US Emergency Declaration - Mexico Border Wall Issue

Why in news?

U.S. President Donald Trump declares national emergency to build US-Mexico border wall. Click here to know more on the border wall issue.

What is the major cause?

- Recently the federal government of US was shut down for 35 days, the longest in U.S. history. Click here to know more.
- The tussle was over Trump's insistence on building a border wall with Mexico.
- Trump is concerned with invasion of illegal immigrants into the country with drugs, human traffickers, and all types of criminals and gangs from Mexico.
- Trump refused to sign off on Congressional appropriations bills unless lawmakers agreed to hand over $5.7 billion to fund this plan.
- The shutdown was ended after costing around $11 billion to the U.S. economy.
- So Trump declared emergency to bypass the Congress to pursue his motives.

How does the emergency work in US?

- The National Emergencies Act of 1976 of the U.S. allows the President to declare a state of emergency without approval from anyone else.
- Under the powers, the President may

    i. seize property, commodities
    ii. organize and control the means of production
    iii. assign military forces abroad, institute martial law
    iv. seize and control all transportation and communication
    v. regulate the operation of private enterprise
    vi. restrict travel
    vii. in a variety of ways, control the lives of United States citizens.

- It also permits the diversion of funds from military or disaster relief budgets to tackle the “crisis” at hand.
- So the White House said the national emergency would take about $3.6bn from the Pentagon’s military construction fund.
- It will also divert around $2.5bn from the Pentagon’s drug prohibition

programme and $600m from the treasury's drug forfeiture fund.

- Congress can terminate a declared emergency, but it requires a joint resolution which is a high hurdle.

Why is the decision contentious?

- **Non-issue -** Border crossings by undocumented migrants have decreased from 1.3 million in 2001 to about 40,000 in 2018 and are at an all-time low.
- But Trump still wants to do it just to be popular among the republican voters.
- **Non emergency -** While declaring**,** Trump admitted that he did not "need" to take the step now and was only doing so for speed, which implies that there is no emergency.
- **Precedence -** It could set a dangerous precedent for future Presidents to declare emergency for less significant causes.
- The move also undermines democracy.

What next?

- The emergency declaration is likely to be challenged in court by states and others.
- Democrats who now control the House of Representatives may, under their constitutional powers, vote to terminate the emergency.
- But this would require the support of Republican-controlled Senate.

Source: The Hindu, USA Today

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