

Mayor's International Affairs Advisory Commission
Immigration Issues Committee
Report to the Co-Chairs of MIAAC

Date: February 8, 2021

Co-Chairs: Marilyn Daniel, Charles Baesler

Members: Karen Slaymaker (MIAAC Commissioner), Glen Krebs, Emily Jones, Katie Taylor, Tatiana Lipsey, Sarah Adkins, Jerry Clark, Isabel Taylor

Goals:

- (1) Establish, activate and update a Google spreadsheet summarizing the changes occurring in Immigration Law and Practice in 2021.
- (2) Develop a Communication Plan to disseminate the spreadsheet information to appropriate recipients.
- (3) Provide written summaries of the most significant changes for MIAAC quarterly meetings.

During the month of January 2021, the Immigration Issues Committee has:

- recruited seven members to serve on the Committee (for a total of 10 members)
- established and activated a Google spreadsheet summarizing changes to date in Immigration Law and Practice.
- initiated action to establish at least three meeting dates in 2021.

It has not been necessary to hold an actual meeting to accomplish these tasks.

President Biden has issued a number Executive Orders addressing immigration issues which have revoked many of former President Trump's actions made by Executive Order and which call for studies, reviews and analyses of current practices, which will, within the next six months, result in significant changes in policy and practice.

Notice of significant changes to date:

On January 21, 2021, President Biden issued an Executive Order setting forth Covid-19-related **domestic and international travel restrictions**, generally summarized as follows:

1. Domestic travelers must wear masks in airports, aboard commercial aircraft, trains, public maritime vessels, including ferries, intercity bus services and all forms of public transportation.
2. International travelers by air will be required to produce proof of a recent negative Covid-19 test prior to entry into the US and be subject to periods of self-quarantine and self-isolation after entry into the US (in compliance with regulations to be issued).
3. International travelers by land and by sea will be subject to restrictions to be negotiated with Mexico and Canada.

On January 25, 2021, President Biden issued an Executive Order setting forth Covid-19-related **entry suspensions** for **immigrants and non-immigrants**, generally summarized as follows:

1. The entry of non-US citizens who have been present in any of the following countries during the 14-day period preceding their entry into the US is suspended: Germany, Austria, Belgium, the Czech Republic, Denmark, Estonia, Finland, France, Greece, Hungary, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, Switzerland, the United Kingdom, the Republic of Ireland, Brazil and South Africa.
2. This action will be evaluated by the end of each month to determine whether it should continue, be modified or be terminated.
3. This suspension of entry does not apply to non-citizens who are US Lawful Permanent Residents (LPR) (green card holders); US nationals; spouses of US citizens (USC) and Lawful Permanent Residents; parents and guardians of unmarried USCs and LPRs under the age of 21; unmarried siblings under the age of 21 of unmarried USCs or LPRs under the age of 21; child, foster child or ward of a USC or LPR or prospective adoptee entering pursuant to IR-4 or IH-4 visa classifications; non-citizens traveling at the invitation of the US government for a purpose related to containment or mitigation of the virus; non-immigrants traveling on C-1, D, C-1/D visas as crew members or as air or sea crew; non-citizens traveling on A-1, A-2, C-2, C-3, E-1, G-1, G-2, G-3, G-4, NATO-1 through NATO-4, NATO-6 or whose travel falls within the scope of the UN Headquarters Agreement; members, spouses and children who are in the US Armed Forces; non-citizens whose entry would further important US law enforcement objectives as determined by designated government officials; non-citizens whose entry would be in the national interests determined by designated government officials.
4. Non-citizens who circumvent this proclamation through fraud, willful misrepresentation of a material fact or illegal entry will be subject to removal.

Significant facts from a recent Center for Migration Studies webinar:

1. There are approximately 3,000,000 cases backlogged in the Immigration Court system.
2. There is a backlog of approximately 350,000 visa application cases waiting for consular processing with the State Department outside the US. Downsizing of State Department employees at Embassies and Consulates abroad will pose a significant challenge to reducing this backlog.
3. 80% of the detainees in the immigration detention system are housed in private prisons.
4. In the last year of the Obama administration, the refugee admission cap was 110,000. In the last year (FY 2021: 10/1/2020 - 9/30/2021) of the Trump administration the refugee admission cap was 15,000. To date, five-and-a-half months into FY 2021, only 1,000 refugees have been admitted. The Biden administration is expected to set the refugee admission cap at 125,000 for FY 2022. However, refugee resettlement agencies across the country have been drastically

downsized or closed during the last four years and with Covid travel restrictions in place now, it is uncertain how many refugees will actually be admitted.

5. There are 3.8 million family-based immigration beneficiaries waiting in line to be processed under preference categories:

- First preference (F1) - unmarried sons and daughters (21 years of age and older) of U.S. citizens;
- Second preference (F2A) - spouses and children (unmarried and under 21 years of age) of lawful permanent residents;
- Second preference (F2B) - unmarried sons and daughters (21 years of age and older) of lawful permanent residents;
- Third preference (F3) - married sons and daughters of U.S. citizens; and
- Fourth preference (F4) - brothers and sisters of U.S. citizens (if the U.S. citizen is 21 years of age and older).

Submitted by Marilyn S. Daniel