

GLOBAL IMPLICATIONS OF POTENTIAL PROPOSED CHANGES TO US IMMIGRATION POLICIES

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AGENDA

- 1. Introduce myself , welcome you to the Crescent City, thank you to Caitlyn Gibson and Manuel Ángel Oscós-Sánchez , finally congrats on the statement issued yesterday
- 2. Discuss learning objectives and the substantive and procedural law they contain
- 3. Updates on the latest White House Executive Order issued on Monday March 6
- Will be happy to answer questions in the Q and A

3 LEARNING OBJECTIVES

- - To give attendees the necessary knowledge, vocabulary and understanding of global migration matters, including amnesty programs, guest workers programs and asylum/refugee issues.
- - To give attendees expansive knowledge of the Immigration and Nationality Act, its basic provisions and a broad overview of removal (inadmissibility and deportation) proceedings, including expedited removal at the border.
- - To give attendees the necessary knowledge, vocabulary and understanding of substantive U.S. immigration law, including constitutional treatment of non-citizens, rights at the border and within the interior, sanctuary cities and the like.

LEARNING OBJECTIVE ONE

- To give attendees the necessary knowledge, vocabulary and understanding of global migration matters, including amnesty programs, guest workers programs and asylum/refugee issues.
- WE LIVE IN A GLOBALIZED WORLD – MOVEMENT OF PEOPLES, ALIENS
- U.S. IMMIGRATION –FEDERAL LAW Immigration Nationality Act of 1952
- AMNESTY PROGRAMS- Last U.S. one in 1986. other countries such as Italy Spain,,more recent regularizacion and lately Plan de Retorno Voluntario
- GUEST WORKER PROGRAMS – Bracero in US after WWII, Turks in Germany
- ASYLUM SEEKERS/REFUGEES – Int'l Human Rights Law b/c Domestic Law

LEARNING OBJECTIVE TWO

- To give attendees expansive knowledge of the Immigration and Nationality Act, its basic provisions and a broad overview of removal (inadmissibility and deportation) proceedings, including expedited removal at the border.
- INA allows temporary nonimmigrant categories (F-1 students, H-1B visas, etc) also immigrant categories (Family, Employment, Diversity and Asylees). Lead to LPR status, eventually upon application become USC.
- Even if have ability to come to U.S., subject to inadmissibility grounds apply (crimes committed abroad, coming to overthrow gov't, etc.) which keep out
- Once here, removal or deportability grounds apply (crimes, immigration violations, etc). Entitled to hearing, etc., except if expedited removal.

THIRD LEARNING OBJECTIVE

- To give attendees the necessary knowledge, vocabulary and understanding of substantive U.S. immigration law, including constitutional treatment of non-citizens, rights at the border and within the interior, sanctuary cities and the like.
- Noncitizens are protected by the Equal Protection Clause Fourteenth Amendment to the U. S. Constitution, where it says “persons’.” This is why undocumented children may attend K-12 public education in the U.S.
- Reduced rights at the border, even though the Fourth Amendment to the U. S. Constitution’s prohibition against unreasonable searches and seizures applies (clause says “people”).
- Within the interior, requirement of probable cause, warrants, etc. also based on probable cause. ICE can obtain, if local law enforcement cooperates, issue of detainers.
- Sanctuary cities – Tenth Amendment to the U.S. Constitution leaves to states powers that are not given to the federal government. so localities and states can choose whether or not to cooperate with ICE.

A NOTE ABOUT NEW EXECUTIVE ORDER- 6 COUNTRIES, LPRS EXCLUDED, ETC

- It calls for the Department of Homeland Security, in consultation with the State Department and other agencies, to begin “a worldwide review to identify whether, and if so what, additional information will be needed from each foreign country” in order to determine that a person who is seeking an immigration benefit “is not a security or public-safety threat.”
- The D.H.S. will have twenty days to decide what information needed, and then the country in question will have fifty days to start providing it. DHS “shall submit to the President a list of countries recommended for inclusion in a Presidential proclamation”—a new list of places suspected of producing terrorists.
- orders government agencies to publicize crimes by noncitizens, mentioning in particular “honor killings” and other crimes against women, RATIONALE?