Immigration Under a New Administration: Town Hall

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
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:
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/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:
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://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://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: CIRC 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://joebiden.com/immigration/
Thank you! Questions?