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THE FAILURES OF US-MEXICO IMMIGRATION AND BORDER POLICIES UNDER THE DONALD TRUMP ADMINISTRATION

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Abstract:

The migration problem is already at an urgent stage for a country's national security. The United States has felt the impact of the migration phenomenon changing from positive to negative. Donald Trump, as President, initiated a policy of building a border wall based on America First by prioritizing national security to realize national interests. This study aims to determine how Donald Trump implemented the immigration policy. Furthermore, whether the policy can be implemented successfully or facing failures depends on the implementation. Through Executive Order 13767, the containment of legal and illegal immigrants and the spread of drugs in the United States. This study uses qualitative methods. Data collection in the form of library research. With analysis using the Van Metter and Van Horn policy implementation method. Which then resulted in the policy being considered unsuccessful. Because Trump's policy stopped in the middle of the road and did not continue with the next President, only negative impacts emerged due to Trump's border wall construction policy.

Keywords: Donald Trump, Executive Order, Immigration policy, US-Mexico Border

INTRODUCTION

Migration is a phenomenon of human movement to other areas that has spread since World War. This phenomenon is still present in amid national life due to the push of globalization and security factors. International migration can generally analyzed at several levels: individuals, families, or communities. (Setiadi, 2012)

Immigrants are defined as people who move from one country to another for specific purposes, such as social, political, security, economic, health, education, and transportation. (Febrianti, 2017). International immigrants can divided into three categories: job seekers, asylum seekers, and refugees. The differences in the conditions of each migrating individual are a significant concern and focus for the country. The destination country, as a provider of facilities for migrants, needs to identify and adjust their primary needs. Security includes social security. The Universal Declaration of Human Rights states that social security should be protected. The government is the one that should take action to protect social security, which includes fundamental rights such as decent housing, hospitals, and schools for all citizens, food availability, protection for orphans, employment opportunities, and security. (Juned & Saripudin, 2018)

Immigration arrivals to the United States continue to soar, which is a sign that immigrants live a life in America to be better than in their home countries. In 2020, the total number of immigrants to the United States reached 50,632,836 people. Around 10.94 million immigrants came from Mexico (Dashboard Sub-Pages, nd). At that time, this number has increased several times since 1970, with 9.6 million immigrants. (Alamari, 2020)



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Immigration is a sensitive issue for the United States, especially when the country fails to control the entry of immigrants into the country. Immigrants who enter, either through legal or illegal channels, significantly impact the United States. Immigrants who enter through illegal channels are even more numerous than immigrants who enter the United States legally. So, the problem of immigrants issue in the United States encouraged Trump as President to formulate a policy to handle the issue. Trump's policy usually began with the National Security Strategy (NSS), which every President serving in the United States has always done. Every President of the United States primarily focuses on compiling his NSS. President George W. Bush focused on "Global on Terror," a polemic of international security at that time. The focus of the NSS differs from that of President Barack Obama, who prioritized "American Leadership" and "Leading from Behind," which focused on economics and politics in internationalism. Meanwhile, Trump prioritized national interests through "America First" to strengthen the country from within.

After Donald Trump was elected and officially inaugurated as President in 2017, Trump poured his ideas into the National Security Strategy 2017, which consists of four pillars. The first pillar is to protect and safeguard the people, homeland, and lives of the United States. The second pillar is to promote American prosperity. The third pillar is to maintain peace through strength. Moreover, the fourth pillar is to advance American influence. Through the NSS 2017, the implementation of "America First" can be realized. Another step the President takes to help implement policies is to provide a mandate as an "Executive Order" to support these policies. The executive order is a one-of-a-kind policy that directive straight from the President of the United States to regulate federal government operations. As a new beginning, Trump pushed to implement the policies he had designed, one of which was through Executive Order Number 13767 on increasing border security and immigration enforcement. (Federal Register Government, 2021).

Previous research related to wall construction policy by Irvan Ihram Siregar (Siregar 2020), in his research results, stated that Trump has desire to build a wall/fence has triggered pros and cons from various parties. During his administration, Trump proposed building a 3,200 km long wall along the border with an estimated cost of around 8 to 10 billion US dollars. The debate over this construction led the American government to shut down. Additionally, Trump considered that the US-Mexico border had more negative than positive impacts since the first border fence in the 1940s.

This research was to explain the implementation of policies proposed by Donald Trump in dealing with immigration issues, especially regarding border security, through the plan of building a wall/fence that separates the United States and Mexico, along with the impacts arising from the policy. The author also wants to learn more about the relationship between the United States and Mexico after the fence-building policy.

METHODS

The author used qualitative research as a method to discover how the policy was implemented. Qualitative research by Denzin and Lincoln is defined as an activity carried out by observing the world. The observation then becomes a set of interpretive material practices that show the world. These practices change the world through representations such as conversations, field notes, interviews, personal memos, photographs, and recordings. (Addington-Hall & Addington-Hall, 2007). Qualitative methods in this study aim to understand the decision-making and implementation of policies in handling the United States immigration issue in the Donald Trump era, which then obtained results in the form of conclusions. The researcher used library research in data collection. According to Syaibani (2012), library research is an effort to find or collect relevant



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data and information about the researcher's problem topic. All data and information obtained from books, dissertations, reports, scientific journals, theses, laws, regulations, or other sources, and electronic sources. (Azizah, 2017). In the library study of data collection technique, the researcher took data from official documents regarding Executive Order 13767, immigration policies through scientific journals, and the situation and conditions of immigrants and the United States government through reports and news.

RESULT AND DISCUSSION

After Donald Trump took office as President, he addressed the immigration issue. In his 2017 campaign, Trump proclaimed that he would try his best to reduce the number of immigrants that would possibly enter the United States each year during the Trump administration. In his view, the immigration issue had disrupted the United States' national security. Therefore, Trump decided to follow up seriously on the issue that threatened national security by formulating policies regarding immigrants, especially undocumented or illegal immigrants.

The executive order with the theme of "Border Security and Immigration Enforcement Improvements" contains information about border security to improve immigration enforcement, referring to the border wall between the United States and Mexico. The purpose of the executive order is to direct executive departments and agencies, then deploy all the legitimate means to secure the border, prevent further illegal immigrants from entering the United States, and repatriate the illegal immigrants quickly, consistently, and also humanely. (Executive Order: Border Security and Immigration Enforcement Improvements – The White House, nd)

The policies of Executive Order 13767 include:

1. Securing the border by building a wall/fence on the southern border US-Mexico would be monitored and supported with adequate personnel.
2. Detaining individuals arrested on suspicion of violating federal law
3. Expediting claims for eligibility of arrested individuals to reside in the United States
4. Relocating individuals whose claims were already denied after appropriate civil or criminal sanctions had already been imposed
5. Work with state and local law enforcement to enforce the priorities of federal immigration.

In implementing Executive Order 13767 to tighten border security, the United States Customs and Border Protection commissioner will recruit 5,000 additional border patrol agents. The government will also take all appropriate actions and allocate legally available resources to establish, operate, and control alien detention facilities at or near the border. In addition, the government will ensure that unaccompanied immigrant children are appropriately processed and would receive appropriate care and placement. At the same time, the Department of Homeland Security (DHS) would take custody and return the children safely according to law. (Executive Order: Border Security and Immigration Enforcement Improvements – The White House, nd)





Source: BBC
Figure 1. US-Mexico Border Fence

The United States-Mexico border fence itself began in 1951. As can be seen from the map above, the United States-Mexico fence has been erected in three states, namely California, Arizona, and New Mexico. However, the border fence along Texas is still not enough to cover the United States-Mexico border. (Live From the Oval Office, Trump Urges Border Wall Funding - BBC News Indonesia, 2019). As president-elect, this condition also prompted Donald Trump to complete the border fence construction under the pretext of national security, focusing on interests. In addition to constructing the fence, Trump also proposed replacing the border fence, which was considered not up to standard or inadequate.

Donald Trump's immigration policy was formed by adhering to the 2017 United States national security strategy that prioritizes national interests entitled "America First." National security itself is something that a country needs to fight for to maintain its sovereignty and existence. The anarchic state of the international system has resulted in countries needing to take self-defense, self-help, and struggle for power actions. The meaning of national security will differ for each country depending on the ideology, domestic conditions, and threats the country faces. National security is important because the country cannot fulfill its national goals and interests if national security is not secure. Trump has adhered to building a wall to protect national security.

Policy implementation can explained through the policy implementation model by Van Metter and Van Horn. According to Van Metter and Van Horn, policy implementation is an action that is taken by individuals and groups (public or private), which is directed towards subjective achievements determined after the process of policy decision.(Van Meter & Van Horn, 1975). In the process, Van Metter and Van Horn state that the nature of the policy will influence its implementation. Trump's implementation of immigration and border policies is positive because it is an action by the government related to a particular problem. They also put forward the existence of variables that connect policy issues and performance, including the following;

Policy Standards/Measures and Policy Objectives. Policy standards and policy objectives are a breakdown of how the overall objectives of the policy decisions will be taken. The overall objective of this policy is an effort to suppress the number of illegal immigrants who are coming to the United States through the southern border of Mexico. The suppression of immigrant numbers is followed by building a wall along the United States-Mexico border. This policy was formulated when the immigration issue had become an issue that threatened national security. The rampant crime cases, especially drug abuse initiated and supplied by Mexico, directly made immigration and border policies necessary to implement.

Resource. Maximizing resource utilization will increase the chances of successful policy implementation. Resources can be human resources and/or financial resources. Both can be a unit that will bring success or vice versa. Human resources in implementing Trump's immigration and border policies collaborate with related departments and involve military forces on the border. The departments related to immigration and borders are the US Customs Border Protections (CBP), US Coast Guard, US Department of Defense (DoD), US Department of Homeland Security (DHS), US Immigration and Customs Enforcement (ICE), and Transportation Security Administration (TSA).

Besides human resources, financial resources are also an important component that supports the implementation of policies, especially the policy of the Southern wall border. Trump has proposed funding for the construction, which is estimated at US\$5.7 billion. Trump also stated that Mexico needs to participate in funding the construction of this wall because it directly borders Mexico.

Characteristics of Implementing Agents. In terms of the characteristics, we need to see whether the components of the agent's characteristics are formal or informal structures. The characteristics of the proper and suitable implementers significantly affect performance on policy implementation. The context of policy will determine the characteristics of the implementer: disciplined and firm or democratic and persuasive. In implementing Trump's border wall policy, the characteristics of the implementing agent should be firm and disciplined because this policy concerns the national security United States of America. Illegal immigrants must also know that the implementing agents will not let them in easily. In June 2018, illegal immigrants in the United States that were sent to federal prisons reached 1,600 people, according to the Immigration and Customs Enforcement (ICE) authorities. The act of sending prisoners from detention centers to federal prisons is an implication of Trump's policy in restricting the entry that is usually used by illegal immigrants into the United States. The detention of illegal immigrants in federal prisons drives the need for immigration authorities for bed facilities. One thousand units are needed in Victorville, California; 209 in Sea-Tac; 230 in La Tuna, Texas; 230 in Sheridan, Oregon; and 102 in Phoenix (Saputra, 2018). The average number of immigrants detained in 2018 reached more than 44 thousand per day. Secretary of Homeland Security Kirsjen Nielsen agreed with Trump's immigration policy. According to her, under the law in the United States, immigrants are not allowed to use the reason for seeking asylum as a pretext to seek employment. (Padden, 2018)

Inter-Organizational Communication and Implementation Activities. Every policy implementer should communicate within the framework to deliver information so that the standard and policy objective can be understood and implemented appropriately and accurately. However, communication can be difficult if the information from superiors to subordinates deviates from what is expected. There will be no match in understanding the standards and objectives of the policy.

Donald Trump, as President, continues to echo the plan to build a wall as part of the Executive Order 13767 policy. Finally, all citizens, even world organizations, know Trump's policy plan. However, its implementation hampered communication between Congress and the President. After submitting a budget of US\$ 5.7 billion for the wall's construction, Congress firmly rejected it, and then there was a government shutdown. Trump continues to try to submit a budget that will be used for the construction of the wall, and in the end, Congress allows the use of funds for construction. However, the funds that Trump wants and those currently held are very different. The funds that Trump received were only around US\$ 1 billion.

The Attitude of the Implementers. Van Metter and Van Horn argue that the attitudes of the implementers were influenced by the views of a policy and how they see the impact of the policy on



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organizational and personal interests. These three elements are considered: attitudes or tendencies, namely, cognition (understanding), direction of response, and intensity of response. As is known, Congress is one of the implementers of the policy because, without Congressional approval, the wall construction budget cannot be disbursed. Congress thinks that this policy is detrimental. Thus, Congress rejects the disbursement of funds for the policy. Congress also continues to respond by rejecting Trump's wall policy.

Most of those who oppose passing the wall funding bill are Democrats, although some Republicans also oppose the policy. The debate between the two parties is no stranger; the opposition Democrats are always oriented towards the interests of the general public, while the Republicans prioritize individual interests and freedom. So, it is difficult for both parties to reach an agreement, although it is not impossible.

Economic, Political, and Social Environment. Lastly, the external environment can contribute to the success of the policy. Failure in implementation can be found in the economic, political, and social environments that do not go hand in hand. If external conditions are not conducive, it will cause chaos, so policy implementation will be harmonious. In the economic environment, Trump's wall construction policy does not meet the standards proposed, so from the economic environment, this policy has also failed. From the political environment, namely the President's inconsistency with Congress, the policy is continuously delayed, and implementation can make progress after a long time. The last is the social environment. The demonstrations that occurred as an effort to prevent the construction of the wall did not immediately become an obstacle, but reconsidering the policy was the right choice. Directly, we can know whether the policy will succeed or fail when looking at the three external environments that are not conducive, plus communication and financial resources can be harmonious.

In the policy of building a wall through Executive Order 13767 by Donald Trump, an implementation gap was created if examined more closely. This term refers to a condition that explains the possibility of a difference between expectations and reality in implementing a policy. (Abdoellah & Rusfiana, 2016). The implementation gap in the case of the construction of this wall refers to the budget proposed by Donald Trump. Where Trump hopes that the budget approved by Congress will be around US\$ 5.7 billion, but in reality, Congress only allows the expenditure of around US\$ 1 billion. The budget is crucial in building the US-Mexico border wall, so the apparent inequality will only fail the policy.

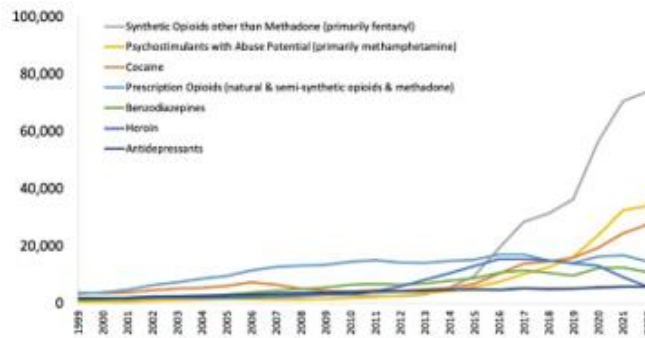
One of the reasons President Donald Trump made the policy of building a wall beside the immigration issue is the war against the United States. Mexico supplied about 70% of narcotics to the United States (Muslim & Burhanuddin, 2024). The 2019 report entitled "National Drug Threat Assessment," reported by the Drug Enforcement Administration (DEA), stated that narcotics and criminal organizations, both domestic and transnational organizations, are still contributors to threats to community life. In 2017, the death rate from drugs was recorded as the highest, exceeding the number of firearm deaths, suicides, traffic accidents, and homicides. An estimated 192 people die every day from consuming narcotics. It also reported that fentanyl is the leading root cause of the opioid crisis. The countries that supply fentanyl are also the places where dealers are located, from Mexico and China. The smuggling of fentanyl itself is carried out by land on the southwest border of the United States, also by air route with international mail and fast consignment carriers as methods or containers for carrying out these actions. (Upaningtyas et al., 2022)

War on Drugs is a term used in 1970 as an effort to combat drugs throughout the country. The United States became the first country to wage a war on drugs. The War on Drugs campaign was



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aimed at preventing the production, distribution, and consumption of drugs that were considered illegal by the United States and the United Nations (UN). The 37th President of the United States, Richard M. Nixon, was the figure behind the war on drugs movement. Nixon announced that drugs were the number one enemy of society. This campaign was created after the chaos caused by drugs that attacked and damaged the younger generations in the United States. (Lintang, 2023).



*Includes deaths with underlying causes of unintentional drug poisoning (840-844), suicide drug poisoning (850-854), homicide drug poisoning (885), or drug poisoning of undetermined intent (Y10-Y14), as coded in the International Classification of Diseases, 10th Revision. Source: Centers for Disease Control and Prevention, National Center for Health Statistics, Multiple Cause of Death 1999-2022 on CDC WONDER Online Database, released 4/2024.

Source: (National Institute on Drug Abuse, 2024)

Figure 2. U.S. Overdose Death, Select Drugs or Drug Categories, 1999-2022

The data graph above shows a tendency for deaths due to overdose of various types of drugs from 2014 to 2017, but not with statistics on antidepressants, which show that they remain stable from year to year. Deaths due to overdose of illegal fentanyl use are the highest cases of death, with an increase of 20,000 people in 2016 to 40,000 people in 2019. Not only does it affect the younger generation, but people over the age of 65 also participate in drug abuse. According to data from the National Center for Health Statistics (NCHS) report that there have been three-fold overdose deaths that have increased among people over the age of 65 in the past two decades, from 2,4 deaths per 100,000 people in 2000 to 8,8 deaths per 100,000 people in 2020. The death rate from the use of fentanyl and synthetic opioids increased by about 53% from 2019 to 2020 among people over 65. (Drug & Alcohol Deaths on the Rise Among Older Americans, 2022)

The stagnant increase in deaths due to drug overdoses has prompted Donald Trump to continue the war on drugs. The initial policy that Trump will formulate to stem the distribution and consumption of drugs in the United States is to cut off the supply lines used by dealers. Trump argues that most of the drugs that are widely distributed in the United States are sent through neighboring countries using the United States and Mexico border. Therefore, Trump is pushing for the construction wall/fence on the border United States and Mexico.

Implementing the policy to stem the spread of narcotics on the United States border, there are three main activities to direct the targeted policy programs, namely;

1. Interpretation. Interpretation explains the activities that translate meaning and programs, such as in the agreed arrangement. As President of the United States, Trump firmly asserts that national security must be achieved to realize national interests. The rampant issue of immigration is one of the national security urgencies for the United States. Immigrants who pass through the United States-Mexico border, both legally and illegally, have the same risk of developing and distributing drugs. Drug activity in the United States has worried the



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government regarding the survival of its citizens. It is seen in the graph of data on deaths from drug overdoses, which continue to increase even though some types of drugs have not experienced an increase in deaths. However, this is what supports Trump in building a border wall to stem illegal immigrants and stop drug trafficking. Illegal immigrants and drug trafficking are the main reasons Trump made the policy of building a wall. The policy of building a border wall was then designed and discussed with Congress to be ratified and implemented.

2. Organization. Units or containers that place programs in achieving policy goals. The United States border wall construction involves various government departments, such as ICE, CBP, DHS, DoD, and TSA. For matters of stopping the spread of drugs through the border, the departments in charge are the Ad Council, Customs and Border Protection (CBP), Drug Enforcement Administration (DEA), Office of National Drug Control Policy (ONDCP), and Truth Initiative. All of the departments work together in detaining illegal immigrants carrying drugs, immigrants smuggling drugs through cargo in vehicles at the border and confiscating evidence of drugs to then hand over to the Department of Justice (DOJ).
3. Application/Implementation. In implementation activities, focus on routine equipment and services to support policy implementation. In addition to the border wall construction policy, the United States' efforts to stem the distribution and consumption of opioids include securing US\$ 6 billion over two years. As of September 19, 2018, the government has provided more than US\$ 1 billion to state and local agencies to help address the opioid crisis. The Substance Abuse and Mental Health Services Administration (SAMHSA) has supported prevention, treatment, and recovery efforts by providing US\$930 million in grants. The Health Resources and Services Administration (HRSA) has provided more than US\$396 million to 1,232 community health centers, 120 rural organizations, and academic institutions. The Centers for Disease Control and Prevention (CDC) has provided more than US\$194 million to states, territories, tribes, and partners to support prevention and efforts in data collection for combating the opioid crisis.

Immigration policies implemented by Donald Trump have sparked much controversy; on the other hand, these policies have opened the eyes of the government regarding efforts to reduce illegal immigrants in the United States. Even so, there has been a significant impact on the United States government. Moments after Donald Trump held a meeting with Congress, the United States experienced a government shutdown. This incident was triggered by Congress's disagreement with the budget for Trump's operation policy to build a wall/fence around the United States-Mexico. The government shutdown incident during the Trump administration did not only happen once. Throughout 2018, the United States government temporarily stopped government activities three times regarding discussions on the budget agreement.

The duration of a government shutdown significantly affects the continuity of the United States government. The longer the government encounters the shutdown, the greater losses that the country will experience. The government shutdown occurred from December 2018 to January 2019, and the United States is estimated to have suffered losses of US\$3.6 million/day. The United States Council of Economic Advisers Chairman also argued that the United States' economic output is estimated to be cut by around 0.1 percent every two weeks. The impact of this event was not only felt by the government but also by individuals, especially those who work in the scope of government. Around 800,000 government workers worked without getting paid, hundreds of thousands of other employees were forced to be sent home or on leave (furlough), and more than 1 million employees experienced delays in receiving their salaries. Nine of the 15 ministries and state agencies did not receive salaries. The government shutdown also has the potential to impact the



operations of security institutions, which are feared to cause chaos domestically and abroad. In addition to institutions and ministries, zoos and national museums also experienced service closures. (Hidriyah, 2019)

After Donald Trump announced plans to construct a wall along the United States border with Mexico, Donald Trump also stated that Mexico is the reason for the construction on the southern border US. Trump also demanded that Mexico should participate in funding the construction. Hearing this, the Mexican President, Enrique Peña Nieto, firmly rejected and criticized Donald Trump's decision to build the border wall. After his term of office and the change of the new President in Mexico, Andrés Manuel López Obrador as president-elect, in line with the previous President, also expressed objections and rejection of Trump's statement that Mexico was also responsible for the construction of the border wall.

Two governments and sovereign countries could also connect through cooperation to come across solutions to problems that are related between countries through agreements, negotiations, etc. (Andiani & Juned, 2024). President Andrés Manuel López Obrador was under pressure from Donald Trump to stop the migration flow to the United States in 2018. The situation between the two countries heated up, so the two countries planned to hold a meeting with negotiators. Negotiators from both countries will hold a meeting to stop and control the flow of illegal immigration from the United States and Mexico; both countries also agreed to cooperate. It was not until June 2019 that the United States and Mexico finally reached an agreement to control the issue of illegal immigration. The commitment made by the United States and Mexico was in the form of a cooperation agreement to strengthen control over immigration, expand the Migrant Protection Protocol (MPP), deploy the National Guard on the border, and Mexico became a host for more asylum seekers from the United States. (Najihah, 2021)

CONCLUSION

The author studied the implementation of Donald Trump's policy through the implementation policy model by Van Meter and Van Horn. This model helps the author determine the success of Trump's policy. The results obtained by the author from the implementation of Trump's policy by Van Meter and Van Horn were that the implementation of the wall construction policy through Executive Order 13767 was unsuccessful. The reasons include, among others, hampered financial resources, lack of cooperation and communication between implementers, and lack of attitudes from implementers. Despite the failure, Trump continued to encourage all implementing agencies to be able to implement this policy as an effort to control illegal immigration in the United States. Sometime later, the construction wall could meet the realization. However, not long after that, the United States experienced a change in President, which resulted in the abandonment of the immigration policy, which would then be considered as the failure of the policy implementation.

Similarly, the eradication of drugs, which Trump considered could realized along with the construction wall. However, in reality, the war on drugs has been going on since 1970 until now. The decline in the entry of drugs did decrease, but after a few years, there was an increase in the number of confiscated goods and also the number of deaths.

Trump's policies also impacted the United States government and its relationship with Mexico. The government shutdown resulted from Trump's insistence on implementing the policy of building a wall/fence on the southern border. In addition, the relations of the United States with Mexico also heated up, but this did not last long because the two countries initiated a cooperation agreement in 2019.



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