# Immigration Policy Reform Proposal

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**Abstract**

The Department of Homeland Security should alter its immigration policy by granting mass amnesty to undocumented immigrants because of the overwhelming evidence that immigration does not present a risk to public safety or the functioning of our government welfare programs. The Trump Administration's deportation policy is based on the pretense that undocumented immigrants engage in criminal behaviour at a higher rate than U.S.-born citizens and that they are a burden to social welfare systems such as Social Security and Medicaid. In reality, the crime rate for undocumented immigrants is significantly lower than the rate for U.S.-born citizens regarding violent, drug, and property crimes. Undocumented immigrants are ineligible to receive benefits from government welfare systems; however, undocumented immigrants as a whole pay billions of dollars yearly in taxes.

**Crime**

The current mainstream political narrative surrounding immigration is that immigrants, especially those without documentation, pose a threat to the country's safety and security, and therefore, they must be arrested and deported, or imprisoned. As far back as June 5th, 2015, when announcing his first presidential campaign, Donald Trump said, "They're bringing drugs. They're bringing crime. They're rapists. And some, I assume, are good people," (Trump, 2015) when referring to Mexican immigrants. His derogatory language has continued to escalate since then. On April 2nd, 2024, during a campaign speech in Michigan, Trump stated, "The Democrats say, 'Please don't call them animals. They're humans.' I said, 'No, they're not humans, they're not humans. They're animals,'" (Trump, 2024) referring to undocumented immigrants living in the United States.

President Trump is not the only politician championing this narrative. Legislators have taken individual tragic cases of crimes committed by undocumented immigrants and used them as evidence that all undocumented immigrants should be treated as a threat. The Laken Riley Act is a perfect example of this. Laken Riley was a 22-year-old woman who was murdered by a Venezuelan man who had been previously arrested for illegal entry and was released to pursue his case in immigration court. Legislators used this tragedy to justify passing an act that requires any undocumented immigrant accused of certain crimes to be detained by Immigration and Customs Enforcement (ICE) without the opportunity to apply for bond until their immigration case is concluded. This act sets different legal standards for people based on their immigration status. It allows for undocumented immigrants to be detained for an indefinite amount of time based on as little as an accusation of shoplifting (Laken Riley Act, 2025). This Act is not the only example of legislators using personal tragedies to scapegoat undocumented immigrants.

Still, it is important to understand that these cases are anecdotal and are not a reflection of the vast majority of undocumented immigrants.

A study that analysed Texas arrest records from 2012 through 2018 for violent, drug, property, and traffic offenses, and compared the arrest rates of undocumented immigrants and native-born U.S. citizens found that undocumented immigrants are arrested at less than half the rate of native born U.S. citizens for violent and drug crimes and at a quarter of the rate for property crimes (Light, 2024). A report of this study was published on the U.S. Department of Justice website in September of 2024; however, it was removed from the website on January 30, 2025, so an archived version must be referenced. When attempting to access the page from the original link, a disclaimer states that the Department is currently reviewing its websites and materials due to recent Executive Orders, and certain web pages will be unavailable. The removal of this information from government websites is extremely concerning, especially since the current Administration's deportation policy is based on the assertion that undocumented immigrants are more likely to commit crimes, which this study disproves.

**Social welfare programs**

The next claim that is made to justify anti-immigration sentiment is that undocumented immigrants are a strain on our social welfare systems. On September 4th, 2024, during a town hall in Harrisburg, Pennsylvania, Donald Trump stated, "They're filling up and loading up Social Security, Medicare, with illegal immigrants that have come into our country," (Uribe et al., 2024). The claim that undocumented immigrants are eligible to receive Social Security and Medicare benefits is false. The eligibility requirements for federal aid programs have excluded any undocumented immigrants and even many legal immigrants since at least 1996. In 1996, federal welfare and immigration laws were passed that barred many lawful immigrants from

eligibility in these programs. They created two categories of immigrants: those who were qualified and those who were not qualified to receive benefits. Despite these two categories being made, the 1996 law still barred many immigrants deemed to be qualified from being eligible (Broder and Lessard, 2024).

According to a 2024 report published by the Institute on Taxation and Economic Policy, which examined federal, state, and local taxes paid by undocumented immigrants in 2022, the average amount paid per undocumented immigrant was $8,889. In total, undocumented immigrants paid $96.7 billion in taxes in 2022. It also states that in forty states, they paid a higher tax rate than the top one percent of households within the state's borders (Davis et al., 2024). This data, paired with the eligibility requirements for federal aid programs, illustrates the discrepancy between the lie that undocumented immigrants are taking advantage of systems that they do not pay into and the reality that undocumented immigrants as a whole pay billions of dollars in taxes every year and are unable to access federal aid programs that they pay into.

**Why is a policy change necessary?**

A policy change is necessary because the current immigration policy approach is justified by a narrative that portrays undocumented immigrants as criminals and a burden to social welfare systems, which is based on misinformation, prejudice, and fear rather than facts. Crafting policy based on harmful stereotypes leads to the unjust and inhumane treatment of individuals, with no net benefit to society.

**Proposed Change**

To reduce the number of undocumented immigrants in the United States, the Department of Homeland Security (DHS) should grant amnesty to individuals who have resided in the United States illegally, given that they meet specific criteria. Along with granting these individuals

amnesty, the government should give them temporary protected status and allow them to apply to become permanent legal residents, which would allow them the option to become naturalized U.S. citizens in the future. This program would allow the DHS to ensure the safety and security of the U.S. because any undocumented immigrant who is found to have a criminal history or otherwise presents a threat would be given due process and could either be deported or given appropriate criminal sentencing here in the U.S.

**History of Amnesty Programs in the United States**

This proposed change in policy would not be the first time the United States government has enacted an amnesty program for undocumented immigrants. An article published by Immigration Solutions LLC goes over different amnesty programs enacted since 1980. The programs covered are the Immigration Reform and Control Act, the Immigration and Nationality Act Section 245 (i) Amnesty, the Life Act Amnesty 2000, the Nicaraguan Adjustment and Central American Relief Act, and the Haitian Refugee Immigration and Fairness Act (*Amnesty*).

The largest program was the Immigration Reform and Control Act, which was enacted by Ronald Reagan in 1986 and granted 2.7 million immigrants green cards. To be granted temporary legal status, this Act required that an applicant prove that they had resided in the U.S. continuously since 1982, could demonstrate good moral character, and pay a $185 fee. After 18 months, applicants would be eligible for permanent residence if they could demonstrate proficiency in the English language. Over two million undocumented immigrants did not fit the eligibility requirements. The filing period for this Act ended in 1998.

**Cost**

Mass amnesty programs have commonly been disregarded as being too expensive to be feasible. However, the current immigration agenda of mass deportation will incur a significant

cost to American taxpayers to implement. On October 2, 2024, the American Immigration Council (AIC) published a special report that calculated the minimum cost of implementing the Trump Administration's proposed mass deportation policy. They found that a one-time mass deportation operation would be impossible to conduct, due to the current lack of institutional capacity required to detain the 13.3 million undocumented immigrants who currently reside in the U.S. Even if the U.S. did have the institutional capacity necessary, such an operation would cost American taxpayers an estimated total of at least $315 billion. The estimated cost of a longer-term program is significantly higher. If the program were to successfully detain, process, and deport one million immigrants per year, the AIC states that "Even assuming that 20 percent of the undocumented population would 'self-deport' under a years long mass-deportation regime, we estimate the ultimate cost of such a longer operation would average out to $88 billion annually, for a total cost of $967.9 billion over the course of more than a decade," (*Mass deportation*, 2024). These calculations do not include the negative impact that removing millions of people will have on the economy and tax base, the cost of maintaining a mass deportation policy long-term, the cost of hiring the additional ICE agents that would be required, and a variety of different expenses associated with such a massive operation.

The cost of adopting a mass amnesty policy is largely uncalculated. Of the few estimates available, they seem to base their calculations on the assumption that all undocumented immigrants who would be granted amnesty would immediately be eligible and enrolled in all federal social welfare programs, which is an impossible scenario. Further research is necessary to calculate the cost of adopting a mass amnesty program, however, that does not negate the necessity of adopting a mass amnesty program as a humane and realistic solution to deal with undocumented immigration.

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