

United States Senate

Welcome

Dear Delegates,

Welcome to BUSUN 2010 as a member of the United States Senate. My name is Alex Bell and I will be chair of BUSUN's U.S. Senate committee this year.

I am a sophomore at Brown concentrating in Political Science and Economics. I have spent the past two summers as a Congressional intern. Model U.N. has been a passion for me since high school, and I directed BUSUN's U.S. Presidential Cabinet committee last year.

I intend this background guide to be a tool to bring everyone to a basic level of understanding on the three issues to be discussed at the conference. It is current as of roughly the middle of this summer. Because these issues are very hot topics, you will find it advantageous to stay abreast of domestic and international news in the weeks and months leading up to the conference.

I have also included some other resources and primary sources that I have found interesting in the footnotes. I hope you will look into whichever ones seem of interest to you.

If you have any questions, you can e-mail me at Senate@BUSUN.net. I look forward to meeting you in November.

Committee Format

You will have all the powers of the real Senate, which are delineated primarily in Article 1 Section 8 of the Constitution. You can introduce bills, vote on them, and they will become law, unless I veto them or they fail to pass the House of Representatives. You can also gain further influence by popularizing your views through BUSUN's press unit in press releases, interviews, and editorials.

America's Senate holds its members'

freedom to debate in high regard. For example, senators are usually not forced to speak on the topic at hand. However, this latitude in the Senate gives rise to a technique known as the filibuster, which is an attempt to talk for so long that a vote cannot be taken on a bill that has the support of the majority of senators. The longest filibuster was conducted by Senator Strom Thurmond in 1957, who spoke for 24 hours and 18 minutes straight in an unsuccessful attempt to defeat a civil rights bill (but hopefully nobody will filibuster for that long in BUSUN). In the real Senate, if 60 senators vote to close debate on a measure, debate must end within 30 hours and a vote must be taken. For our purposes, we will adapt this "cloture" rule to require 3/5 of the members to suspend debate effective in 30 minutes.

Topic 1: Border Control

Republicans and Democrats have agreed for years on the need for sweeping changes in the federal immigration laws. In the past decade, three strategies seem to have been most prominent in confronting immigration. While some of these reform measures have been able to pass either house of Congress, very few have successfully passed through both.

1. Stop it at all costs — popular among House Republicans. Build a fence around the border, and impose a steep fine and/or jail time on people who aid or employ illegal immigrants.
2. A softer position to let people who have been here a long time to pay their way to stay — popular among Senate Democrats, and generally immigrant communities. If illegal immigrants have been here for more than five years, allow them to pay a fine and become legal permanent residents. Increase the number of immigrants permitted, but also put some more fence up, too. There have been several bills stemming from the Senate based on these

ideas.

3. President George W. Bush had long advocated for a bipartisan solution to create a guest worker program, but not grant these foreigners welfare benefits or citizenship. His proposal failed to gain support from the rest of his Republican party in part because it would open a path to citizenship for illegal immigrants after fees and other penalties, and it never reached the Senate floor.

Arizona

In April of this year, Arizona's state legislature passed the nation's toughest law on immigration, requiring police officers to ask for proof of legal status whenever they have a "reasonable suspicion" that someone they have stopped for some other purpose is an illegal alien.

Mexico's Foreign Ministry said that it was worried about the rights of its citizens and relations with Arizona. President Obama said the law threatened "to undermine basic notions of fairness that we cherish as Americans, as well as the trust between police and our communities that is so crucial to keeping us safe."

Most recent Congressional debate

In the wake of the Arizona law, Senate Democrats vowed to finally pass sweeping national immigration reform. In an editorial, Senators Schumer (D-NY) and Graham (D-SC) called for the federal government to enhance border security and create a new fraud-resistant Social Security card. Under these senators' plan illegal immigrants who wish to remain in this country would have to admit they had broken the law, pay back taxes and fees, and pass a criminal background check to qualify for legal residency after eight years.

In late May, the Obama administration decided to send up to 1,200 National Guard troops to the Southwest border and seek increased spending on law enforcement there to combat

drug smuggling. Republicans have been demanding the use of troops to improve border security.

At the time this guide was written, it was not clear if the Schumer plan would win any Republican support. In March, Schumer and Graham had unveiled the outlines of a reform proposal to require illegal immigrants to admit they broke the law before they could gain legal status and require all workers in the United States to carry a biometric identity card to prove that they are eligible to work. But after the Arizona law was signed, Graham declared that Congress should not try to act on such a "divisive" subject in an election year, leaving the prospects for a bipartisan approach more muddled than before.

Recently, living standards and medical care for illegal aliens in detention centers have also come under criticism, especially by Obama. He has announced plans to make the network of detention centers less like jails and more civil. Obama also seems to support legislation to bring illegal immigrants into the legal system by recognizing that they violated the law, and imposing fines and other penalties to fit the offense.

Room for debate:

- Who do we let into America? How do we make this list of countries?
- What do we do with illegals that are already here? What if their children were born here and are citizens?
- What rights and social benefits should legal/illegal immigrants have?

Topic 2: Health Care

The end result?

After decades of failed attempts by a string of Democratic presidents and a year of bitter partisan combat, President Obama signed legislation on March 23, 2010, to overhaul the

nation's health care system and guarantee access to medical insurance for tens of millions of Americans.

Two days later the House and Senate completed passage of a set of fixes to the bills, compromises worked out as part of the complicated legislative maneuvering that allowed Democrats to achieve their long-sought goal despite having lost their filibuster-proof 60-vote "supermajority" in the Senate in January.

The landmark bill signed by Obama will provide coverage to an estimated 30 million people who currently lack it through measures such as requiring most Americans to have insurance coverage, adding millions to the Medicaid rolls, and subsidizing private coverage. Private insurers are now also regulated more closely, and can no longer discriminate based on pre-existing positions.

Republicans, who voted unanimously against the bill in both houses, vowed to work to repeal the bill and to challenge it in court.

A closer look at the Senate's roll

In the Senate, the Health, Education, Labor, and Pensions Committee worked on a bill with a public insurance plan, while the Senate Finance Committee, led by Senator Max Baucus, Democrat of Montana, worked on a bill that sought to avoid one, which Baucus thought was necessary to gain bipartisan support. A "public option" just means that the federal government would go into the business of selling insurance plans, competing with the private industry.

In the fall of 2009, Baucus introduced a plan that would impose a new excise tax on insurance companies that sell high-end policies and fine companies with more than 50 employees who do not offer coverage. On October 13, 2009, the committee voted to approve the legislation. The vote was 14 to 9, with all Republicans opposed except for Senator Olympia Snowe of Maine.

After the House approved a bill in late

2009, Senate Majority Leader Harry Reid sought to reconcile their version with that of the House and gain the 60 votes required in the Senate to block a Republican filibuster. To garner support, the public option was dropped. The last Democrat to come on board was Senator Ben Nelson of Nebraska, who won a series of changes: a provision to strip the insurance industry of its anti-trust exemption was dropped; language was added to allow states to decide to block plans covering abortion from their insurance exchanges; and the bill provided Nebraska with additional Medicaid funds.

But when the Senate seat vacated by the late Ted Kennedy (D-MA) was unexpectedly filled by Republican Scott Brown, Democrats lost their 60th vote needed to block a Republican filibuster.

Republicans advocated for more reliance on the market to reform health care, as opposed to on the government. As one way to encourage competition and drive down costs, Republican members of Congress sought to make it easier for insurance companies to sell their policies across state lines, an idea included in a limited form in the Democratic bills.

Beyond the question of government intervention in the private insurance market, one of Republicans' most profound disagreements was over expanding coverage to the uninsured. The Democrats wanted to cover more than 30 million people over 10 years; Republicans said the nation could not even afford the entitlement programs, like Medicare, that already exist, much less start new ones.

After the House passed the Senate's bill, it passed and sent to the Senate the so-called "sidecar" of fixes, which removed some provisions that had drawn criticism, such as a special deal on Medicaid for Nebraska. The final House vote was 220 to 207, and the Senate vote was 56 to 43, with the Republicans unanimously opposed in both chambers.

Room for debate:

- Should all citizens be forced to have health care
- Should abortions be covered in federally funded health plans?
- What legal/ethical basis can you use to support/repeal the health legislation already passed? What more should be passed?

Topic 3: Iraq and Afghanistan

Afghanistan

After the attack on the World Trade Center in New York on September 11, 2001, President Bush gave the Taliban an ultimatum to hand over Osama bin Laden. When they refused, the United States joined forces with rebel groups that had never accepted Taliban rule, notably the Northern Alliance, which represented minority tribes. An air and ground campaign began that drove the Taliban out of the major Afghan cities by the end of the year. The 2001 invasion succeeded in dislodging Al Qaeda and removing the Taliban from power, but not in eradicating either group. Fueled by profits from the opium trade and dissatisfaction with the weak and often corrupt new Afghan government, the Taliban has made a steady comeback, particularly in the Pashtun regions of the south and east where the group originated.

In February of last year, President Obama ordered 17,000 additional troops sent to Afghanistan — nearly a 50% increase to the troops already present. Later that year, he announced that another 30,000 American troops would deploy in 2010, and laid out a strategy meant to blunt the Taliban's resurgence. He argued that by safeguarding Afghanistan's population centers and speeding the training of Afghan security forces, the troops would create the stability needed for the country's central government to take hold — Obama declared that a troop withdrawal would begin in 2011.

The largest obstacle to the success of the plan was widely held to be the weakness of the government led by President Hamid Karzai, who had won re-election in August last year in a vote marred by widespread fraud on his behalf. A week after Obama's announcement of a troop increase, Karzai said Afghanistan would not be able to pay for its own security until at least 2024.

Defense Secretary Robert Gates has said the United States could never send enough troops to pacify and protect the country on its own and must rely on the help of international partners, including NATO in the short run and the Afghans' own forces in the long term. But NATO and America's European allies have been reluctant to send additional troops to Afghanistan.

In February of this year, American and NATO commanders launched the "Marja Offensive," in which Afghan government and police forces, assisted by American and British troops, remained in the Taliban stronghold of Marja in Southern Afghanistan after the initial offensive pushed the Taliban out. General Stanley McChrystal, America's top commander in Afghanistan, said of the offensive, "We've got a government in a box, ready to roll in." But at the time of the writing of this briefing, the degree to which Marja would remain free of Taliban fighters was unclear. And government corruption remains a lasting obstacle to gaining the Afghans' trust and thus forcing out the Taliban's rule.

Iraq

Shortly after ousting the Taliban from power in Afghanistan, Bush began to call for an American-led invasion of Iraq, citing the possibility that Saddam Hussein sought nuclear, biological, and chemical weapons in defiance of United Nations sanctions. Bush and other senior American officials also sought to link Iraq to Al Qaeda. Both claims have since been largely discredited, though some officials and analysts

continue to argue otherwise.

The invasion of Iraq began in 2003, and within weeks coalition forces quickly toppled Hussein's government, but insurgency was to follow. Rather than quickly return power to the Iraqis, including political and religious leaders returning from exile, the United States created an occupation authority that took steps widely blamed for alienating many Iraqis and igniting Sunni-led resistance. These steps included disbanding the Iraqi Army and purging members of the former ruling Baath Party from government and public life. The formal transfer of sovereignty to the Iraqi people took place in June 2004, just a few months after the publication of photographs showing the abuse of prisoners at Abu Ghraib.

In January 2005, the Americans orchestrated Iraq's first multi-party elections in five decades, putting Shiites and Kurds in power, instead of Sunnis. Tensions have been high between Sunnis and Shiites, as manifested by bombings of mosques and other acts of violence.

By the fall of 2007, however, violence had started to decline. At the urging of American General David Petraeus, Bush had instituted a "surge" strategy of raising the number of troops to more than 170,000. The effectiveness of the surge in causing this decline in violence has been debated by politicians and analysts.

Though Bush was reluctant to set a timetable for withdrawal, he agreed to a "general time horizon" in 2008 to remove combat forces from cities by 2009 and the whole country by 2011. So far, this agreement has in large part been upheld, and Obama has introduced a timetable as well.

In 2009, Prime Minister Nouri al-Maliki easily won re-election. But in the following months, threats, protests, and popular discontent characterized the campaigns for provincial elections, making the world question whether democratic government could ever

take hold in the country. Sectarian tensions were further inflamed in the 2010 parliamentary elections when the government controversially disqualified more than 500 candidates, branding them "Baathists," or sympathizers with Hussein's government. Many were from parties opposing Maliki.

While the level of violence has declined from the shocking level of 2006 and 2007, suicide bombers continue to attack, undercutting Maliki's claims to have restored security. Political disputes between Arabs and Kurds in the north continue to fester, prompting the Americans to intervene. Maliki's use of the military and sway over the judiciary branch to settle political disputes has also raised concerns.

Room for debate:

- What involvement should the U.S. have in developing the economies, governments, and infrastructures of these countries?
- Are these countries fit for democracy?
- With the goal of eventual withdrawal, would increasing or decreasing troops be more effective?

Sources (mine and yours)

Most of the topic briefings come primarily from New York Times topic briefings. Some of the immigration section comes from Professor James Morone's "City Politics" class as well.

For most of you, your best preparation for the conference will be a combination of reading this guide to catch up on what has been going on in the past several years and reading news sources regularly to understand the most recent developments in each of the three areas leading up to the conference. You will also want to know about any bills you are a sponsor of in real life or deal with on committees. Be sure you have a sense of the ideology of your constituency, and also what sorts of benefits you can bring home to your state specifically

(you've got to keep those voters happy, after all). Keep in mind whether you are up for re-election soon.

Depending on how high-profile your senator is, you may be able to find some of his/her positions on these issues in news sources or on his/her Web site. It would be a good idea to have some notes on how you would answer each of the questions at the ends of the topic briefings. If you have difficulty finding this information, you can always contact the senator's D.C. office, where legislative issues are handled. Try to speak with the aide that deals with the issue you'd like to know about (health care, defense, immigration, etc.) and emphasize the fact that you are a student — not a reporter — so hopefully they can speak frankly with you, even if they don't want to publicize the senator's position. Aides are exceedingly busy, so you may offer to e-mail them your questions for them to respond to at a time that is more convenient to them, such as a time that Congress is in recess. Only ask them questions you cannot find answers to online. Let me know if you have any trouble contacting a senator's office.