



## Trump's 'Tougher' Approach to Immigration

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President Donald Trump has broadly shaken up his enforcement of immigration policies with a series of moves in recent days that suggest hard-liners in his administration have his ear after figures show an increasing number of people entering the country illegally.

Trump on Sunday abruptly forced the resignation of Homeland Security Secretary Kristjen Nielsen, suddenly withdrew the nomination of his pick to lead Immigration and Customs Enforcement and escalated his rhetoric after a trip last week to the U.S.-Mexico border.

"The administration was getting frustrated the apprehension numbers weren't decreasing," says Cristobal Ramón, a policy analyst at the Bipartisan Policy Center, a think tank in the nation's capital. "When we think about the direction the administration could take, one possibility obviously is a much harder line on immigration – even a harder line than what Nielsen had been doing when she was head of DHS."

Nielsen's ouster came days after the president withdrew his nomination of Ron Vitiello to lead ICE, telling reporters that he was looking to go in a "tougher direction." At about the same time, Trump debuted a new line, saying that the country is "full" during a visit to the southern border and later repeated the sentiment on Twitter.

The president was reportedly broadly dissatisfied with Nielsen: The number of families arriving at the southern border has surged since January and generally been on the rise since last July, according to apprehension figures compiled by Customs and Border Protection, which is part of DHS.

Nielsen, who ordered and publicly defended administration policy that led to migrant children being separated from their parents, reportedly resigned after resisting Trump's efforts to reinstate family separation, which was officially halted by a federal court order last summer, although it has continued in limited capacity since then.

The secretary was apparently forced out by hard-liners within the White House, among them senior adviser Stephen Miller, who is widely seen as the chief architect of the administration's most aggressive immigration policies, as well as national security adviser John Bolton and acting chief of staff Mick Mulvaney.

Less than a day after Nielsen's exit, names being floated as replacements included former Virginia Attorney General Ken Cuccinelli, who has advocated a range of far-right policies including denying citizenship to American-born children of parents who are living illegally in the U.S., and Secretary of Energy and former Texas Gov. Rick Perry.

### Immigration Cartoons

Cuccinelli, as well as former Kansas Secretary of State Kris Kobach, had previously met with Trump about possibly serving in a position as a "border" or "immigratzion" czar – a role that would not require Senate confirmation. Kobach has been involved in a number of local anti-immigration laws and is currently working with a nonprofit that says it is working to raise private money to build a southern border wall.

However, just how much further to the right the administration can go – in light of policies that have already been implemented as well as resistance from the public and the courts – is unclear.

"They've pushed as far as any secretary could push within any reasonable limits of the law. She was defending herself in court on an almost daily basis against charges that she violated asylum law, that she's violating detention standards for minors, that she's violating legal asylum," says David Bier, an immigration policy analyst at the Cato Institute, a libertarian think tank. "What they're looking for is results, and their policies have failed and they're out of ideas. So they're basically looking to blame personnel for the failure to produce the results that they're looking for. And so until those numbers start coming down at the border, they made it clear that they're willing to throw whoever's leading DHS under the bus, and that makes that job a huge risk for any potential nominee."

Nielsen's departure occurred as DHS still lacked a deputy secretary. Instead of the third in line, Undersecretary for Management Claire Grady, Trump has instead tapped CBP Commissioner Kevin McAleenan.

Any amount of reshuffling, however, will do little to change the situation at the border, experts say: While the executive branch – including agencies such as DHS – have broad discretion in carrying out laws passed by Congress, the administration's crackdown on immigration has "run up against the limits of discretion," says Elaine Kamarck, senior fellow of governance studies at the Brookings Institute, a left-leaning think tank.

"I don't care who he puts in there at DHS. Until you change the laws that govern asylum seekers at the border and until Central America somehow gets out of the mess they're in, you're going to have people coming here and trying to come here for legitimate humanitarian reasons," Kamarck says.

Congressional lawmakers have repeatedly shown little appetite for broad-based immigration reform. And with the Senate in Republican control and the House held by Democrats, there's virtually no prospect of change of that kind anytime soon – a diagnosis upon which experts on both the left and the right seem to agree.

"There's a desire here by the administration to do more, to appear tougher," says David Inserra, policy analyst in homeland security and cyber policy at the Heritage Foundation, a conservative

think tank. "But at the end of the day, [Nielsen was] doing most anything that someone in her position can do. And if that's insufficient, well, then the president has every right to find someone else. But I don't think that that person is going to do any better."