

US Immigration

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Agenda

1. Legal Immigration - Overview & Work Arounds
2. U.S./Mexico Border
3. U.S. Immigration Courts - An Asylum-seeker's Journey
4. What about Immigration Detention?
5. Discussion - Options for Action

Pathways to US Citizenship

(80+ visa categories – INA, 1965)

- Family Visas – Majority of immigrants/year
- Professional/Work Visas (518K in 2022)
- Diversity Visa (55K/year)
- Humanitarian Visas
 - Special Immigrant Visas - (SIV) – Afghan and Iraq, only
 - * Refugee - 125K (adjusted annually)
 - * Asylum-seekers – In US, Immigration Judge hears each case

*Persecution : race, religion, nationality, political opinion, or membership in a social group

US takes asylum-seekers from anywhere, no prison, no return into harm

Temporary (Legal) Visitors in the U.S.

(100+ visa categories and Executive Orders)

- Travel and Business Visas (est. 7 million/year)
- Student or Exchange Visas (est. 800K/year)
- Special Work Visas (H1B, H2A, H2B) (180K + special additions/year)
- * 1990 - Temp. Protected Status (355K) – 16 countries
- * 2012 - DACA (700K) – Executive Order
- Humanitarian Parole - DHS Secretary (legal limbo after 2 years)
 - 2021/2022: Afghanistan (70K) , Ukraine (100K) , Venezuela (24K)
 - 2023: Nicaragua, Cuba, Haiti (360K/year)

Migration Trends and Title 42

Increased (worldwide) Migration : economics, conflicts, politics and climate

US/MX Border – Trends since mid 1900's

At first - single Mexican men seeking income

Now we see Mexicans, Central Americans and other countries of origin

Now families fleeing to escape repression and poverty

Title 42 (3/20) = CDC order - no asylum requests at Ports of Entry (for anyone)

Expulsion of Mexicans, Guatemalans, Hondurans, El Salvadorans

US immigration laws, international treaties, and criminal laws broken:

- (1) asylum requests taken from anywhere,
- (2) we will not return people back into harm, and
- (3) border crossers are charged with federal crime

Biden's Latest Policies to Reduce Congestion at the Border

- **Title 42 Expanded** (1/23) Cubans, Nicaraguans, Haitians (Venezuela 10/22)
US will expel 30,000/month into MX if crossed illegal
Initial surge of border crossers from these countries
- **Parole applications to U.S. from home countries** (not at the border):
30,000/month accepted into the US (from Cuba, Nicaragua, Haiti)
Must have US fiscal sponsor, passport and flight to the US
Don't go to Panama, Mexico, or the US w/o legal permission (or no parole)
- **CBP One** = on-line processing of exceptions to Title 42
and appointments at PoE post-Title 42
- Increased use of **Expedited Removal** (deportation) for crossers
- **Transit Ban** – (public comment) No asylum if you didn't apply en route.

U.S. Immigration Courts and An Asylum-seeker's Journey

Department of Justice = Immigration Courts

Decides: (1) Removable? (2) Relief from removal?

Immigration = Civil Matter, no required legal representation

Executive Office for Immigration Review (EOIR)

- 60 Courts, 600 Judges
- 2+million cases backlogged
- Appeals: Board of Immigration Appeals (part of DOJ)
Circuit Courts, Supreme Court (outside of DOJ)

U.S. Immigration Detention

Hundreds of Facilities = For-profit, Federal, and Local

For-profit example: CoreCivic, 128 facilities, NYSE: CXW

70+% of detainees held in privately-owned and operated facilities

\$30 - \$169/day/inmate

Avg beds/day = High (2020) of 50+K, Today = 20.9K

323,000 ATD (Alternatives to Detention (ankle monitors, etc))

NOTE: ICE sets bond amount (\$1.5 - \$20K), judges intervene

What can you do now?

HUMANITARIAN WORK – Hands-on volunteer work

Pima Meeting - Migration Action Committee (bond fund and other)

Tucson Samaritans (water drops, desert searches, migrant support)

Casa Alitas (temporary shelter for asylum-seekers)

No More Deaths (aid in the desert – US and Mexico)

Keep Tucson Together (legal support for local residents)

IRC (International Rescue Committee) in Tucson (resettles refugees)

POLITICAL ADVOCACY – Take actions suggested by others

Southern Border Community Coalition

AZ Immigration Alliance

Kino Border Initiatives

Detention Watch Network

National Immigration Forum (daily newsletter)

National Immigration Justice Center