

Immigration 2021: Hope vs Reality

The View from the LWV of San Diego



The current status of immigration issues

LWVSD has keen interest: on the border in a bi-national region

Changes since Biden's inauguration:

- hope for policy changes

- much flux and uncertainty ahead

- much confusion for thousands in limbo at the border



LWVUS Positions on Immigration

Promote reunification of immediate families

Meet the economic business and employment needs of the United States

Be responsive to those facing political persecution or humanitarian crises

Provide for student visas

Ensure fair treatment under the law for all persons

In transition to a reformed system, support provisions for unauthorized immigrants already in the country to earn legal status

LWVUS Priorities 1/2021

Comprehensive Immigration Reform:

Permanent path to citizenship for

DREAMers

Temporary Protected Status (TPS) holders

Essential workers & their families

Reduced detention

Protect the basic human rights of immigrants

Immigration Basics: Ways to Come In

- *Temporary visa: work, travel , student*
- *Guest worker: H1A guest workers, H2B seasonal workers (increased in 2021); H1B special skills*
- *Residency visa (green card): family or employer sponsorship*
- *EB-5 visa: Immigrant Investor Program (\$1.8 million invested in US business)*
- *Claim of asylum: credible fear process*
- *Refugee status*
- *Citizenship: birthright or the process of naturalization can start after 5 years*

Federal Agencies in the Immigration, Asylum & Deportation Process

Department of Homeland Security:

- Citizenship & Immigration Services (USCIS)

- Customs & Border Protection (CBP), Border Patrol: regulates US borders

- Immigration & Customs Enforcement (ICE): interior enforcement (within 100 miles)

Department of Justice:

- Executive Office for Immigration Review: runs immigration courts

- Board of Immigration Appeals

Department of Health & Human Services

- Office of Refugee Resettlement: care/custody of unaccompanied children

94 Executive Actions in Biden First 100 Days

ICE narrowing focus of arrests to national security & public safety risks

Travel & visas: end Muslim ban, increase guest workers

Humanitarian protection: added Venezuela & Myanmar to TPS list; Haiti, too

Immigrant basic needs: ended the public charge rule

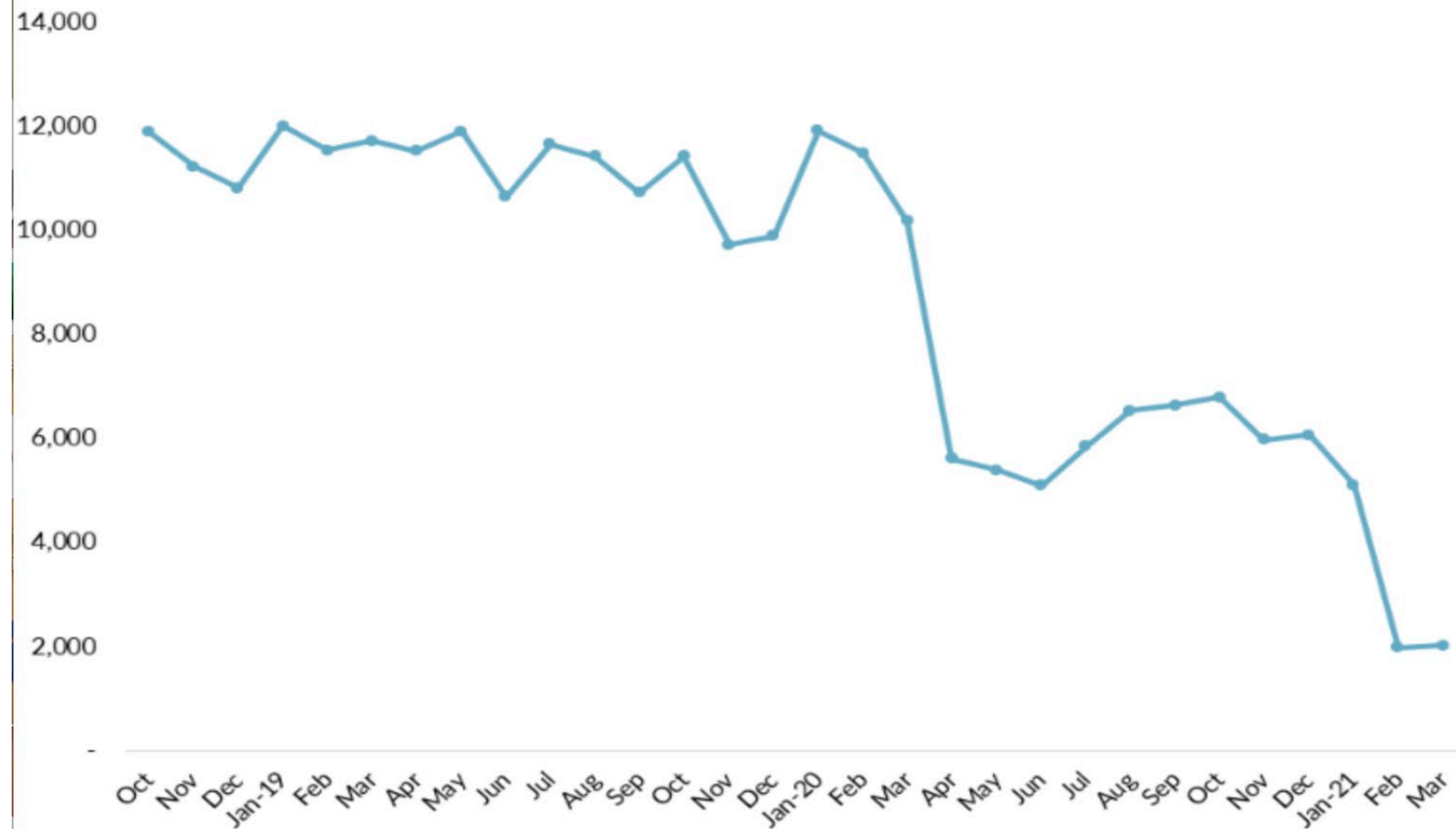
Border policy

- Ended MPP (Remain in Mexico), but being processed very slowly

- Unaccompanied children not expelled under Title 42

60% reduction in ICE arrests

Figure 1. ICE Detention Book-Ins Originating from ICE Arrests, October 2019-March 2021



Increased arrivals at the Border

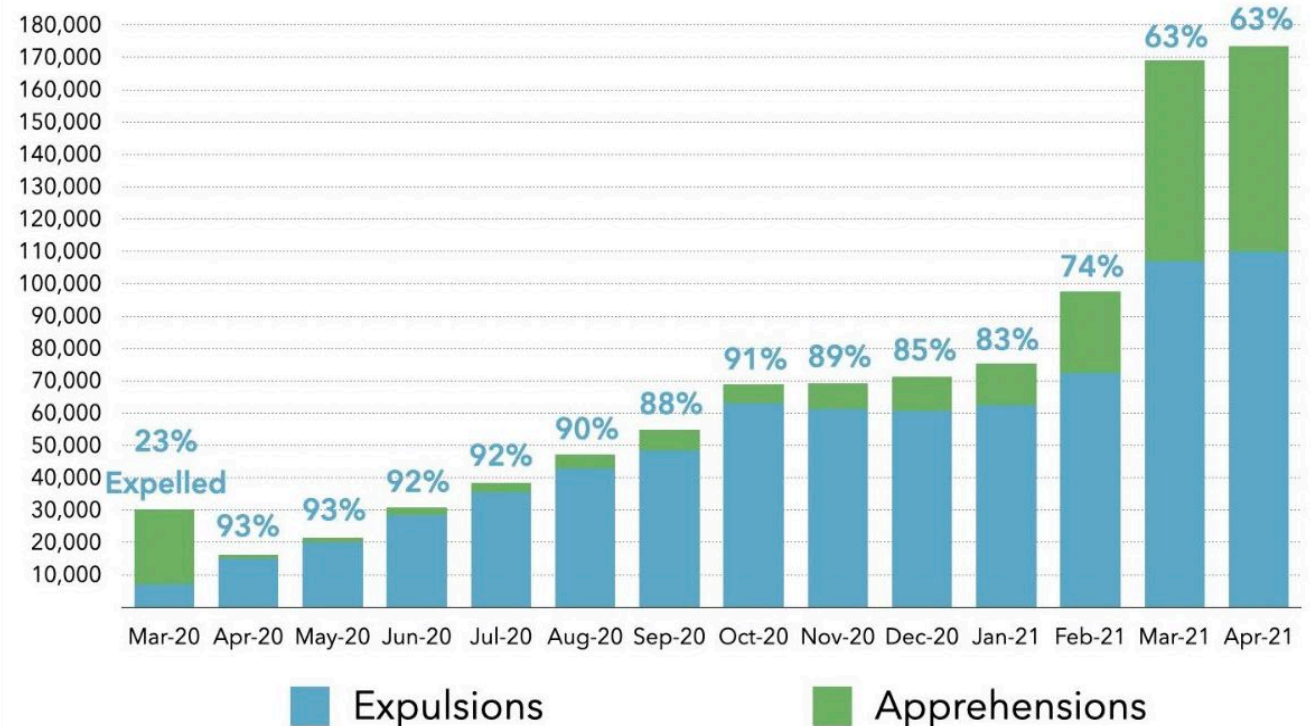
Increases occur every spring when the desert is not too hot to cross.

Most of encounters resulted in expulsion, although a lower percent than pre-Biden:

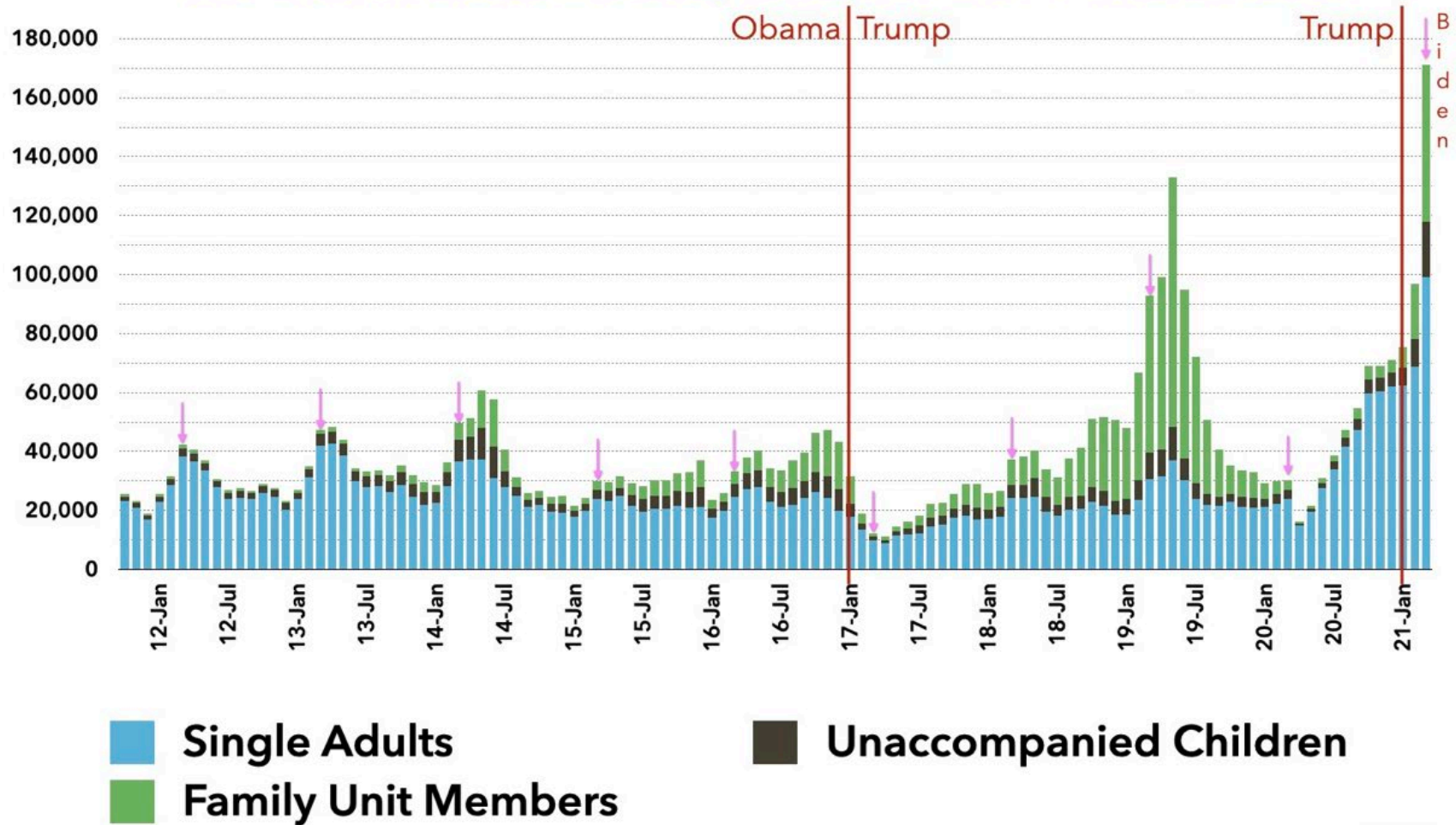
April: 178,622 (63% expelled)

Title 42 Expulsions and Regular Apprehensions of All Migrants Encountered Between Ports of Entry Under COVID-19 Measures at the U.S.-Mexico Border

733,836
Expulsions of
those encountered
between POEs



Border Patrol Migrant Apprehensions and Encounters at the U.S.-Mexico Border, October 2011-March 2021



Months of March denoted with pink arrows

Asylum seekers

Asylum officers review each person that presents at ports of entry and determine if a case demonstrates **credible fear** of persecution.

Roughly 14% of applicants have been granted asylum in recent years.

Migrant Protection Protocols (MPP, “Remain in Mexico”): prior administration policy

Court backlog for asylum seekers: about 1.3 million cases and 500 judges

Logjam: estimated 14,000 in Tijuana (fall 2020); 71,000 in Mexico

Title 42: used since March 2020

Public health threat of Covid allows immediate expulsion without a hearing

ACLU has current lawsuit

Narrow changes under Biden so far – increased humanitarian exceptions (250/day)

Building larger processing centers (El Paso)

Unaccompanied minors

Biden not expelling which has led to the increase. Mexico: lack of shelter space

Must be moved from CBP within 72 hours (3 days) to:

Department of Health & Human Services,

Office of Refugee Resettlement temporary shelters

Help locating relatives or sponsors; help with asylum case

Average time in temporary shelter is 30 days (April 2021)

Recent figures:

5,767 in CBP custody (3/28/21) down to 455 (5/11/21)

In May, 11,500 in HHS or ORR custody, down from 16,500 in March (WOLA, 5/28)

Refugees

Different process for entry:

UN High Commission for Refugees; State Dept; Homeland Security checks and interviews; domestic resettlement process; assistance by Federal government

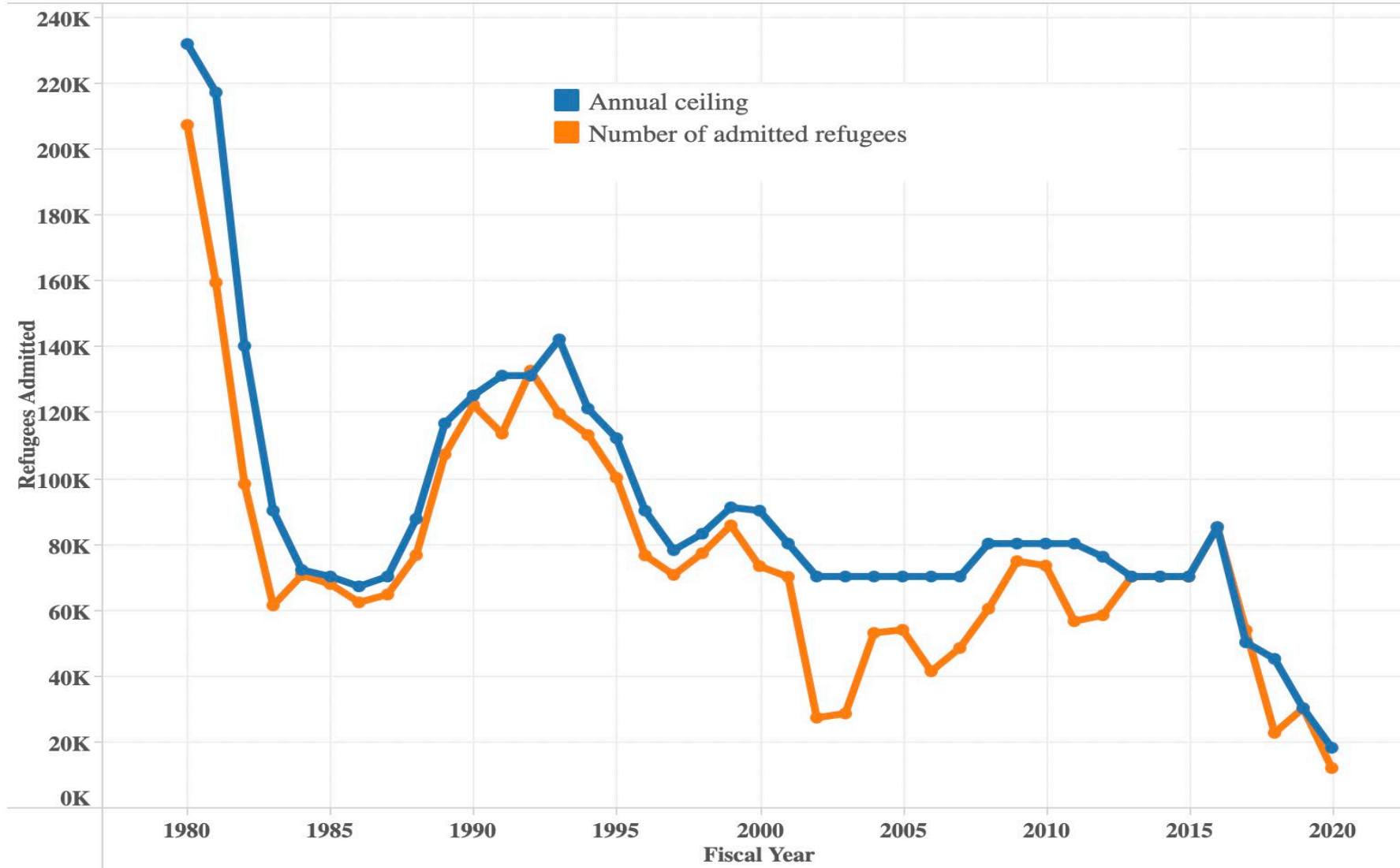
Trump policy: 30,000 in 2019; 18,000 in 2020

Biden policy: 62,500 in 2021

Drastic reduction from the past (230,000 in 1980)

More than 100,000 waiting internationally

U.S. Refugee Admissions and Refugee Resettlement Ceilings, Fiscal Years 1980-2020



Impact in San Diego

Daily admissions growing since Biden began admitting asylum seekers a little at a time

Role of local non-profits in welcoming (funded by County, state & donors):

Jewish Family Services: operates Rapid Response Shelter

3,000 people in March (700 per day) provided with housing (5 hotels) and help to get to destination (98% go elsewhere for asylum hearings)

The situation in Tijuana

Humanitarian crisis: roughly 2,000 people are camped out in tents at the San Ysidro port of entry El Chaparral

Shelters are overwhelmed

Most are seeking asylum & awaiting appointments

Many asylum seekers from Haiti and African countries

Many deported migrants live in Tijuana, men and families with US citizen children

Increased sea arrests

Recent deaths at sea



Detention Facilities

200 detention centers holding 19,000 undocumented

80% of detainees are in facilities run by private prison companies

Many stay for years due to court backlog

Conditions:

Covid risk:

at least 13,000 detainees have tested positive

9 died



Deported Veterans

- US military has offered expedited citizenship if a person serves and is honorably discharged after a period of time
- Many returned from military service with PTSD or traumatic brain injury and turned to drugs or alcohol which led to trouble with the law and deportation
- Several hundred deported veterans in Baja California
- HR 536: New Way Forward (Rep Chuy Garcia): limits the extent of serious crimes leading to deportation; decriminalizes border crossing

The Wall

Border is 1,954 miles and has 776 miles of wall.
Many ways to get around it – land and sea.

Trump:

Replaced or reinforced 350 miles with 18-30 foot high wall

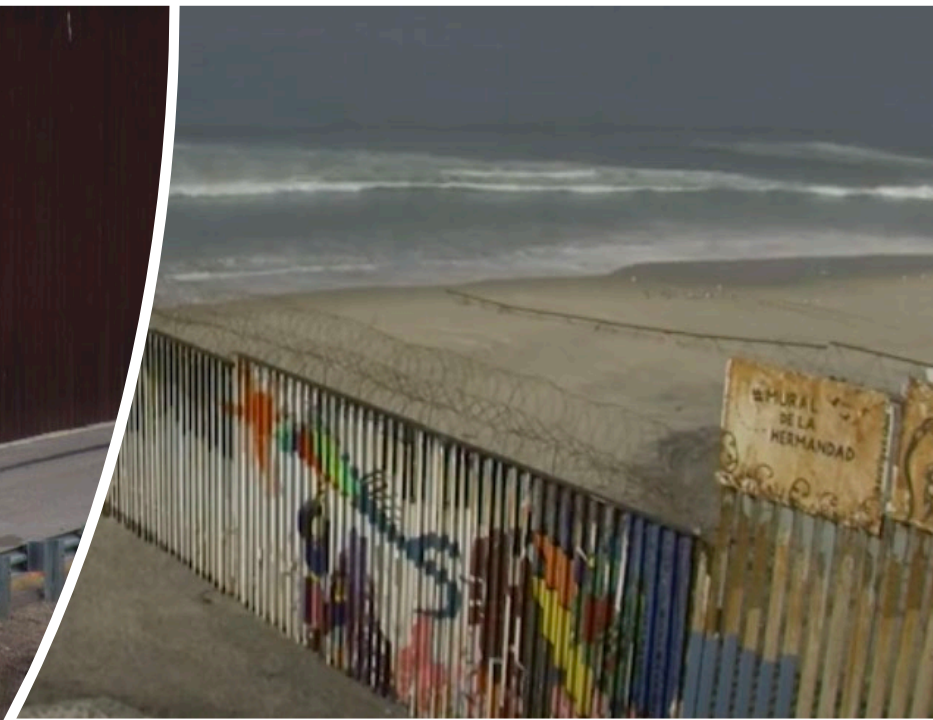
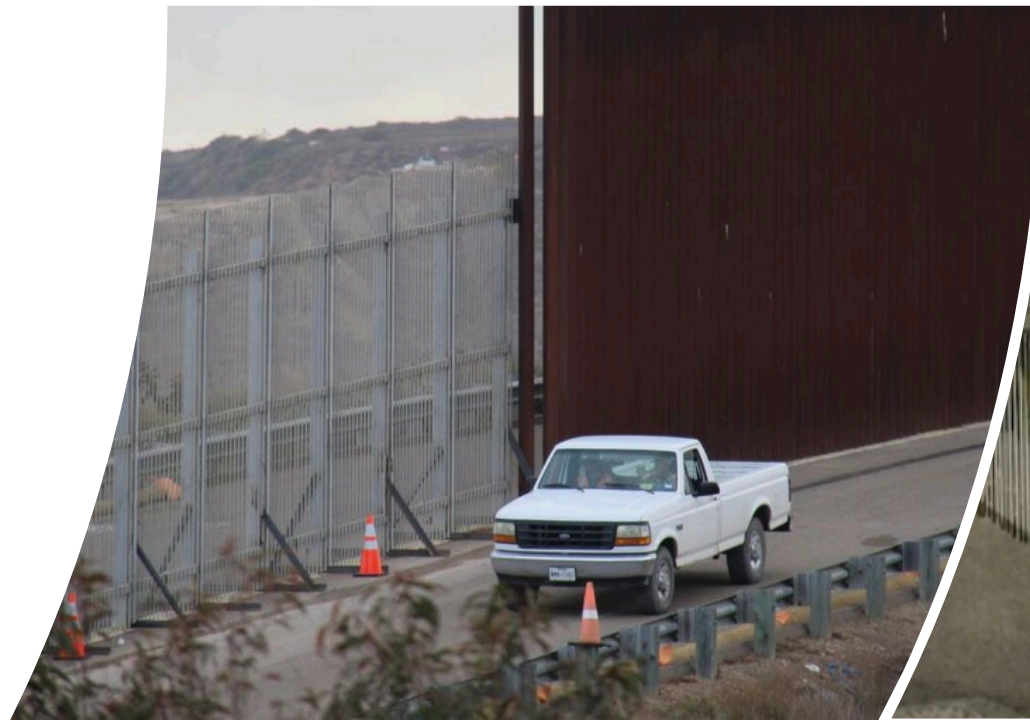
Built new 50 miles of wall *

Biden:

Halt to wall construction; increase electronic surveillance

* Southern Border Communities Coalition

The Wall
at the Ocean
&
the Halt of
Construction
on Jan 22nd



The Wall in San Diego County & Friendship Park/Parque de la Amistad

History of the wall in San Diego: minimal fencing until 1993

2008: secondary fence built

Friendship Park: dedicated in 1971 by Pat Nixon, symbolizes friendship

- CBP opened secondary fence occasionally for families to meet
- Threat of 30 foot wall construction halted after Biden inauguration
- Hope to renew the park and reduce barriers by Friends of Friendship Park

Local San Diego Changes & Issues

New Mayor:

Convention Center site for unaccompanied minors, housing 1,400+

Board of Supervisors: now 3 Democrats of 5

Public Defender program for detainees: \$5 million (approved 5/4/21);

Proposing Office of Immigrant & Refugee Affairs

Chula Vista: Automatic License Plate Reader (ALPR) activism

Severe cross-border sewage problems: \$300M from EPA

San Diego Welcoming, Humanitarian & Legal Work

Border Angels: drops water, food and clothing in the desert; pays bail for detainees; supports shelters in Tijuana; legal & practical help

Jewish Family Services: housing & helping those who have been allowed to cross under MPP; Rapid Response team and shelter; legal services

Via International: training migrants & deportees in Tijuana & Baja; micro-loans; portable kitchens to feed asylum seekers camped out in Tijuana

Legal assistance:

ACLU, Al Otro Lado, Casa Cornelia – more legal help needed and more immigration & asylum judges

LWV of San Diego Activity

Immigration & Deportation Committee

Pre-Covid:

support for families in shelters; border tours

Humanitarian: support for Madres y Familias
(humanitarian aid, tutoring; Thanksgiving dinners)

Education for members & the public:
monthly meetings with speakers on immigration topics

Advocacy:

Meetings with our Congressional Representatives over the years

Local issues: Truth Act; Public Defender Program (County)

State: letters regarding current legislation

National: letter to our local Congressional Representatives



Current Pending Federal Legislation

Comprehensive (for all 11M undocumented):

US Citizenship Act of 2021: Biden eight-year path to citizenship

Incremental steps:

Dream & Promise Act of 2021 (passed House 228-197,
w/ 9 Republican votes)

Farm Worker Modernization Act for farm workers & guest workers
(passed House 247-174, w/ 34 Republican votes)

Pathway to Citizenship for Essential Workers (Sen Padilla, CA)

Republican proposals

Bipartisan Border Solutions Act (Sens Cornyn, Sinema):

- increase funding to the border

- build 4 asylum processing centers on border

- revise credible fear criteria

Secure & Protect Act of 2021 (Sen Graham):

- set up processing centers in other countries

Core Differences & Areas of Agreement between Democrats & Republicans

Bipartisan Policy Center survey, May 2021

Democrats	Republicans
Path to citizenship for long-time residents & refugees	Increase removal/deportation
Increase temporary visas for those escaping poverty & crime	Increase use of E Verify
Increase permanent visas for those fleeing persecution	No border crossing without authorization
	Invest in systems to prevent overstaying visas
Increase visas for positions to support the US economy	Increase visas for positions to support the US economy
Increase visas for investors in research & innovation	Increase visas for investors in research & innovation
Increase refugees & asylum seeker admissions	Some support for refugees & asylum seekers

California legislation

SB54, the California Values Act (2017):

- Prevents state and law enforcement agencies from using personnel to arrest persons for immigration enforcement purposes
- Upholds state decision to be a sanctuary state

California Truth Act (2016): regulates interviews requested by ICE

IN PROCESS: (supported by LWVC)

SB56: full-scope Medi-Cal for all seniors, included undocumented

AB 937 Vision Act : builds on the Values Act: prohibits law enforcement agencies from using resources to investigate, interrogate, detain, detect or arrest people for immigration purposes

AB 1368: enhanced services program for asylees: case management & access to state benefits

What can LWV Members Do ?

Be informed and Educate Others:

Hold meetings with speakers on immigration and

Provide information on website and in newsletter

Advocacy: Federal & state

Volunteer: Organizations (see Resource List)

Donate

[Resource List](#): link listed in the Chat and on LWVSD website

Discussion questions & controversies

- What is your League doing ?
- What is a fair immigration policy ? How much preference should be given to people with certain skills ?
- What is a humanitarian border policy ? What is appropriate policing ?
- How do we have a civil conversation as a nation about immigration when there has been so much hyperbole ?