

NEWS ARTICLES ON KEY ISSUES – OCTOBER 2019

LATEST IMMIGRATION STATISTICS

BORDER PATROL TOOK 851,000 INTO CUSTODY DURING FISCAL 2019

By Anna Giaritelli – *The Washington Examiner* – October 5, 2019

- ❖ U.S. Customs and Border Protection (CBP) agents working along the United States-Mexico border took into custody approximately 851,000 people in the U.S. government's fiscal 2019, marking the highest number of arrests since 2007, according to federal data exclusively obtained by the Washington Examiner. But the 40,000 people taken into custody in September is less than one-third of the 132,000 arrests made in May at the height of a surge of illegal immigrants. Roughly 40,000 people were apprehended after crossing into Texas, New Mexico, Arizona, and California during the month of September. That number was added to the previous 11 months to bring fiscal 2019, which ran Oct. 1, 2018, through Sept. 30, to slightly more than 851,000 arrests. The 851,000 arrested at the southern border does not include the number of people who approached ports of entry, or border crossings, to claim asylum or pass through but were turned away. As of Aug. 31, another 263,000 people were encountered at ports by the Office of Field Operations, a component of CBP.
- ❖ News Article Source: <https://www.washingtonexaminer.com/news/most-illegal-crossings-in-12-years-border-patrol-took-851-000-into-custody-during-fiscal-2019>



Asylum seekers turned themselves in to Border Patrol agents near Penitas, Tex., in February.
Photo Credit: Tamir Kalifa for The New York Times

PROPOSED IMMIGRATION REGULATIONS

TRUMP WILL DENY IMMIGRANT VISAS TO THOSE WHO CAN'T PAY FOR HEALTH CARE

By Michael D. Shear and Miriam Jordan – *The New York Times* – October 4, 2019

- ❖ **The Trump administration will deny visas to immigrants who cannot prove they will have health insurance or the ability to pay for medical costs once they become permanent residents of the United States**, the White House announced Friday (October 4). Mr. Trump issued a proclamation, effective Nov. 3, ordering consular officers to bar immigrants seeking to live in the United States unless they “will be covered by approved health insurance” or can prove that they have “the financial resources to pay for reasonably foreseeable medical costs.” Once the policy is in place, people seeking visas would be asked by consular officers to show how they intend to be covered by health insurance within 30 days of arriving in the United States. That could include proof that they will have health care through a job or will be covered under a relative's insurance. If they cannot show that to the satisfaction of the consular office, their visa will be denied, the White House official said. The State Department will develop standards and rules that consular officials will follow in making the determination, the official said. After years of effort by Mr. Miller, the administration issued a regulation in August that would allow officials to deny permanent legal status to immigrants who are poor. The regulation, which imposes an aggressive wealth test on legal immigrants, has faced several legal challenges but will go into effect on Oct. 15 unless it is blocked by a court. That policy, known as the “public charge” rule, says immigrants seeking to live permanently in the United States could be denied if officials deem it is likely they will be a burden on society by, for example, being unable to pay for health care or seeking food and housing assistance.
- ❖ News Article Source: <https://www.nytimes.com/2019/10/04/us/immigrant-visas-health-care.html>

ASYLUM SEEKERS

TRUMP SLASHES REFUGEE CAP TO 18,000, CURTAILING U.S. ROLE AS HAVEN

By Michael D. Shear and Zolan Kanno-Youngs – *The New York Times* – September 26, 2019

- ❖ President Trump has decided to slash the American refugee program by almost half, greatly dimming the United States' role in accepting persecuted refugees from most parts of the world, the State Department announced Thursday (September 26). The administration said it would accept 18,000 refugees during the next 12 months, down from the current limit of 30,000 and a fraction of the 110,000 President Barack Obama said should be allowed into the United States in 2016, his final year in office. The Trump administration will reserve 4,000 refugee slots for Iraqis who worked with the United States military, 1,500 for people from Central America and 5,000 for people persecuted for their religion, senior administration officials said. The additional 7,500 slots are for those who are seeking family unification and have been cleared for resettlement. Last year, the United States accepted 11,000 people from Africa, 4,000 from East Asia, 3,000 from Europe and Central Asia, 3,000 from Latin America and the Caribbean, and 9,000 from Southeast Asia.
- ❖ News Article Source: <https://www.nytimes.com/2019/09/26/us/politics/trump-refugees.html>

MILLIONS OF IMMIGRANT FILES PHYSICALLY STORED IN UNDERGROUND MISSOURI CAVE

By Stef W. Kight – Axios – September 29, 2019

- ❖ Officials are trying to carry out President Trump's months-old directive demanding that sponsors of immigrants pay the government for the costs when those immigrants used certain public benefits. But to tabulate that, they have to go through a cave in Missouri. The majority of those immigration files — including sponsors' information — are located on physical sheets of paper often stored in a large, underground facility in Kansas City's limestone caves, multiple current and former government officials tell Axios. "The cave stores more than 20 million immigration files, and we add 1.5 million new files every year," a U.S. Citizenship and Immigration Services (USCIS) Facebook post from 2014 says. A spokesperson said USCIS is continuing to work on digitizing records.
- ❖ News Article Source: <https://www.axios.com/immigrant-files-missouri-cave-038095ef-df0c-44fb-8bfb-7a00db710a5d.html>

NEW IMMIGRATION POLICY ENDANGERS PATIENTS NEEDING LIFE-SAVING CARE

By Kevin B. O'Reilly – American Medical Association

- ❖ A new policy implemented by U.S. Citizenship and Immigration Services (USCIS) bars its field offices from accepting or adjudicating requests for temporary deferral of deportation for immigrants with serious medical illnesses. The American Medical Association (AMA) is strongly urging the USCIS to reverse the move. The agency has long used deferred action, which is a form of prosecutorial discretion, and in recent years the USCIS has allowed it for immigrants suffering serious medical conditions. "This change in policy needlessly endangers vulnerable children and families who are seeking medical deferments from deportation due to serious illnesses or life-saving medical treatments," AMA Executive Vice President and CEP James L. Madara, MD, wrote in a letter to USCIS Acting Director Kenneth Cuccinelli. Failing to rescind the new policy will lead to the deportation of patients getting life-saving treatments, and their safety and continuity of care can't be assured, Dr. Madara noted. USCIS has said that immigrant patients affected by the policy can submit requests to U.S. Immigration and Customs Enforcement (ICE), but the AMA does not see that as a "viable alternative," the letter says, because ICE officials have indicated that they will not accept such requests. The policy change "will force sick children and other vulnerable individuals to make the impossible choice of either declining to seek life-saving medical care or risking deportation by voluntarily placing themselves in deportation proceedings and seeking the deferred action determination of an enforcement agency."
- ❖ News Article Source: <https://apple.news/ADE2unpZ0QyCogVBpKayJGg>

TRUMP ADMINISTRATION TO END 'CATCH AND RELEASE' IMMIGRATION POLICY, SAYS DHS CHIEF

By Richard Gonzales – NPR – September 24, 2019

- ❖ The Trump administration will no longer allow migrant families apprehended at the border to enter the U.S. under the immigration policy commonly known as "catch and release." The policy change was announced Monday, September 23, by Acting Secretary of Homeland Security Kevin McAleenan in remarks at the Council on Foreign Relations in Washington, D.C. "With some humanitarian and medical exceptions, DHS will no longer be releasing family units from Border Patrol Stations into the interior," McAleenan said in his prepared remarks. "If migrant family units do not claim fear of return, they will be quickly returned to their country of origin, in close collaboration with Central American countries," the statement read. "If they do claim fear, they will generally be returned to Mexico under the Migrant Protection Protocols (MPP)." Under the MPP, the U.S. government sends asylum-seeking migrants to Mexico, where they reside as they wait for court dates in the U.S. to pursue their claims for protection. The program, also known as "Remain in Mexico," has come under widespread criticism for failing to protect migrants with legitimate fears of returning to their homeland. The announcement follows an agreement signed last week by El Salvador and the U.S. in which the Central American nation agreed to allow some asylum-seekers to request protection there rather than the U.S. The operational details of that deal were not disclosed.
- ❖ News Article Source: <https://www.npr.org/2019/09/24/763645635/trump-administration-to-end-catch-and-release-immigration-policy-says-dhs-chief>

BORDER PATROL AGENTS NOW SCREENING MIGRANTS FOR "CREDIBLE FEAR" UNDER CONTROVERSIAL PILOT PROGRAM

By Camilo Montoya-Galvez – CBS News – September 20, 2019

- ❖ Border Patrol agents — rather than asylum officers — are now interviewing asylum seekers who express fear about returning to their home countries, immigration authorities confirmed to CBS News. The move is part of a pilot program, and means that some migrants will not be initially interviewed by highly-trained asylum officers well-versed in U.S. and international refugee law, but by law enforcement agents from the agency that apprehended them. The Department of Homeland Security (DHS) has been running the pilot program for months. DHS oversees both Customs and Border Protection (CBP) and the U.S. Citizenship and Immigration Services (USCIS) asylum officers who have typically conducted credible fear interviews. According to a CBP official, the agents assigned to the pilot program undergo five weeks of training into "applicable laws and authorities" with USCIS, in addition to their time at the Border Patrol academy.
- ❖ News Article Source: <https://www.cbsnews.com/news/us-border-patrol-cbp-agents-now-screening-migrant-families-for-credible-fear-under-controversial-pilot-program/>

U.S. SAYS ASYLUM SEEKERS ENCOUNTERED ALONG ENTIRE SOUTHERN BORDER CAN NOW BE RETURNED TO MEXICO

By Camilo Montoya-Galvez – CBS News – September 27, 2019

- ❖ The Trump administration told CBS News Friday (September 27) it can now return most migrants who express fear of persecution to Mexico regardless of where U.S. officials encountered them along the southern border. Returns and court hearings of migrants placed in the controversial Migrant Protection Protocols (MPP) program continue to occur at or near five ports of entry along the international border California and Texas share with Mexico. But a spokesperson for the Department of Homeland Security told CBS News that the policy, known as "Remain in Mexico (RIM)," has been "effectively" implemented along the entire U.S.-Mexico border, because U.S. border officials can transport migrants across different sectors to subject them to the policy, as long as the Mexican government has "indicated capacity to accept" them. Under the policy, which is being challenged in court, the administration has required nearly 50,000 asylum seekers to wait in Mexico for months while their cases are processed in the U.S. Since being implemented in San Diego at the end of 2018, the "Remain in Mexico" program has been implemented to the border sectors near Calexico, California and the Texas border communities of El Paso, Laredo and Brownsville. The administration implemented the "Remain in Mexico" policy in Laredo and Brownsville after the Mexican government, threatened by potential tariffs, agreed to the policy's expansion earlier in the summer. Since then, the U.S. has erected makeshift courts out of tents and shipping containers to hold hearings for migrants returned near those two border cities in south Texas.
- ❖ News Article Source: <https://www.cbsnews.com/news/remain-in-mexico-u-s-says-it-can-now-return-asylum-seekers-to-mexico-along-entire-southern-border/>



A Honduran girl, Breni, is resuscitated on the banks of the Rio Grande.

Photo Credit: Veronica Cardenas / Reuters

GANGS PROFIT FROM TRUMP'S 'REMAIN IN MEXICO' POLICY

By Silvia Foster-Frau – San Antonio Express-News – September 29, 2019

- ❖ The Good Samaritan is one of several shelters in Nuevo Laredo housing migrants caught up in the Trump administration's Migrant Protection Protocols (MPP) program, which has returned more than 45,000 asylum-seekers to Mexico to await their U.S. court hearings. As of August, more than 6,300 migrants were sent back to Nuevo Laredo under MPP. Gangs are taking advantage of stranded migrants, who often are penniless but have relatives who can wire them cash in an emergency. Many are robbed or kidnapped and held until their families in the U.S. or in their home country pay for their release. Last month, a director at the Casa del Migrante Amar shelter was kidnapped. He has not reappeared. The migrant smuggling industry made between \$5.5 billion and \$7 billion worldwide in 2016, according to a 2018 U.N. report. A 2019 study by the think tank Rand Corp. found that human smuggling from Central America to the U.S. made up to \$2.3 billion in revenue in 2017.
- ❖ News Article Source: <https://www.expressnews.com/news/local/article/Gangs-profit-from-Trump-s-Remain-in-14474477.php>

MORE IMMIGRANT CHILDREN ARE DYING AT THE BORDER AS THE TRUMP ADMINISTRATION SENDS PEOPLE BACK TO MEXICO

By Adolfo Flores – BuzzFeed News – September 20, 2019

- ❖ The drowning of a 21-month-old boy in South Texas is the latest in an increasing number of child immigrant deaths at the US-Mexico border. Iker Gael Cordova Herrera's body was found mid-September near San Felipe Creek in Val Verde County — along with that of his 26-year-old mother, Idalia Yamileth Herrera Hernández. They had asked US immigration authorities for asylum but were sent back across the border to Matamoros, under a Trump administration policy known as "Remain in Mexico (RIM)," to wait for their first court dates. The policy, formally known as the Migrant Protection Protocols (MPP) program, which has forced more than 42,000 asylum-seekers back into Mexico while their asylum case is adjudicated by an immigration judge. Advocates said MPP forces asylum-seekers to live in dangerous Mexican cities with few resources and little protection. Some grow desperate enough that they can no longer wait, and are driven to cross the US border illegally. So far in 2019, 15 children have died at the US-Mexico border, according to data from the International Organization for Migration (IOM). That is the highest number of dead children since 2014, which is when the organization started tracking deaths along migratory routes for its "Missing Migrants Project." Seven of the 15 children who died in 2019 so far have drowned or were presumed drowned, according to IOM. The deaths of immigrant children who died in US custody or shortly after being released by authorities is also included in the figures. In May, CBP apprehended a total of 144,255 immigrants along the southern border, the highest monthly figure since 2007.
- ❖ News Article Source: <https://www.buzzfeednews.com/article/adolfoflores/immigrant-children-dying-united-states-mexico-trump>

KIDNAPPED AND ATTACKED IN MEXICO, MIGRANTS ARE GIVING UP THEIR ASYLUM CLAIMS

By Silvia Foster-Frau – San Antonio Express-News – September 29, 2019

- ❖ Tens of thousands of migrants who have made the 1,000-mile journey to the U.S. in search of refuge have been sent back into dangerous Mexican border cities while they await court hearings on the U.S. side. After months in limbo, a lot of them are returning home, their dreams of a better life here dashed by the Trump administration's Migrant Protection Protocols (MPP) program. At the Good Samaritan shelter in Nuevo Laredo this month, David and Edin, his 10-year-old son from Guatemala, said they were repeatedly kidnapped by gangs and detained by the U.S. Border Patrol. His wife and 6-year-old son had stayed in Guatemala. Over two months, she sent thousands of dollars in ransom to gang members who had kidnapped David and Edin, placing the family deep into debt.
- ❖ News Article Source: <https://www.expressnews.com/news/local/article/Kidnapped-and-attacked-in-Mexico-migrants-are-14474487.php>

SHOOT MIGRANTS' LEGS, BUILD ALLIGATOR MOAT: BEHIND TRUMP'S IDEAS FOR BORDER

By Michael D. Shear and Julie Hirschfeld Davis – The New York Times – October 1, 2019

- ❖ The Oval Office meeting this past March began, as so many had, with President Trump fuming about migrants. But this time he had a solution. As White House advisers listened astonished, he ordered them to shut down the entire 2,000-mile border with Mexico — by noon the next day. Privately, the president had often talked about fortifying a border wall with a water-filled trench, stocked with snakes or alligators, prompting aides to seek a cost estimate. He wanted the wall electrified, with spikes on top that could pierce human flesh. After publicly suggesting that soldiers shoot migrants if they threw rocks, the president backed off when his staff told him that was illegal. But later in a meeting, aides recalled, he suggested that they shoot migrants in the legs to slow them down. That's not allowed either, they told him. Today, as Mr. Trump is surrounded by advisers less willing to stand up to him, his threat to seal off the country from a flood of immigrants remains active. "I have absolute power to shut down the border," he said in an interview this summer with The New York Times.
- ❖ News Article Source: <https://www.nytimes.com/2019/10/01/us/politics/trump-border-wars.html>

SAN ANTONIO, TX CHURCH TO HOUSE MIGRANT CHILDREN

SAN ANTONIO CHURCH HAS SIGNED LEASE WITH FOR-PROFIT COMPANY TO HOUSE MIGRANT CHILDREN

By Silvia Foster-Frau – San Antonio Express-News – September 30, 2019

- ❖ Second Baptist Church, a large East Side congregation near the AT&T Center, has signed a \$3.2 million lease with a for-profit company to house up to 90 migrant boys ages 11 to 17. The migrant shelter would be in a 44,500-square-foot community center that is next to the church and used for after-school programs and community functions. The for-profit company, VisionQuest, is contracted by the government's Office of Refugee Resettlement to house migrant children. VisionQuest and Second Baptist are seeking to rezone the site to accommodate a large shelter. The church's current zoning allows it to house 19 children. It's unclear when city officials will vote on the issue, but it will likely be before the end of the year. Second Baptist took out a \$2 million loan with Frost Bank to build the \$4.1 million center, which costs about \$17,000 a month to operate. If the city approves the zoning change, VisionQuest plans to open the shelter by Dec. 1.
- ❖ News Article Source: <https://www.expressnews.com/news/local/article/Church-signed-lease-with-for-profit-company-to-14481159.php#>

MAYOR OPPOSES ZONING CHANGE TO HOUSE CHILD MIGRANTS AT SAN ANTONIO CHURCH

By Silvia Foster-Frau – San Antonio Express-News – October 1, 2019

- ❖ San Antonio Mayor Ron Nirenberg said Tuesday (October 1) he will oppose a zoning change that would allow the Second Baptist Church on the city's East Side to operate a migrant shelter for up to 90 boys. The mayor, who said he is concerned about the detention of migrants, joins the East Side's county commissioner and city councilwoman in opposing the proposed shelter. VisionQuest, a Tucson-based company and government contractor, has received \$14.5 million to operate two migrant shelters in the San Antonio area — one at the Second Baptist Church and a second at a site in Universal City, Health and Human Services said in a statement. The shelter would be in a 44,500-square-foot community center next to the church that is currently used for after-school programs and community functions. Current zoning would allow the church to house no more than 19 children there. VisionQuest would pay Second Baptist \$3.2 million over three years to house unaccompanied migrant children on the second floor of the community center, which has a commercial kitchen, bowling alley and basketball courts. The federal government has awarded VisionQuest contracts worth \$8.5 million a year to operate the Second Baptist shelter and \$6 million a year for a facility in Universal City.
- ❖ News Article Source: <https://www.expressnews.com/news/local/article/Mayor-opposes-zoning-change-to-house-child-14484434.php>

DETENTION CENTERS

KARNES DETENTION CENTER TO START HOLDING IMMIGRANT FAMILIES AGAIN

By Silvia Foster-Frau – San Antonio Express-News – September 23, 2019

- ❖ After months of being used to detain adult women, the Karnes County Residential Center will begin holding migrant parents and children again, according to Immigration and Customs Enforcement. The center won't be accepting any migrants as it makes the transition. ICE said it may begin transferring the women currently being detained there to other facilities. The Karnes facility, about 56 miles from San Antonio, was built in 2012 and can hold up to 830 people. Karnes is the second detention center for immigrant families in South Texas, with a second one in Dilley, 70 miles southwest of San Antonio. The government operates a third, smaller center in Pennsylvania. Despite high numbers of asylum-seeking families crossing the U.S.-Mexico border this year, both South Texas detention centers have not been full. ICE officials said it was because it did not have enough vehicles to transport them from the border to the facility.
- ❖ News Article Source: <https://www.expressnews.com/news/local/article/Karnes-detention-center-to-start-holding-14461644.php>



Migrants from Central America and Cuba have their papers checked in the middle of Bridge No. 1 as they go to asylum hearings in Laredo, Texas, on Thursday, Sept. 19, 2019.

Photo Credit: Bob Owen, Staff Photographer / Staff photographer

GEO GROUP BANKING PARTNERS SAY 'NO' TO THE PRIVATE PRISON SECTOR

By Morgan Simon – Forbes – September 30, 2019

- ❖ All of the existing banking partners to private prison leader GEO Group have now officially committed to ending ties with the private prison and immigrant detention industry. These banks are JPMorgan Chase, Wells Fargo, Bank of America, SunTrust, BNP Paribas, Fifth Third Bancorp, Barclays, and PNC. This exodus comes in the wake of demands by grassroots activists — many under the banner of the #FamiliesBelongTogether coalition — shareholders, policymakers, and investors. Major banks supporting the private prisons behind mass incarceration and immigrant detention have now committed to not renew \$2.4B in credit lines and term loans to industry giants GEO Group and CoreCivic. Five banks have not yet made the commitment to stop extending their credit lines and term loans to CoreCivic: Regions (headquartered in Birmingham, AL), Citizens (Providence, Rhode Island), Pinnacle Bank (Nashville, TN), First Tennessee Bank (Memphis, TN), and Synovus Bank (Columbus, GA).
- ❖ News Article Source: <https://www.forbes.com/sites/morgansimon/2019/09/30/geo-group-runs-out-of-banks-as-100-of-banking-partners-say-no-to-the-private-prison-sector/#37fe8e293298>

U.S. GOVERNMENT PLANS TO COLLECT DNA FROM DETAINED IMMIGRANTS

By Caitlin Dickerson – The New York Times – October 2, 2019

- ❖ The Trump administration is moving to collect DNA samples from hundreds of thousands of people booked into federal immigration custody each year and to enter the results into a national criminal database, an immense expansion of the use of technology to enforce the nation's immigration laws. Senior officials at the Department of Homeland Security said Wednesday (October 2) that the Justice Department was developing a federal regulation that would give immigration officers the authority to collect DNA in detention facilities across the country that are currently holding more than 40,000 people. The move would funnel thousands of new records to the F.B.I., whose extensive DNA database has been limited mainly to genetic markers collected from people who have been arrested, charged or convicted in connection with serious crimes. Congress passed a law authorizing a broad collection of DNA data in 2005, but at the time an exemption was put in place to protect immigrants. Homeland security officials said the new initiative was permitted under the DNA Fingerprint Act of 2005. Until now, immigrant detainees have been exempt from the law, they said, because of an agreement between two Obama administration officials, Attorney General Eric H. Holder Jr. and the homeland security secretary, Janet Napolitano. Officials said the proposed rule was inspired partly by a pilot program conducted this summer along the southwestern border, in which ICE agents used rapid DNA sampling technology to identify "fraudulent family units" — adults who were using children disguised as their own to exploit special protections for families with immigrant children. The new program would differ from the pilot in that it would provide a comprehensive DNA profile of individuals who are tested, as opposed to the more narrow test that was used only to determine parentage. And unlike the testing under the pilot program, the results would be shared with other law enforcement agencies. After the DNA samples are taken, they would be entered into the F.B.I.'s highly regulated national DNA database. Known as CODIS, the Combined DNA Index System is used by state and law enforcement authorities to help identify criminal suspects.
- ❖ News Article Source: <https://www.nytimes.com/2019/10/02/us/dna-testing-immigrants.html>

PRIVATE SECTOR SEEKS TO PROFIT BY DETAINING MIGRANT KIDS

By Garance Burke And Martha Mendoza – The Associated Press – October 3, 2019

- ❖ Sheltering migrant children has become a growing business for “CHS,” short for Comprehensive Health Services Inc., a private, for-profit, government contractor. A joint investigation by The Associated Press (AP) and FRONTLINE has found that the Trump administration has started shifting some of the caretaking of migrant children toward the private sector and contractors instead of the largely religious-based nonprofit grantees that have long cared for the kids. So far, the only private company caring for migrant children is CHS, owned by Washington, D.C.-area contractor Caliburn International Corp. In June, CHS held more than 20% of all migrant children in government custody. And even as the number of children has declined, the company’s government funding for their care has continued to flow. That’s partly because CHS is still staffing a large Florida facility (Homestead Detention Center) with 2,000 workers even though the last children left in August. Former White House chief of staff John Kelly joined Caliburn’s board this spring after stepping down from decades of government service. He earlier had served as homeland secretary, where he backed the idea of taking children from their parents at the border, saying it would discourage people from trying to immigrate or seek asylum. Critics say this means Kelly now stands to financially benefit from a policy he helped create. HHS’ Office of Refugee Resettlement runs migrant children programs by funding 46 organizations that operate more than 165 shelters and foster programs for over 67,000 migrant children who came to the U.S. on their own or were separated from parents or caregivers at the border this budget year. Overall, the federal government spent a record \$3.5 billion caring for migrant children over the past two years to run its shelters through both contracts and grants. During that time, CHS swiftly moved into the business of caring for migrant children, an AP analysis of federal data found. In 2015, the company was paid \$1.3 million in contracts to shelter migrant children, and so far this year the company has received almost \$300 million in contracts to care for migrant kids, according to publicly available data. By early October, HHS said there were 5,100 children in their care.
- ❖ News Article Source: <https://www.apnews.com/7b9f754aa2fd4a7ba647aebaa98a0693>

NEW BORDER TENT COURTS CREATE A 'FAUX PROCESS' FOR ASYLUM-SEEKERS

By Nicole Acevedo – NBC News – September 12, 2019

- ❖ The fate of over 42,000 migrants waiting in Mexico for asylum hearings in the United States is being decided by a judge, in a remote location, calling into a court recently erected at the border, some consisting of a shipment container or tent. The Department of Homeland Security erected more of these tent courts in two Texas border towns, Brownsville and Laredo, as part of the Department of Homeland Security’s expansion of the Migration Protection Protocols (MPP) — also known as the “remain in Mexico” (RIM) policy. Under the protocols, individuals seeking asylum at the southern border are required to wait in Mexico for the U.S. immigration court date at the border. The idea is to have about 700 hearings per week in both Laredo and Brownsville. After the hearing is over, individuals are returned to Mexican border towns such as Matamoros in the state of Tamaulipas, which has a “Do Not Travel” Level 4 advisory, lawyers said. Once there, migrants either wait for their fate to be decided or wait for their next hearing. On average, asylum-seekers would have to go to three or four hearings before their cases are decided. People who miss their court date face the risk of being deported to their country of origin and returned to the conditions they fled in the first place. They are also barred from getting any kind of immigration relief for five to 10 years.
- ❖ News Article Source: <https://www.nbcnews.com/news/latino/new-border-tent-courts-create-faux-process-asylum-seekers-attorneys-n1053196>

WOMEN ARE BEING DENIED CANCER TREATMENT, PSYCHIATRIC HELP AT DETENTION CENTER

By Angelina Chapin – HuffPost – September 27, 2019

- ❖ Immigrant women being held in a Texas detention center say they are being denied proper medical care — in some cases cancer treatment — and have become suicidal after lengthy stays in the facility, according to interviews done this month by the Refugee and Immigrant Center for Education and Legal Services (RAICES). The declarations, which were shared with HuffPost, detail women’s experiences at the Karnes County Residential Center, where they have been forced to stay in detention for up to four months instead of being released on parole or bond, even if they face serious physical and psychological illnesses, according to RAICES. One Congolese woman who was diagnosed with cancer in her uterus said she has not been taken to a specialist for treatment since being sent to Karnes at the end of July. The pain in her back and abdomen has become so bad that she sleeps only two hours a night, according to her declaration. Another woman from the Congo said that after experiencing severe leg and back pain while being detained in Karnes, a doctor in San Antonio told her there was a 90% chance she had cancer but that an additional biopsy was needed to confirm the diagnosis. Yet, since that appointment in early September, she told RAICES lawyers, she was put back in detention and has not been taken to a hospital. Over the next few days, RAICES expects ICE to transfer all of the more than 1,000 women who were being held at Karnes to other facilities to make way for incoming families. But RAICES wants the government to stop detaining women with illnesses, since they will likely struggle with the same subpar medical treatment in other facilities.
- ❖ News Article Source: https://www.huffpost.com/entry/immigrant-women-denied-cancer-psychiatric-care-ice-detention-center_n_5d8d5880e4b0019647a5ebae?ncid=APPLENEWS00001

FAMILY SEPARATIONS

ACLU SUIT SEEKS DAMAGES FOR SEPARATED IMMIGRANT FAMILIES

By Astrid Galvan – *The Associated Press* – October 3, 2019

- ❖ The American Civil Liberties Union (ACLU) filed a federal lawsuit Thursday (October 3) seeking potentially millions of dollars in damages on behalf of thousands of immigrant families who were separated from their children at the U.S.-Mexico border. The ACLU and other attorneys filed a lawsuit in Tucson against past and present Trump administration officials, alleging the government violated immigrants' rights and deeply traumatized an estimated 4,000 children who were taken from their parents after crossing the border illegally. Most of the families were from Central America and many were asylum-seekers. Family separations began on a large scale in early 2018 and were widely decried as inhumane. President Donald Trump ended the policy in June 2018 by executive order, and a federal judge in San Diego ordered the reunification of 2,700 children, although advocates say many more were separated. In this latest suit, the ACLU wants class action status, meaning if it wins, thousands of families who are not plaintiffs can also be compensated. Attorneys didn't list a dollar amount requested, but have also filed complaints with the Department of Homeland Security that seek \$3 million per family. Those complaints could be eventually tied into this lawsuit.
- ❖ News Article Source: https://www.washingtonpost.com/national/aclu-suit-seeks-damages-for-separated-immigrant-families/2019/10/03/e137d8ec-e609-11e9-b0a6-3d03721b85ef_story.html



Migrants are living in tents in Matamoros while they wait for their asylum cases to be heard across the river in Brownsville.

Photo Credit: Carlos Sanchez / Texas Monthly

MIGRANTS IN MEXICO

MIGRANTS STUCK IN SQUALID MEXICAN TENT CAMPS BEGIN ASYLUM PROCESS

By Carlos Sanchez – *Texas Monthly* – September 17, 2019

- ❖ At their first court appearance in the United States, the Zavaletas—a family of three from Guatemala—had a simple request for immigration judge Daniel Gilbert. “Is there any way we could stay in this country so we can hire a lawyer?” asked Eric Zavaleta, the father. “Over there [in Mexico], we’re living on the streets and can’t find one.” Gilbert paused after listening to the impassioned plea and then said, “I don’t have the authority to grant that request.” The exchange underscored the dilemma facing migrants stuck in Matamoros under the Trump administration’s widening Migrant Protection Protocols (MPP), which require asylum seekers to wait in Mexico while their claims are heard. It also highlighted the lack of latitude granted immigration judges, who are struggling to ensure basic standards of justice. The contrast between the legal requirements for staying in the United States and the reality of these migrants’ circumstances is stark. To apply for asylum, the judge tells the Zavaletas they must fill out a twelve-page document by answering detailed questions, in English, about their claims. To have a shot at asylum, they need supporting documents, such as newspaper stories, police reports, and hospital records. Of course, all those materials must be translated into English by a certified translator. After the forms are filled out, they must bring two copies of all documents to court. U.S. lawyers who are trying to help these immigrants say such requirements are virtually impossible without the help of legal aid. At least 11,000 migrants are now part of MPP, according to the Transactional Records Access Clearinghouse or TRAC, an immigration data gathering project based at Syracuse University. About 1,500 are believed to be in the Brownsville/Matamoros area.
- ❖ News Article Source: <https://www.texasmonthly.com/news/migrants-mexico-tent-camps- asylum/>

TRUMP IMMIGRATION OFFICIALS DEFEND TENT COURTS

By Molly Hennessy-Fiske – *Houston Bureau Chief* – *Los Angeles Times* – September 17, 2019

- ❖ The new immigration tent court in the border city of Laredo, TX feels more like a detention center: barbed wire chain-link fence, metal detectors, security cameras and uniformed guards. Asylum cases can take years, but the tent courts that recently opened in Laredo and in Brownsville, Texas, were designed to reduce that to as little as 40 days, the average time it takes for migrants in detention, according to Acting Border Patrol Commissioner Mark Morgan, who toured the tent with other Homeland Security officials Tuesday. Critics say Homeland Security and the Justice Department, which oversee immigration courts, have illegally expedited asylum cases by turning the tents in Laredo and Brownsville into secret courts, restricting public access. San Antonio Assistant Chief Immigration Judge Clay Martin said four judges would soon hear up to 400 cases a day at the Laredo tent court. He said it would be more efficient than transporting migrants 155 miles north to San Antonio. Legal advocates have not been allowed to give migrants at tent courts “know your rights” presentations, as they do at other immigration courts. On Tuesday (September 17), of 106 migrants scheduled to appear at the Laredo tent court, 52 attended, four with attorneys. Most of the no-shows were ordered deported, ending their asylum cases.
- ❖ News Article Source: <https://www.latimes.com/world-nation/story/2019-09-17/trump-administration-immigration-officials-tour-tent-courts-in-texas>

MEXICO'S CAPITULATION TO TRUMP HAS PUT THOUSANDS OF LIVES IN DANGER

By León Krauze – Slate – September 20, 2019

- ❖ In recent months, at least 3,000 immigrants have been sent back to towns along the Mexican border between Tamaulipas and Texas, one of the country's most dangerous areas. What they have faced there defies the imagination. The city of Nuevo Laredo is a well-known hotbed of extortion and kidnapping. Immigrants make easy targets. According to Nuevo Laredo journalist Daniel Rosas, President Donald Trump's "Remain in Mexico" (RIM) program has been particularly harmful, placing thousands of immigrants in imminent danger. "If even us locals are going through a very difficult time dealing with violence here, just imagine what life is like for an immigrant who doesn't have a home and doesn't know anyone. This place is completely unsafe," Rosas said. In the city of Nuevo Laredo, Rosas described a Dantean scene in which people working for cartels are tasked with identifying and abducting immigrants, who are then taken away to safehouses where they are held for ransom.
- ❖ News Article Source: <https://slate.com/news-and-politics/2019/09/obrador-trump-remain-mexico-immigration.html>

WHAT TRUMP'S ASYLUM BAN WILL MEAN FOR THE THOUSANDS WAITING AT THE US-MEXICO BORDER

By Sarah F. Rogerson, Albany Law School – LatinoUSA – September 25, 2019

- ❖ The Trump administration's latest restrictive immigration policy, known as the asylum ban, was recently upheld by the U.S. Supreme Court. The ban effectively ends asylum relief for the vast majority of refugees seeking it at the U.S.-Mexico border. It prevents individuals from applying for asylum in the United States if they could have pursued asylum in another country first. There are few exceptions: (1) if you lose your asylum claim in a third country, or (2) if you only passed through the few countries who are not parties to certain United Nations refugee conventions. None of these countries are located in Central America, through which the many refugees travel on their way to the U.S. To qualify for asylum in the United States, an individual must show that they have suffered persecution or fear that they will suffer persecution in the future on account of their race, religion, nationality, membership in a particular social group or political opinion. Courts have interpreted membership in a particular social group to include claims involving persecution due to gender, sexual orientation, family affiliation and other types of persecution that the government cannot or will not prevent. Upon arriving at the border, asylees are subjected to another Trump-era policy implemented on January 25: the "remain in Mexico" (RIM) policy, which requires them to wait in line in Mexico with thousands of other migrants until it is their turn to request asylum. If they avoid the rape, beatings, kidnappings and ransom that have plagued those waiting in Mexico, a new fate awaits them. They might make it to the front of the line, only to be turned away under the new policies. Immigration judges presiding remotely over closed hearings from the United States can decide that under the new policy, an individual is required to seek asylum in one of the countries they passed through before arriving in Mexico. So far, lawsuits challenging this ban have failed. The most recent legal challenge, filed on September 16, is on behalf of more than 100 migrant mothers and children directly impacted by the asylum ban.
- ❖ News Article Source: <https://www.latinousa.org/2019/09/25/trumpasylum/>

FORMER SAN ANTONIO MAYOR JULIÁN CASTRO VISITS ASYLUM-SEEKERS STRANDED IN MATAMOROS

By Silvia Foster-Frau – San Antonio Express-News – October 7, 2019

- ❖ Democratic presidential candidate Julián Castro on Monday (October 7) visited a tent encampment here filled with hundreds of migrants caught up in the Trump administration's "Remain in Mexico" (RIM) policy, which requires asylum-seekers to wait in Northern Mexico while they pursue their claims in the U.S. immigration system. The "Remain in Mexico" policy, formally known as the Migrant Protection Protocols (MPP), is one of President Donald Trump's few immigration initiatives to take effect despite court challenges. It was introduced in San Diego in January with the aim of reducing the number of migrants held in detention facilities in the U.S. or released into the country pending court hearings. Under the new policy, asylum-seekers wait on the Mexican side of the border until their hearing dates. Many fall prey to kidnappings, attacks and other forms of extortion by Mexican gangs. As of Aug. 19, more than 6,300 asylum-seekers were awaiting court hearings in Brownsville, according to the Transactional Records Access Clearinghouse (TRAC), a nonprofit research center at Syracuse University in New York. Only six have attorneys. About the same number of migrants were waiting for hearings in Laredo and San Ysidro, and more than 13,000 were awaiting court dates in El Paso.
- ❖ News Article Source: <https://www.expressnews.com/news/local/article/Former-San-Antonio-mayor-seeks-to-help-asylum-14498502.php>

COURT RULINGS

JUDGE BLOCKS ADMINISTRATION FROM DETAINING CHILDREN FOR INDEFINITE PERIODS

By Maria Sacchetti – *The Washington Post* – September 27, 2019

- ❖ U.S. District Judge Dolly M. Gee has blocked the Trump administration from activating new regulations that would have dramatically expanded its ability to detain migrant children with their parents for indefinite periods of time. Judge Gee issued the permanent injunction Friday, September 27, hours after hearing arguments from the Justice Department and advocates for immigrants in a long-running federal case in the Central District of California. Lawyers for the Justice Department had urged Gee to allow the Trump administration to withdraw from the Flores Settlement Agreement, a 1997 federal consent decree that sets basic standards for detaining migrant children. The decree led to a 20-day limit for holding children in detention facilities that have not been licensed by the states for the purpose of caring for minors. President Trump has called Flores a “loophole” that has enabled hundreds of thousands of families, many from impoverished Central American countries, to cross the southern boundary and claim asylum. Those migrants generally are quickly released into the United States because of the 20-day limit on detaining children. The Department of Homeland Security and the Department of Health and Human Services issued new rules in August that sought to terminate the settlement and lift the 20-day limit by allowing the federal government to license such facilities. In the ruling, Gee wrote that the regulations “fail to implement and are inconsistent with the relevant and substantive terms of the Flores Settlement Agreement” and therefore cannot take effect, noting that the agreement is a binding contract that was never appealed.
- ❖ News Article Source: https://www.washingtonpost.com/immigration/federal-judge-blocks-trump-administration-from-detaining-migrant-children-for-indefinite-periods/2019/09/27/49a39790-e15f-11e9-b199-f638bf2c340f_story.html



A Honduran man and his son wait on the Mexican side of the bridge between Brownsville, Texas, and Matamoros, Mexico, after being denied entry into the U.S. on June 28, 2018.

Photo Credit: Tamir Kalifa / Getty Images

SUPREME COURT SAYS TRUMP CAN BAR ASYLUM SEEKERS WHILE LEGAL FIGHT CONTINUES

By Adam Liptak – *The New York Times* – September 11, 2019

- ❖ The Supreme Court on Wednesday (September 11) allowed the Trump administration to bar most Central American migrants from seeking asylum in the United States, while the legal fight plays out in the courts. The Supreme Court, in a brief, unsigned order, said the administration may enforce new rules that generally forbid asylum applications from migrants who have traveled through another country on their way to the United States without being denied asylum in that country. The court’s order was a major victory for the administration, allowing it to enforce a policy that will achieve one of its central goals: effectively barring most migration across the nation’s southwestern border by Hondurans, Salvadorans, Guatemalans and others. Mexican migrants, who need not travel through another country to reach the United States, are not affected by the new policy. It was the second time in recent months that the Supreme Court has allowed a major Trump administration immigration initiative to go forward. In July, the court allowed the administration to begin using \$2.5 billion in Pentagon money for the construction of a barrier along the border.
- ❖ News Article Source: <https://www.nytimes.com/2019/09/11/us/politics/supreme-court-trump-asylum.html?searchResultPosition=1>

MEXICO SAYS IT DISAGREES WITH US SUPREME COURT ORDER

By Christopher Sherman – *The Associated Press* – September 12, 2019

- ❖ Mexican Foreign Secretary Marcelo Ebrard said Thursday (September 12) that Mexico’s government doesn’t agree with an “astonishing” U.S. Supreme Court order that would block migrants from countries other than Mexico and Canada from applying for asylum at U.S. borders. Speaking at President Andrés Manuel López Obrador’s daily news conference, Ebrard said that Mexico has a different policy when it comes to asylum seekers and would never implement such a rule. “Our policy of refuge, of asylum is a tradition in Mexico,” he said. “The United States has a very hardline immigration policy,” Ebrard continued. “The court’s decision is astonishing in the impact that it is going to have.” Ebrard declined to explain that impact, saying that he had various meetings scheduled Sep. 12 to try to evaluate what effects the court’s decision will have on Mexico. But the ruling is likely to drive more Central American migrants to try to illegally enter the U.S. with the help of smugglers or move them to apply for asylum in Mexico, which is already swamped with applications. Mexico has long resisted a so-called safe third country agreement with the U.S. that would require migrants to request asylum there first, but the court’s decision appears to have unilaterally brought about the same result. Mexico announced Friday (Sep. 13) that it had reduced the flow of migrants arriving at its northern border by 56% in three months, and it has said that it’s beginning to invest in the Central American countries responsible for the majority of the migrants.
- ❖ News Article Source: <https://www.apnews.com/6e1919023db342f08786f496f14276a3>

JUDGE RULES TRUMP VIOLATED THE LAW ON WALL FUNDING WITH NATIONAL EMERGENCY

By Pete Williams – NBC News – October 11, 2019

- ❖ Federal Judge David Briones ruled Friday (Oct. 11) that President Donald Trump violated federal law when he used his declaration of a national emergency to get millions for building a wall on the southern border. The ruling is a victory for El Paso County, Texas, and the Border Network for Human Rights, which sued to stop border construction in their community. In January the president asked for \$5.7 billion to build "a steel barrier for the Southwest border," but Congress approved only \$1.375 billion. In February, Trump declared a national emergency and ordered that money for Pentagon construction projects would be used instead for the wall. Judge Briones said the president's order violated a provision of the budget law approved by Congress which said "none of the funds made available in this or any other appropriation may be used to increase" the funding for the wall project. The judge's ruling does not effect a separate part of the emergency declaration, directing the Pentagon to transfer \$2.5 billion in counterdrug money to the border project. The U.S. Supreme Court earlier this year declined to stop the use of that money for wall construction.
- ❖ News Article Source: <https://www.nbcnews.com/politics/immigration/judge-rules-trump-violated-law-wall-funding-national-emergency-n1065216>

COURTS SIDE AGAINST TRUMP ON BORDER FENCE FUNDING, 'PUBLIC CHARGE' RULE

By Nick Miroff – The Washington Post – October 11, 2019

- ❖ Federal judges in New York, Texas and California sided against two of the Trump administration's key immigration initiatives Friday (Oct. 11), the latest lower court ruling against the president's push for new physical and administrative barriers to migrants. In El Paso, the court ruled the Trump administration's attempt to reprogram military funds for the construction of border fencing was a violation of appropriation laws, a decision that could freeze work on the barrier in that area. And in separate rulings in New York, California and Washington state, judges partly blocked the implementation of the "public charge" rule that aimed to disqualify immigrants from receiving green cards if they use public benefits or the government considers them likely to do so. In the U.S. District Court for the Western District of Texas, Judge David Briones sided with the plaintiffs — El Paso County and the Border Network for Human Rights — and gave them 10 days to file a proposal for a preliminary injunction. Briones, denied the administration's motion to dismiss the suit, which was filed in April. Trump this year diverted \$3.6 billion in military construction funds to pay for hundreds of miles of 30-foot-tall steel bollard fencing. The administration has built 71 miles of new barriers so far, but Trump has promised to complete nearly 500 miles by the end of next year. In New York, Judge George B. Daniels blocked the Trump administration's "public charge" rule, calling it "unlawful, arbitrary and capricious."
- ❖ News Article Source: https://www.washingtonpost.com/immigration/lower-federal-courts-side-against-trump-on-border-fence-funding-public-charge-rule/2019/10/11/14060800-ec56-11e9-85c0-85a098e47b37_story.html

JUDGES STRIKE SEVERAL BLOWS TO TRUMP IMMIGRATION POLICIES

By Miriam Jordan – The New York Times – October 11, 2019

- ❖ President Trump's immigration agenda ran into legal blockades in courts around the country on Friday (Oct. 11) as judges in four states barred his administration from trying to withhold green cards from people who use public benefits and rejected his plan to divert funds to erect a border wall. In three rulings, federal judges in New York, California and Washington State issued injunctions temporarily blocking the "public charge" rule, which would impose serious impediments to legal residency for those who use benefits such as Medicaid or those deemed likely to use them in the future. The rule, widely seen as an attempt to keep out immigrants who are poor or in need of help, was one of the Trump administration's signature immigration policies — and it ran into a legal brick wall in three corners of the country on a single day. Lawsuits filed by 21 states and the District of Columbia argued that the new regulations, which had been due to take effect on Tuesday (Oct. 8), discriminate against low-income people from developing countries and undermine the well-being of children whose families might avoid using nutritional, health and other programs. President Trump faced yet another legal setback in Texas, where senior federal judge David Briones in El Paso ruled on Friday (Oct. 11) that he had acted unlawfully in announcing he would tap \$3.6 billion in Pentagon money intended for military construction to build a barrier along the nation's southwestern border. The other injunctions against putting the public charge rule into effect came from Judge Phyllis J. Hamilton of the Federal District Court in Northern California and Judge Rosanna M. Peterson of the Federal District Court in the Eastern District of Washington. This month, the president also moved to deny immigrant visas to those who cannot prove that they will either have health insurance or can afford to pay for their own health care. The Migration Policy Institute, a nonpartisan think tank, estimated that the health insurance directive, set to take effect on Nov. 3, could exclude two-thirds of future immigrants. Nationwide, 13.5 million users of Medicaid and the Children's Health Insurance Program, including 7.6 million children, live in a household that includes at least one noncitizen, making it possible they would decrease their use of government health benefits as a result of the rule, according to the Kaiser Family Foundation.
- ❖ News Article Source: <https://www.nytimes.com/2019/10/11/us/immigration-public-charge-injunction.html>

EL PASO JUDGE RULES TRUMP BORDER EMERGENCY DECLARATION VIOLATES FEDERAL LAW

By Lauren Villagran – El Paso Times – October 11, 2019

❖ A federal judge ruled Friday (Oct. 11) that President Donald Trump's declaration of a national emergency at the border violates federal law. The emergency declaration underpinned the administration's planned transfer of \$6.1 billion dollars in Department of Defense funding for counter-narcotics operations and military construction projects to pay instead for a border wall. The plaintiffs, El Paso County and Border Network for Human Rights, asked for an injunction to prevent the administration from using the diverted funds to build a border wall, and U.S. District Judge David Briones asked for an additional briefing. The judge said the emergency declaration is unlawful because it violates the Consolidated Appropriations Act, which underpins the right of Congress to determine how federal funds are spent. "The court declared that the president's proclamation is invalid because it illegally sought to override Congress's decision to not fund further border wall construction," according to Protect Democracy, whose attorneys argued the case for El Paso County and the Border Network for Human Rights. Currently, 46 miles of border wall are under construction in Border Patrol's El Paso sector, in New Mexico, using funds transferred from DOD's counternarcotics program.



Former U.S. Secretary of Housing and Urban Development and Democratic candidate for president Julian Castro crosses himself as he places flowers at a memorial for migrants who've died crossing the Rio Grande, Oct. 7, 2019. Photo: Jerry Lara, Staff / Staff photographer

❖ News Article Source: https://www.elpasotimes.com/story/news/2019/10/11/trump-border-wall-runs-into-roadblock-el-paso-federal-judges-ruling/3946265002/?utm_source=elpasotimes-Daily%20Briefing&utm_medium=email&utm_campaign=daily_briefing&utm_term=list_article_headline

BORDER WALL

TRUMP ADMINISTRATION CUTTING 20 MILES OF EXTRA BORDER WALL BECAUSE IT LACKS FUNDS

By Mary Papenfuss – HuffPost – September 14, 2019

❖ The Trump administration explained in a court filing Friday (September 13) that it was scrapping plans to build an additional 20 miles of border wall in Arizona and California because it doesn't have the funds, Bloomberg reported. It was a startling note given that the administration now has access to \$3.6 billion in Pentagon money, thanks to the Supreme Court, to build the southern border wall since President Donald Trump declared an "emergency." The filing is apparently part of an ongoing lawsuit by the Center for Biological Diversity, Defenders of Wildlife and Animal Legal Defense Fund, according to Bloomberg. The organizations sued the Trump administration early this year, arguing that the border situation was not an emergency, and the fund-grab violates the Constitution by overstepping executive authority and sidestepping Congress' authority to determine allocations. In Friday's (Sep. 13) filing, the administration explained that it had planned to build three additional sections of wall using cost-savings from other portions, Bloomberg reported. But the expected savings will not be enough after all. The president is now arranging to redirect \$3.6 billion in Pentagon funds for border wall construction. But only money allocated to Pentagon construction projects outside the U.S. — \$1.8 billion — will initially be available for the barrier, according to a letter early this month by Secretary of Defense Mark Esper. It wasn't clear why those funds weren't available for the extra 20-mile section.

❖ News Article Source: https://www.huffpost.com/entry/border-wall-trump-no-funding-center-for-biological-diversity_n_5d7d7f5ee4b03b5fc884ce92?ncid=APPLENEWS00001

BORDER FENCE CONSTRUCTION COULD DESTROY ARCHAEOLOGICAL SITES

By Juliet Eilperin and Nick Miroff – The Washington Post – September 17, 2019

❖ Bulldozers and excavators rushing to install President Trump's border barrier could damage or destroy up to 22 archaeological sites within Arizona's Organ Pipe Cactus National Monument in coming months, according to an internal National Park Service report obtained by The Washington Post. The administration's plan to convert an existing five-foot-high vehicle barrier into a 30-foot steel edifice could pose irreparable harm to unexcavated remnants of ancient Sonoran Desert peoples. Experts identified these risks as U.S. Customs and Border Protection seeks to fast-track the construction to meet Trump's campaign pledge of completing 500 miles of barrier by next year's election. New construction began last month within the Organ Pipe Cactus National Monument, an internationally recognized biosphere reserve southwest of Phoenix with nearly 330,000 acres of congressionally designated wilderness. The work is part of a 43-mile span of fencing that also traverses the adjacent Cabeza Prieta National Wildlife Refuge. The Department of Homeland Security has taken advantage of a 2005 law to waive several federal requirements — including the Archaeological Resources Protection Act, the National Historic Preservation Act and the Endangered Species Act — that could have slowed and possibly stopped the barrier's advance in the stretch in Arizona.

❖ News Article Source: https://www.washingtonpost.com/immigration/border-fence-construction-could-destroy-archaeological-sites-national-park-service-finds/2019/09/17/35338b18-d64b-11e9-9343-40db57cf6abd_story.html

PENTAGON PUTS BRAKES ON 3 BORDER BARRIER PROJECTS BECAUSE OF COST

By Matthew Choi – Politico – September 16, 2019

- ❖ The Defense Department is no longer moving forward with three border barrier projects in California and Arizona, according to a court filing Monday (September 16). The move is a reversal of an earlier Pentagon authorization for about 20 miles of fencing, lighting and other border infrastructure that would have used \$2.5 billion in funds redirected from a counter-drug fund.
- ❖ News Article Source: <https://www.politico.com/story/2019/09/16/defense-department-border-wall-projects-1499466>

DEVELOPING STORIES

NEARLY 1 MILLION MIGRANTS ARRESTED ALONG MEXICO BORDER IN FISCAL YEAR 2019

By Nick Miroff – The Washington Post – October 8, 2019

- ❖ The number of migrants taken into custody along the U.S. southern border soared to nearly 1 million during the government's 2019 fiscal year that ended Sept. 30, according to U.S. Customs and Border Protection (CBP) data released Tuesday (October 8). Mark Morgan, the acting CBP commissioner, told reporters at a White House briefing that more than 52,000 migrants were taken into custody in September at U.S. ports of entry and between them, a decline of 18 percent from August. Overall, U.S. border authorities made 977,509 arrests during the 2019 fiscal year, up 88 percent from last year and the highest total since 2007. Arrests by U.S. border agents reached an all-time high of 1.6 million in 2000, but Department of Homeland Security officials insist that the migration wave they faced this year is unlike anything in the past. The surge reached its height in May, when more than 144,000 were taken into custody, including one group of 1,036 that crossed the border into El Paso to surrender. Morgan said that figure remained too high and that a more manageable level would be 500 apprehensions per day. The 52,546 enforcement actions CBP tallied in September still rank it higher than any single month during the 2018 fiscal year.
- ❖ News Article Source: https://www.washingtonpost.com/immigration/nearly-1-million-migrants-arrested-along-mexico-border-in-fiscal-2019-most-since-2007/2019/10/08/749413e4-e9d4-11e9-9306-47cb0324fd44_story.html

LAWSUITS AROUND US SEEK TO BLOCK TRUMP'S PUBLIC CHARGE RULE

By The Associated Press – October 8, 2019

- ❖ Almost a dozen lawsuits have been filed from New York to California with plaintiffs including states, counties, cities, service providers and immigrants to prevent the "public charge" rule from taking effect on Oct. 15. A judge in California held a hearing last week, while a judge in New York held one on Monday (October 7), and others are scheduled for this week, with the lawsuits asking for preliminary injunctions to keep the rule from being enforced while challenges to its legality are ongoing. Judges have indicated a willingness to issue rulings before the scheduled start date. The rule is an aggressive step by the Trump administration in its efforts to rewrite the nation's immigration policies with its focus on effectively denying permanent resident status to many legal immigrants through how it defines a "public charge." Currently, legal immigrants seeking to become permanent residents (a step before being eligible to become naturalized citizens) must prove they won't be burdens to the country, or public charges, which in practice has been understood to mean becoming primarily dependent on cash assistance, income maintenance or government support for long-term institutionalization. The Trump administration's rule takes that further — considering past and current use of a wide range of assistance like Medicaid, food stamps, and housing vouchers that aren't currently considered, taking into account factors like the immigrant's age, employment status and English-language ability to determine whether they could potentially become public burdens at any point in the future and denying them legal residency if officials decide the answer is yes. The scheduled enactment next week of the rule comes as the Trump administration on Friday announced another rule, a proclamation effective Nov. 3 that bars immigrants from coming to the U.S. unless they will be covered by health insurance within 30 days of entering or have the financial wherewithal to pay for any medical costs. Roughly 544,000 people apply for green cards annually. According to the government, 382,000 are in categories that would make them subject to the new review, according to the government.
- ❖ News Article Source: <https://www.nytimes.com/aponline/2019/10/08/us/ap-us-immigration-public-benefits.html>

PEOPLE ACTIVELY HATE US': INSIDE THE BORDER PATROL'S MORALE CRISIS

By Manny Fernandez, Miriam Jordan, Zolan Kanno-Youngs and Caitlin Dickerson – The New York Times – September 15, 2019

- ❖ One Border Patrol (BP) agent in Tucson said he had been called a "sellout" and a "kid killer." In El Paso, an agent said he and his colleagues in uniform had avoided eating lunch together except at certain "BP friendly" restaurants because "there's always the possibility of them spitting in your food." An agent in Arizona quit last year out of frustration. "Caging people for a nonviolent activity," he said, "started to eat away at me." The Border Patrol, whose agents have gone from having one of the most obscure jobs in law enforcement to one of the most hated, is suffering a crisis in both mission and morale. Earlier this year, the disclosure of a private Facebook group where agents posted sexist and callous references to migrants and the politicians who support them reinforced the perception that agents often view the vulnerable people in their care with frustration and contempt. The private Facebook group, which was created in 2016 and had more than 9,000 members, became a forum for agents to vent about the increasingly thankless nature of their jobs and the failure of successive administrations to fully secure the border.
- ❖ News Article Source: <https://www.nytimes.com/2019/09/15/us/border-patrol-culture.html>

IMMIGRATION OFFICIALS ARE PUSHING A PROPOSAL TO ADD A NEW FEE FOR DACA RECIPIENTS AND CHARGE FOR ASYLUM APPLICATIONS

By Hamed Aleaziz – BuzzFeed News – October 11, 2019

❖ Immigration officials are considering a proposal that would institute a new fee for certain immigrants who entered the US as children, charge for asylum applications, and transfer more than \$200 million to Immigration and Customs Enforcement, according to documents obtained by BuzzFeed News. The details come from Department of Homeland Security briefing documents from a September meeting that lay out US Citizenship and Immigration Services' (USCIS) plans for its much-anticipated upcoming proposed regulation on fees. USCIS, which is primarily funded through money from immigrants' applications such as filing for a green card or work permit, is required to review its fee structure every two years. In recent months, the administration has issued rules to deny permanent residency to immigrants in the US who immigration officials believe would not be able to support themselves financially and block the entry of immigrants applying for visas who cannot prove that they will be able to obtain health insurance within 30 days of entering the United States. USCIS which is planning to publish the proposed regulation in January, has multiple fee proposals but its primary option is to transfer more than \$200 million to ICE for "qualifying investigative work," issue a new fee for Deferred Action for Childhood Arrivals (DACA) renewals, charge \$50 for asylum applications, institute a fee for asylum-seekers' work authorization documents, and cut fee waivers to only those that are required by statute and international treaties. Agency officials included six different fee scenarios in the proposed regulation, according to the briefing documents. Former DHS secretary Kirstjen Nielsen previously supported the scenario instituting a new fee for DACA renewals. The documents point out that the US would become just the fourth country in the world to charge for an asylum application, joining Iran, Fiji, and Australia. The proposal would lead to scenarios in which families that are unable to pay for certain forms, like naturalization applications that cost more than \$700, being unable to obtain waivers that offset the costs. If the court decides to allow the program to continue and for immigrants to apply for DACA renewals, the new fee could be a way to restrict applications administratively. Currently, applicants pay nearly \$500 to renew and obtain their employment authorization and complete their biometrics. The new proposed fee would add to that. Currently, there is no fee to enter an "affirmative asylum" application. The fee would not apply to those who claim a fear of persecution at ports of entry or those who apply for the protections while in deportation proceedings. There would be no waiver of the fee for those who cannot afford to pay the \$50.

❖ News Article Source: <https://www.buzzfeednews.com/article/hamedaleaziz/immigration-fees-asylum-daca-ice-dhs>

HEALTH OFFICIALS: TRUMP IMMIGRATION ORDER COULD BE ILLEGAL

By Dan Diamond – Politico – October 11, 2019

❖ Officials who oversee the nation's health insurance markets have privately raised concerns that President Donald Trump's recent mandate requiring visa-seekers to prove they can get health insurance may be unworkable and even illegal, according to three individuals with knowledge of the deliberations. Trump's proclamation that immigrants in the country legally must prove they aren't a burden to the U.S. health system — which would create new requirements to obtain health coverage and take effect on Nov. 3 — has rattled the career civil servants who would have to transform a vague order into policy. Under Trump's proclamation, immigrants would need to obtain private health coverage within 30 days of entering the United States or otherwise prove that they can cover their health care costs. The president also has insisted that the order be implemented even if courts find parts to be illegal. More than two dozen health officials are wrestling with highly technical questions, like which health plans would comply with the new requirements and whether to adjust the enrollment period when immigrants can sign up three weeks before the policy is set to take effect. Trump's proclamation also would bar immigrants from using Obamacare subsidies to purchase health plans and instead steer them toward alternatives touted by the Trump administration, like skimpier short-term plans. Health officials say that presents new technical hurdles, given that HealthCare.gov — the federal website created to shop for individual coverage — can't accommodate Obamacare alternatives. "We can't link directly to those plans," said an official, speaking on condition of anonymity. Health department officials already are grappling with Trump's separate "public charge" order, which would deny green cards to legal immigrants who have received public benefits like Medicaid or who are deemed likely to do so in the future. The rule was scheduled to take effect on Oct. 15 but was stayed nationwide on Friday (Oct. 11).

❖ News Article Source: <https://www.politico.com/news/2019/10/11/trump-immigrants-health-insurance-illegal-044716?cid=apn>



Kevin McAleenan, center, acting Homeland Security director, visits a tent court in Laredo, TX.
Photo Credit: Eric Gay / Associated Press

U.S. MIGRANT POLICY SENDS THOUSANDS OF CHILDREN, INCLUDING BABIES, BACK TO MEXICO

By Kristina Cooke, Mica Rosenberg, Reade Levinson – Reuters – October 11, 2019

- ❖ Since January, the U.S. government has ordered 16,000 migrants under 18, including nearly 500 infants, to wait with their families in Mexico for U.S. immigration court hearings, a Reuters analysis of government data found. The risk of violence and illness runs high and is of particular concern for families with young children or those with chronic health conditions, according to interviews with health professionals, migrants, aid workers and advocates. The children, whose numbers have not been previously reported, are among tens of thousands of migrants returned to Mexico under a Trump administration policy known as the Migrant Protection Protocols (MPP). Most are from Guatemala, Honduras or El Salvador. According to the Department of Homeland Security, decisions about whether a person is placed in MPP are made by border agents on a case-by-case basis and include consultation with medical professionals. Unaccompanied minors should not be sent back to Mexico, according to the program guidelines, but children can be sent back with their parents. About one third of the nearly 50,000 migrants in the MPP program as of Oct. 3 were children under 18, according to the latest data available from the Executive Office for Immigration Review (EOIR), which oversees U.S. immigration courts. Of those, Reuters found around 4,300 under 5 years old and 481 under 1 year old. According to the Reuters analysis, thousands of children are awaiting court hearings in border towns where the risk of kidnappings, rapes and assaults is high. About 5,600 children in the MPP program had their cases assigned to San Diego immigration court, north of Tijuana. Most of the others were assigned to Texas courts: 6,800 to San Antonio and El Paso and 3,400 to Brownsville.
- ❖ News Article Source: https://www.reuters.com/article/us-usa-immigration-babies-exclusive/exclusive-u-s-migrant-policy-sends-thousands-of-children-including-babies-back-to-mexico-idUSKBN1WQ1H1?utm_source=applenews

US-MEXICO BORDER BRIDGE REOPENS AFTER MIGRANT CAMPOUT

By Maria Verza – The Associated Press – October 10, 2019

- ❖ Migrants wanting to request asylum camped out on a U.S.-Mexico border bridge Thursday (Oct. 10), leading to a half-day closure of a span linking the Mexican city of Matamoros to Brownsville, Texas. Hundreds of migrants from Central America and elsewhere stretched out on the bridge before dawn, with some lying on mats or their coats. The crowd included children and babies. U.S. Customs and Border Protection said in a statement that traffic on the Gateway International Bridge "was temporarily halted at about 1:30 a.m. after a group of 250-300 migrants without entry documents" gathered at the bridge's midpoint. The blockage also caused long lines to form at the other international crossings leading out of Matamoros. But in the late afternoon, after a 13-hour shutdown, the migrants left and U.S. authorities reopened the crossing, which handles about 80% of the Brownsville-Matamoros pedestrian traffic. Ernesto Banegas, 51, a construction worker from Honduras, said migrants moved to the bridge after rumors spread that they might be allowed to enter the United States. Under a policy known as metering, U.S. officials at many border bridges accept only a few asylum-seekers a day. The Associated Press found about 19,000 names on waiting lists in four border cities visited in late July. Moments after traffic resumed Thursday (Oct. 10), U.S. agents staged one of their regular anti-riot exercises. Smoke canisters were fired and the crossing was closed again, though this time for just a couple of minutes.
- ❖ News Article Source: <https://www.usnews.com/news/best-states/texas/articles/2019-10-10/migrants-wanting-to-request-asylum-camp-on-bridge-to-texas>

MIGRANT PROTESTERS OCCUPY U.S.-MEXICO BORDER BRIDGE, CROSSING CLOSED

By Veronica G Cardenas – Reuters – October 10, 2019

- ❖ Migrants seeking asylum in the United States who are camped in a dangerous Mexican border town occupied a bridge to Brownsville, Texas on Thursday (Oct. 10), leading U.S. authorities to close the crossing, witnesses and authorities said. Hundreds of the migrants have been sleeping for weeks on the end of the bridge in Matamoros, Mexico, a city known for gang violence and for cartels that control human trafficking. Many of those living in tents or on the sidewalk in a plaza abutting the bridge are awaiting court dates for hearings in the United States weeks or months later under a U.S. policy called the Migrant Protection Protocols (MPP). Video shot by a Reuters photographer showed men, women and children, some lying on blankets, midway across the bridge over the Rio Grande. Dozens of U.S. border agents stood behind a gate topped with razor wire, which blocked the path into the United States. Some migrants said they were trying to cross as a group into the United States, and were frustrated that court dates kept being pushed backwards, leaving them uncertain of how long they would be stuck in Mexico. More than 51,000 migrants, mostly asylum seekers, have been returned to Mexico under MPP. At least 8,000 have been sent to Matamoros, a border city in crime-wracked Tamaulipas state, since the policy was expanded in July from other parts of the U.S.-Mexico border.
- ❖ News Article Source: https://www.reuters.com/article/us-usa-immigration-mexico/migrant-protesters-occupy-u-s-mexico-border-bridge-crossing-closed-idUSKBN1WP2K6?utm_source=applenews

HUNDREDS OF MIGRANTS CORRALLED AT DETENTION CENTER IN MEXICO

By Benjamin Alfaró and Amy Guthrie – *The Associated Press* – October 13, 2019

- ❖ Hundreds of migrants from Africa, the Caribbean and Central America found themselves corralled in a migrant detention facility in southern Mexico on Sunday (Oct. 13) after a futile attempt to head north as part of a caravan aiming to reach the United States. The group set out before sunrise Saturday (Oct. 12) from the town of Tapachula, where many had been marooned for months unsuccessfully trying to get transit visas. They carried heavy backpacks, babies and parcels on their heads. Just before dusk, after having trudged more than 20 miles north, they were surrounded by hundreds of National Guard agents and police who persuaded the exhausted migrants to board vans back to Tapachula. Children cried, and women complained angrily about waiting months for papers. It was unclear if any would be deported. The situation for migrants in Mexico has changed dramatically since a caravan set out exactly a year ago from San Pedro Sula, Honduras. That group swelled at its height to 7,000 migrants who banded together to find safety in numbers as they trudged through Guatemala and then Mexico in an attempt to reach the U.S. Mexico has offered refugees the possibility of obtaining work and residency permits to stay in southern Mexico, far from the U.S. border. But those asylum permits are slow-coming in an overstretched immigration system. Also, southern Mexico is the country's poorest region, so job opportunities there are scarce.
- ❖ News Article Source: <https://www.apnews.com/bc196d02586e4978bc8f236f23d7c046>



Migrant teens line up for a class at a "tender-age" facility for babies, children and teens, in Texas' Rio Grande Valley, Thursday, Aug. 29, 2019, in San Benito, Texas.

Photo Credit: Associated Press / Eric Gay

TRUMP'S NEW BORDER COURTS ARE DESIGNED TO FAIL

By Kim Hunter, Katharine Gordon and John Bruning – *The Hill* – October 13, 2019

- ❖ The Trump administration's latest efforts to block as many asylum seekers as possible from entering the U.S. have expanded exponentially with the implementation of "port courts." Tens of thousands of refugees have been forced to remain in Mexico in order to request any protection from persecution, rather than be permitted to enter the U.S. to await their hearing dates. For their hearings, they enter port courts, which are literally in tents and trailers that have been hastily put up in southern border cities. We are part of a group of attorney volunteers who recently returned from assisting asylum-seekers in Matamoros, Mexico. One of us accompanied two new clients to the port court in Brownsville, Texas. Neither the judges nor government attorneys are physically present, instead appearing by video and hidden from public view as press and observers are barred. The Department of Homeland Security (DHS) is solely responsible for this. The Department of Justice (DOJ), which employs the immigration judges, notes that the Justice Department will follow the regulation that requires hearings to be public. However, since DHS operates the port courts, DOJ has capitulated to the ad hoc rules which deny transparency. At every step of the way, refugees and the handful of attorneys who represent them are reminded that this "system" is designed to fail. There are no marked entrances to the Brownsville court, which resembles a concentration camp in its design and layout. Instead, attorneys must already know where the entrance is and ask to be let in by privately contracted guards who monitor it for DHS. Forms with client signatures are required to gain entry. Attorneys are escorted by guards from the front gate to client meetings, to attend court and even to access the restroom. Attorneys are not allowed to bring electronics into the tent complex, which means they cannot access their calendars or legal research. Meanwhile, DHS lawyers maintain access to their technology as they sit off-screen. Only the immigration judge and interpreter are video streamed into the port courtroom. In order to even schedule the next hearing, the attorney must request a recess so that they can leave the court complex, go to their car to access their calendar on their phone and go through the security process all over again to get back to their hearing. Immigrants with hearings and their children are also subjected to security screening in order to enter. Their shoelaces are confiscated by DHS and not returned. Some refugees report being subjected to cavity searches just to attend court. Unless the immigrant is represented, the families wait for a "group advisal" of their rights, which is interpreted only in Spanish. Many refugees speak indigenous languages and have no way to communicate that in the face of a video link via a Spanish interpreter. Yet, in order to secure a full hearing on their claim, they must submit applications and all supporting documents in English. Individuals with attorneys do not have their full hearings interpreted. At most, procedural matters are translated at the very beginning and end. For a client to know what is happening, their attorney must translate for them while making legal arguments and responding to the DHS attorney and the immigration judge. At the conclusion of one of our clients' hearings, the contracted guard tried to force counsel from the courtroom without giving him an opportunity to explain the non-interpreted hearing that had just taken place. The attorney had to involve the judge, who intervened and asserted some control over the courtroom to allow our client access to counsel. To meet with clients in Mexico, attorneys must violate the State Department's travel advisories, which categorize Matamoros as a level 4 security risk, which is the category reserved for the most dangerous places on earth, including active war zones like Syria.
- ❖ News Article Source: <https://thehill.com/opinion/immigration/465594-the-immigration-system-is-designed-to-fail>

SUIT SAYS FEDS USING IMMIGRATION MARRIAGE INTERVIEWS AS TRAP

By Regina Garcia Cano – Associated Press – October 12, 2019

- ❖ Alyse and Elmer Sanchez were thrilled when they survived their "green card" interview, a crucial step in obtaining lawful status in the United States. She texted her family from the immigration office as relief washed over her: The officer had agreed that their marriage is legitimate. Moments later, Elmer was in shackles, detained pending deportation to his native Honduras, leaving her alone with their two little boys. The Sanchezes have joined five other couples in a class action accusing federal agents of luring families to marriage interviews in Baltimore, only to detain the immigrant spouse for deportation. Federal regulations allow U.S. citizens like Alyse to try to legalize the status of spouses like Elmer, who has been living in the country illegally. Records show the U.S. Citizenship and Immigration Services approved 23,253 provisional unlawful presence waivers, the final documents spouses, children or parents of citizens need before leaving the country and applying to rejoin their families legally. The American Civil Liberties Union (ACLU) says a growing number of officers have "cruelly twisted" the rules by detaining immigrant spouses following marriage interviews. The ACLU is pursuing a similar complaint in Massachusetts and says dozens of detentions also have happened at field offices in New York, Virginia, Florida, Illinois and California. Elmer was shuffled around detention facilities while Alyse sought counseling and tried to console their 4-year-old, who constantly asked about his dad. Their attempt to reopen Elmer's case was denied June 3. He began to lose hope in a Louisiana detention center. Elmer was released June 19 after the ACLU sought an emergency order to prevent imminent deportation.
- ❖ News Article Source: <https://abcnews.go.com/US/wireStory/suit-feds-immigration-marriage-interviews-trap-66226255>

FAMILY DETENTION CALL UPDATES

1. Border updates:
 - a. McAllen court monitoring, Matamoros/Brownsville Migrant Protection Protocols (MPP work). Helping migrants and asylum seekers connecting with attorneys. People are sleeping on the streets, under tarps, dire situation. Many have been waiting several months. While metering was happening some were able to get through, but now it's a blanket bar on entry. A family with a mother living with disabilities (deaf, non-verbal) was sent back to Mexico.
2. Detention center updates:
 - a. Karnes: It was emptied out of adult women. Team is trying to track whereabouts of those women, many were in process. They've been able to locate whereabouts of about 300 women, but there were 1000, so about 600 women they can't find. Essentially missing. Even sponsors don't know where they are.
 - i. There's a new ORR facility being opened in San Antonio. VisionQuest, a for-profit org with history of abuse and problems. They've made a deal with a local church to see if they can run the facility for them. Monitoring the process.
 - ii. 15th October, bidding process opens for the long-term ORR facilities to be opened in San Antonio.
 - b. Dilley: Low number for Dilley, but VERY high number of negative decisions. 282 families arrived in September, but because of asylum ban and removal of rights from asylum process. Waits for courts are very long. Detained for a long time. They are working through the Otero court in NM, one of the lowest positive rates in the country. They've seen a significant uptick in negative rulings.
 - c. Berks: moving population out Berks and into Karnes and Dilley.

Notes taken by Cheasty Anderson, M.A., Ph.D., Senior Policy Associate at the Children's Defense Fund–Texas



A short distance from the Rio Grande, the Migrant Protection Protocols Immigration Hearing Facilities in Laredo, Texas, are adjacent to the Gateway to the Americas International Bridge.

Photo Credit: Ricardo Santos / The Laredo Morning Times via Associated Press



A government contractor walks beside a completed section of Pentagon-funded border wall along the Colorado River this month in Yuma, Ariz.

Photo Credit: Associated Press

Benedictine Sisters Corporate Responsibility Coalition