

Essays

Reforming U.S. Immigration Law

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The United States has long been seen as a land of opportunity, but recent events have shown clear problems with the way individuals facing deportation are treated. These issues not only expose ethical concerns but inefficiencies in the current U.S. immigration system as well. This memo presents several proposals aimed at creating a more humane, transparent, and efficient immigration system that address moral and practical issues. The proposed changes focus on refining deportation procedures, providing better legal access for migrants, creating clear and accessible pathways to citizenship, and improving diplomatic cooperation with other countries. These reforms are necessary to restore dignity to the deportation process and ensure that the U.S. immigration system better reflects humanitarian values and economic priorities. Respecting the sovereignty of other nations by treating their citizens justly and without prejudice can strengthen international relationships. These reforms would also promote global stability and boost economic growth. Ultimately, these changes will reaffirm America's commitment to human rights, fairness, and transparency. By making these adjustments, the U.S. can set a positive example for other nations and restore its image as a global leader committed to upholding fundamental values.

Context

Immigration is a foundational part of the United States and has contributed to the basis of its culture, economy, and democracy. However, in recent years, U.S. immigration laws and policies have come under increasing scrutiny, particularly illuminating the treatment of migrants during deportation and detention.

U.S. immigration law was historically shaped by economic demands and political pressures, with early laws like the Immigration Act of 1924 establishing quotas that restricted immigration from certain regions, especially Southern and Eastern Europe. Although the Immigration and Nationality Act of 1965 eliminated some racial quotas, immigration policies continued to prioritize border enforcement, often influenced by concerns over national security and labor market competition. Fast forward to the 21st century, the issue of immigration in the United States has become one of the most prevalent topics. National conversation has shifted toward viewing immigration primarily as a problem to be managed, with an emphasis on deterrence and strict border enforcement. This shift in perspective has fostered a climate of fear and division, undermining the nation's foundational ideals of opportunity and inclusion while perpetuating harmful stereotypes and policies that marginalize vulnerable communities and hinder the contributions of immigrants.

One of the most controversial aspects of current U.S. immigration law is the practice of deportation. Each year, thousands of individuals are forcibly removed from the

United States with little to no warning and sent back to their countries of origin under conditions that are inhumane and often devastating. The lack of adequate notice and the abruptness of the process lead to the separation of families, the destabilization of lives, and the infliction of severe emotional and psychological harm. This practice is a clear violation of basic human rights and reflects a broader systemic failure to treat immigrants with dignity and respect. In 2023 alone, U.S. immigration laws and enforcement actions affected over one million people through removals and expulsions. The case of Daniel Oquendo, a Colombian man deported in January 2025, serves as a stark reminder of the systemic issues surrounding the deportation process. Oquendo's experience—being shackled and transported on a military aircraft—is just one example of a broader pattern of mistreatment. Many deportees are treated like criminals, despite not having committed serious offenses. They are subjected to harsh physical restraints, denied the ability to bring personal belongings, and often have insufficient access to legal representation. Families with young children are especially vulnerable as they are frequently left stranded in foreign countries without support systems in place. These conditions exacerbate the challenges faced by deported individuals and increase diplomatic tensions, as seen in deportations to Colombia. The resulting strain on international relations exacerbates the political landscape surrounding immigration policy and underscores the urgent need for reform to ensure more humane treatment of migrants.

The global impact of U.S. immigration policies cannot be ignored, as it creates tensions between nations and contribute to larger geopolitical challenges. Countries like Mexico, Honduras, and Colombia often express frustration over receiving large numbers of deportees without adequate preparation or support. This puts heavy pressure on local governments and damages diplomatic relationships, affecting cooperation on trade, security, and regional development. On a global scale, U.S. policies influence how other countries approach immigration, with some adopting analogously rigid standards and regulations. This has led to a more hostile environment for migrants worldwide, where asylum protections are weakened, and fewer people have access to safety. Without significant reform, the U.S. risks further deteriorating its international stance on global migration and damaging its merit as a leading nation.

The ethical concerns surrounding U.S. immigration policy are further perpetuated by its broader geopolitical impact. As a global leader, the United States plays a critical role in shaping migration patterns and influencing how other countries approach immigration. U.S. policies are often viewed as a benchmark for the international community, which makes it more paramount for the country to set a positive example. Historically, the U.S. has positioned itself as a beacon of hope and opportunity for those seeking a better life. However, for many migrants, the reality is far different. The current system often prioritizes control and deterrence over compassion and integration, treating immigrants as expendable rather than valuable contributors to society. In the long run, these policies damage the United States' reputation on the global stage, raising serious questions about its commitment to upholding human rights and fostering international cooperation.

In contrast to the U.S., many other countries have adopted more humane and efficient approaches to immigration management. For example, Canada's Alternative to Detention (ATD) program emphasizes community-based monitoring rather than detaining migrants. Germany has implemented successful integration programs for refugees and asylum seekers, which have led to lower unemployment rates and improved social cohesion. These countries demonstrate that there is a more effective, compassionate, and sustainable way to manage immigration that benefits both migrants and the host country.

Proposed Solution

The following proposals address the systemic issues within the U.S. immigration process by focusing on the treatment of deportees, expanding legal avenues for migrants, and improving the overall efficiency of the system.

Humanitarian Standards for Deportation Procedures

Reforms must ensure that deportation procedures prioritize human dignity. Military aircraft should no longer be used, with civilian flights providing appropriate accommodations. Practices such as handcuffing should only be used when a specific security risk exists, reducing the punitive

nature of deportations and restoring respect for individuals involved.

Comprehensive Pathways to Citizenship

Creating accessible pathways to citizenship is essential for addressing unauthorized migration. Expanding visa categories and temporary worker programs would allow migrants to contribute to key industries like agriculture, construction, and healthcare. Increasing funding for immigration courts would also expedite hearings and reduce backlogs, ensuring fair and timely decisions.

Access to Legal Representation and Support Services

Many migrants face significant challenges due to the lack of legal representation. Ensuring access to legal counsel and support services is critical for fairness. NGOs and legal aid groups should have greater access to detention centers and information to advocate for detainees and help prevent wrongful deportations. Clear communication protocols must be established to reduce the trauma faced by deportees. Migrants should be informed of their rights and the steps involved in the deportation process. Providing multilingual materials and information sessions would help overcome language barriers and ensure transparency.

Diplomatic Engagement and Collaboration

Diplomatic cooperation with countries receiving deportees is essential for a respectful and efficient process. Engagement can prevent incidents like the recent standoff with Colombia, where deportees were stranded due to diplomatic tensions. Collaborating with other nations would create a more humane process that respects sovereignty and human dignity.

Reintegration Programs for Deportees

Deportees often face significant challenges when returning to their home countries. The U.S. should work with international organizations and local governments to create reintegration programs that offer job training, mental health support, and social assistance. These programs would help deportees rebuild their lives and reduce the likelihood of future illegal re-entry.

Improved Detention Conditions and Alternatives to Detention

Current detention conditions for migrants, especially those held for extended periods, often fail to meet basic human rights standards. Reforms should implement humane detention facilities, with proper medical care, nutritious food, and access to recreational activities. Additionally, alternatives to detention, such as community monitoring or electronic tracking, should be expanded. These alternatives reduce the overcrowding of detention centers while ensuring that migrants attend their hearings. By focusing on humane treatment and less restrictive measures, the U.S. can

shift from punitive to restorative practices that uphold the dignity of those seeking asylum or awaiting deportation.

Conclusion

The U.S. immigration system is in urgent need of comprehensive reform. The mistreatment of deported individuals, as illustrated by the case of Daniel Oquendo and the diplomatic tensions with Colombia, underscores the pressing need for change. By implementing more humane deportation practices, expanding legal pathways for migrants, and fostering stronger international cooperation, the U.S. can develop a more just and efficient immigration system that aligns with its core values. These reforms will not only

benefit the lives of migrants by offering fairer treatment, but they will also strengthen the U.S. economy by allowing immigrants to contribute more fully to society. Moreover, these changes would reaffirm the nation's commitment to human rights, dignity, and fairness, both within its borders and in its relationships with other countries. The time has come for the U.S. to act decisively, ensuring that the American dream remains accessible to all who seek it.

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