Twitter Thread by César



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Now that the rug has been rolled up on Air Force One (literally) for the last time as Trump is in it…let's talk about immigration. Biden-Harris administration plans to release proposed immigration legislation called the US Citizenship Act.

The transition team has released a fact sheet. Some key points described: 1) Replace "alien" with "noncitizen" in federal immigration laws.

2) It will include a legalization option for unauthorized migrants who were in the United States on January 1, 2021.

People deported on or after January 20, 2017 can apply for waiver of presence requirement if they had been in US for at least 3 years (based on family reunification or "other humanitarian" reason).

—> This legalization option is enormously significant. The vast majority will easily meet this residence requirement. Over 60% have been here for over 10 years, according to a 2018 report by @MigrationPolicy https://t.co/onHInyETzq

3) Eliminate 3 & 10-year bars that currently impose significant obstacle for people trying to legalize their status. Eliminates 1-year filing deadline for asylum applications. Raises U-visa cap to 30,000 per year.

4) Lets applicants with approved family-based immigration petition (step 1 in the process of getting a green card) wait in US for process to wrap up.

From April 1 to June 30, 2020, for example, USCIS approved almost 199,432 such I-130 petitions https://t.co/BVN3yHY8gD

5) Claims to strengthen anti-discrimination provisions of immigration law. Increases available number of diversity visas.

6) Establishes a commission to recommend "improving" employment verification system.

I don't quite know what to make of this because it's vague. Is this supposed to be an improved version of E-Verify?

Here are problems the ACLU identified in 2013: https://t.co/pSMIy9Cjy4 And here's a 2019 critique from @AlexNowrasteh at Cato https://t.co/jOHm1hXHlT

7) The proposed legislation would also boost funding for inspections at ports-of-entry described as targeting "narcotics and other contraband." Increases funding for DHS "to manage and secure the southern border between ports of entry."

8) Requires DHS and DHHS to develop guidelines regarding "standards of care for individuals, families, and children in CBP custody."

Isn't this what the Flores Settlement Agreement does, at least regarding kids and families? Is the idea simply to use FSA as a baseline and improve on conditions, which might potentially include not keeping kids & families in CBP custody? Unclear.

9) Creates in-country refugee processing locations throughout Central America. Resumes Central American Minors program that helps identify kids who have relatives in United States.

The CAM existed from 2014 to August 2017. It successfully helped about 1400 kids get to the United States to reunite with relatives already here. That's not a big number. https://t.co/8mBx0U7B2o

10) "Expands family case management programs" which, before its termination under Trump, had been successful at helping migrants through immigration court system without confining them. https://t.co/3wPVtQPBnb

11) Funds access to attorneys for kids, "vulnerable individuals, and others when necessary to ensure the fair and efficient resolution of their claims" in immigration court.

Overall, this fact sheet identifies a lot of meaningful changes to how immigration law & law enforcement currently operate. I'm looking forward to seeing the full proposal.

Here's the fact sheet https://t.co/fasnkLR5m3