

US SENATE

Study Guide

Legislative Control of Federal Deportation Policy

TROYMUN VIII

28-30 November 2025

CANAKKALE TROY MODEL UNITED NATIONS



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I. Letter from the Secretary-General

Highly Esteemed Delegates,

First and foremost, I would like to express my sincere gratitude for your interest and enthusiasm regarding our conference. My name is Yaren Keçili, and I have the honor of serving as your secretary-general for the 8th edition of the Troy Model United Nations Conference this year. I embrace this role with immense appreciation.

Similar to previous years, we have dedicated our efforts to creating a range of engaging and diverse committees for your benefit. We take great pride in the work we have prepared for you and sincerely hope that you will find it beneficial as well. Both the academic and operations teams have been working very hard to serve you to the best of their abilities and give you an unforgettable experience.

I wish to show my gratitude and express my thankfulness to your Under-Secretary-Generals, Charlotte Ela Akın and Simay Kırgız, and your chair board member, Hilal Yaman. All my teammates made great efforts in the process leading up to the conference. Hence, they need all the praise for their hard work.

I trust that all our delegates will engage in enlightening discussions throughout the three days they are with us, cultivate creative solutions to global challenges, be at the forefront of diplomacy and academia, and enjoy the experience in the process. Once again, I would like to welcome you all to both the conference and the committee. Buckle up and get ready because We have prepared an incredible ride for you.

Yours Sincerely,

Yaren Keçili
Secretary-General of Troy Model United Nations 2025

II. Letter from the Under-Secretaries-General

Distinguished Delegates,

First of all, we would like to give you the warmest welcome to the eighth annual edition of TroyMUN'25! We are Ela and Simay, and it is both a pleasure and an honour to serve as your Under-Secretaries-General for this year's conference. We would also like to thank our chair, Hilal, who has dedicated herself to the well-being of our committee.

This year, the U.S. Senate will be discussing the important and timely topic of Legislative Control of Federal Deportation Policy. Unlike other committees, this committee offers a unique space to focus specifically on legislative oversight and its real-world implications.

We strongly recommend that you read this study guide carefully, as it provides essential background information, context, and resources to help you prepare. Additionally, please make sure to review the [Rules of Procedure Guide](#), as understanding the committee's procedures will allow you to participate effectively and efficiently. We also encourage you to go further than the study guide: research additional sources, consider real-world examples, and develop your own ideas and solutions.

We are looking forward to seeing your energy, collaboration, and passion during the conference, and we are confident that this session will be both productive and enjoyable for everyone involved.

Warm regards,

Charlotte Ela Akın & Simay Kırgız
Under-Secretaries-General responsible for
U.S. Senate Committee

III. Introduction to the Committee

The United States Senate is one of two chambers of the U.S. Congress, the legislative branch of the federal government. Established in 1789 under Article I of the U.S. Constitution, the Senate consists of 100 members, two from each state, who serve staggered six-year



terms. As a deliberative body, the Senate plays an important role in shaping national policy, passing legislation, confirming executive and judicial appointments, and ratifying international treaties .[\[1\]](#)

The Senate is known for its attention on debate, minority rights, and institutional procedures such as the filibuster. It works alongside the House of Representatives to draft and pass laws, but holds unique powers, including the sole authority to conduct impeachment trials and confirm presidential nominees to the federal judiciary and cabinet. [\[2\]](#)

Senate committees are central to the legislative process. They conduct hearings, review bills, and oversee federal agencies to ensure accountability and transparency.

The U.S. Senate consists of 16 standing committees, which are permanent and include subcommittees, as well as 4 select or special committees that focus on temporary or specialized issues. In addition, the Senate participates in several joint committees shared with the House of Representatives, such as those on Taxation and Printing. Altogether, the Senate has 20 committees of its own, plus participation in 4 joint committees with the House.

Committees ,for instance; Appropriations, Judiciary, Foreign Relations, and Armed Services help shape the nation's laws and priorities across a wide range of issues . [\[3\]](#)

IV. Introduction to the Agenda Item:

Legislative Control of Federal

Deportation Policy



Federal deportation policy in the United States

determines who can be removed from the country, under what conditions, and through which legal procedures. While enforcement is carried out by executive agencies such as Immigration and Customs Enforcement (ICE), the legal authority to define, limit, and fund deportation practices rests with Congress. This agenda item examines how the legislative branch, particularly the Senate, has control over deportation through statutory law, budgetary power, and oversight mechanisms [\[4\]](#).

Congressional influence is most visible in landmark laws like the Immigration and Nationality Act (INA) and the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA), which set the legal grounds for removal, detention, and appeals. These laws also define categories of noncitizens subject to deportation, including those with criminal convictions or visa violations [\[5\]](#).

Beyond lawmaking, Congress controls deportation policy through appropriations. Funding decisions affect the number of immigration judges, detention beds, and deportation flights. For example, Immigration and Customs Enforcement (ICE)'s annual budget, approved by Congress, determines how aggressively removal operations will be pursued [\[6\]](#).

Oversight hearings held by Senate committees allow lawmakers to question agency practices, investigate abuses, and propose reforms. These hearings have addressed issues such as racial profiling, family separation, and the use of private detention centers. Legislative control also

includes the power to block or codify executive actions, such as deferred action programs or enforcement priorities [\[7\]](#).

This agenda item aims to invite delegates to explore the constitutional boundaries of congressional authority, the impact of legislative decisions on civil liberties, and the role of the Senate in shaping a transparent and accountable deportation system.

V. Background and Historical Context

Congressional control over deportation policy has evolved over more than a century, shaped by landmark legislation, shifting enforcement priorities, and constitutional debates. Below are some of the key historical milestones that highlight how the U.S. legislative branch has asserted its authority over deportation:

- **1882 – Chinese Exclusion Act:** The first major federal law to restrict immigration and authorize deportation. It marked Congress's initial use of deportation as a tool of exclusion based on nationality [\[8\]](#).
- **1924 – Immigration Act of 1924:** Established national origin quotas and reinforced congressional power to regulate entry and removal. It also created the Border Patrol to enforce deportation at land borders [\[9\]](#).
- **1952 – Immigration and Nationality Act (INA) :** Codified deportation procedures and grounds for removal. Congress consolidated previous laws and defined categories of deportable noncitizens, including those with criminal convictions or visa violations [\[5\]](#).

- **1986 – Immigration Reform and Control Act (IRCA):** Balanced enforcement with legalization. Congress imposed penalties on employers hiring undocumented workers while granting legal status to certain long-term residents [\[10\]](#).
- **1996 – Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) :** Expanded mandatory detention, reduced judicial discretion, and introduced expedited removal. This law significantly increased Congress’s control over enforcement mechanisms [\[5\]](#).
- **2001 – USA PATRIOT Act and Post-9/11 Legislation :** Congress passed laws enhancing deportation authority for national security threats. Immigration enforcement became tightly linked to counterterrorism policy [\[11\]](#).
- **2012 – DACA Announcement (Executive Action):** President Obama’s Deferred Action for Childhood Arrivals program sparked debate over executive discretion. Congress did not pass legislation, but oversight hearings intensified [\[12\]](#).
- **2018–2021 – Family Separation & Oversight Hearings:** Congressional committees investigated executive enforcement practices, including zero-tolerance policies and the use of private detention centers. These hearings reaffirmed Congress’s oversight role [\[13\]](#).
- **2023–2025 – Legislative Proposals on Due Process and Detention Reform:** Recent bills introduced in the Senate and House aim to restore judicial review, limit prolonged detention, and increase transparency in deportation proceedings [\[14\]](#).

VI. Key Government Agencies

A. DHS (Department of Homeland Security):



The DHS is the federal department responsible for safeguarding the United States against threats, such as managing immigration and border security. Adding on, the DHS is responsible for coordinating the work of agencies such as ICE, CBP, and USCIS, setting immigration enforcement priorities, and implementing policies related to deportation and immigration. It shapes legislative directives on such topics, settling how other agencies operate under their guidelines [\[15\]](#).

B. CBP (Customs and Border Protection):

CBP primarily manages entry ports, inspects travellers and regulates the entry of people and goods through the US borders to prevent unauthorised crossings. Although CBP does not have a direct effect on deportations and deportation policies, it identifies individuals who may be subject to removal and refers them to the related departments [\[16\]](#).

C. ICE (Immigration and Customs Enforcement):



ICE is the government agency responsible for the enforcement of immigration laws within the United States. Its field of work includes identifying, capturing, and deporting individuals who reside in the country illegally. Apart from those, ICE also investigates criminal activity related to immigration and border control, such as human trafficking, fraud,

and visa violations. Its enforcement actions are directly decided by DHS-set policies and congressional legislation, making it one of the most important branches in the implementation of deportation policy [\[17\]](#).

D. USCIS (United States Citizenship and Immigration Services):

USCIS is the agency which handles the legal and administrative aspects of immigration, including processing visa applications, asylum, green cards, and citizenship matters. While USCIS is not directly responsible for deportation affairs, its rulings determine eligibility for staying in the US long-term, which decides who may or may not be subject to deportation [\[18\]](#).

VII. Public Opinion and Political Debate

A. Republican vs Democrat Views

The debate over whether Congress or the executive branch should control deportation policy reflects deep partisan divisions in the United States. Republicans and Democrats have very different priorities when it comes to immigration laws.



1. Republican Views

Republicans generally prioritize border security and enforcement. They believe Congress should pass laws that:

- Increase deportations of undocumented immigrants.
- Expand border measures such as walls and fences.

- Punish businesses that hire undocumented workers.

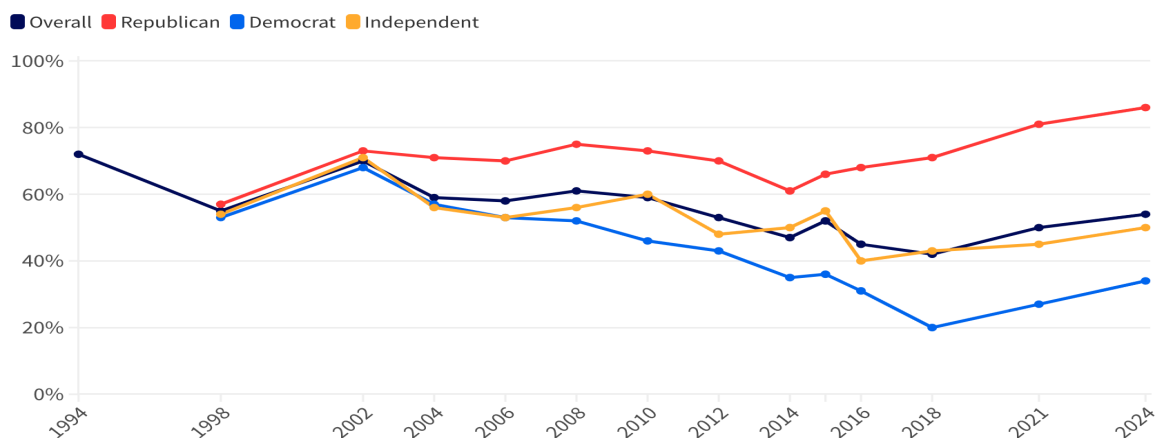
Republicans argue that presidents and agencies like Immigration and Customs Enforcement (ICE) have too much discretion. By giving Congress more control, they hope to create strict and permanent rules that are harder to undo with each new administration. Republicans also tend to frame immigration as a matter of national security and law enforcement [\[19\]](#).

2. Democrat Views

Democrats focus more on humanitarian protections and legal pathways. They support legislative action if it creates:

- Legal pathways for undocumented immigrants, especially DACA recipients (also called “Dreamers”).
- Protections for asylum seekers and refugees.
- Limits on mass deportations and family separation.

Democrats argue that immigration policy should be flexible and compassionate, not purely punishing. However, they worry that giving Congress full control could lead to harsh laws if Republicans dominate. Within the party, liberal Democrats tend to favor protections strongly, while moderate Democrats are more open to some enforcement policies [\[19\]](#).



→ In 2024, about **86%** of Republicans said that controlling and reducing illegal immigration is a *very important* goal for the country. That's a big increase compared to 2014. On the other hand, only about **34%** of Democrats said the same in 2024. This shows a big gap between the parties when it comes to how urgent illegal immigration feels to them [\[19\]](#).

3. Internal Divisions and Shared Priorities

- Among Republicans, Trump-aligned conservatives strongly support tougher enforcement, while other Republicans are slightly less strict.
- Among Democrats, moderates are more open to enforcement than liberals, though most still oppose mass deportations.
- Despite divisions, both parties show some overlap. For example, many Americans in both parties support accepting refugees from war and allowing family immigration sponsorships [\[19\]](#)[\[20\]](#).

C. Media Influence

Media coverage plays a big role in how Americans and the world think about deportation policy. The way news outlets frame stories shape public opinion and even increase political divides. Thus, media coverage plays one of the most crucial roles in shaping public opinion on deportation policy.



1. Conservative Media

Outlets like Fox News often highlight:

- Crimes committed by undocumented immigrants
- Border security failures
- Executive actions that delay deportations

This coverage increases support for legislative control and stricter laws. It frames immigration as a threat to safety and national identity [\[21\]](#).

2. Liberal Media

Progressive outlets like MSNBC and NPR focus on:

- Stories of immigrant families and children
- Human rights abuses in detention centers
- Legal challenges to harsh deportation policies

This coverage encourages compassion and reform. It pushes for laws that protect immigrants and limit Congress's ability to pass punitive measures [\[22\]](#).

C. Protests and Public Opinion

A crucial indication of what the public's opinions is the public protests. They have shaped the national conversation around deportation

1. Pro-Immigrant Protests

These protests call for:

- Ending family separation
- Protecting DACA recipients
- Shutting down ICE

They often oppose legislative control if it means

harsher laws. Protesters argue that Congress should pass protections, not punishments [\[23\]](#).



2. Anti-Illegal Immigration Protests

These groups support:

- Stronger enforcement
- More deportations
- Legislative control to override executive leniency

They believe undocumented immigration strains public services and threatens American jobs

[\[24\]](#).

3. Public Opinion Trends

Surveys show mixed views:

- **91%** of Republicans say border security is very important
- **72%** of Democrats support legal status for immigrants brought as children
- **54%** of Americans overall say controlling illegal immigration should be a top foreign policy goal

This tension makes legislative control a controversial issue. Some see it as a way to enforce order, others as a threat to immigrant rights. [\[19\]](#)

Immigration and deportation remain some of the most divisive political issues in the United States. Republicans and Democrats approach the issue with very different priorities, security vs. compassion, and both sides fear giving the other too much power. Media coverage and protests further fuel this divide. For policymakers, the challenge is finding a balance between enforcement and protection that satisfies both security concerns and humanitarian values.

VIII. Current Policies and Legislative Actions

A. DREAM Act Attempts

The Development, Relief, and Education for



Alien Minors (DREAM) Act was first introduced in 2001 and has been reintroduced several times since. Although it has never passed, it aimed to provide legal status and a path to citizenship for undocumented immigrants brought to the U.S. as children. Its repeated failures reflect deep partisan divides in Congress [\[25\]](#).



B. DACA (Deferred Action for Childhood

Arrivals)

Implemented in 2012 under President Obama, **DACA** protects eligible Dreamers from deportation and provides work permits, though it does not grant citizenship. Republicans often view it as an overreach of executive power, while Democrats consider it essential for humanitarian protection. As of 2023, DACA's future remains uncertain due to ongoing court challenges and the lack of permanent Congressional action [\[26\]](#).

C. Title 42

Invoked in March 2020 during the COVID-19 pandemic, **Title 42** allowed border officials to rapidly expel migrants without standard asylum proceedings, citing public health concerns. Republicans supported it as a tool for stricter enforcement, while Democrats and advocacy groups argued it violated international asylum protections. The policy officially ended in May 2023, intensifying debates over legislative versus executive control of deportation [\[27\]](#).

IX. Case Studies and Legal Challenges

A. Family Separation Cases

In 2018, under the “zero tolerance” policy, many families were separated at the US-Mexico border. Parents were prosecuted while children were placed



in separate facilities. The policy faced strong criticism for violating human rights and child protection standards, and although it was halted, its consequences are still debated [\[28\]](#).

B. Arizona SB 1070 (Arizona v. United States, 2012)

Arizona’s SB 1070 law gave local police the authority to check immigration status. The federal government challenged the law, and the Supreme Court struck down most of its provisions but upheld the document-checking clause. This case highlighted the tension between state and federal powers in immigration enforcement [\[29\]](#).

C. Deferred Action for Childhood Arrivals (DACA)

Introduced in 2012, DACA protects certain young undocumented immigrants from deportation and allows them to work legally. The program has faced multiple legal challenges. In 2020, the Supreme Court blocked an attempt to end it, but its future remains uncertain [\[30\]](#).

D. The Flores Agreement (1997)

This settlement established rules for the treatment of migrant children. It requires safe and humane conditions and mandates that children be released “without unnecessary delay” to family or guardians. It also limits how long children can be kept in detention, shaping US immigration policy for decades [\[31\]](#).

X. Civil society and Notable NGOs

A. ACLU (American Civil Liberties Union)

The American Civil Liberties Union dates back to the post-World War I era. Over time, it evolved from something that started only as a small group of people taking a stand against unlawful deportations and searches, to a network of over a million people fighting for equality and the protection of constitutional rights.



Now, the ACLU works on a vast spectrum of social issues, including immigrants' rights. The ACLU, by working in courts, legislatures, and communities, fights for the constitutional rights of immigrants in the USA. They take a hard stance against deporting individuals without a fair trial and also state, “In 2013, 83 percent of people deported from the United States were not given a hearing before a judge.”

They hold nationwide campaigns, fight battles in court, and publish in-depth reports and publications. One of their current projects, the Border Humanity Project, aims to build a better asylum system for refugees and end the issues in the immigration detention procedures

[\[32\]](#).

B. RAICES (Refugee and Immigrant Center for Education and Legal Services)



Founded in 1986, RAICES began as a small legal aid group in San Antonio, Texas. Today, it is one of the largest immigration legal services providers in the country. RAICES gained national attention

during the 2018 family separation crisis, when it mobilized resources to reunite families and provide legal defense for detained parents and children.

RAICES offers direct representation, bond assistance, and legal education to immigrants and asylum seekers. It also runs public campaigns to challenge detention practices and advocate for humane immigration reform. Their Family Detention Program and Bond Fund have helped thousands of individuals navigate the complex deportation system [\[33\]](#).

C. United We Dream

United We Dream is the largest immigrant youth-led organization in the United States. It was founded by undocumented youth and allies in

response to the lack of legal protections for Dreamers and other vulnerable communities. The group now has hundreds of thousands of members and operates in over 25 states.

United We Dream focuses on empowering immigrant youth through organizing, storytelling, and policy advocacy. They lead campaigns to protect DACA, end deportations, and shut down detention centers. Their Deportation Defense Hotline and Mental Health Toolkit provide critical support to undocumented individuals facing removal or trauma from enforcement actions [\[34\]](#).



United We Dream[®]

D. NILC (National Immigration Law Center)



The National Immigration Law Center was founded in 1979 to defend the rights of low-income immigrants.

NILC combines litigation, policy advocacy, and public

education to challenge unjust deportation laws and expand access to legal status. It has played a leading role in defending DACA recipients in federal court and regularly publishes legal briefs that influence congressional debates.

NILC also partners with grassroots organizations to amplify immigrant voices and push for inclusive reforms. Its Protecting Immigrant Families campaign and litigation against public charge rules have shaped national immigration policy [\[35\]](#).



E. Freedom for Immigrants

Freedom for Immigrants is a watchdog organization focused on ending immigration detention. It operates a national hotline for detainees, monitors detention centers, and publishes reports on abuse, medical neglect, and civil rights violations.

The group also coordinates visitation programs and supports community-based alternatives to detention. Its advocacy has led to congressional inquiries and media investigations into private detention facilities and ICE practices. Freedom for Immigrants emphasizes transparency, dignity, and the abolition of for-profit detention [\[36\]](#).

XI. Enforcement Operations and Detention Facilities

A. Enforcement Operations

Immigration and Customs Enforcement (ICE) conducts nationwide enforcement actions, including workplace raids, home arrests, and courthouse detentions. These operations often target undocumented immigrants identified through databases, local law enforcement referrals, or prior immigration violations. Critics argue that such raids can separate families and create fear in immigrant communities [\[37\]](#).

One of ICE's most controversial programs is **Operation Streamline**, launched in 2005. It fast-tracks the prosecution of migrants crossing the border illegally by grouping dozens of defendants into mass hearings. Migrants often receive little time with legal counsel and face criminal charges before being deported. While supporters claim it deters illegal entry, legal experts and human rights groups argue it undermines due process and overloads the judicial system [\[38\]](#).

B. Detention Facilities and Conditions

ICE operates over 200 detention facilities across the country, many of which are run by private companies or local jails under federal contract. These centers hold individuals awaiting deportation or asylum decisions. Reports from watchdog groups and government audits have documented:

- Overcrowding and unsanitary conditions
- Medical neglect and delayed treatment
- Limited access to legal counsel and family contact
- Use of solitary confinement and excessive force

The **Flores Agreement** limits how long children can be held and mandates safe conditions, but adult detainees may be held for months or even years. In 2023, congressional hearings and media investigations revealed persistent violations in facilities in Louisiana, Texas, and Georgia [\[39\]](#).

C. Oversight and Reform Debates

Civil society organizations such as Freedom for Immigrants and Human Rights Watch monitor detention conditions and publish reports on abuse. Lawmakers have proposed reforms including:

- Ending private detention contracts
- Expanding community-based alternatives to detention
- Improving access to legal representation and healthcare

The debate over enforcement and detention reflects broader tensions in U.S. immigration policy between security and rights, punishment and protection.

XII. Further Reading and Recommended Sources

1. **“Mass Deportation: Analyzing the Trump Administration’s Attacks on Immigrants”**, American Immigration Council

This special report examines recent legislative and administrative moves aimed at expanding deportation powers. americanimmigrationcouncil.org

2. **“Trump Mass-Deportation Priority”**, Migration Policy Institute (MPI)

Looks at how in his second term the Trump administration is reshaping and expanding the deportation “machinery,” including the legislative and regulatory tools being used. migrationpolicy.org

3. **“Sanctuary Policies in a Federal System”**, State Court Report

Explains how state and local governments adopt sanctuary policies that limit cooperation with federal authorities, and how these interact with federal legislative powers. [State Court Report](https://statecourtreport.org)

4. **“The U.S. Immigration Debate”**, Council on Foreign Relations (CFR) backgrounder
Offers a broad overview of how Congress, the President, and the courts have shaped immigration policy—useful for situating deportation policy among related legislative debates. [Council on Foreign Relations](#)
5. **“The Anti-Immigrant Policies in Trump’s Final ‘Big Beautiful Bill,’ Explained”**, National Immigration Law Center (NILC)
This gives a policy brief style examination of a recent law expanding enforcement and deportation, showing how legislative texts lead to concrete changes in people’s lives. [NILC](#)
6. **“Chapter 2: The Source and Scope of the Federal Power to Regulate Immigration and Naturalization”**, Human Rights Library (University of Minnesota)
Provides legal and constitutional foundations of federal control over immigration and deportation, including limits and checks. [Human Rights Library](#)
7. **“Realigning the Federal Government as a Mass Deportation Machine”**, American Immigration Council blog
Discusses not just policy changes but institutional and resource shifts that enable legislative-plus-executive enforcement of deportation.
americanimmigrationcouncil.org
8. **“Bias, Consistency, and Partisanship in U.S. Asylum Cases: A Machine Learning Analysis”**, arXiv
Though not strictly about legislative control, this gives data-driven insight into how

judicial decision-making in immigration is influenced by non-legal factors—important for understanding how policy is applied. [arXiv](#)

9. **“Deportations and the Law”**, *Constitution Center* Podcast

A recent episode that engages in legal discussion about how current laws (and perhaps vague statutes) interact with due process in deportation contexts. [Anayasa Merkezi](#)

10. **“Jennifer Chacón Discusses the Failures of U.S. Immigration Policy and How the Law Is Developing”**, *Stanford Law* Podcast

A conversation about how legal frameworks, policy choices, and court rulings are (or are not) keeping up with the pressures and demands on immigration/deportation systems. [Stanford Law School](#)

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