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## Why the border is such an impossible political issue

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Debating immigration laws in Washington is so fundamentally toxic that Congress hasn't made major changes to dealing with the border in decades. And it might not for some time.

Twice over the past two decades, it's gotten close to a bipartisan immigration deal. Both times, it's been Republicans who have backed away. That includes a restrictive border security bill that Democratic and Republican senators introduced this week and that Republicans blocked in the Senate this afternoon.

This was one of the most conservative immigration proposals in a long time, yet many Republicans rather transparently prefer to campaign on a chaotic border than pass this law. They had also hoped to deliver on a hard-right demand to impeach the Biden administration official in charge of immigration, but that failed, leaving them without that issue to campaign on.

Unless something fundamental changes politically — especially on the right, which has refused to make any legislative changes to the border other than build a wall — immigration will continue to be one of the most impossible issues for Washington.

The border really is in a crisis. Border crossings have been at or near record highs pretty much since President Biden took office, for a variety of reasons ranging from covid-crashed economies, to the United States' stronger economic recovery, to migrants' perceptions that Biden will let more people in. There's a hot debate about which of these, if any, is the main cause of increased migration.

Biden has eased way up on deportations, but he's also tried different policies to make it harder for migrants to cross. None of that has calmed the border, which Biden now says isn't secure. He's also incentivized by public opinion to say that and do something about it. Several polls have shown Americans trust Republicans on the border more than Democrats. That's because when the border is chaotic, Americans tend to want much stricter border policies, says Alex Nowrasteh, an immigration analyst with the libertarian-leaning Cato Institute.

And that could help explain why Biden has sounded a lot tougher on immigration: "I'd shut down the border right now and fix it quickly," he said.

He made significant concessions on Democratic priorities to do that. But that wasn't enough for Republicans.

“Are we as Republicans going to have press conferences and complain the border is bad and then intentionally leave it open?” said a frustrated Sen. James Lankford (Okla.), one of the most conservative members of the Senate and the lead Republican negotiator of this bill.

Right now, migrants seeking haven in the United States come to the border, are apprehended by Border Patrol agents and ask for asylum. Many get to stay in the country for years while their case is being reviewed, incentivizing others to try.

The bill introduced this week in the Senate would fundamentally change the process by making it harder for people to get asylum — or even impossible, on some days, to file a claim. And it would send thousands more U.S. officials to the border, which could speed up asylum claims so migrants don’t stay as long in the United States waiting for a decision.

These are things Republicans have long asked for. And now Biden also says staffing is his biggest struggle with controlling the border. “We don’t have enough agents. We don’t have enough folks,” he said this week. “We don’t have enough judges. You don’t have enough folks here. We need help. Why won’t they give me the help?”

Unlike past immigration proposals, Washington was not trying to provide a broad path to citizenship for people already in the country illegally. Biden has lamented that it doesn’t even protect “dreamers”: immigrants who were brought to the country illegally as young children.

It also doesn’t do anything to address the reasons so many people are coming to the United States in the first place. That is a broader regional problem that Washington has yet to take up, say immigration experts.

There’s hope that this past week will create a baseline for future immigration deals, said Doris Meissner, the head of Washington’s immigration agency under President Bill Clinton and now at the nonpartisan Migration Policy Institute.

“Washington acknowledges that the situation we’re in right now is not sustainable,” she said. “If nothing else, in the immigration arena, that is progress.”