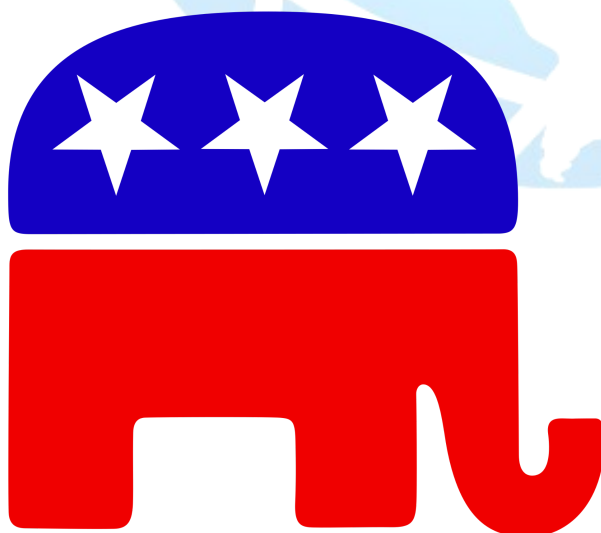
Image: NDTV. (2024, October 1). US elections 2024 explained: The rules of Donald Trump vs.

Kamala Harris debate. *US elections 2024 explained: The rules of Donald Trump vs. Kamala Harris debate* | NDTV.

<https://www.ndtv.com/world-news/us-elections-2024-explained-the-rules-of-donald-trump-vs-kamala-harris-debate-6515920>

#### 4.5. Block Position

**Republicans:**



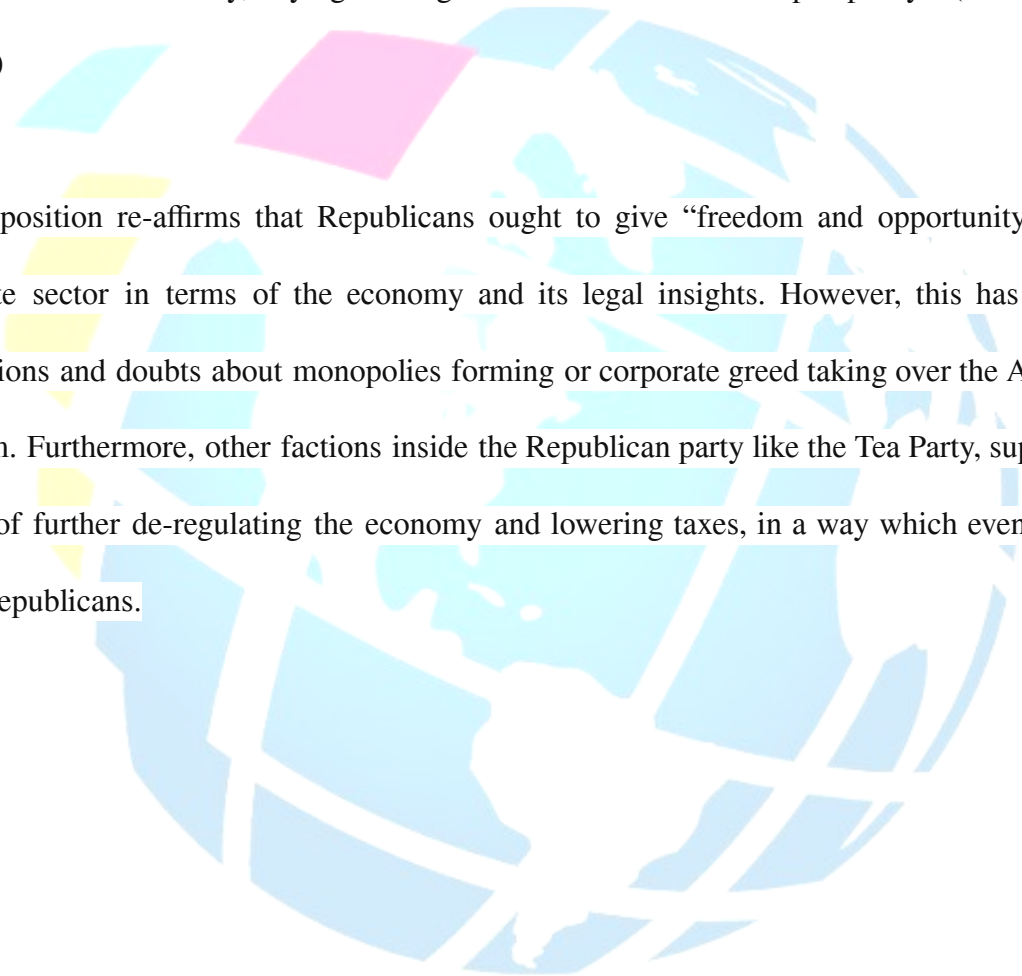
Since its conception, the Republican party and its members have advocated for fiscal conservatism. This ideology is based on the non-intervention by the government on the economy, low taxes and few regulations. In other words, letting the private sector decide on prices and the course of the economy in

general. Recently in 2017, Trump introduced reforms to the tax code which included a lower

burden for corporate tax and income tax for middle class Americans, with the aim of growing the economy and giving more freedom to the individual consumer, while reducing the size and reach of government.

To put it bluntly: “Its 2016 platform affirmed the party’s limited-government position with respect to the economy, saying that “government cannot create prosperity.” (Investopedia, 2024)

This position re-affirms that Republicans ought to give “freedom and opportunity” to the private sector in terms of the economy and its legal insights. However, this has brought questions and doubts about monopolies forming or corporate greed taking over the American dream. Furthermore, other factions inside the Republican party like the Tea Party, support the idea of further de-regulating the economy and lowering taxes, in a way which even worries the Republicans.



## Democrats:



On the other hand, although Democrats believe in letting the private sector operate to grow the economy and provide employment, they do believe in a firmer stance on regulations and protecting the individual consumer. Following this line of thought, similar to the Republicans they advocate for lowering the tax burden on the middle and lower class, however, they support increasing corporate taxes and high earners. As a result, with this increased tax revenue, provide subsidies to those who need it, specially extending tax credits.

To specify future proposals for Democrats: “On a gross basis, we estimate that Vice President Harris’s proposals would increase taxes by about \$4.1 trillion from 2025 to 2034. After taking various credits and tax cuts into account, Harris would raise about \$1.7 trillion over 10 years on a conventional basis, and after factoring in reduced revenue from slower economic growth, the net revenue increase comes to \$642 billion. We estimate the proposed tax changes would reduce long-run GDP by 2.0 percent, the capital stock by 3.0 percent, wages by 1.2 percent, and employment by about 786,000 full-time equivalent jobs.” (Tax Foundation, 2024)

## 4.6. Case Studies

### **Kelo v. City of New London**

The case was centered around the issue of eminent domain, where the City of New London, Connecticut, sought to take private property to facilitate a redevelopment project intended to promote economic growth. The city aimed to replace the aging Fort Trumbull neighborhood with new elements such as hotels, office space, and waterfront development to increase tax revenue and create jobs. Susette Kelo and other property owners appealed this action, arguing that the taking of their homes for private economic development did not constitute "public use" as required by the Fifth Amendment. The Supreme Court, in a 5-4 decision, ruled in favor of the city, asserting that the government could take private property for economic development if it serves a public purpose. This decision sparked significant public backlash, with many arguing it undermined property rights and disproportionately affected low-income communities, raising concerns about economic disparity. The ruling prompted several states to enact laws limiting the use of eminent domain for economic development purposes.

### **Obergefell v. Hodges**

This Supreme Court landmark case addressed the legality of same-sex marriage in the United States (and other economic derivatives of such) Jim Obergefell and other same-sex couples appealed state bans on same-sex marriage and refusal to recognize such marriages performed in other states, arguing that these prohibitions violated the Fourteenth Amendment's guarantees of equal protection and due process. The Supreme Court ruled in a 5-4 decision that same-sex marriage is a constitutional right, affirming that the right to marry

is fundamental and inherent to the liberty of Americans. The Court highlighted that denying same-sex couples the right to marry would undermine the dignity of those couples for no legitimate reason, reinforcing the belief that marriage is a keystone of social order. This ruling not only legalized same-sex marriage nationwide but also had significant fiscal implications, as it affected various laws and regulations regarding marriage benefits, tax filings, inheritance rights, and health care, thus addressing economic disparities faced by LGBTQ+ couples. Obergefell v. Hodges represented a significant step towards equality, reinforcing the principle that economic and social benefits should be equally accessible to all citizens, regardless of sexual orientation.

#### **4.7. QARMAS**

1. What bills has your senator proposed or endorsed regarding fiscal policy and economic disparity?
2. Why is it important to execute fiscal reform on the United States?
3. What has aggravated economic disparity in the country?
4. What is your senator's stance on the topic?
5. What do you propose as a viable solution for the topic?

## 4.8. Useful Resources

<https://www.ndtv.com/world-news/us-elections-2024-explained-the-rules-of-donald-trump-vs-kamala-harris-debate-6515920>

<https://www.stlouisfed.org/>

<https://www.investopedia.com/terms/f/fiscalpolicy.asp>

<https://www.progressivecaucuscenter.org/appropriations-timeline>

[https://commons.wikimedia.org/wiki/File:1700 AD through 2008 AD per capita GDP of China Germany India Japan UK USA per Angus Maddison.png](https://commons.wikimedia.org/wiki/File:1700_AD_through_2008_AD_per_capita_GDP_of_China_Germany_India_Japan_UK_USA_per_Angus_Maddison.png)

### Senators and Representatives

Democrats:

- Sen. Chuck Schumer (D-New York)
- Sen. Dick Durbin (D-Illinois)
- Sen. Elizabeth Warren (D-Massachusetts)
- Sen. Cory Booker (D- New Jersey)
- Rep. Alexandra Ocasio Cortez (D-New York)
- Sen. Joe Manchin (D- West Virginia)
- Sen. Raphael Warnock (D- Georgia)
- President Joe Biden



## Republicans:

- Sen. Mitch Mc Connel (R-Kentucky)
- Sen. John Thune (R- South Dakota)
- Sen. Marco Rubio (R-Florida)
- Sen. Ted Cruz (R-Texas)
- Sen. Lindsey Graham (R-South Carolina)
- Sen. Rick Scott (R- Florida)
- Sen. Rand Paul (R- Kentucky)
- Donald J. Trump

## Independent (adhering to the Democratic Party)

- Sen. Bernie Sanders (I-Vermont)

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<https://www.ndtv.com/world-news/us-elections-2024-explained-the-rules-of-donald-trump-vs-kamala-harris-debate-6515920>