

UNDERSTANDING IMMIGRATION

Where we are, how we got here, and the impact on Minnesota communities

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A large, diverse crowd of people is seen from behind, moving across a vast, green field. The people are wearing various colorful clothing, and the scene is captured in a slightly blurred, high-angle shot, suggesting a large-scale event or migration. The text "PEOPLE MOVE." is overlaid in white, bold, sans-serif font across the center of the image.

PEOPLE MOVE.

Objectives

- Immigration 101
- Overview of recent developments
- Quick history

Immigration 101

- How do you get in?
- How can you get kicked out?

Getting In

Admissibility

8 USC 1182:

- Health
- Crimes
- Security
- Public charge
- Immigration violations

Getting In

Non-
immigrants

- 8 USC 1101(a)(15): The term "immigrant" means every alien except an alien who is within one of the following classes of nonimmigrant aliens

Getting In

Immigrants

- 8 USC 1151(a): aliens born in a foreign state or dependent area who may be issued immigrant visas or who may otherwise acquire the status of an alien lawfully admitted to the United States for permanent residence are limited to-

Aliens subject to numerical limits

Getting In

Immigrants

- Family-sponsored (480,000 minus...)
- Employer-sponsored (140,000 plus...)
- Diversity visa program (55,000)

Getting In

Immigrants

Aliens not subject to numerical limits

- Immediate Relatives of US citizens
- Refugee/Asylee adjustments
- Cancellation of removal
- Miscellaneous

Humanitarian Protection

Getting In

Immigrants

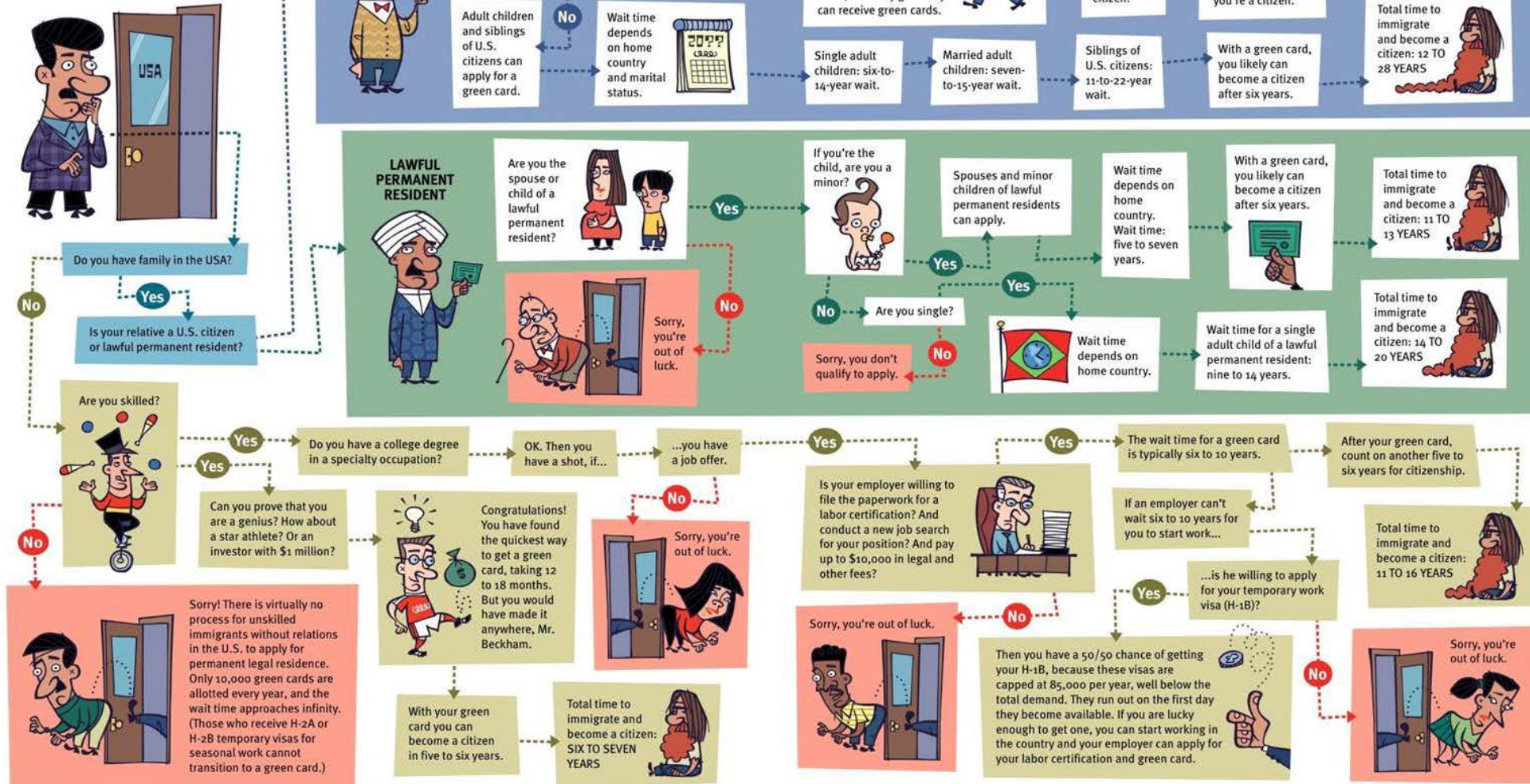
- US Refugee Admissions Program
- Asylum
- Crime victim and trafficking victim protection
- Humanitarian parole

What Part of Legal Immigration Don't You Understand?

Mike Flynn and Shikha Dalmia

Illustrated by Terry Col

Opponents of illegal immigration are fond of telling foreigners to "get in line" before coming to work in America. But what does that line actually look like, and how many years (or decades) does it take to get through? Try it yourself!



(Flynn is director of government affairs and Dalmia is a senior policy analyst at Reason Foundation. This chart was developed by Reason Foundation in collaboration with the National Foundation for American Policy.)

Removal

Any alien not in lawful status is subject to detention and removal

- Inadmissible at time of admission
- Present without status
- Violated conditions of stay

Removal

Any alien not in lawful status is subject to detention and removal

- Smuggling
- Marriage fraud
- Criminal convictions
- Document fraud
- False claim of US citizenship
- Terrorism
- Unlawful voters

Removal Proceedings

- US Immigration Court
 - 218,065 new filings in FY2017 through August
 - 188,703 cases completed
 - **93,327** removal orders issued

- 2,398 new filings in Fort Snelling (MN, ND, SD)
- 1846 cases completed
- **748** removal orders issued

Removals

ICE removals 2016:

240,245

- 93,327

146,918

- Administrative removal
- Reinstatement of removal
- Stipulated removal

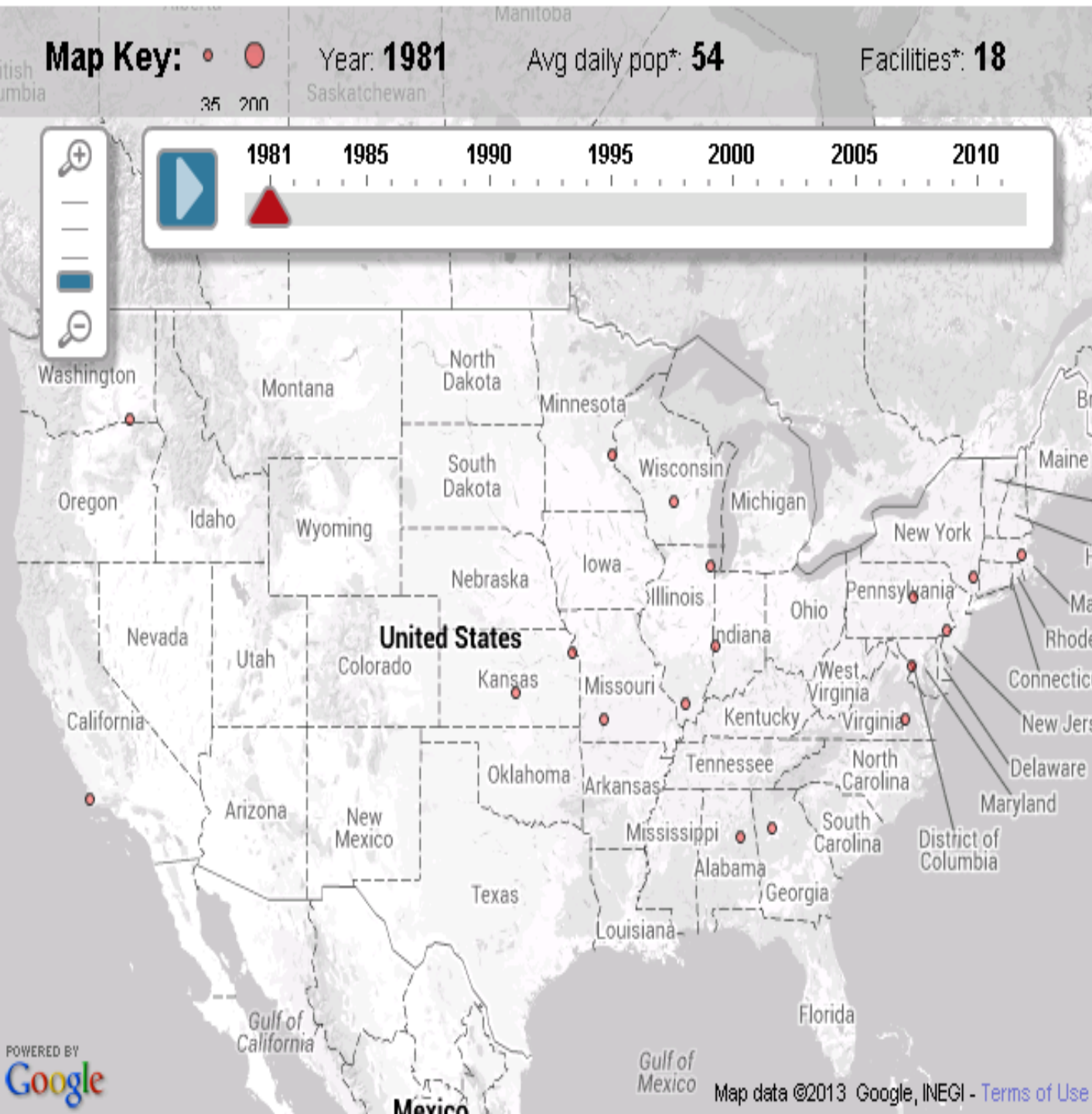
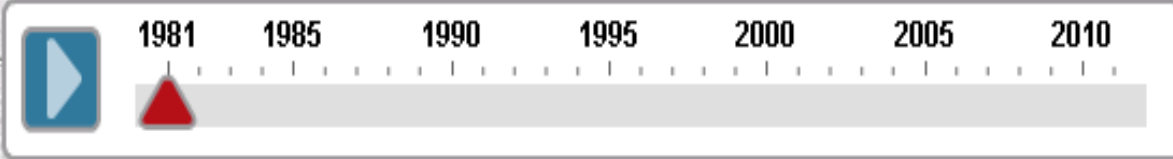
Map Key:



Year: **1981**

Avg daily pop*: **54**

Facilities*: **18**



Immigration Detention 1980

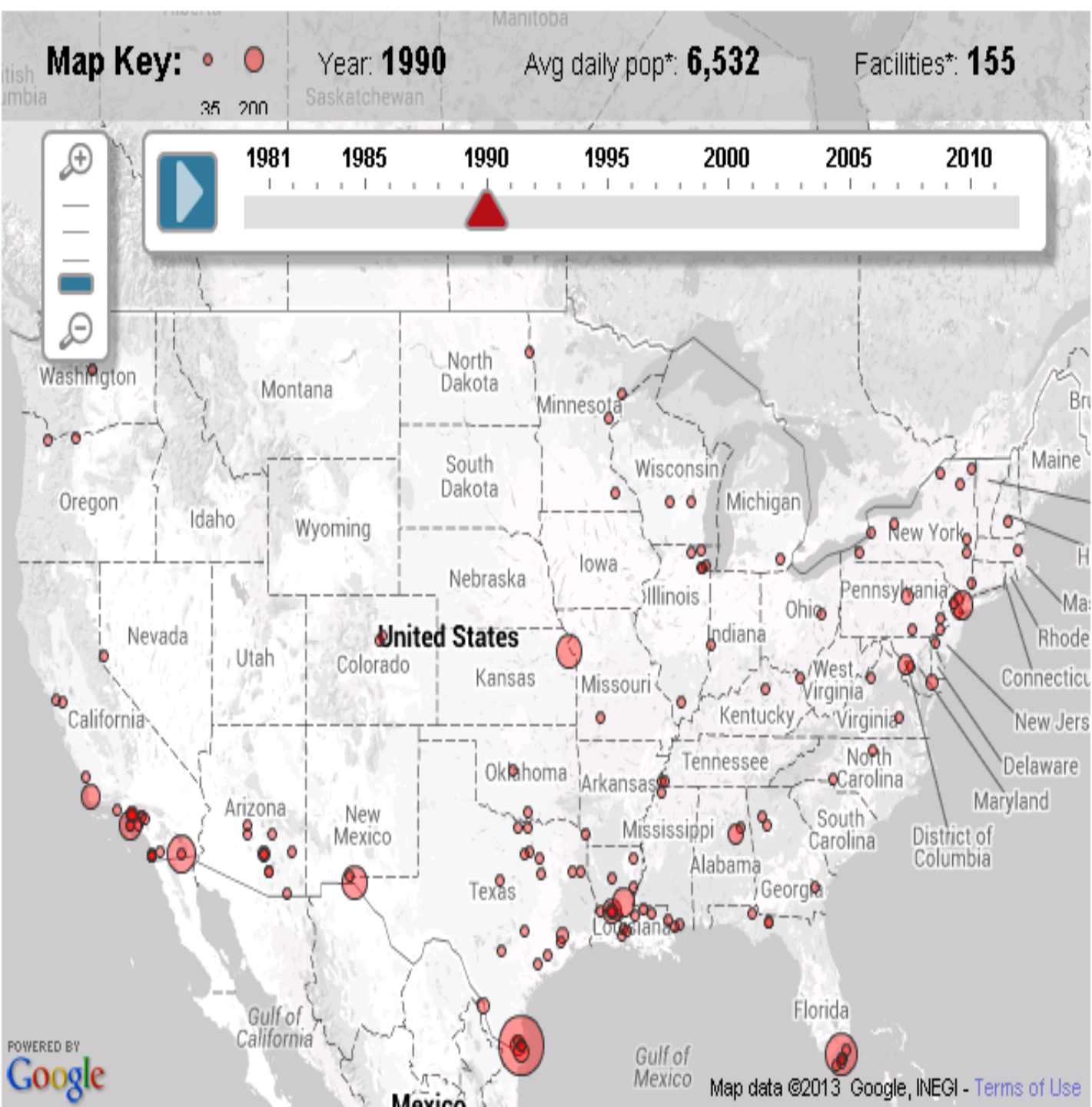
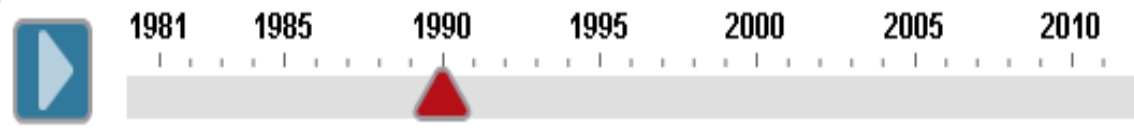
Map Key:



Year: **1990**

Avg daily pop*: **6,532**

Facilities*: **155**



Immigration Detention 1990

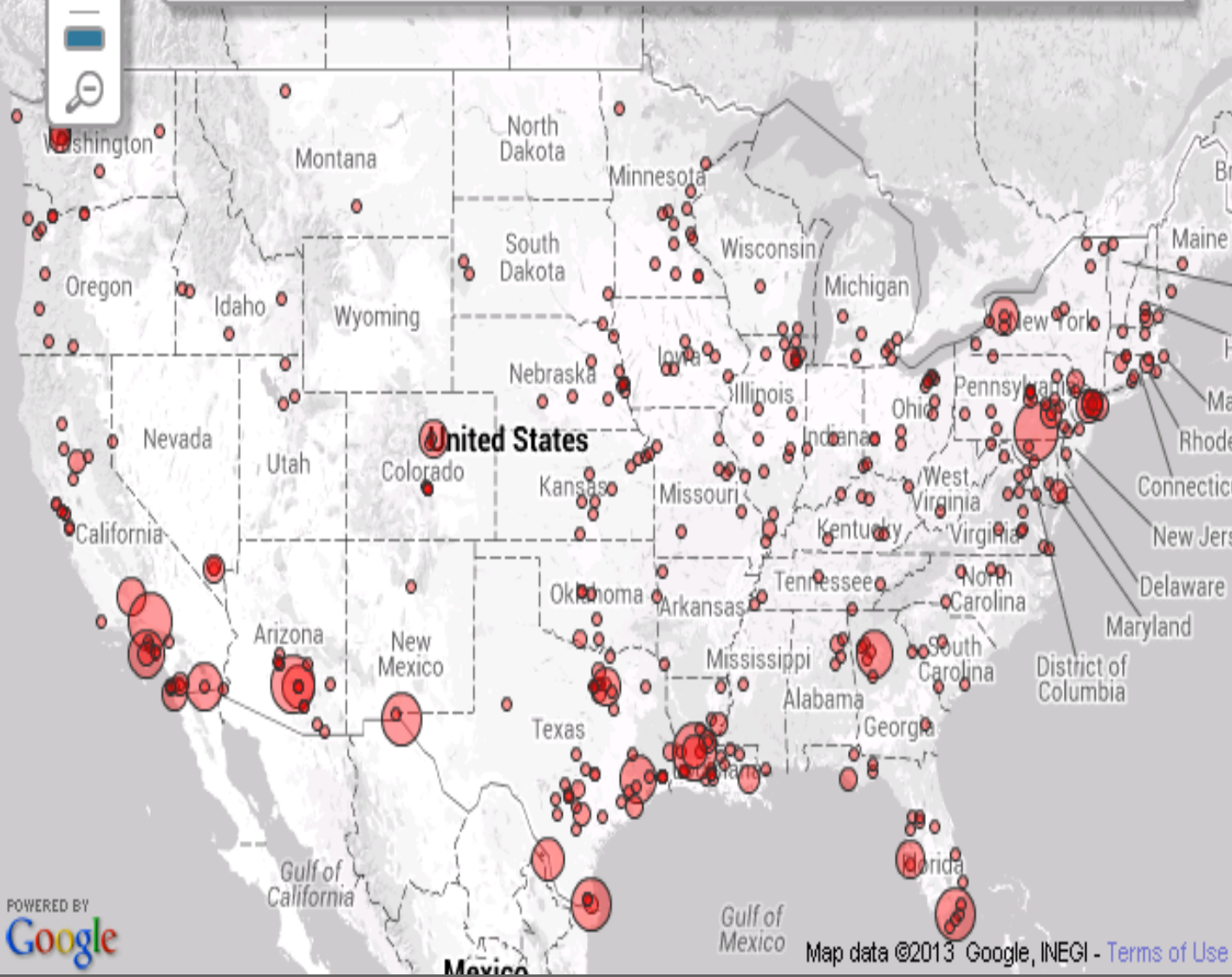
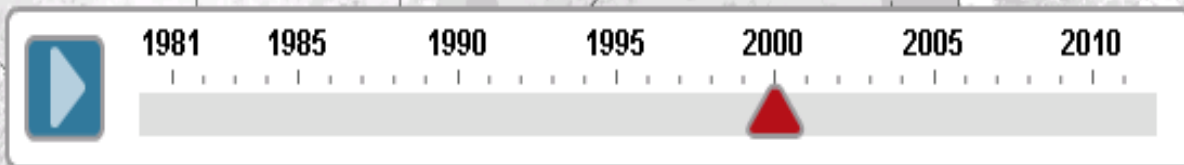
Map Key:



Year: **2000**

Avg daily pop*: **19,244**

Facilities*: **407**



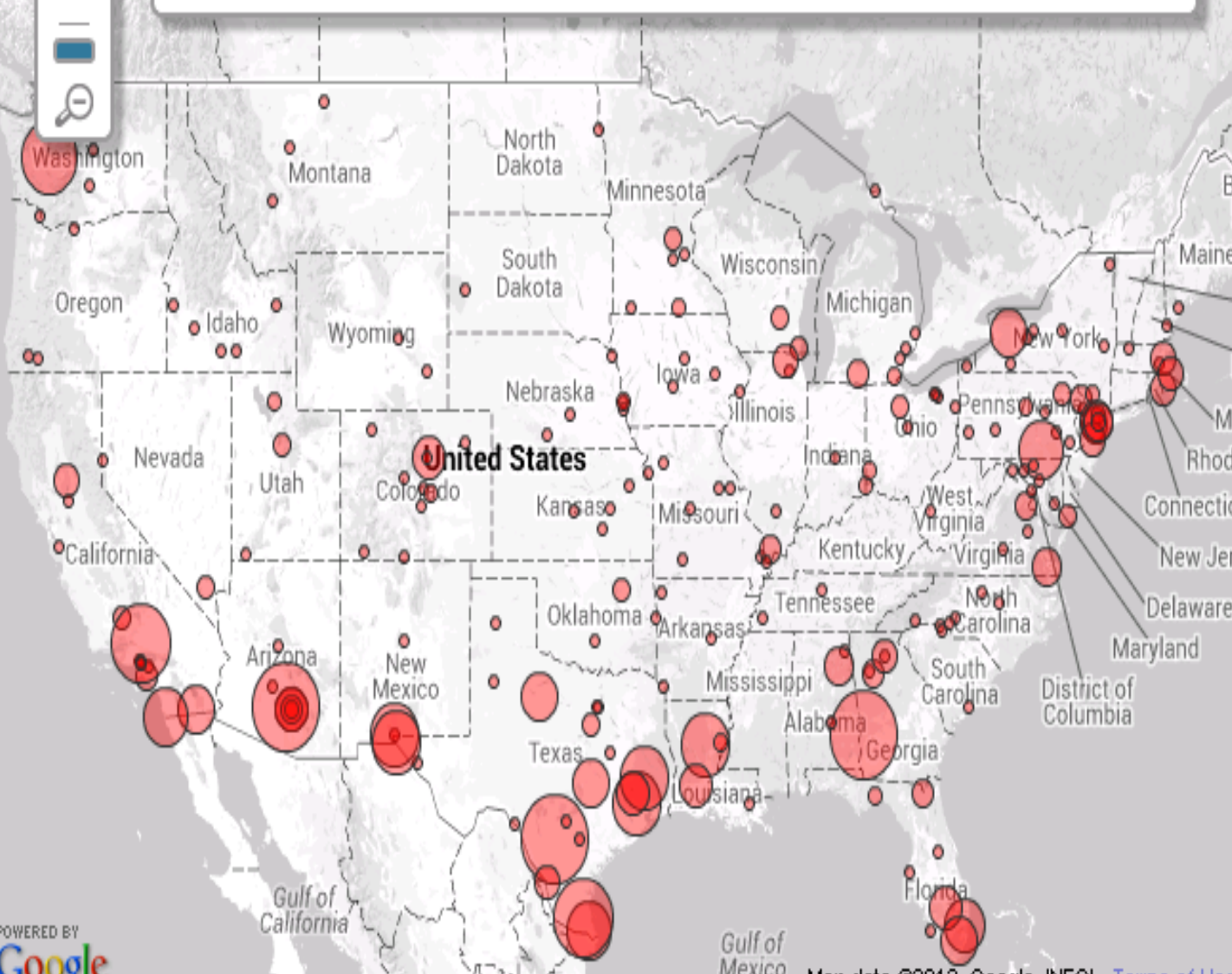
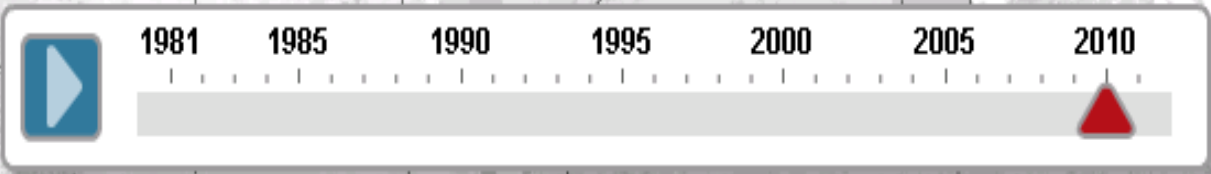
Immigration Detention 2000

Map Key:

Year: **2010**

Avg daily pop*: **29,676**

Facilities*: **209**



Immigration Detention 2010

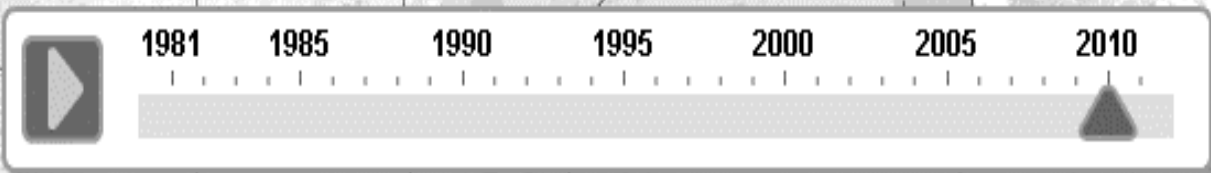
Map Key:



Year: 2010

Avg daily pop*: 29,676

Facilities*: 209



End of FY2016
45,000

Family Detention






DefendDACA.com



Outside the country of nationality owing to a **well-founded fear** of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.



21.3


million refugees

125,600

refugees resettled
worldwide


84,994

refugees resettled
in United States



3.2 million
asylum seekers
worldwide

26,124 people
granted asylum in the
United States

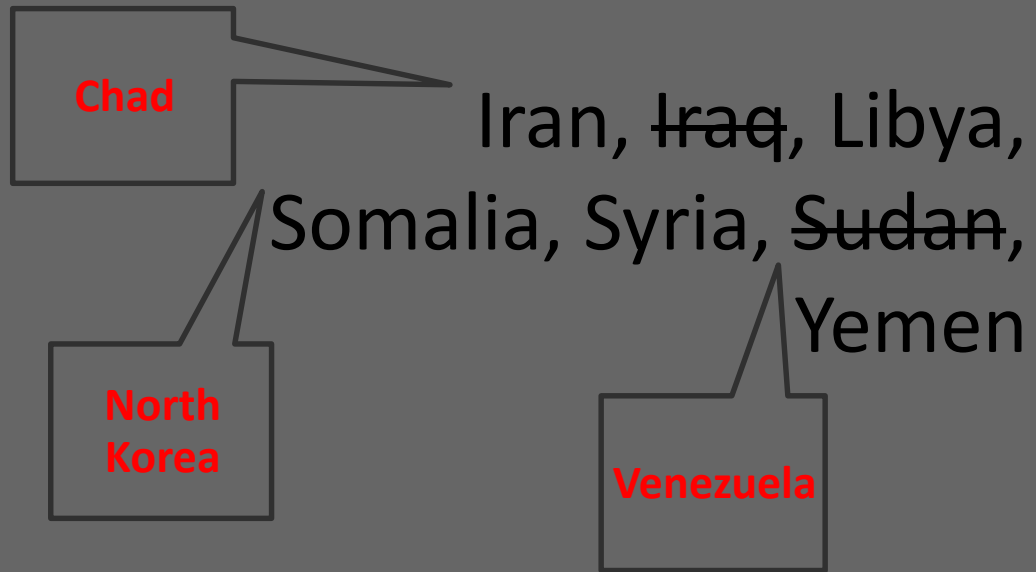


Refugee Ban
“paused” refugee
resettlement for
120 days.

2018 refugee
resettlement levels
set at 45,000

New policies
directed at
limiting asylum

Muslim Ban 3.0



- NO BAN if you are a **US citizen** or a have citizenship in a country that is not banned, **lawful permanent resident** (green card), **asylum**, or are a **refugee** who is already in the US.
- Conditions vary by country



Deportation Priorities

- *Criminal Aliens*
 - Convictions
 - Charged but no conviction
 - Committed but no charge
- *Fugitive Aliens*
- *Fraud*
- *Gangs*

We are a nation of
immigrants.



Criminalization of
migration.



We are a nation of ...

settlement
slavery
exclusion
deportation



1790-1880

Naturalization Act (1790)

Free white persons in US for 2+ years may naturalize

Alien & Sedition Acts (1798)

14+ years to naturalize + executive authority to deport

1882-1952

Chinese Exclusion Acts (1882, 1888, 1892)

Asiatic Barred Zone (1917)

Exclusion of **convicts, lunatics, idiots, or public charges** (1882)

Exclusion of **anarchists, previously deported, and illiterates**

Federal crime to bring/help bring inadmissible aliens into US
(1891)

1924 National Origins Quotas

Immigration allowed up to 2% of population reported in 1890 census

Indian Citizenship Act of 1924

Granted citizenship to US-born Native Americans

1965

1965 Immigration & Nationality Act

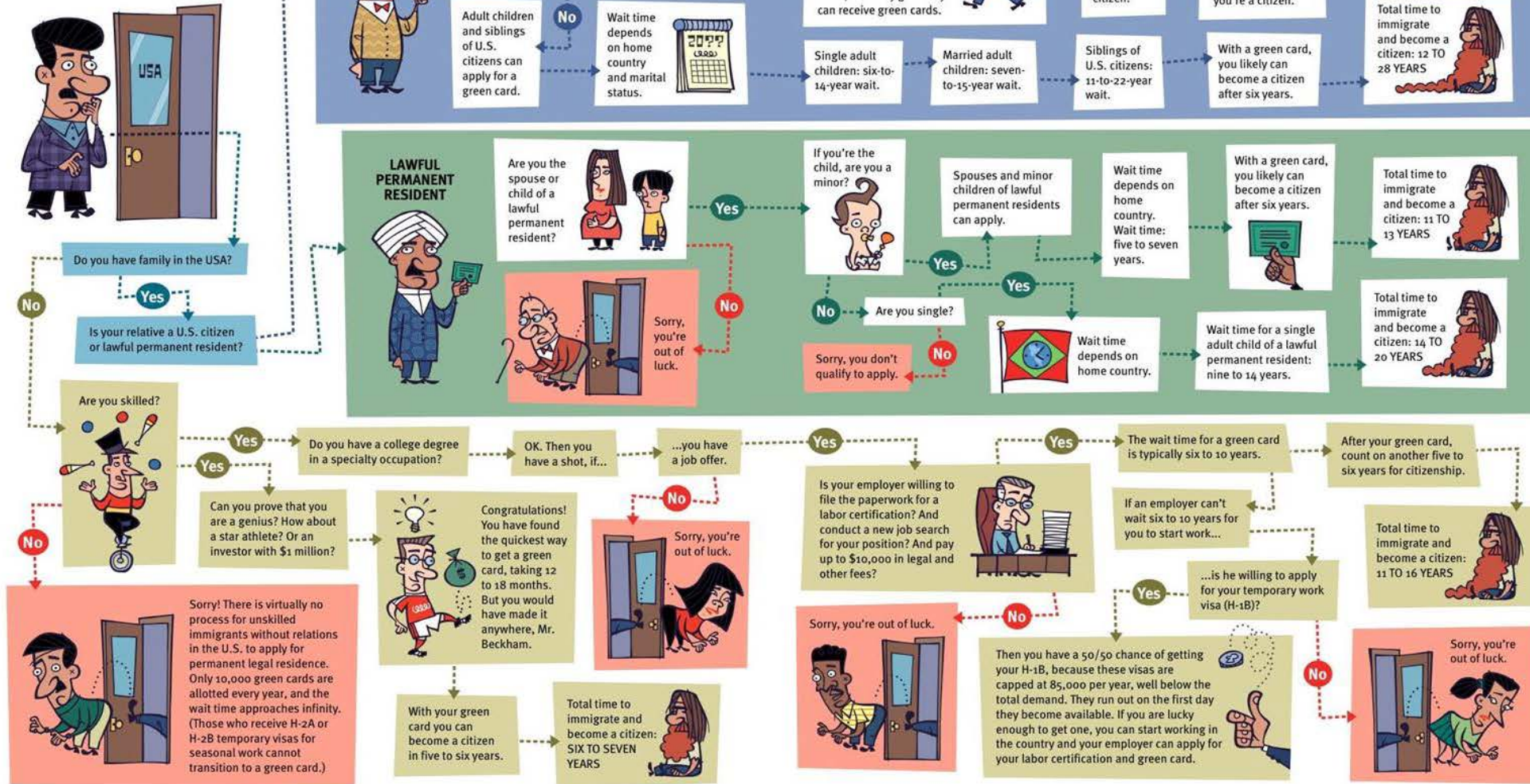
- Eliminated national origin quotas
- Established **family-based** (85%) and **employment-based** (15%) preference system
- Worldwide cap on immigration levels for all countries including Western Hemisphere
- Created Diversity Visa program

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1980

Refugee Act created statutory refugee and asylum process

Well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion



Sanctuary

1986-today

1986

**Immigration Reform &
Control Act**

**50% increase in
border patrol**

**Employer
sanctions**

**Legalization of
2.7 undoc
residents**

1988

Anti-Drug Abuse Act

**Creates
“aggravated
felony” ground
of deportation**

1990

ImmAct90

**Raises legal
admissions by 50%**

**Limits deportation
for ideological
reasons**

**Expands
“aggravated
felony” definition**

1994

**Violent Crime Control
and Law Enforcement
Act**

**Increases penalties
for alien smuggling
and illegal re-entry
after deportation**

**Increases \$ for
Border Patrol**

1996

**Antiterrorism and
Effective Death
Penalty Act**

**Expands “ag
fel” definition
and
establishes
expedited
removal**

1996

Illegal Immigration Reform and Immigrant Responsibility Act

- **Adds new grounds of inadmissibility and deportability, expands “ag fel” definition, limits judicial review.**
- **Expands mandatory detention, increases penalties for unlawful presence.**
- **Increases Border Patrol.**
- **Limits public benefits and creates SAVE.**
- **Creates 287(g) program.**

Criminalization of
migration.





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