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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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