



IMMIGRATION UNDER A NEW ADMINISTRATION: TOWNHALL

Wednesday, November 18 | 7:00 p.m.



Legal Disclaimer

This town hall is designed to provide community members information about potential changes to immigration law and policy. It is not a substitute for legal advice.



About the Center for Immigrants' Rights Clinic





Purpose & Roadmap

- Travel Ban(s)
- Asylum
- International Students
- Deferred Action for Childhood Arrivals (DACA)
- Family Separation and Zero Tolerance
- Family Detention
- Q & A



Travel Ban(s)





Asylum under Trump Administration

- What is Asylum?
- How did asylum protections change under Trump administration?
 - Asylum Ban 1.0
 - Migration Protection Protocols (“Remain in Mexico”)
 - Third Country Asylum Rule
 - CDC Rule

Source:

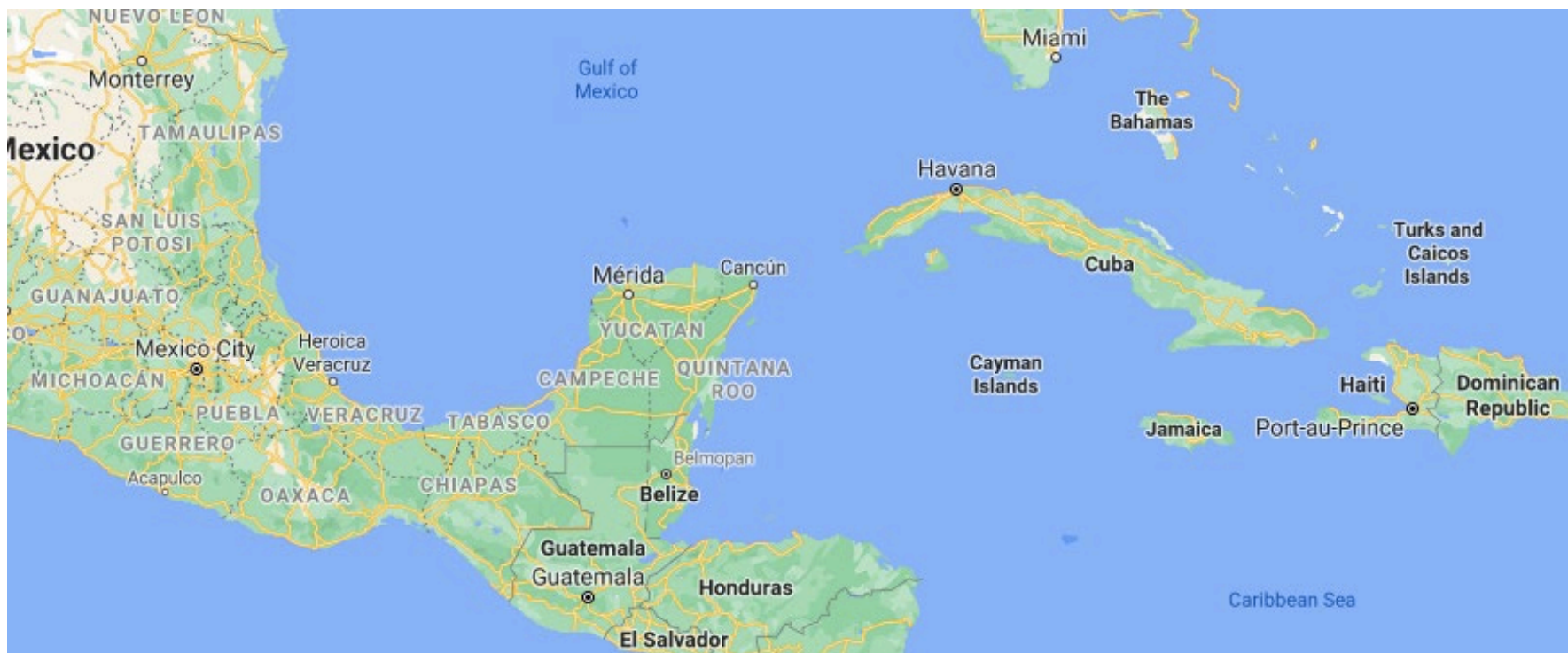
<https://www.americanimmigrationcouncil.org/research/asylum-united-states>

<https://pennstatelaw.psu.edu/immigration-time-of-trump#Asylum%20Law%20and%20Policy>

<https://www.govinfo.gov/content/pkg/FR-2020-03-26/pdf/2020-06327.pdf>



Asylum under Trump Administration



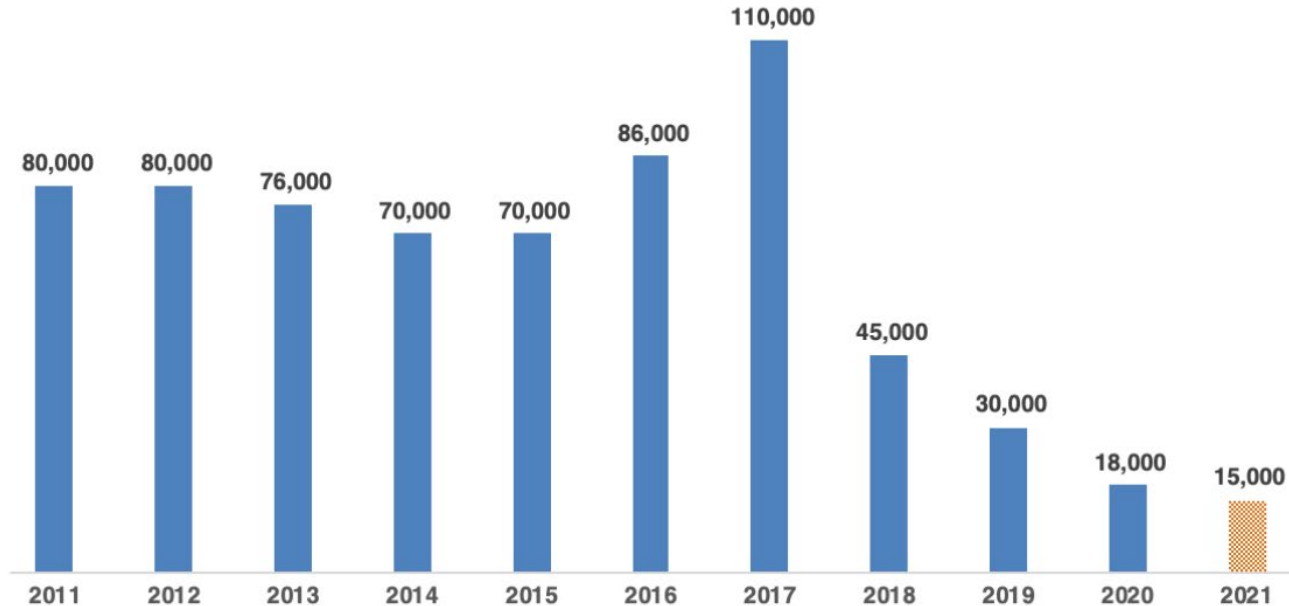
Source:

<https://www.google.com/maps/@40.8128316,-77.8938783,15z?hl=en>



Refugees under Trump Administration

U.S. ANNUAL REFUGEE RESETTLEMENT CEILING



Source:

<https://www.unrefugees.org/news/the-u-s-refugee-resettlement-program-explained/>



Asylum under Biden Administration

- Stop policies that restrict access to asylum
- Increase resources
- End Migrant Protection Protocols
- Re-evaluate the CDC order
- Set refugee admissions cap at 125,000

Source:

<https://joebiden.com/immigration/>



Biden Administration: Possible Courses

- Third Country Asylum Rule: litigation, rulemaking
- Migrant Protection Protocols: DHS memo
- CDC Order: action by CDC Director
- Refugee Admissions Cap: Presidential discretion

Source:

https://www.dhs.gov/sites/default/files/publications/19_0129_OPA_migrant-protection-protocols-policy-guidance.pdf

https://www.cdc.gov/quarantine/pdf/CDC-265-Order-Renewal_5-19-20-p.pdf



International Students: Trump Administration

- Travel Ban 3.0 prevents nationals from Syria and North Korea from receiving international student visas or entering on this basis
- Presidential Proclamation on May 29, 2020 for certain Chinese students

Source:

<https://www.whitehouse.gov/presidential-actions/presidential-proclamation-enhancing-vetting-capabilities-processes-detecting-attempted-entry-united-states-terrorists-public-safety-threats/>

<https://www.whitehouse.gov/presidential-actions/proclamation-suspension-entry-nonimmigrants-certain-students-researchers-peoples-republic-china/>



International Students & Scholars: Proposed Rule

- Replaces “duration of status” with fixed end dates for international students and scholars, not to exceed 4 years or in some cases, 2 years.
- Students who need more time to complete a course of study would have to seek and receive an extension from USCIS and meet a high standard.
- When and if rule will become final is unknown.
- A Biden administration could rescind or modify the rule.

Source:

<https://pennstatelaw.psu.edu/sites/default/files/documents/pdfs/Immigrants/FJISummary9-27.pdf>

<https://www.educationdive.com/news/how-would-bidens-immigration-proposals-affect-international-students/588092/>.



DACA: Deferred Action for Childhood Arrivals





DACA: Deferred Action for Childhood Arrivals

- DACA under the Trump Administration:
 - 2017: Announcement that DACA would be rescinded.
 - June 2020: Supreme Court concludes the way DACA ended was unlawful
 - July 2020: Department of Homeland Security issues memo limiting scope of DACA

Source:

https://www.uscis.gov/sites/default/files/document/data/DACA_Population_Receipts_since_Injunction_Dec_31_2019.pdf

https://pennstatelaw.psu.edu/sites/default/files/documents/pdfs/Immigrants/DACA_at_the_Supreme_Court_Fact_Sheet_Update_2020.pdf



DACA under Biden Administration

- Reinstate DACA in its full capacity
- Explore all legal options to protect their families
- Ensure Dreamers are eligible for federal student loans and are included in proposals to provide access to community college
- Support legislation to provide Dreamers and their parents a legal pathway to citizenship

Source:

<https://joebiden.com/immigration/>



Family Separation and Zero Tolerance

Policy under Trump administration

- To detain and criminally prosecute anyone crossing the border unlawfully
- 2,000+ children were separated from their parents
- Parents of 545 children cannot be found

Biden administration platform

- Immediately reverse family separation
- End the prosecution of parents
- Prioritize family reunification.

Source:

<https://pennstatelaw.psu.edu/sites/default/files/pictures/Clinics/Immigrants-Rights/BorderFactSheet.pdf>

<https://joebiden.com/immigration/>



Family Detention Centers

- ICE detention facilities exclusively used to detain migrant families with children
- Officially referred to as “family residential centers”
- Karnes and Dilley operated by private contractors, Berks owned and operated by county

Source:

<https://www.ice.gov/detention-management>

<https://www.detentionwatchnetwork.org/issues/detention-101>



Family Detention: CIRCI at Berks





Family Detention: Looking Forward

What can be done?

- Release families from detention
- Utilize alternatives to detention

Biden Immigration Platform

- End prolonged detention and reinvest in alternatives to detention
 - “codify protections to safeguard children to make sure their treatment is consistent with their best interest and invest in community-based case management program”

Source:

<https://www.aclu.org/blog/immigrants-rights/immigrants-rights-and-detention/tried-and-true-alternatives-detaining>

<https://justiceforimmigrants.org/wp-content/uploads/2019/06/The-Real-Alternatives-to-Detention-June-2019-FINAL-v.2.pdf>

<https://joebiden.com/immigration/#>



Thank you! Questions?

