

NEWS ARTICLES ON KEY ISSUES – JANUARY 19, 2023

LATEST STATISTICS

U.S. Border Patrol Southwest Border Encounters FY2019		
USBP	Demographic	Total
Southwest Border	Unaccompanied Alien Child	76,020
	Family Units*	473,682
	Single Adult	301,806
Southwest Border Total Apprehensions		851,508

U.S. Border Patrol Southwest Border Encounters FY2020		
USBP	Demographic	Total
Southwest Border	Unaccompanied Alien Child	30,557
	Family Units*	52,230
	Single Adult	317,864
Southwest Border Total Apprehensions		400,651

U.S. Border Patrol Southwest Border Encounters FY2021		
USBP	Demographic	Total
Southwest Border	Unaccompanied Alien Child	144,834
	Family Units*	451,087
	Single Adult	1,063,285
Southwest Border Total Apprehensions		1,659,206

Data Sources:

<https://www.cbp.gov/newsroom/stats/sw-border-migration/fy-2019> ; <https://www.cbp.gov/newsroom/stats/sw-border-migration-fy2020> ;
<https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters>

U.S. Border Patrol Southwest Border Encounters FY2022														
USBP	Demographic	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	Total
Southwest Border	Unaccompanied Alien Child	12,625	13,745	11,704	8,607	11,779	13,892	11,857	14,420	14,929	13,003	10,993	11,539	149,093
	Family Units*	41,556	43,279	49,437	30,419	25,165	34,052	37,082	51,166	44,071	42,851	39,305	44,579	482,962
	Single Adult	104,932	109,991	109,461	108,851	122,226	163,237	154,565	158,784	133,399	125,980	131,476	151,479	1,574,381
Southwest Border Total Apprehensions		159,113	167,015	170,602	147,877	159,063	211,181	203,504	224,370	192,399	181,834	181,774	207,597	2,206,436

Data Source: <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters>

U.S. Border Patrol Southwest Border Encounters FY2023				
USBP	Demographic	OCT	NOV	Total
Southwest Border	Unaccompanied Alien Child	11,660	12,811	24,471
	Family Units*	46,662	49,520	96,182
	Single Adult	146,564	143,908	290,472
Southwest Border Total Apprehensions		204,886	206,239	411,125

Data Source: <https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters>

LATEST NEWS

Supreme Court Leaves Pandemic Border Controls in Place

By Jess Bravin and Michelle Hackman, Wall Street Journal, December 27, 2022

- ❖ The Supreme Court kept pandemic-era border controls in place Tuesday, December 20, while it considers whether nearly two dozen states can intervene in a lawsuit over those restrictions, leaving thousands of asylum-seeking migrants stranded in northern Mexico. By a 5-4 vote, the court acted in the wake of a temporary stay that Chief Justice John Roberts imposed on Dec. 19, two days before so-called Title 42 regulations were to end. Border officials had started observing an increase in land crossings in the days ahead of the policy's expected end on Dec. 21, with at least 10,000 additional migrants waiting in Mexican border cities with the expectation that the measure would soon be lifted. The Biden administration had sought to end the policy, while states wanted it to remain in place. As is typical, the Supreme Court's majority didn't lay out its reasoning for the order. The court ordered an expedited hearing, setting arguments in the case for February or early March.
- ❖ News Article Source: <https://www.wsj.com/articles/supreme-court-leaves-pandemic-border-controls-in-place-11672178053>

Record number of migrants crossed southern border in November: CBP

By Luke Barr, ABC News, December 23, 2022

- ❖ There were 233,740 migrants apprehended along the U.S. southern border in November, according to U.S. Customs and Border Protection (CBP) - a 1% increase from October's record - breaking apprehensions and marked the highest ever number of border crossings ever recorded for the month of November. CBP says there were 204,000 unique encounters that is up from 4% the month before. Of those unique encounters, 35% (68,000) were from Cuba and Nicaragua. The number of unique encounters alone is nearly two times the total number of encounters from the previous year at 174,845.
- ❖ News Article Source: <https://abcnews.go.com/Politics/record-number-migrants-crossed-southern-border-november-cbp/story?id=95772027>

Without evidence, Gov. Greg Abbott asks whether nonprofits are helping migrants enter Texas

By James Barragán, Texas Tribune, December 15, 2022

- ❖ Gov. Greg Abbott called Wednesday, December 14, for the state to investigate whether nonprofit organizations have helped people enter the country illegally, adding another talking point to his border hawk arsenal and another headache to humanitarian relief groups that help migrants in Texas. Abbott made his request in a letter to Attorney General Ken Paxton in which he cited the increased number of migrants expected at the border once Title 42 — a federal public health order issued near the start of the pandemic that officials have used to turn away migrants at the border — comes to an end in a few days at a time of record migrant crossings. Without citing any evidence, Abbott said he had received reports that nongovernmental organizations — a term that generally refers to nonprofit, humanitarian groups — “may be engaged in unlawfully orchestrating other border crossings through activities on both sides of the border, including in sectors other than El Paso.” “In light of these reports, I am calling on the Texas Attorney General's Office to initiate an investigation into the role of NGOs in planning and facilitating the illegal transportation of illegal immigrants across our borders,” Abbott wrote, adding that he is ready to “craft any sensible legislative solutions [Paxton's] office may propose that are aimed at solving the ongoing border crisis and the role that NGOs may play in encouraging it.”
- ❖ News Article Source: <https://www.texastribune.org/2022/12/15/greg-abbott-texas-migrants-border-nonprofits/>

Gov. Abbott calls for investigation of NGOs as migrant encounters surge

By Craig Huber, Spectrum News, December 19, 2022

- ❖ News Article Source: <https://spectrumlocalnews.com/tx/south-texas-el-paso/news/2022/12/15/gov--abbott-calls-for-investigation-of-ngos-as-migrant-encounters-surge>

Abbott accuses NGOs of illegal activity on the border; Paxton to investigate

By Hogan Gore, Austin American-Statesman, December 19, 2022

- ❖ News Article Source: <https://www.statesman.com/story/news/2022/12/19/paxton-agrees-to-investigate-ngos-working-on-the-border-in-response-to-the-governors-request/69731864007/>

DeSantis 'Czar' Used Alias, Private Email As Contractor Sought Migrant Flights' Deal

By Tony Pipitone, NBC News South Florida, December 23, 2022

- ❖ After claiming in court all requested records were provided, the state has released emails from a Gmail account used by “public safety czar” Larry Keefe, revealing backchannel communications between him and his former client, Vertol Systems, as the company was seeking the migrant relocation contract. As his former client was seeking the contract to relocate migrants from Texas to Martha’s Vineyard, Gov. Ron DeSantis’ “public safety czar” gave Vertol Systems Company CEO James Montgomerie a private “email channel to use,” according to records released by the governor’s office. For three weeks after that Aug. 26 instruction, records show the two men exchanged invoice and proposal language as Vertol was about to win a contract that has so far paid it more than \$1.5 million. None of that official state business was included in any of Larry Keefe’s state email records released so far. Last month, Montgomerie testified in a lawsuit seeking all public records that his company had turned over “every single” record. But the company did not produce the emails sent to Montgomerie’s AOL account from “Clarice Starling,” Keefe’s Gmail alias, a nod to the FBI trainee played by Jodie Foster in the movie “Silence of the Lambs.” When questioned under oath about a “draft” referenced in a Sept. 1 text message between him and Keefe, Montgomerie testified it was a draft he had sent Keefe of the consent form the migrants were asked to sign before being flown to Martha’s Vineyard on Sept. 14. But an attachment to the previously undisclosed email shows that -- 45 minutes before Montgomerie’s “draft sent” text -- Montgomerie sent Keefe a draft of what would become Vertol’s proposal to FDOT to run the relocation program. That draft contained eight paragraphs that were nearly identical to language Keefe had sent Montgomerie from the Gmail account two days earlier -- language that also wound up in the proposal Vertol sent to FDOT on Sept. 2. The latest revelations come as the state and the contractor are accused in lawsuits of violating the migrants’ civil rights and concealing public records, allegations they deny. According to state records, Vertol was paid \$615,000 in advance for transporting nearly 50 migrants from Texas to Martha’s Vineyard and has received another \$950,000 for two missions to Delaware and Illinois that have not yet occurred.
- ❖ News Article Source: <https://www.nbcmiami.com/news/local/desantis-czar-used-alias-private-email-as-contractor-sought-migrant-flights-deal/2937675/>

Massive migrant tent erected at border in preparation for end of Title 42

By MaryAnn Martinez, New York Post, December 26, 2022

- ❖ The makeshift facility northeast of downtown [El Paso] will serve as an overflow processing center when Title 42 expires — which could happen as soon as this week, depending on whether the Supreme Court will hear a challenge to the Biden administration from 19 states who want to keep the policy in place. The Border Patrol already has a Central Processing Center in El Paso, but it will not be able to meet the demand post-Title 42 — when as many as 5,000 migrants per day are anticipated to enter the city. “As we know [Border Patrol’s] CPC, central processing center, has a capacity of 1,400; we know that their breaking point is 5,000,” El Paso Deputy City Manager Mario D’Agostino said at a public meeting the same day. “With this surge, they know that they will not be able to hold it.” El Paso officials have previously said as many as 20,000 migrants are waiting in Mexico, hoping to gain entry into the US after Title 42 goes away.
- ❖ News Article Source: https://nypost.com/2022/12/26/migrant-tent-erected-at-border-to-prep-for-title-42-end/?utm_campaign=applenews&utm_medium=inline&utm_source=applenews

U.S. asks court to end asylum limits, with a short delay

By Morgan Lee, Giovanna Dell’orto and Rebecca Santana, Associated Press, December 20, 2022

- ❖ The U.S. government asked the Supreme Court not to lift the limits before Christmas, in a filing a day after Chief Justice John Roberts issued a temporary order to keep the pandemic-era restrictions in place. Before Roberts issued that order, they had been slated to expire Wednesday, December 21. Under the restrictions, officials have expelled asylum-seekers inside the United States 2.5 million times, and turned away most people who requested asylum at the border, on grounds of preventing the spread of COVID-19 under a public health rule called Title 42. Both U.S. and international law guarantee the right to claim asylum. The federal government also asked the court to reject a last-minute effort by a group of conservative-leaning states to maintain the measure. It acknowledged that ending the restrictions will likely lead to “disruption and a temporary increase in unlawful border crossings,” but said the solution is not to extend the rule indefinitely.
- ❖ News Article Source: <https://apnews.com/article/biden-health-el-paso-john-roberts-border-security-811299927348837ae86f0f08a06526f1>

A Sober Assessment of the Growing U.S. Asylum Backlog

By the Transactional Records Access Clearinghouse, Syracuse University (TRAC), December 22, 2022

- ❖ The latest available data reveal that the number of asylum seekers waiting for asylum hearings in the U.S. has now reached at least 1,565,966 individuals. About half of this total, or 787,882, are waiting for hearings before judges in the Immigration Courts housed in the Department of Justice. The other half, or 778,084 asylum seekers, are waiting for hearings before United States Citizenship and Immigration Services (USCIS) asylum officers who are housed in the Department of Homeland Security. Many other asylum seekers have been allowed to enter the United States to go through the asylum process but have not yet submitted an asylum application. These asylum applications—nearly 1.6 million—represent the largest total number of pending asylum applications on record. Asylum backlogs are not new (as TRAC has shown many times), since the number of people requesting the type of protection that asylum provides has typically exceeded the capacity of government agencies to process applications quickly and fairly. At the end of FY 2012, over 100,000 asylum cases were pending in the Immigration Court’s backlog. A decade later, the backlog had grown over 7-fold to over 750,000 cases in September at the end of FY 2022. Since then, in just the first two months of FY 2023 (October-November 2022), the asylum backlog jumped by over 30,000 new cases and now totals 787,882.
- ❖ News Article Source: <https://trac.syr.edu/reports/705/>

Migrant center gets new name and approach with Catholic Charities at the helm

By Raquel Torres, San Antonio Report, January 6, 2023

- ❖ Catholic Charities recently offered local media a tour of the San Antonio migrant center, a 71,000 square-foot center, which the city established in July. The nonprofit continues to work with the city, the Federal Emergency Management Agency (FEMA), which reimburses the nonprofit directly for center operations, and the Department of Homeland Security (DHS). The city still holds the lease to the property, provides building maintenance and transportation to the San Antonio International Airport. Since it opened, the center has served over 92,000 migrants, according to city figures. Those numbers could be affected by a new plan announced Thursday, January 5, by President Joe Biden that would permit 30,000 migrants from Cuba, Haiti, Nicaragua and Venezuela to enter the country each month. The aim is to reduce the record numbers of asylum seekers entering the U.S. through Mexico. Antonio Fernandez, CEO of Catholic Charities, summed up the changes Catholic Charities has made since it took over: “It’s not an emergency site for us, it’s a humanitarian site. We call it **Centro de Bienvenida,” or Welcome Center**. Catholic Charities is a religious nonprofit whose mission is to provide humanitarian response to vulnerable populations in times of need. Founded in 1941, the organization today offers dozens of different programs, such as helping people experiencing homelessness, resettling refugees, running free after-school programs and hosting a food pantry. Although the center is large, it is almost always at capacity. The nonprofit had been making contingency plans for Title 42 being lifted, which would likely have increased the number of migrants through San Antonio. Those plans included looking for a second location, with better accommodations.
- ❖ News Article Source: https://sanantonioreport.org/inside-san-antonios-migrant-center-centro-de-bienvenida/?mc_cid=5d2a976aad

Texas AG Paxton sues Biden over immigration rule that 'burdens' taxpayers

By Taylor Goldenstein, Austin Bureau, January 5, 2023

- ❖ Texas Attorney General Ken Paxton is suing over a Biden administration rule that sets guidelines for how the federal government determines which noncitizens should not be allowed into the country because they are likely to become overly dependent on government assistance. The so-called “public charge” rule has existed in some form for more than a century, though it’s undergone many changes over the years depending on the presidential administration. Paxton, in a 24-page suit filed in federal court Thursday, January 5, accused Biden's White House of making its version of the rule, which went into effect Dec. 23, too lax. It only considers cash benefits, for example, but not in-kind government benefits that an immigrant may need if admitted into the U.S. Out of almost 48,000 applicants, not one was ultimately considered to be a public charge under the stricter Trump-era rule, according to the Department of Homeland Security. Paxton's suit alleges that the Biden administration did not adequately explain its decision to ease the guidelines that the Trump administration had tightened, which it says constitutes a violation of federal administrative law. The suit is one of more than two dozen that Paxton has filed against the administration since Biden took office.
- ❖ News Article Source: <https://www.expressnews.com/politics/texas/article/Texas-AG-sues-Biden-over-immigration-rule-that-17697802.php>

Explainer: Why migrants are crossing the U.S.-Mexico border in record numbers

By Mica Rosenberg, Reuters, January 9, 2023

- ❖ **WHO IS TRYING TO ENTER THE UNITED STATES AT THE BORDER?** U.S. Border Patrol made more than 2.2 million arrests at the U.S.-Mexico in the 2022 fiscal year, which ended last September, the most ever recorded. But many of those were individual migrants who tried to cross multiple times after being caught and rapidly expelled back to Mexico under a COVID-era order known as Title 42. The policy was implemented in March 2020 under Republican former President Donald Trump, an immigration hardliner. Biden, a Democrat, tried to end the Title 42 order, which health officials said was no longer needed, but the termination was blocked in court. Before last year, Mexico had generally only been accepting expulsions of its own citizens along with migrants from the Central American countries of Guatemala, Honduras and El Salvador. The number of Venezuelans crossing the border plummeted after Mexico agreed to accept expulsions of Venezuelan migrants last October. Biden announced on Thursday, January 5, that Cubans, Haitians and Nicaraguans - who have also been arriving in larger numbers - will now also be expelled under Title 42.
- ❖ **WHY ARE PEOPLE CROSSING?** Before Title 42, migrants had been allowed to approach a U.S. port of entry and tell border officials they feared returning to their home country, which sets in motion the asylum process. Migrants looking for protection must prove they have been persecuted, or fear they will be, on the basis of their race, religion, nationality, political opinion or membership in a particular social group to a U.S. asylum officer or in U.S. immigration court. Migrants who have arrived on U.S. soil are eligible to ask for asylum, even if they cross the border illegally and turn themselves into border agents, but winning a case is a long and complicated process that can take years due to backlogs. The Biden administration has said it wants to surge resources to process more claims quicker but faces budgetary and other constraints. The administration in its announcement Thursday, January 5, also said it would expand its use of an app called CBP One that allows asylum seekers to enter their information as a pre-screening step to be given an appointment at a U.S. port.
- ❖ **WHAT HAPPENS TO PEOPLE AFTER THEY CROSS?** Migrants who cannot be expelled under Title 42 are processed under an immigration statute known as Title 8 and can be detained or released into the United States while their immigration cases are pending. Asylum seekers are eligible to apply for work permits as long as they attend court hearings and other immigration check ins. Some are obligated to comply with electronic monitoring, like ankle bracelets. If they miss their hearings or lose their cases they are at risk of deportation. The governors of Texas and Arizona last year bused thousands of migrants from the border to northern cities like New York and Washington, D.C., which they say eases the pressure in border communities and sends a political message to Biden. The city of El Paso also ran its own busing campaign, but has stopped.
- ❖ **WHY CAN'T MORE PEOPLE ENTER LEGALLY IN THE U.S.?** As part of Biden's announcement on Thursday, January 5, the administration said it would admit up to 30,000 migrants by air from Cuba, Haiti, Nicaragua and Venezuela each month under a new temporary "humanitarian parole" program if they have a U.S. sponsor. There are a number of ways to enter the United States legally as an immigrant, including being sponsored by a U.S. citizen or company, or to perform a particular job or to study. But obtaining a visa can be a long, expensive process that is not always accessible to the most vulnerable people. The Biden administration also set a goal of resettling 125,000 refugees in 2022 who apply from abroad after Trump dramatically slashed admissions during his term. But delays from the COVID-pandemic have contributed to the U.S. falling way behind on that goal.
- ❖ News Article Source: <https://www.reuters.com/world/americas/why-are-migrants-crossing-us-mexico-border-record-numbers-2023-01-08/>



Immigrants from Haiti, who crossed through a gap in the US-Mexico border barrier, wait to be processed by the U.S. Border Patrol on May 20, 2022, in Yuma, Arizona. Credit: Mario Tama/Getty Images

Greg Abbott offers handshake, direct letter on border policies to Joe Biden during El Paso visit

By John C. Moritz, El Paso Times, January 8, 2023

- ❖ Texas Gov. Greg Abbott greeted President Joe Biden at the base of Air Force One in El Paso on Sunday, January 8, and presented him with a letter condemning the president's approach to immigration and border security. "Your visit to our southern border with Mexico today is \$20 billion too little and two years too late," Abbott said in the single-page letter to the president. "Moreover, your visit avoids the sites where mass illegal immigration occurs and sidesteps the thousands of angry Texas property owners whose lives have been destroyed by your border policies." Abbott and other Texas leaders have called on Biden to both visit the nation's southern border and to take aggressive action to curb the two-year surge in illegal crossings. The governor said he also wants the federal government to repay Texas for the cost of Abbott's \$4 billion border plan he calls Operation Lone Star, which has deployed thousands of National Guard soldiers and Department of Public Safety troopers to the border. Abbott said he will ask the Legislature this year for an additional \$4 billion. In his letter to Biden, Abbott listed a series of steps he wants the administration to take to stem both illegal immigration and the illicit importation of drugs. He spelled out the recommended actions he wants Biden to take in bullet points:
 - You must comply with the many statutes mandating that various categories of (migrants) "shall" be detained, and end the practice of unlawfully paroling migrants en masse.
 - You must stop sandbagging the implementation of the Remain-in-Mexico policy and Title 42 expulsions, and fully enforce those measures as the federal courts have ordered you to do.
 - You must aggressively prosecute illegal entry between ports of entry, and allow ICE to remove illegal immigrants in accordance with existing federal laws.
 - You must immediately resume construction of the border wall in the state of Texas, using the billions of dollars Congress has appropriated for that purpose.
 - You must designate the Mexican drug cartels as foreign terrorist organizations.
- ❖ To read the letter, visit: https://gov.texas.gov/uploads/files/press/President_Joseph_R._Biden_sig_.pdf
- ❖ News Article Source: <https://www.elpasotimes.com/story/news/politics/2023/01/08/greg-abbott-letter-joe-biden-border-visit-immigration-policy/69788885007/>

Governor Abbott Hand-Delivers Letter To President Biden At Border Visit

By the Office of the Texas Governor, January 8, 2023

- ❖ On January 8, Governor Greg Abbott hand-delivered a letter to President Joe Biden, upon his arrival in El Paso for his first trip to the border, calling on him to do his job and secure the border by enforcing federal immigration laws. Governor Abbott has taken unprecedented action to secure the border in the wake of the federal government's inaction, including:
 - Securing \$4 billion in funding for Texas' border security efforts
 - Launching Operation Lone Star and deploying thousands of Texas National Guard soldiers and Texas Department of Public Safety troopers
 - Taking aggressive action to aid border communities, including busing thousands of migrants to Washington, D.C., New York City, Chicago, and Philadelphia
 - Designating Mexican drug cartels as terrorist organizations to keep Texans safe amid the growing national fentanyl crisis
 - Arresting and jailing criminals trespassing or committing other state crimes along the southern border
 - Issuing an executive order authorizing the Texas National Guard and Texas Department of Public Safety to return illegal immigrants to the border at ports of entry
 - Allocating resources to acquire 1,700 unused steel panels to build the border wall in Texas
 - Signing a law to make it easier to prosecute smugglers bringing people into Texas
 - Signing 15 laws cracking down on human trafficking in Texas
 - Signing a law enhancing penalties for the manufacturing and distribution of fentanyl
 - Issuing a disaster declaration for the border crisis
 - Issuing an executive order preventing non-governmental entities from transporting illegal immigrants
 - Signing memoranda of understanding between the State of Texas and the States of Chihuahua, Coahuila, Nuevo León, and Tamaulipas to enhance border security measures in their states that will prevent illegal immigration from Mexico to Texas
 - Activating the Joint Border Security Operations Center (JBSOC) and directing the Texas Department of Public Safety, Texas Military Department, and Texas Division of Emergency Management to coordinate Texas' response to secure the border
- ❖ Press Release Source: <https://gov.texas.gov/news/post/governor-abbott-hand-delivers-letter-to-president-biden-at-border-visit>

TITLE 42

U.S. Supreme Court stops Biden from ending Title 42 border expulsions in win for Texas, red states

By Benjamin Wermund, Taylor Goldenstein, San Antonio Express-News, December 27, 2022

- ❖ The Supreme Court on Tuesday, December 27, blocked the Biden administration from lifting a COVID-era public health order that has been used to immediately turn away migrants millions of times, as the justices agreed to take up a case by Texas and other GOP states while tens of thousands of asylum seekers have gathered along the southern border. The high court will hear the case over whether states should be allowed to intervene and defend the policy during the session beginning in February. The court voted 5-4, with Justice Neil Gorsuch joining the left-leaning justices in dissent, to keep the approach in effect while the legal challenge plays out. The public health order, known as Title 42, has become one of the most contentious policies of President Joe Biden's term and nearly led to a government shutdown in December as senators tried to use a \$1.7 trillion spending bill to force the administration to keep it in place. The order was put in place by former President Donald Trump at the beginning of the COVID pandemic — essentially putting the nation's asylum laws on hold — and the Biden administration leaned on it as a tool to handle the surge of migration to the border, using it to turn away asylum seekers more than two million times over the last two years. Under the rule, migrants are denied the opportunity to plead their asylum cases.
- ❖ News Article Source: <https://www.expressnews.com/politics/texas/article/Supreme-Court-blocks-Biden-Administration-from-17679854.php>

Biden Administration Expands Use of Title 42 and Proposes New Asylum Ban, In Exchange for Creation of Alternate Pathways for Migration and New Methods of Seeking Asylum at Ports of Entry

By the American Immigration Council, January 5, 2023

- ❖ On January 5, 2023, the Biden administration announced a series of policy changes at the border, including an agreement reached with the Mexican government permitting 30,000 Venezuelans, Nicaraguans, Cubans, and Haitians to be expelled to Mexico each month, accompanied by a new parole program available to 30,000 nationals of those countries each month. The administration also announced its intention to publish a new proposed rule that would impose several sweeping new asylum bans, including a version of President Trump's asylum "Transit Ban." As described by Homeland Security Secretary Mayorkas, the proposed transit ban rule would bar asylum for any person who had not previously applied for asylum in a third country before reaching the United States, as well as those who sought asylum without going through a new process at a port of entry. In 2020, a Ninth Circuit Court of Appeals panel blocked the Trump administration's asylum transit ban from being applied to thousands of asylum seekers who were unlawfully prevented from accessing the U.S. asylum process. The ban was later vacated by the D.C. District Court.
- ❖ Press Release Source: <https://www.americanimmigrationcouncil.org/news/biden-administration-expands-use-title-42-and-proposes-new-asylum-ban-exchange-creation>

Latest U.S. border statistics show waning use of Title 42

By Nick Miroff, Washington Post, December 27, 2022

- ❖ U.S. authorities made 233,740 immigration arrests along the Mexican border in November — one of the highest monthly totals ever — but only 66,984 resulted in an "expulsion" under Title 42, the latest CBP figures show. The policy was used in less than 29 percent of border arrests, the lowest rate since the implementation of Title 42 in March 2020 at the start of the coronavirus pandemic. Under the Trump administration, CBP used Title 42 to expel more than 80 percent of border crossers, but that rate began falling after President Biden took office. His administration exempted unaccompanied minors and pared the application of the measure by exempting groups deemed to be vulnerable. Other factors for the decline of Title 42 have been outside the administration's control. For example, migrants from Cuba and Nicaragua have arrived to the United States in record numbers in recent weeks, many crossing into El Paso. They have overwhelmed CBP facilities and shelter capacity, leaving migrants sleeping on the streets in the bitter cold. CBP statistics show the agency took nearly 69,000 migrants from Cuba and Nicaragua into custody along the border in November, but less than 1 percent were sent away via Title 42. The reason: Mexican authorities generally do not accept returns of migrants from those nations from the United States, and strained relations with Cuban and Nicaraguan authorities severely limit the United States' ability to send deportation flights.
- ❖ News Article Source: <https://www.washingtonpost.com/national-security/2022/12/27/border-title42-scotus/>

John Roberts just delayed the end of Title 42: How the demise of the pandemic-era policy could stress the U.S. immigration system

By Khaya Himmelman, GRID, December 20, 2022

- ❖ Supreme Court Chief Justice John Roberts granted the immigration system a brief reprieve as it looks toward its biggest challenge at the southern border since the pandemic began. On Monday, December 19, Roberts temporarily blocked the termination of Title 42, a Trump-era policy put in place by the Centers for Disease Control and Prevention to stop the spread of covid-19. Title 42 was set to be lifted on Wednesday, December 21, after a ruling from District Court Judge Emmet Sullivan, who, in a 49-page opinion last month, described the public health order as “arbitrary and capricious,” and in violation of the Administrative Procedure Act. That decision put pressure on the federal government and local organizations near the southern border to prepare for an influx of migrants. Roberts’ brief order follows an effort by 19 state leaders to appeal the decision, claiming the end of Title 42 would cause an “enormous disaster” on the U.S.-Mexico border, CBS News reported. The states took their plea to a federal appeals court, and then eventually filed an emergency appeal to the Supreme Court on Monday, December 19. Roberts has asked the Biden administration to respond by 5 p.m. on Tuesday, December 20. When the policy will be permanently lifted remains to be seen. But in the meantime, local government and faith-based nonprofits have been preparing for a surge of migrants at the southern border, if or when the pandemic-era immigration restriction does expire. According to reporting from NBC, the Department of Homeland Security is seeking more than \$3 billion from Congress in anticipation of a migrant surge. Deputy Attorney General Lisa Monaco, in an interview for CBS News, expressed concern about the consequences of “the increase in illegal migration,” including human smuggling and drug smuggling.
- ❖ News Article Source: <https://www.grid.news/story/politics/2022/12/20/john-roberts-just-delayed-the-end-of-title-42-how-the-demise-of-the-pandemic-era-policy-could-stress-the-us-immigration-system/>



Migrants look across the Rio Grande, where there is law enforcement activity as they build a fence and receive asylum seekers, in Matamoros, Tamaulipas, Mexico, on Dec. 22, 2022.

CREDIT: VERONICA G. CARDENAS/AFP VIA GETTY IMAGES

Keeping Title 42 is wrong. It won't solve our border crisis

By Elvia Díaz, Arizona Republic, December 29, 2022

- ❖ On Tuesday, December 20, the Supreme Court conservative majority granted a request from 19 states, including Arizona, to keep Title 42 while legal arguments are made over its future. More than 2.4 million migrants have been expelled under Title 42 since 2020 – under both Trump and Biden. These are “individuals presenting themselves to seek humanitarian protection under our laws,” according to the U.S. Customs and Border Protection. That has stranded tens of thousands of migrants along the Mexican side of the border waiting to ask asylum, some of whom undoubtedly grow tired of waiting or fear for their lives and try to cross illegally.
- ❖ News Article Source: <https://www.usatoday.com/story/opinion/columnist/2022/12/29/title-42-border-policy-not-answer-immigration/10961992002/>

Arizona's AG says dropping Title 42 would cause border 'chaos'

By John Helton, NPR, December 30, 2022

- ❖ The Supreme Court blocked the White House from lifting Title 42 — the public health order put in place by the Trump administration in the early months of the COVID-19 pandemic on public health grounds. Title 42 lets Customs and Border Protection turn migrants away at the border to try to stop the spread of the virus. Since it was implemented in March 2020, more than 2 million people, asylum-seekers, have been removed from the U.S. or turned away at the border. That figure includes people who have made multiple attempts to get into the U.S. A federal judge ruled in November that Title 42 was unlawful, and set it to end on Dec. 21. But the Supreme Court paused that ruling on Dec. 19. Nine days later, the Supreme Court said the policy would remain in place while the legal challenge plays out. Attorneys general from 19 states petitioned to keep the rule in place, saying their states would be hit hard by an anticipated surge of migrants into the country. Arizona Attorney General Mark Brnovich, one of those who led the effort to keep Title 42 in place, spoke to NPR’s A Martinez about why it should stand.
- ❖ News Article Source: <https://www.npr.org/2022/12/30/1146060901/title-42-mark-brnovich-arizona-attorney-general-immigration-asylum>

VARIOUS STATES BUSING MIGRANTS TO NEW YORK CITY, WASHINGTON, D.C., CHICAGO, AND PHILADELPHIA

Migrants bound for NYC spent five days on buses after getting stuck in winter storm: ‘They were in disarray’

By Chris Sommerfeldt, New York Daily News, December 26, 2022

- ❖ Dozens of Latin American migrants — including children and a pregnant woman — spent five days on buses in order to get to New York City from Texas after Winter Storm Elliott upended their itinerary, volunteers who greeted the wary travelers told the Daily News. The roughly 50 migrants arrived at the Port Authority Bus Terminal in Manhattan on Christmas Day after leaving by bus from the Texas border city of El Paso on Dec. 20, said Power Malu, the founder of a group called Artists, Athletes, Activists. As of last Thursday, December 22, nearly 33,000 migrants, many from Venezuela, had arrived in New York since this spring after crossing into the U.S. from Mexico in hopes of seeking asylum, according to data from Mayor Adams’ office. More than 22,400 of the migrants — many of whom are fleeing violence and poverty in their home countries — remain in homeless shelters or other forms of city-subsidized housing, the data show.
- ❖ News Article Source: <https://www.nydailynews.com/news/politics/new-york-elections-government/ny-migrants-bound-nyc-five-days-on-buses-storm-20221226-w7m4l43grbfjpo5cxmpg3euoae-story.html>

Gov. Abbott responds to critics of 'heartless' Christmas Eve drop-off of migrants, children

By Jeremy Wallace, Austin Bureau, December 27, 2022

- ❖ Texas Gov. Greg Abbott is firing back at the White House after it harshly criticized him for busing migrants to Washington, D.C., on Christmas Eve in sub-freezing temperatures. D.C. officials reported 139 migrants were dropped off near Vice President Kamala Harris’ residence, many of them lacking proper winter clothing. On Tuesday, December 27, Abbott announced he has now sent 15,900 migrants to D.C., New York City, Chicago and Philadelphia. Over 8,900 to DC; over 4,900 to NYC; over 1,500 to Chicago; and over 630 to Philadelphia. Texas Division of Emergency Management officials have said the cost of the bus program has topped \$12 million.
- ❖ News Article Source: <https://www.expressnews.com/politics/article/Gov-Abbott-responds-to-critics-of-Christmas-Eve-17679539.php>

Greg Abbott: Scrooge.

By Mona Charen, The Bulwark, December 27, 2022

- ❖ News Article Source: <https://www.thebulwark.com/greg-abbott-scrooge/>

Texas Gov. Greg Abbott boasts busing 16K migrants to sanctuary cities

By Evan Simko-Bednarski, New York Post, January 2, 2023

- ❖ Texas Gov. Greg Abbott bragged Monday, January 2, about busing more than 16,000 migrants from the Lone Star State to so-called “sanctuary cities,” following a year of controversial relocations of migrants coming across the southern US border. “Texas has bused more than 16,300 migrants to sanctuary cities,” Abbott tweeted, adding the move was meant to relieve Texas cities overwhelmed by what he called “President Biden’s open border policies.” “Over 9,100 to DC. Over 4,900 to NYC. Over 1,500 to Chicago. Over 840 to Philadelphia,” the governor boasted. Three busloads of shivering people were most recently dropped at the doorstep of Vice President Kamala Harris on Dec. 24 — the coldest Christmas Eve on record — in the nation’s capital. Many were dressed in T-shirts in the 18-degree weather, according to local reports.
- ❖ News Article Source: https://nypost.com/2023/01/02/texas-greg-abbott-boasts-bussing-16k-migrants-to-sanctuary-cities/?utm_campaign=applenews&utm_medium=inline&utm_source=applenews

Colorado is busing migrants to New York and other major cities

By John Frank and Alayna Alvarez, Axios, January 3, 2022

- ❖ Colorado Gov. Jared Polis is busing migrants who recently arrived in Denver from the southern U.S. border to other major cities. In a statement Tuesday, January 3, Polis said his administration is helping migrants reach their intended destinations because 70% don’t plan to stay in Colorado. Colorado earmarked \$5 million to assist people identified as migrants, including helping them purchase bus tickets. About half the money is allocated already. At least 3,500 people have arrived in Denver from the southern border since Dec. 9. Their immigration status is unknown, but officials have suggested some are asylum seekers from Central and South America. 225 arrived overnight on New Year’s Day and more than 1,000 are staying at city-run emergency shelters, Denver officials report. Another 740 are housed at other shelters run by nonprofits. Denver Mayor Michael Hancock declared a state of emergency Dec. 15 as a surge of migrants pushed the city to a breaking point. He also called on the federal government to provide aid, a demand Polis reiterated Tuesday, January 3. City officials have spent more than \$1 million in assistance as of Dec. 31, and project to spend roughly \$3 million “over the next few months.”
- ❖ News Article Source: <https://www.axios.com/2023/01/03/colorado-migrant-governor-polis-bus-new-york>

Colorado to stop busing migrants after pleas from NYC and Chicago mayors

By Peter Charalambous, ABC News, January 9, 2023

- ❖ Colorado will stop sending migrants to New York and Chicago, according to a press release from Colorado Gov. Jared Polis. The decision followed days of public discussion between the leaders of the two cities -- New York Mayor Eric Adams and Chicago Mayor Lori Lightfoot -- and Polis about which city should be responsible for supporting the influx of migrants. Polis announced on Jan. 3 that Colorado would facilitate in transporting of migrants who arrived in Denver to their "final destinations," noting that about 70% of the migrants did not consider Denver as their destination. The release added that weather and workforce shortages at the time attributed to travel cancellations for many migrants. The City and County of Denver had received 21 migrants overnight on Jan. 4, brining its total to 3,673 migrants since Dec. 9. Over the next three nights, the city received 75, 48 and 78 migrants overnight. In a joint letter to Polis, Adams and Chicago Mayor Lori Lightfoot demanded that Colorado "cease and desist sending migrants to New York City and Chicago." Lightfoot and Adams asked Polis to ensure "values are lived in good times and especially in challenging times," saying Polis was sending migrants to cities where they lack family ties and community networks. They said New York and Chicago's resources were at "maximum capacity." New York City received 36,400 asylum seekers in the nine months leading up to Jan. 4 and plans to spend \$1 billion in 2023 to "address the asylum crisis," according to the letter. Chicago has received 3,854 migrants since Aug. 31, the letter said.
- ❖ News Article Source: <https://abcnews.go.com/International/colorado-stopping-busing-migrants-new-york-city-chicago/story?id=96308145>

ASYLUM SEEKERS

Mexico draws more asylum-seekers despite grisly violence

By Elliot Spagat, Associated Press, December 28, 2022

- ❖ Mexico was the world's third most popular destination for asylum-seekers in 2021 after the United States and Germany, according to the United Nations. It is on pace to end the year just below an all-time high of 131,400 asylum claims in 2021, led by Hondurans, Cubans and Haitians. Mexico granted 61% of asylum requests from January through November, including at least 90% approvals for Hondurans and Venezuelans. Cubans and Haitians are far less successful. The U.S. grant rate was 46% in the fiscal year that ended Sept. 30. That figure is below Mexico's rate but up from 27% two years ago, when the administration of former U.S. President Donald Trump sharply limited relief for victims of gang and domestic violence, according to data from Syracuse University's Transactional Records Access Clearinghouse. Mexico abides by the Cartagena Declaration, which promises a safe haven to anyone threatened by "generalized violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed public order." The U.S. observes a narrower definition that requires a person to have been individually targeted for limited reasons, as spelled out in the U.N. Refugee Convention.
- ❖ News Article Source: <https://apnews.com/article/politics-mexico-united-states-government-albert-rivera-asylum-7f4f722c152438ead32a8ae4b61dffa1>

Afghan refugees in U.S. face uncertainty as legislation stalls

By Farnoush Amiri, Associated Press, December 30, 2022

- ❖ Congress has failed so far to create a path to residency for Afghans who worked alongside U.S. soldiers in America's longest war, pushing into limbo tens of thousands of refugees who fled Taliban control more than two years ago and now live in the United States. Some lawmakers had hoped to resolve the Afghans' immigration status as part of a year-end government funding package. But that effort failed, punting the issue into the new year. The result is grave uncertainty for refugees now facing an August deadline for action from Congress before their temporary parole status expires. Nearly 76,000 Afghans who worked with American soldiers since 2001 as translators, interpreters and partners arrived in the U.S. on military planes after the chaotic withdrawal from Afghanistan in August 2021. The government admitted the refugees on a temporary parole status as part of Operation Allies Welcome, the largest resettlement effort in the country in decades, with the promise of a path to a life in the U.S. for their service.
- ❖ News Article Source: <https://apnews.com/article/afghanistan-politics-united-states-government-political-refugees-fddb9f66f09f133c6365823df9e28743>

Veterans groups plead Afghan soldier's asylum case in letter to Biden

By Allison P. Erickson, Texas Tribune, December 22, 2022

- ❖ Nearly two dozen veterans groups are pleading with the White House to intervene in the case of an Afghan national jailed in a Texas border town after he crossed the border illegally while trying to escape the Taliban and rejoin his brother in Houston. Abdul Wasi Safi, or Wasi, as his family calls him, faces up to one year in prison and a fine of up to \$5,000 for entering the U.S. illegally. Wasi, a former Afghan special forces intelligence officer, crossed the U.S.-Mexico border near Eagle Pass on Sept. 30. Border Patrol apprehended Wasi and charged him with a criminal misdemeanor for failure to present the necessary documents to remain in the U.S. More than two months later, he remains in detention under U.S. Marshals Service custody in Eden Detention Center.
- ❖ News Article Source: <https://www.texastribune.org/2022/12/22/afghan-soldier-asylum-texas-jail-taliban-border/>

Migrants crowd Mexico's refugee offices amid fears of U.S. policy change

By Lizbeth Diaz and Jose Torres, Reuters, January 4, 2023

- ❖ Thousands of migrants have flocked to government offices in southern Mexico seeking asylum since the United States said it would keep restrictions used to quickly expel hundreds of thousands of migrants who have crossed the U.S.-Mexico border. Last month, the U.S. Supreme Court said it would maintain a COVID-19 era measure for expediting expulsions of undocumented migrants to Mexico until it had had time to consider arguments against its repeal, which U.S. President Joe Biden said could extend the curbs until at least June.
- ❖ News Article Source: <https://www.reuters.com/world/americas/migrants-crowd-mexicos-refugee-offices-amid-fears-us-policy-change-2023-01-04/>

BORDER WALL

Arizona Gov. Ducey agrees to dismantle makeshift border wall

By Armando Garcia, ABC News, December 22, 2022

- ❖ Arizona Gov. Doug Ducey has agreed to deconstruct the makeshift border wall his administration has been building out of shipping containers for several months. Court records show the governor and federal officials reached an agreement to "remove all previously installed shipping containers and associated equipment, materials, vehicles, and other objects from the United States' properties in the U.S. Border Patrol Yuma Sector, including from lands over which the U.S. Bureau of Reclamation holds an easement on the Cocopah Indian Tribe's West Reservation." Last week, the Department of Justice filed a lawsuit against Ducey, accusing him of illegally placing the containers on federal land. "Not only has Arizona refused to halt its trespasses and remove the shipping containers from federal lands, but it has indicated that it will continue to trespass on federal lands and install additional shipping containers," the DOJ said in a filing. Since August, Ducey has spent \$82 million in his efforts to fill gaps in the border barrier with containers. To date, he has covered approximately 1,800 feet -- or 182 containers -- in the Yuma, Arizona, region and about 3.5 miles in Cochise County with 982 containers, a spokesperson for the governor said. Ducey, agreed to remove the containers by Jan. 4, the court records show. Incoming Arizona Gov. Katie Hobbs, will be sworn in on Jan. 5.
- ❖ News Article Source: <https://abcnews.go.com/Politics/arizona-gov-ducey-agrees-dismantle-makeshift-border-wall/story?id=95717433>

Texas Awards Biggest Border Wall Contract Yet to Trump-Tied Firm

By Justin Miller, Texas Observer, January 6, 2023

- ❖ Texas has handed out the biggest contract yet for its border wall project to a construction firm run by Tommy Fisher, arguably the most notorious border wall builder during the era of former President Donald Trump. Fisher waged a political influence campaign that won over the president and secured more than \$2 billion in federal border wall contracts. Fisher and his company, Fisher Sand & Gravel, also drew national attention for constructing a private border fence in South Texas that was part of a fraudulent crowdfunding scheme called We Build the Wall. The 3-mile steel fence that Fisher built prompted federal lawsuits and is reportedly at risk of collapsing into the Rio Grande. At a Texas Facilities Commission meeting Wednesday, January 4, commissioners unanimously approved a \$224 million contract with Fisher Sand & Gravel to build just over 9 miles of wall along the border in Webb County—a cost of \$24 million per mile. Contract records indicate that the planned wall segment will stretch south from the outskirts of Laredo through the small border towns of El Cenizo and El Bravo. This is the fourth and largest contract that the agency has awarded to construction firms since Governor Greg Abbott's border wall project began in 2021. Abbott put the Facilities Commission, a small agency in charge of construction and maintenance of government facilities, in charge of this massive infrastructure project. The agency has in turn hired a slew of project consultants and contractors to carry it out. But progress on the wall has been slow as the state must negotiate voluntary agreements with landowners along the proposed border paths; so far Texas has completed less than 2 miles of new wall on a stretch of state-owned land in Starr County.
- ❖ News Article Source: <https://www.texasobserver.org/texas-awards-biggest-border-wall-contract-yet-to-trump-tied-firm/>

They Built the Wall. Now Some in Texas Fear It May Fall Down.

By J. David Goodman, *New York Times*, January 5, 2023

- ❖ Along a bend in the Rio Grande, shorn of all brush except for an occasional palm, looms an 18-foot fence of galvanized steel a few feet from the muddy water's edge. The fence, constructed three years ago with private funds, was once at the center of a bitter national debate over border security, its builder touted by President Donald J. Trump and promoted in a fraudulent scheme by Steve Bannon known as "We Build the Wall" that resulted in criminal indictments and convictions. Now, the three-mile-long barrier is essentially orphaned, functionally useless — because of a federally constructed border barrier a short distance behind it — and, according to an engineering report commissioned by the Justice Department, at risk of falling over in a major flood and floating away. And because of its location and construction along the water's edge, federal officials worry that the fence could end up redirecting the Rio Grande in such a way that the land it sits on would end up as part of Mexico. The fence has been opposed in litigation brought by the nearby National Butterfly Center, which attracted threats of such vitriol last year that it briefly closed, and by the Justice Department, which accused the private builder of the fence, Fisher Sand & Gravel Company, of violating an international treaty. The Justice Department reached a settlement with Fisher last year that allowed the fence to remain in place and required a subsidiary of the company to maintain it. The butterfly center, which sits just upriver, is continuing its effort to force the demolition of the fence; a trial could take place this year.
- ❖ News Article Source: <https://www.nytimes.com/2023/01/05/us/texas-private-border-wall.html>

DEVELOPING STORIES

What role will immigrants play in filling Texas' open jobs next year?

By Arcelia Martin, *Dallas Morning News*, December 28, 2022

- ❖ Immigrants play a significant and wide-ranging role in Texas' workforce, from providing seasonal work to founding a fair share of startups. As the state's economy grows and more businesses relocate to Texas, immigrants are expected to continue filling gaps in the workforce, especially as demographic pressures give rise to labor shortages and employers struggle to fill Texas' nearly 870,000 open jobs. Immigrants make up a higher percentage of the workforce than their share of the state's population. They hold more than 20% of the state's jobs, despite accounting for only 17% of Texas' population, according to an American Immigration Council report.
- ❖ News Article Source: <https://www.dallasnews.com/business/2022/12/28/what-role-will-immigrants-play-in-filling-texas-open-jobs-next-year/>

Commentary: Reform immigration — now.

By Michael Fjetland, *San Antonio Express-News*, January 3, 2023

- ❖ Everyone wants to complain about the border, but when solutions are offered, they fall silent. Why? Because the solution is hard. And only part of the solution is under our control. A wall won't stop the people coming from the failed, dangerous countries from which they flee. Like any human, they want freedom from autocrats in Nicaragua. They want a chance for a job and money to feed their families, things they can't get in socialist economies in Cuba and Venezuela. Show them a 10-foot wall and they will bring an 11-foot ladder. They come after climate and hurricanes have wiped out their coffee crops or farms and street gangs rule because the police are too few and too corrupt, the court system is rigged and the little guy doesn't have the rights that still exist in America. So how do you propose we fix the source of the problem that is driving migrants to our border? Build walls that people will eagerly climb to escape the emptiness they left behind? China found that out centuries ago when its Great Wall failed. People don't leave their home country because it's easy or they want to. They leave because they have nothing, fear for their lives or because their government is so corrupt, they have no hope of opportunity. To fix the border, we need two things. First, Americans must get involved in creating jobs in countries that are driving out their people, countries where we have little or no influence. How do we stop Venezuelans from fleeing a failed socialist country with 500 percent inflation? Until Cuba, Venezuela, Honduras, Guatemala, etc., are stable and offer opportunities, migrants will continue to come thousands of miles with their children, enduring robberies, rapes and being dumped in the dark of night in freezing weather on the streets of Washington, D.C., by Texas Gov. Greg Abbott without food or shelter. What person will go through all of this but one acting out of desperation? The second thing we need is legislation that the GOP has refused to consider but is a must to fix our broken immigration system. Without comprehensive immigration reform, the border will remain a nonstop mess. America has millions of jobs begging for workers that Americans can't or won't do that could be filled by qualified immigrants, as we have done for centuries. Give them worker visas — a win-win. The bill must deal with the dreamers who were brought as children, know no other country and live in limbo. For the longer term, we must find ways to stabilize the unstable and corrupt governments we don't like. Shouting slogans won't fix it, demonizing the migrants won't fix it (and is un-American since we are a nation built by immigrants.)
- ❖ News Article Source: <https://www.expressnews.com/opinion/commentary/article/Commentary-Reform-immigration-17691222.php>

How San Antonio became a hub for migrants

By Katelyn Cordero and Bianca Quilantan, *Politico*, December 25, 2022

- ❖ It's no accident that San Antonio became a hub for migrants long before DeSantis or Abbott transported them from Texas. The sprawling city is about 160 miles north of Nuevo Laredo, Mexico, a border city, and is home to more than 1.4 million people, according to the 2020 Census. Approximately 64 percent of the city's population is Hispanic. But in the last two years, the number of migrants flowing into San Antonio surged. From April 2021 to October, more than 270,400 migrants moved through the city, part of a larger movement of people from South and Central America to U.S border states. For the first time ever, the number of migrants detained by federal authorities along the southern border exceeded 2.3 million in 2022, according to U.S. Customs and Border Protection, pushing San Antonio officials to collaborate with local and national nonprofits, as well as local churches, to help migrants find housing, health services and food. The massive influx of migrants from countries like Venezuela, Colombia, Haiti and Mexico left the city scrambling to provide basic services. In July, San Antonio opened the Migrant Resource Center, a facility located near an auto parts store and fast food restaurants in the northern part of the city, to help coordinate services for people seeking asylum and safety in the U.S. In recent months, the city handed over day-to-day operations of the center to Catholic Charities of San Antonio. Once they arrive at the center, migrants can shower and spend the night, charge phones or make calls to family members and pick up toiletries. Staff at the center also help newly-arriving people with their cases and coordinate travel outside of San Antonio. The city estimates that many migrants already have transportation lined up, saying about 70 percent leave within a day and many others after two to three days. After the third day, workers at the facility help migrants with financial assistance for travel. Staff also warn migrants against accepting rides or offers of transportation from strangers.
- ❖ News Article Source: <https://www.politico.com/news/2022/12/25/san-antonio-migrants-florida-desantis-00075447?cid=apn>

Letters, Jan. 2: New official fits right in

Letters to the Editor, *San Antonio Express-News*, January 1, 2023

- ❖ **Stunts, not solutions** - Re: "Abbott defends drop-off of migrants in D.C. cold," Front page, Wednesday: Gov. Greg Abbott had an interesting response to the criticism of his busing migrants to D.C. during a brutal cold snap in the Northeast. Abbott claimed that President Joe Biden made him bus the migrants to D.C. due to Biden not securing the southern border. Abbott should take responsibility for his actions. While I have seen lots of accounts of Abbott visiting border cities and towns, I have yet to read of him traveling to D.C. to work with the Texas congressional delegation and others to push for legislation to update U.S. immigration law. It seems to be too much to ask of our governor to work for solutions instead of staging cruel political stunts with the least of my brethren. **By Susan Cox**
- ❖ **Nothing new from Abbott** - Gov. Greg Abbott's cruelty and shamefulness is old hat. He's been transporting migrants for months, many under false pretenses. As Donald Trump's "yes man" and apologist, he learned well. Abbott has no solutions to the immigration issue and does not want to solve it because it's his favorite cudgel to bash the Democrats. **By Jose Caballero, retired senior master sergeant, U.S. Air Force, La Vernia**
- ❖ **The least Christian** - How cruel and inhumane! Sending migrants to D.C. during a brutal winter and with no winter clothes. I hope all of you who voted for "Tio Greg" are nice and warm, and remember: Sometimes the most Christian can be the least Christian. **By Albert Rodriguez**
- ❖ **New official fits right in** - Re: "GOP leaders mum as Santos confesses," Nation & World, Wednesday: What does it take to be elected as a Republican these days? One should feel free to lie about one's education, work history, income, place of residence, sponsored charities, ethnicity, religion and criminal history. If one happens to be caught doing these things, claim the errors are mere "embellishments." Why isn't there an outcry from Republican leaders? Is it because lying about such things has been encouraged from the very top of their leadership? I suppose Congressman-elect George Santos, representing New York's 3rd Congressional District, will fit right in with the current batch of Republicans in Congress. **By Phil Holcomb**
- ❖ News Article Source: <https://www.expressnews.com/opinion/letters-editor/article/Letters-Jan-2-New-official-fits-right-in-17686556.php>

Letters, Jan.4: A ray of hope in El Paso

Letters to the Editor, San Antonio Express-News, January 3, 2023

- ❖ **A ray of hope in El Paso** - Re: "El Paso's goodwill tested as migrants face freeze," Metro, Dec. 24: Sandwiched between the stories of Texas Gov. Greg Abbott and Florida Gov. Ron DeSantis busing immigrants for political gain, you shared the beautiful article by Alfredo Corchado. Instead of focusing on fear or hate for immigrants, or those seeking political gain because of their presence, Corchado's story described the love poured out by the city of El Paso. Sites all over the city were opened to the desperate immigrants with the support of the strong Catholic community, which is headed by Bishop Mark Seitz. It was beautiful to hear the bishop draw the parallel between Joseph and Mary's plight in seeking a place at an inn to that of the immigrants. Thank you for this ray of hope during the holiday season. **By Katherine Hess**
- ❖ **Playing a political game** - Re: "Which verse says to mistreat fellow humans?" Editorial, Friday: Your editorial calling out Gov. Greg Abbott's Christmas Eve busing of legal asylum-seekers to the residence of Vice President Kamala Harris' home was spot on. The immigrants are seeking freedom from hunger, fear and oppression, some from a Marxist government, Venezuela. Militarizing the Texas border and busing unknowing asylum-seekers is an act of an authoritarian despot, not a leader of a free society ruled by law. If Abbott is really concerned about "Biden's open border" why doesn't he call on Congress to craft bipartisan legislation to solve our immigration problem? Congress is the one responsible for immigration policy. He's playing a cynical political game with innocent men, women and children — and that is wrong. **By William Schiller**
- ❖ **Not the best place to work** - Re: "Texas building strong future for all," Other Views, Thursday: Gov. Greg Abbott states that his pro-business policies have catapulted the relocation of businesses large and small to the state since he took office in 2015. He claims that this growth puts Texans on the path to prosperity through higher wages and unprecedented opportunities for advancement. A new study, however, says Texas is one of the worst states in the country for workers. Oxfam America, a nonprofit that seeks to end poverty, ranked Texas 48th on its Best States to Work index, down from No. 47 last year. Texas fared poorly in all three categories: wages, worker protections and organizing rights. I'm sorry, but this does not sound like a "strong future for all." **By Retired Col. René J. Robichaux**
- ❖ News Article Source: <https://www.expressnews.com/opinion/letters-editor/article/Letters-Jan-4-A-ray-of-hope-in-El-Paso-17692039.php>



Texas Gov. Greg Abbott hands President Joe Biden a letter that outlined laws that the governor said would make a great difference, if enforced, in addressing the "chaos" at the border. Credit: Andrew Harnik/AP Photo

The future of migrants in El Paso remains uncertain as border restrictions continue

By Jim Urquhart, NPR, December 31, 2022

- ❖ In the past two weeks, the Texas National Guard has increased its militarized footprint with Humvees, razor wire and personnel stationed with rifles along the border with Mexico. Migrants have traveled hundreds, if not thousands, of miles to the El Paso/Juárez border in a search of a better life. Some were carrying their children in their arms and on their backs. There are migrants on the streets and around the churches of El Paso's old downtown and in other border towns. The vast majority are turning themselves over to U.S. Customs and Border Protection seeking asylum. On Tuesday, December 20, the U.S. Supreme Court blocked the Biden administration's attempt to lift the pandemic border restrictions, known as Title 42, and agreed to decide in its February argument session. The restriction allows immigration authorities to quickly expel many migrants without allowing them to apply for asylum while in the U.S.
- ❖ News Article Source: <https://www.npr.org/sections/pictureshow/2022/12/31/1146260515/el-paso-title-42-migrants-border-restrictions-texas-mexico>

USCIS Delays in Issuing Work Permits Hurt Our Economy and Our Communities

By the Migrant Center for Human Rights, 2023

❖ During a time when employers face a historic labor shortage[SR1], our government is taking over a year to issue employment authorization documents (“EADs” or “work permits”). This massive breakdown in good government at U.S. Citizenship and Immigration Services (“USCIS”) has been growing steadily over the past several years, with USCIS’s backlog ballooning by over 80%, despite the number of applications USCIS receives remaining fairly stagnant (only growing by less than 4%). USCIS must do more to address this problem. The backlog of pending work permit applications has more than tripled depending on the type of case. For example, the average processing time to get a renewal work permit for an asylum seeker is now 12-13.5 months, even if there has been no change in their circumstances. Compare this to the 2-3 months it used to take (USCIS has kept in place the Trump administration’s decision to drop the 90-day adjudication requirement, allowing USCIS officers to work without a deadline). Delays in the issuance of work permits leave many people in a difficult, and sometimes dangerous, lengthy state of limbo. EADs are critical to many people as they allow people to support themselves and their families, help them avoid food insecurity and potential homelessness, allow them the dignity of being able to contribute to their community, and prevent them from becoming a burden on public funds, among other things. Delays have a ripple effect, wreaking havoc not just on the lives of those left waiting, but countless others — their dependents, their employers, their local economies, and the community that must step in to support these individuals who are unnecessarily excluded from the labor force. It doesn’t have to be this way. USCIS has taken steps to rectify its six million case backlog. On March 29, USCIS announced efforts to address the backlog by developing technology and hiring additional staff. On May 4, DHS published a temporary final rule to increase the automatic extension of expiring work permits from 180 days to 540 days for certain renewal applicants. This automatic extension and increase in extension period are intended to help prevent gaps in employment authorization. We applaud these positive steps. However, while this auto-extension is in no doubt crucial, it is not enough. First, it creates confusion amongst some employers as to who the auto-extension applies to. Because all receipt notices contain non-specific, general language regarding the auto-extension, employers are unclear whether their particular employee is covered by the policy absent additional evidence. Second, it leaves out large sections of the population who do not fall under the categories covered by the policy. For example, one client, Jorge,* was unable to file timely because he was detained by ICE during his renewal period. As a result, he was never issued a 540-day extension and has been unable to work even though he has had job offers. Jorge told us: “I now have a year without working and I am depressed. I can get work but they ask for a good social security number. It shames me that my sister is having to maintain me. I am hopeless because I want to work. Nothing arrives for me.” Another client, Joelle*, a domestic abuse survivor trying to get back on her feet, was delayed in pursuing her adjustment of status application and thus, being granted the automatic extension of her work permit. As a result, she has had to take leave from a job she recently obtained and has told us that she is considering leaving the country because she will have no way of supporting herself. USCIS can and should do more. On December 12, 2022, 113 organizations, including the Migrant Center for Human Rights, sent a letter to DHS with recommendations on how to fix the EAD process. For starters, USCIS should expand the eligibility categories covered by this auto-extension and automatically re-issue EAD renewal receipt notices for every applicant eligible that clearly indicates that their employment authorization has been extended for 540 days, as many employers and state agencies – such as those that issue driver licenses – refuse to accept an expired EAD without a receipt notice that explicitly confirms that the EAD remains valid for the 540-day extension. USCIS can also expand the categories of people who are automatically entitled to work without the need for even filing a work permit application. This “work authorized incident to status” already exists for certain categories of individuals, such as refugees, those granted asylee status and victims of a severe form of human trafficking granted “T” nonimmigrant status. USCIS should expand work authorization incident to status for all people granted Convention against Torture or INA withholding of removal humanitarian parole, as well as refugees (who are only granted 90 days of employment authorization upon arrival). USCIS recently did just that for Afghan and Ukrainian parolees effective November 21. This reduction in applications for USCIS to adjudicate would alleviate the backlog and get people into the work force and supporting themselves faster. USCIS could also expand the option of online filing to all categories of work permit applications and create a process to file for a fee waiver online. One of the largest categories of applications, that of people with pending asylum applications, can only be filed physically. On December 23, 2022, Congress passed the Consolidated Appropriations Act directing USCIS to “provide a semi-annual briefing... on its electronic processing efforts... including its efforts to establish a centralized mechanism for asylum seekers to apply for employment authorization online.” Many of these applicants need to apply for a fee waiver the first time they seek employment authorization as they are not yet established in the community. The simple step of opening up more categories of cases to online filing – including to those in need of filing a fee waiver – will eliminate USCIS staff time devoted to opening, unclipping and organizing physical applications, and scanning. Additionally, USCIS could easily extend the length of time that people are granted work authorization. For example, asylum seekers are currently issued permits for two years.

Benedictine Sisters Corporate Responsibility Coalition

USCIS Delays in Issuing Work Permits Hurt Our Economy and Our Communities Cont'd

By the Migrant Center for Human Rights, 2023

- ❖ Issuing an EAD valid for five years or longer would decrease the number of renewal applications USCIS is required to process, freeing up agency time and resources. With average asylum processing times in court at 1,751 days (4.83 years) and before USCIS [SR2] around four years, this only makes sense. Finally, USCIS can return to using the 2017 2-page form instead of the current 7-page form that asks unnecessary, time-consuming questions. In fact, this June USCIS said that many questions no longer need to be answered by asylum seekers as a result of litigation in Asylumworks, yet the form remains the same so unless the person is represented by an attorney there is little chance that they will know to skip these questions. USCIS staff estimate it takes three times longer to adjudicate the new form than it did the previous form. We call on USCIS to immediately address the unnecessary delays, inefficiencies, and expenses in the EAD policies and regulations. There is simply no excuse for the government to not do more to remedy the processing delays for work permits. To not do so is a failure of good governance and hurts our economy and our communities. We need to put a stop to the ever-increasing backlog and get our system back on track.
- ❖ *Names changed for confidentiality reasons.
- ❖ [SR1] https://www.washingtonpost.com/business/on-small-business/wait-times-exacerbated-by-labor-shortage-black-friday-update/2022/11/25/95bf53f8-6cd0-11ed-8619-0b92f0565592_story.html Two other sources:
- ❖ Rolando Hernandez, "In Eastern Oregon, a labor shortage is making it harder to remove snow and ice from state highways," Oregon Public Broadcasting, Nov. 22, 2022, <https://www.opb.org/article/2022/11/22/eastern-oregon-jobs-labor-shortage-snow-plov-ice-winter/>; Milton Ezrati, "Roots Of America's Labor Shortage," Forbes, May 30, 2022, <https://www.forbes.com/sites/miltonezrati/2022/05/30/roots-of-americas-labor-shortage/?sh=3b3dba1a2d7a>.
- ❖ [SR2] For USCIS here's another link if you have a preference: <https://humanrightsfirst.org/library/barriers-and-backlog-asylum-office-delays-continue-to-cause-harm/>.

Omnibus Spending Bill Does Not Secure the Border, but Further Incentivizes and Enables Illegal Immigration, Charges FAIR

By Federation for American Immigration Reform (FAIR), December 23, 2022

- ❖ 117th Congress finally wrapped up business by approving a lame-duck, pork-laden \$1.7 trillion spending bill – consisting of more than 4,000 pages that not a single member had the time to read and fully analyze – funding the federal government through the remainder of the fiscal year. Passage of the omnibus coincides with a full-blown crisis along our southern border that is about to get a whole lot worse, as the Biden administration is close to ending Title 42, the last remaining mechanism in place under which a limited number of border-crossers are being removed from the country. Below is a summary of harmful immigration provisions included in the omnibus spending bill at the urging of Democrats, as well as proposals that were successfully defeated due in part to FAIR's aggressively lobbying efforts.:
- ❖ **Harmful provisions of the omnibus:**
 - Provides \$1.563 billion for CBP "border management" but does not allow using those funds to hire permanent border security officers, deport illegal aliens (only allows transportation to American communities), or expand border security technologies and capabilities unless it is for improving the processing of illegal aliens. This is not "border management," it is \$1.563 billion to essentially convert CBP into a federal travel agency for illegal aliens.
 - Provides \$800 million from CBP to FEMA to pay for "sheltering and other services" through grant programs awarded to open border aligned non-governmental organizations and charities. This broad appropriation could be viewed as enticing others to illegally enter the country and there is no prohibition against funds being distributed to organizations in the interior, meaning that illegal; aliens could be sheltered throughout the country under this section.
 - Prohibits the use of funds for border wall construction in certain areas.
 - Allows the Office of Refugee Resettlement to accept private donations from politically motivated organizations for the care of unaccompanied alien children.
 - Provides funds to both CBP and ICE to transport unaccompanied alien children, demonstrating that domestic transportation throughout the United States is a large part of CBP and ICE operations. This is a key enticement for parents to pay smugglers to take their children on the dangerous trek up to the southern border.
 - Provides millions for a controversial case management pilot program to aid illegal aliens facing deportation – which is being overseen by a nonprofit that has previously called for the defunding and abolition of ICE.
 - Provides \$29 million for the Justice Department's Legal Orientation Program, which empowers NGOs to coach large groups of detained aliens on immigration court proceedings. The effectiveness of this program is dubious as it does not provide actual legal counsel to aliens, the aliens who use this program are less likely to get an attorney and their matters take longer to resolve. Additionally, program participant organizations often blur the line between providing basic information about the process and providing legal advice.

Omnibus Spending Bill Does Not Secure the Border, but Further Incentivizes and Enables Illegal Immigration, Charges FAIR Cont'd

By Federation for American Immigration Reform (FAIR), December 23, 2022

❖ Harmful provisions of the omnibus:

- Provides \$25 million for the USCIS Citizenship and Integration Grant Program, a program utilized by many of the same NGOs receiving federal grant money to process illegal aliens. This self-congratulatory grant program has been routinely awarded to organizations involved in active litigation against DHS and does nothing to enhance the administration of the immigration system.
- Leaves it up to the DHS Inspector General's discretion whether to allocate funds for partnerships between state and local law enforcement to assist in enforcing immigration laws. While seemingly an independent auditor, The DHS Office of Inspector General has been mired in reports of political bias. We have already witnessed the dangerous consequences of an administration unwilling to utilize the 287(g) program as the Obama era saw a plethora of cancelled agreements. Congress is essentially relinquishing control of a critical force multiplier for immigration enforcement.
- Allows detention contracts to be rescinded based on arbitrary performance evaluations.
- Extends discretionary authority for DHS to issue more H-2B guest worker visas than the cap allows, which displaces American workers and drives down wages.
- Provides funds to eliminate processing backlogs and expedite adjudication of Afghan Special Immigrant Visa cases, as well as a cap increase of 4,000. Recent reports have exposed the lack of proper vetting for many of the Afghans in the program and the associated risks to public safety and national security. Any actions taken to expedite processing will detract from security checks and further vetting activities and increase the risks.
- All budget increases directed towards immigration enforcement are below inflation. An unprecedented border crisis calls for funds at appropriate levels – the increases are simply insufficient.

❖ Among the damaging immigration proposals that were defeated or withdrawn during the lame duck:

- A mass amnesty proposal led by Senators Kyrsten Sinema (I-Ariz.) and Thom Tillis (R-N.C.) in exchange for an extension of weakened Title 42 and other meaningless promises of future immigration enforcement.
 - The Afghan Adjustment Act, which would have granted permanent residence to largely unvetted Afghans who were allowed to enter the country under President Biden's abuse of parole authority. Most of the Afghans who arrived in the U.S. after the administration's disastrous withdrawal in 2021 played no role in assisting U.S. forces.
 - An agriculture bill containing both an amnesty for illegal aliens and an expanded guestworker program. The last farmworker amnesty, crafted in part by current Senate Majority Leader Chuck Schumer when he was in the House, was the most fraud-ridden immigration program in American history.
 - The Biden Administration's attempt to slash ICE detention capacity by 30 percent.
 - The Sinema-Tester amendment to the omnibus, which sought to process and release illegal aliens into our country more efficiently.
 - The EAGLE Act, which would have resulted in more than 90 percent of employment-based green cards being awarded to citizens of just two countries: China and India.
 - The misleadingly named Veterans Service Recognition Act, which would have provided amnesty for illegal alien relatives of veterans and even allowed deported criminals to return the U.S.
- ❖ News Article Source: <https://www.prnewswire.com/news-releases/omnibus-spending-bill-does-not-secure-the-border-but-further-incentivizes-and-enables-illegal-immigration-charges-fair-301709755.html>

Bipartisan group of senators renew call for immigration reform during border trip

By Allison Pecorin, ABC News, January 9, 2023

- ❖ Less than 24 hours after President Joe Biden made the same trip, a bipartisan group of senators on Monday, January 9, visited the southern border in El Paso, Texas, as they work to craft an elusive legislative response to the ongoing surge of migrants entering the United States. The group, led by Sen. John Cornyn, Texas, spanned the political spectrum. Cornyn, who has made increased border security a top priority, was joined by Sens. Thom Tillis, Jerry Moran and James Lankford, all of whom toured an El Paso migrant facility on Monday afternoon alongside newly minted independent Arizona Sen. Kyrsten Sinema, top Biden ally Sen. Chris Coons, Del., and Sens. Chris Murphy and Mark Kelly, of Connecticut and Arizona, respectively. After meeting with city officials, nonprofits and business owners to discuss the impact that migration in El Paso has had on the city and touring a temporary facility for migrants, the group of senators renewed their commitment to trying to find a legislative solution to what members from both parties called a "crisis" at the border.
- ❖ News Article Source: <https://abcnews.go.com/Politics/bipartisan-group-senators-renew-call-immigration-reform-border/story?id=96319418>

Supreme Court again declines to take up appeal from GOP-led states seeking to intervene in case over ‘public charge’ immigration policy

By Ariane de Vogue, CNN, January 9, 2023

- ❖ The Supreme Court declined once again on Monday, January 9, to take up an appeal from a group of states seeking to intervene in a case challenging the Trump-era “public charge” immigration policy, a version of which the Biden administration has abandoned. The court’s move was not unexpected, and the case did not center on the legality of the rule but instead whether the Biden administration followed proper procedures when it set out to revoke the rule and dismiss pending legal challenges. The Trump-era policy – an expansion of the so-called “public charge” rule – made it more difficult for immigrants to obtain legal status if they use certain public benefits, such as Medicaid, food stamps and housing vouchers. Last June, the Supreme Court dismissed a similar attempt, dealing a blow to the states who were trying to reinvigorate legal challenges. Chief Justice John Roberts wrote a concurrence back then which was joined by Justices Clarence Thomas, Samuel Alito and Neil Gorsuch, to explain their votes to dismiss the challenges. Roberts expressed frustration with the Biden administration for sidestepping certain procedures for reversing the Trump policy. He said the maneuvers raised “a host of important questions” for future disputes. Nevertheless, he said it had “become clear that this mare’s nest could stand in the way of our reaching the question presented” in the case, and therefore agreed that the challenge should be dismissed. The case returned to the lower courts, where the lower courts held that the new appeal was untimely.
- ❖ News Article Source: <https://www.cnn.com/2023/01/09/politics/supreme-court-public-charge-immigration/index.html>

Opinion: Congress left Biden little choice on the border

By the Editorial Board, Washington Post, January 9, 2023

- ❖ The explosion of unauthorized crossings at the southern U.S. border is in uncharted statistical territory: Nearly 8,000 daily migrant encounters, on average, have been recorded lately by U.S. border authorities, who are overwhelmed. The logistical, humanitarian and political challenge posed by that deluge has finally prompted the Biden administration to launch a major new immigration approach, which couples a broader channel for legal immigration with harsh new restrictions on unauthorized migrants caught crossing the border. It’s an imperfect fix and much less than needed — only Congress can fix a badly broken system that was last fundamentally overhauled in 1986. Yet it might be an effective means, at least in the short term, of stanching what has become an unsustainable tide fueled by human misery and ruthless traffickers. President Biden’s initiative, unveiled Thursday, January 5, builds on a narrow legal pathway for Venezuelans to enter the United States, in place since the fall, dramatically expanding it to include migrants from Cuba, Nicaragua and Haiti, who have been driving the current border surge and now account for roughly a third of all illegal crossings. As many as 360,000 migrants annually from all four countries will be granted entry and two-year work permits if they apply remotely via an app, generally from their home countries. The Biden administration also announced that, effective immediately, citizens of those countries who enter the United States without permission, or even cross into Panama or Mexico on their way north, will be banned from this “parole” program. Many will be expelled to Mexico, which has agreed to take 30,000 of them monthly, and be subject to a five-year ban on reentry to the United States. At that time, administration officials considered widening the program to include the other three countries.
- ❖ News Article Source: <https://www.washingtonpost.com/opinions/2023/01/08/biden-immigration-border-plan/>

Nineteen GOP-led states ask appeals court to delay end of Title 42 border restrictions

By Camilo Montoya-Galvez, CBS News, December 13, 2022

- ❖ Nineteen states filed an emergency legal request late Monday, December 12, to try to delay the termination of pandemic-related restrictions that have allowed U.S. border authorities to swiftly turn away certain migrants on public health grounds. A coalition of attorneys general asked the U.S. Court of Appeals for the District of Columbia Circuit to suspend a lower court order that found the border restrictions, known as Title 42, to be unlawful. Unless it is paused, the lower court ruling will require border officials to halt the migrant expulsions on Dec. 21. Lawyers representing the states argued that Title 42's cancellation would fuel an "enormous disaster" along the U.S.-Mexico border, where federal officials intercepted migrants more than 2.3 million times in fiscal year 2022, a record high. If the appeals court denies their request, the states argued, it should issue a 7-day administrative suspension of the ruling that declared Title 42 illegal so they can ask the Supreme Court to intervene. The states that joined the request were Alabama, Alaska, Arizona, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, Ohio, Oklahoma, South Carolina, Tennessee, Texas, Utah, Virginia, West Virginia and Wyoming.
- ❖ News Article Source: <https://www.cbsnews.com/news/title-42-immigration-republicans-appeals-court/>

Important Changes to the Title 42 Exemption Process

Information gathered by Taylor Levy, Taylor Levy Law, 2023

The government of the United States recently announced a NEW process of requesting exemptions from Title 42. A Title 42 exemption is what allows a non-citizen without proper admission documents to go to the Port of Entry at a set date and time to seek admission as an asylum-seeker and/or under humanitarian parole. You can learn more about Title 42 here: <https://tinyurl.com/borderslides>.

After January 12, 2023, there is no reason for noncitizens to pay ANYONE for assistance in requesting a Title 42 exemption: CBPOne is free, the process is free, and there is no need to pay an intermediary for assistance (though a smart phone with internet service is required).

The main purpose of this change is to “democratize” the process and give direct access to noncitizens for scheduling appointments for presentation at the Ports of Entry. Under the new process, no organizations or attorneys will be able to make requests; rather, non-citizens will be able to schedule their appointments directly, using an app called CBPOne. Here are very important links about CBPOne; please share them widely:

- ❖ <https://www.cbp.gov/about/mobile-apps-directory/cbpone>
- ❖ https://www.cbp.gov/sites/default/files/assets/documents/2023-Jan/CBP%20One%20Fact%20Sheet_English_0.pdf
- ❖ https://www.cbp.gov/sites/default/files/assets/documents/2023-Jan/CBP%20One%20Fact%20Sheet_Spanish_0.pdf
- ❖ <https://www.cbp.gov/sites/default/files/assets/documents/2022-May/cbpone-grg-english-final.pdf>
- ❖ <https://www.cbp.gov/sites/default/files/assets/documents/2022-May/cbpone-grg-spanish-final.pdf>
- ❖ https://docs.google.com/presentation/d/1QICuLriqfjCigXt_C_0QeFKZ9zOmgdl5-nlPnAl56jw/edit#slide=id.g1c88bce13ec_0_65

Access to CBPOne will begin on January 12, 2023. There will be a short transition period between the old (NGO & attorney access) system and the new system (democratized CBPOne access); this transition is expected to conclude on approximately January 18-24, 2023, depending on the specific Port of Entry.

- ❖ The app is downloadable now, but the new features go live on January 12, 2023;
- ❖ The app is currently only available in English and Spanish, but appointments are open to all nationalities. Haitian Creole and Russian versions of the app are forthcoming.
- ❖ Access to making an appointment will be “geofenced” to individuals who are physically located in the U.S.-Mexico border and in some “major population centers” in Central Mexico (likely Mexico City and Monterrey; maybe other cities as well);
- ❖ We do not know yet what will be the exact questions on the app, but they are meant to be mostly basic demographic questions. This link provides a possible preview;
- ❖ Appointments will be available in Matamoros, Piedras Negras, Reynosa, Nuevo Laredo, Ciudad Juarez, Nogales, and Tijuana.
- ❖ There will be an undisclosed but limited number of available appointments, only scheduled about 14 days in advance. Each day at a set time, new appointment slots will be released. Imagine something similar to InfoPass. Yes, we are anticipating that this process will be frustrating;
- ❖ Just like under the current system, noncitizens who present for a Title 42 exemption will generally be issued a Notice to Appear and a one-year 212(d)(5) parole (“DT”) and will be eligible for c(11) EADs.
- ❖ People with significant criminal history and/or national security concerns may be detained, but this will be generally disfavored. Currently, we only see detentions in about 1-2% of cases, and any organization that has promised no detention risk in the past was not telling the truth.

After January 12, 2023, there is no reason for noncitizens to pay ANYONE for assistance in requesting a Title 42 exemption: CBPOne is free, the process is free, and there is no need to pay an intermediary for assistance.

Please beware that any organizations/attorneys/“helpers” who promise faster access to the exemption process after January 12, 2023 in exchange for money are potentially acting fraudulently.

Texas Guard sending 400 troops to El Paso for ‘massive influx’ of immigrants as Title 42 ends

By Sig Christenson, San Antonio Express-News, December 19, 2022

- ❖ The Texas National Guard said it would send more than 400 troops and equipment to El Paso aboard four C-130J cargo planes as part of what it described as an “enhanced border security effort.” Additional troops were scheduled to be in place in response to increased border crossings over the past week and the end of Title 42 — a federal policy that used the health code to quickly expel migrants arriving at the U.S.-Mexico border amid the COVID-19 pandemic. The policy [Title 42] was set to expire Wednesday, December 21, but Gov. Greg Abbott tweeted that U.S. Supreme Court Judge John Roberts was leaving Title 42 in place temporarily at the request of several states. Abbott’s Operation Lone Star had placed 6,128 guardsmen on the border as of November, with an additional 3,700 positioned elsewhere, making it the organization’s largest mission in decades. The state also has assigned 1,600 Department of Public Safety troopers to the border. There is no fixed date for the guard’s withdrawal. The Texas Guard has around 20,600 soldiers and airmen in uniform. Until last year, when Operation Lone Star began, the Texas Guard’s border missions had a relatively small footprint. Then-Gov. Rick Perry ordered one mission in 2014, dispatching 1,000 troops to be “the tip of the spear in protecting Americans from these cartels and gangs.”
- ❖ News Article Source: https://www.expressnews.com/news/local/article/Texas-Guard-El-Paso-border-security-17664562.php?sid=5b0234e724c17c5e3d919320&utm_source=newsletter&utm_medium=email&utm_content=headlines&utm_campaign=SAEN_210Report

Ayala: Either way you look at Biden’s plan, it’s about discouraging asylum-seeking migrants

By Elaine Ayala, San Antonio Express-News, January 9, 2023

- ❖ President Joe Biden visited the U.S.-Mexico border Sunday for the first time since becoming president. It came after months of criticism from Republicans for not visiting the border sooner, especially regions like El Paso most affected by migration surges. Biden was wrapping up his visit when Republicans began piling up on him — for doing exactly as they demanded. They took to social media to describe Biden’s visit as a photo opportunity rather than substantive border assessment. According to The Hill, “reporters traveling with the president did not notice any migrants in view of Biden.” It reported the president spent time with agents who showed him how technology helps them inspect 18-wheel vehicles for people being smuggled and in detecting narcotics packed into gas tanks, radiators and hollowed-out car batteries. The characterization of Biden’s visit as a photo op was projection, that psychological process of displacing one’s own feelings or behavior onto another — because no political animal does border photo ops like a Republican.
- ❖ News Article Source: <https://www.expressnews.com/news/local/article/Ayala-Either-way-you-look-at-Biden-s-plan-17705962.php>

What is Title 42 and what does it mean for immigration at the southern border?

By Nicole Ellis and Casey Kuhn, PBS News, January 13, 2023

- ❖ Title 42 was created to address public health and social welfare and grants the government the ability to take emergency action in numerous ways, including to “stop the introduction of communicable diseases.” While the code has been in place for decades, it was used widely beginning in March 2020 by the administration of then-President Donald Trump in order to regulate border crossings under the premise of increased COVID-19 precautions. The Trump administration used Title 42 to “essentially to override immigration law that allowed people to ask for asylum after entering illegally and said we could send them back” across the border, arguing that taking migrants into custody in federal facilities would create more of a public health risk, Theresa Cardinal Brown with the Bipartisan Policy Center told the PBS NewsHour’s Nicole Ellis in a conversation. When the Centers for Disease Control and Prevention (CDC) invoked Title 42 at the start of the COVID pandemic in 2020, it gave border patrol agents the authority to expel migrants to their home country or the country they were last in, which was often Mexico. Since 2020, there have been more than 2 million expulsions of migrants by U. S. Customs and Border Protection at the southern border using Title 42. This is due, in part, to recidivism: people trying to cross the border illegally, getting caught and sent back before trying again. Cardinal Brown says recidivism rates are higher than we’ve seen in “many, many decades. And we do believe that Title 42 was one of the reasons why we saw people trying multiple times, [which] increased the numbers.” Bypassing the asylum process and sending migrants back to Mexico without due process immediately after their arrival to the U.S. didn’t deter them from attempting to cross or re-cross the U.S.-Mexico border in many cases, in part because “it pushed people back out of the country without any consequence to future immigration applications.” The Biden administration’s initial attempts to end the use of Title 42 at the border in 2022 stalled after a group of states sued, taking the case to the Supreme Court. The high court agreed to hear the case, but is requiring the government to keep Title 42 in place in the meantime.
- ❖ News Article Source: <https://www.pbs.org/newshour/nation/what-is-title-42-and-what-does-it-mean-for-immigration-at-the-southern-border>

Abbott says migrants' camouflage shows border 'invasion' worsening, but it's an old tactic

By Todd J. Gillman, Dallas Morning News, January 12, 2023

- ❖ Texas Gov. Greg Abbott shrugged off a rebuke for calling the surge of illegal border crossings an “invasion,” ramping up the rhetoric Thursday, January 12, by warning that migrants in “military style gear” are now sneaking into Texas. The governor’s office pointed to news reports showing migrants dressed in camouflage, captured last February through May in remote parts of West Texas. None of the reports indicate weapons. Migrants and smugglers have used camouflage clothing to avoid detection for years. Examples abound of captured migrants in camouflage during the tenure of Donald Trump, though Abbott indicated it’s a new phenomenon during an interview on CNN in which he accused the President Joe Biden of ignoring pleas for help in sealing the border. “The primary way that we see the people we are encountering today to be different than those we have seen in the past is those who come in military-style gear, prepared to weather whatever type of challenges they’re going to face as they cross the border and get to a further destination later on,” Abbott said. “We believe that these are people who are working perhaps in collaboration with the cartels, or who may have nefarious things they want to accomplish in the United States.” For fiscal 2022, Customs and Border Protection reported 98 encounters with foreigners on the terrorist watch list who had crossed the U.S.-Mexico border between ports of entry.
- ❖ News Article Source: <https://www.dallasnews.com/news/politics/2023/01/12/abbott-says-migrants-in-military-style-gear-are-crossing-border-in-invasion-of-texas/>

Eric Adams Heads to Mexican Border, as the Migrant Crisis Continues

By Kimiko de Freytas-Tamura, New York Times, January 14, 2023

- ❖ Mayor Eric Adams is traveling from New York City to El Paso on Saturday, January 14, to visit the border amid a crisis in which thousands of migrants from Latin America have been bused to the north. The trip comes one day after Mr. Adams said he expected the influx of migrants to cost the city as much as \$2 billion — significantly higher than previous estimates. The price tag could be “anywhere from \$1.5 billion to \$2 billion,” he told Caribbean Power Jam Radio. Previously, in November, as the stream of migrants into the city slowed, Mr. Adams said it would not cost the city \$1 billion as had been initially feared, thanks to federal aid. Last spring, the governors of Florida and Texas began sending a surge of people who had crossed the southern border seeking asylum to New York, Washington, Chicago, saying they were placing the burden of the border crisis on left-leaning localities with so-called sanctuary city policies. Since then, over 36,000 people have gone through New York’s system, and roughly 24,000 are still in the city, according to the latest figures from the mayor’s office. In the fall, under the national spotlight, Mr. Adams directed the erection of an 84,400-square-foot tent housing center for single migrant men on Randalls Island. But President Biden’s administration shifted its immigration policies to expel new arrivals back to Mexico, easing those pressures and leaving the Randalls Island center less than half full. It was dismantled a month after its opening. The Biden administration has also relied on a pandemic measure, known as Title 42, that allows U.S. officials to quickly deport migrants who have crossed into the country illegally. This month, Mr. Biden announced one of his most stringent immigration measures yet: a policy that will deny specific groups of migrants the chance to apply for asylum if they cross the border without authorization, instead sending them to Mexico. Those measures were applied to people from Nicaragua, Venezuela, Haiti and Cuba — the four biggest sources of migration. But in a concession designed to soften the blow of the new restrictions, Mr. Biden said that as many as 30,000 people per month from the four countries would be given the chance to migrate legally to the United States. In order to do so, however, they would have to be able to afford a plane ticket, get a sponsor, download an app, pass a background check and meet other requirements. To help manage the continued influx of migrants, a 153,300-square-foot processing center with a capacity of 1,000 opened in El Paso, Customs and Border Protection officials said.
- ❖ News Article Source: <https://www.nytimes.com/2023/01/14/nyregion/eric-adams-nyc-migrant-crisis.html>

Texas National Guard Expands Operations to West Texas

By the Texas Military Department, January 12, 2023

- ❖ The Texas National Guard expanded Operation Lone Star (OLS) to the far western city of El Paso. The movement of personnel, equipment and capabilities was in response to the unprecedented number of illegal border crossings in the area. “I am so impressed with the OLS staff as well as the Soldiers from Task Force West,” said Maj. Gen. Ronald “Win” Burkett, Operation Lone Star Commanding Officer. “Over 400 personnel and 40 vehicles were repositioned in El Paso within a 72-hour time frame.” The Texas Department of Emergency Management installed shipping containers to help deter illegal crossings. The Texas Department of Public Safety emplaced vehicle and officers, also working the line with the Soldiers. The National Guard’s El Paso operation is now an enduring mission, as part of Gov. Greg Abbott’s efforts to secure Texas’ southern border. The region will have over 600 troops and 100 military vehicles to support our law enforcement partners in this mission.
- ❖ Press Release Source: <https://tmd.texas.gov/texas-national-guard-expands-operations-to-west-texas>

U.S. launches online system to seek asylum on Mexican border

By *Elliot Spagat, Associated Press, January 12, 2023*

- ❖ The Biden administration on Thursday, January 12, launched an online appointment system as the only way for migrants to get exceptions from pandemic-era limits on asylum — the U.S. government’s latest major step in eight days to overhaul border enforcement. U.S. Customs and Border Protection began allowing migrants to make appointments up to two weeks out using its website and through CBPOne, a mobile app that the agency has used in limited ways since 2020. CBPOne is replacing an opaque, bewildering patchwork of exemptions to a public health order known as Title 42 under which the government has denied migrants’ U.S. and international rights to claim asylum since March 2020. Until now, CBP has arranged exemptions through advocates, churches, attorneys and migrant shelters, without publicly identifying them or saying how many slots were available. The advocates have chosen who gets in, with CBP having final say. Under the new system, migrants apply directly to the agency and a government official will determine who gets in. Their appointments will be at one of eight crossings — at Brownsville, El Paso, Hidalgo and Laredo in Texas; Nogales, Arizona; and Calexico and San Diego in California. Thursday’s rollout is separate from measures announced last week to expel migrants from Cuba, Haiti, Nicaragua and Venezuela to Mexico under Title 42 and — at the same time — allow up to 30,000 migrants from those four countries to be admitted to the United States every month under humanitarian parole for two years if they apply online, pay their airfare and provide a financial sponsor. Under Title 42, the U.S. has expelled migrants 2.5 million times since March 2020 on grounds of preventing the spread of COVID-19. To qualify for an exemption under CBPOne, migrants must have a physical or mental illness, disability, pregnancy, lack housing, face a threat of harm, or must be under 21 years old or over 70. The government’s app is currently available only in English and Spanish and requires access to a smartphone, email and reliable internet.
- ❖ News Article Source: <https://apnews.com/article/politics-united-states-government-mexico-texas-pandemics-c13c6c270e0b062ae11d2b30b71a861b>

City of Austin to Connect Asylum Seekers with Flights to Sponsor Destinations

By *the City of Austin, January 13, 2023*

- ❖ The City of Austin is coordinating travel support to help asylum seekers reach their sponsor destinations across the United States. It follows a request for support from the City of San Antonio. This assistance, which begins today, January 13, has been developed in partnership with the City of San Antonio, which has recently experienced significant fluctuations in the number of people seeking travel from San Antonio. It is important to note that the asylum seekers are legally permitted to move throughout the country, and this partnership is designed to ensure their transit is done in a humane and efficient manner. “Austin stands ready to support our neighbors in San Antonio as well as those individuals seeking asylum in the United States,” said Juan Ortiz, Director of the City of Austin’s Office of Homeland Security and Emergency Management. “We have a longstanding partnership with San Antonio, and this is our opportunity to return the support they provided us in previous situations. Our goal is to support our neighboring cities, help asylum seekers be able to reach their sponsor destinations safely and with dignity, while also maintaining a busy airport and capacity to continue to respond to local emergency needs.” This effort, for which the City will seek full reimbursement from the federal government, which is currently reimbursing San Antonio and other U.S. cities that are expending resources to assist asylum seekers, will support people whose asylum claims have completed initial processing and who are pre-booked for air travel to connect with flights out of the Austin–Bergstrom International Airport (AUS) as they make their way to their destinations in the United States. Support for air travel will only be available to those people who have been processed by the City of San Antonio’s Centro de Bienvenida / Migrant Resource Center. While assisting people in need is consistent with Austin values, a specific benefit to our local community for this effort is to proactively manage the flow of people coming into AUS so that we can efficiently manage resources and minimize the impacts to traffic. Austin anticipates up to 120 asylum seekers will be arriving on buses from San Antonio each operating day to make a pit stop at a Transportation Assistance Center in the City to confirm their documentation before being taken to AUS to board their pre-booked flights. This is to ensure effective use of staff resources and that airport operations continue to run efficiently utilizing existing airline capacity. There are no increased flights or airline activity due to this operation. Catholic Charities of San Antonio will also be providing the City of Austin with a 24/7 phone helpline for assistance in rebooking asylum seekers who have delayed/missed flights.
- ❖ Press Release Source: <https://www.austintexas.gov/news/city-austin-connect-asylum-seekers-flights-sponsor-destinations>

Weekly U.S.-Mexico Border Update: Biden visits border and Mexico, Title 42 expansion, senators visit

By *Adam Isacson, Washington Office on Latin America, January 13, 2023*

- ❖ News Article Source: <https://www.wola.org/2023/01/weekly-u-s-mexico-border-update-biden-visits-border-and-mexico-title-42-expansion-senators-visit/>

How does Biden's big border plan measure up against past plans to curb illegal immigration?

By Elizabeth Trovall, San Antonio Express-News, January 17, 2023

- ❖ **Reagan:** During his tenure, President Ronald Reagan ushered in one of the most significant immigration reforms in modern history – the Immigration Reform and Control Act of 1986. The bill created a path to citizenship for law-abiding undocumented immigrants already living in the U.S., a process commonly known as “amnesty.” It also mandated penalties for employers who knowingly hired undocumented immigrants, during a period where many people crossing the border without authorization were Mexicans looking for work. Reagan's amnesty was successful in bringing millions of undocumented immigrants out of the shadows, however it failed to curb future illegal immigration, as it left in loopholes that gave employers the opportunity to hire people with fake documents. Towards the end of Reagan's run, civil war in El Salvador and governmental repression in China triggered a spike in asylum seekers from those countries. By the time George H.W. Bush took office, Congress had created Temporary Protected Status to offer some of these migrants time-limited work permits so they could stay and work in the country legally, though it did not offer a permanent visa.
- ❖ **Clinton:** During the 1980s, southwest border officials went from processing relatively few asylum seekers to hundreds of thousands by the 1990s, according to Muzaffar Chishti, an analyst at the Migration Policy Institute. “Numbers explain everything,” said Chishti. He attributes stricter asylum policies to that uptick in Central American asylum seekers at the border. That increase, along with a newly Republican majority Congress in 1994, set a more authoritative tone towards migrants during the Clinton administration. The president deployed 400 border agents and fleets of new vehicles to patrol the border near El Paso. Additionally, the Republican-led Congress drafted a major immigration bill to hasten deportation for people crossing the border illegally, a process called “expedited removal.” Exemptions were made for people who passed a credible fear interview: If they told border agents they feared persecution at home, they would be allowed to enter and make their case before an immigration judge. By 1997, a total of 6,300 border agents were policing the southwest border, roughly twice the number the feds had employed in 1987, according to the Cato Institute.
- ❖ **Bush:** President George W. Bush campaigned on comprehensive immigration reform. Any hope of legislative change was dashed within the first year of his administration, after the 9/11 terrorist attacks reframed border and immigration policy with a new laser focus on homeland security. Early in the Bush administration, Congress created a Department of Homeland Security and within the new agency, Customs and Border Protection. The move consolidated the border, customs, safety and security arms of the U.S. government under one roof. In 2006, Congress authorized 850 miles of border fence and additional Border Patrol staff. But the influx of migrants only grew and, by 2007, the undocumented immigrant population reached a peak of 12.2 million people.
- ❖ **Obama:** Facing pressure over this record-breaking undocumented population, President Barack Obama focused, especially during his first term, on removing undocumented immigrants already living in the U.S., earning him the moniker “deporter-in-chief.” When Obama took office, just 1% of border crossers were either asylum seekers or migrant children traveling alone. By 2018, that share ballooned to roughly 33%, according to analysis by the Migration Policy Institute. In response, in 2012, Obama created the Deferred Action for Childhood Arrivals program, which allowed undocumented young people brought to the U.S. as children to obtain work authorization and remain in the U.S. with temporary protection from deportation. By the end of his tenure, Obama had deported more than 1.2 million people, more than any other president, the undocumented population had declined to 10.7 million and Border Patrol had 17,000 agents patrolling as roughly 650 miles of fencing blocked entries along the southwest border, according to the Cato Institute.
- ❖ **Trump:** After campaigning on a strong anti-immigrant, nativist platform, President Donald Trump made historic moves to limit the legal avenues for asylum seekers seeking humanitarian relief in the U.S. and curb the number of unauthorized border crossers. In 2018, Trump's “zero tolerance” policy prompted the separation of thousands of migrant children from their parents in an effort to deter migrants from arriving at the border. The Trump administration implemented three additional policies which effectively barred certain migrants from getting asylum: the transit ban, Remain in Mexico and Title 42.
- ❖ **Biden:** After a dip in border crossings in 2020, during the first year of pandemic-era restrictions, the number of crossings spiked and reached record numbers when President Joe Biden took office – even though Title 42 remained intact. Political and economic turmoil in Latin America and the Caribbean during the pandemic spurred historic numbers along with the migrant misperceptions that Biden had more welcoming border policies. Savvy smugglers would misrepresent Biden's policies to migrants, giving the false impression the border was open -- misinformation that was amplified by social media. Now, Biden's new proposal expands the use of Trump-era Title 42 expulsions, allowing border officials to quickly send away migrants at the border and stop them from seeking asylum, while also providing safe, legal opportunities for Haitians, Cubans and Nicaraguans to enter the country.
- ❖ News Article Source: https://www.expressnews.com/news/houston-texas/immigration/article/Biden-border-plan-illegal-immigration-asylum-17706188.php?sid=5b0234e724c17c5e3d919320&utm_source=newsletter&utm_medium=email&utm_content=headlines&utm_campaign=SAEN_210Report