ISSUE 17 VOLUME II April 27, 2020

Policy & Advocacy Report

this issue

Upcoming Meetings & Events

KAMA DC + IMMIGRANT FOOD PRESENT VIRTUAL WINE WEDNESDAY: COVID-19 & IMMIGRATION – APRIL 29

KAMA DC and Immigrant Food are partnering with immigrant community perspective in terms of the impact of COVID-19 and resulting policies on immigration issues. The April 29 panel will be held from 6-7 PM EDT and will feature Marshall Fitz, Director of Immigration at Emerson Collective. This free event will also feature a musical Oud performance and discounts on orders from Immigrant Food DC. Register <u>here</u>.

COVID-19 AND LATINX COMMUNITIES—APRIL 29

On Wednesday, April 29 at 7 pm EDT, the advocacy organizations Presente.org and United We Dream will hold a digital town hall with Rep. Veronica Escobar and Rep. Jesus "Chuy" Garcia on "COVID-19 and Latinx Communities." Register



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At the End of April: Looking Forward with Earth Day Celebrations and Looking Back to Chernobyl for Lessons on Assisting Climate Refugees

By Kelly Ann Whelan

"Chernobyl is like the war of all wars. There's nowhere to hide. Not underground, not underwater, not in the air."

— Svetlana Alexievich, Voices from Chernobyl: The Oral History of a Nuclear Disaster

Just four short years ago, I viewed with my own eyes the impact that Chernobyl had on millions of lives. I stood on the narrow strip of cracked asphalt, now overgrown, of the former main thoroughfare of Pripyat, the largest town in the exclusion zone around Chernobyl, the utter void of stillness surrounding me. I walked through the abandoned kindergartens strewn with books and toys, waiting for their small owners to return. I saw the rows of apartment blocs covered in decaying mosaics of Vladimir Lenin, standing like empty skeletons, silent memorials to their owners who fled 30 years prior.

Why would someone go to the most radioactive area in the world? Internally displaced persons and refugees live there. I had been sent to the exclusion zone, an area covering about 1,000 square miles around where the disaster occurred in Ukraine and Belarus, as part of my work at the time to assist internally displaced persons (IDPs) from the disaster that had returned to the area along with several hundred IDP families from wartorn Eastern Ukraine. Technically, these migrants are not allowed, nor should they, live in the area, but they have little choice. While this disaster is considered nuclear, the destruction that it wrought on the environment made it unlivable for human beings for between several hundred and 20,000 years depending on the area within the zone. Thousands were forced from the area and thousands more continue to be impacted to this day. This is not unlike the challenge that climate refugees face today in areas of the world that are slowly becoming unlivable due to environmental changes.

Read this week's full brief here

Ongoing Issues

NEW USCIS GUIDANCE FOR LIBERIANS

USCIS has issued a policy guidance for adjustment of status applications based on the Liberian Refugee Immigration Fairness (LRIF) provision in the National Defense Authorization Act for Fiscal Year 2020 (NDAA). Read it here.

FEDERAL REGISTER ANNOUNCEMENT, COMMENTS DUE – APR 28

The Executive Office for Immigration Review (EOIR) and the Department of Justice (DOJ) have published a Notice of Proposed Rulemaking (NPRM) to the Federal Register regarding some EOIR forms, including instituting a \$50 fee for an asylum application. Fees for other forms could increase by up to 900%. Submit comments here.

USCRI COVID-19 RESOURCES

Nonprofit Organizations and the CARES Act

COVID-19 Bill #1: Coronavirus Preparedness and Response Supplemental Appropriations Act (March 6)

COVID-19 Bill #2: Families First Coronavirus Response Act (March 18)

COVID-19 Bill #3: Coronavirus Aid, Relief, and Economic Security (CARES) Act (March 28)

Bill Preview: Coronavirus Immigrant Families Protection Act (April 6)

Issue Updates

• ORR and ICE Ordered to Promptly and Safely Release Unaccompanied Children During Pandemic

On Friday, April 25, Judge Dolly Gee granted in part and denied in part the plaintiffs' motion to enforce the *Flores* Settlement Agreement. Judge Gee did not find fault "in theory" with the Office of Refugee Resettlement's (ORR) April 6 policy concerning the release from ORR care of children exposed to the virus, but stated that its implementation needed to be monitored. She found that Immigration and Customs Enforcement (ICE) had not sufficiently implemented adequate measures to ensure that minors and families in its Family Residential Centers are protected against COVID-19. To both agencies, she ordered that they must do more to promptly and safely release minors for whom suitable sponsors are available in accordance with the *Flores* Settlement Agreement and document their continuous efforts to release minors in their custody. ICE and ORR must provide an interim report to the court on their efforts, via video conference, on May 22, 2020. Read the order here.

• CA Governor Newsom Announces Relief Fund for Undocumented Immigrants

On Wednesday, April 15, California Governor Gavin Newsom announced the allocation of \$75 million in state Disaster Relief Assistance for immigrant workers affected by COVID-19. The funding will be matched by \$50 million in philanthropic donations. Eligible workers are those who reside in the state but were not eligible for the \$1200 federal relief payment earlier this year. Read Newsom's Executive Order <u>here</u>.

• ORR Releases Two Policy Letters on COVID-19 Waivers

Last week, the Office of Refugee Resettlement's Refugee Policy Unit released two policy letters to assist ORR clients during the COVID-19 crisis. The letters allow states and/or Replacement Designees to request waivers to ORR regulations, allowing refugees and other eligible clients to receive up to 18 months of refugee cash and medical assistance, instead of the normal eight months. Read the letters <u>here</u> and <u>here</u>.

• CDC Extends Border Closure Order

On Monday, April 20, the Centers for Disease Control and Prevention extended its order authorizing the summary expulsion of noncitizens who arrive at U.S. borders without valid entry documents. First issued on March 20, the order uses a medical quarantine authorization to override provisions for asylum determinations in the Immigration and Nationality Act. Read the extension order <u>here</u>.

• President Issues Order Suspending Some Forms of Lawful Immigration

On Wednesday, April 22, President Trump issued an Executive Order to suspend the entry of many immigrants for an initial period of 60 days. The order also suspends processing for residence visas for individuals not currently in the U.S. While the order is contextualized in the COVID-19 crisis, its stated rationale is to protect labor markets for U.S. citizen workers. Read the order <u>here</u>.

Issue Updates (cont'd)

· Colorado Judge Rules Federal Government Cannot Withhold DOJ Grants from Sanctuary Cities

On Thursday, April 23, a judge in the U.S. District Court for the District of Colorado ruled that the Department of Justice may not withhold Byrne JAG federal grants from the State of Colorado because of so-called sanctuary ordinances. The Judge ruled that because Congress did not impose immigration-related conditions for the grants, the restrictions violate the separation of powers doctrine. The 1st, 3rd, 7th, and 9th Circuit Courts of Appeal have issued similar rulings, in addition to district courts in at least seven states; only one Circuit, the 2nd Circuit Court of Appeals, has found the withholding to be legal. Read the Judge's ruling <u>here</u>.

• USCIS Extends Closure through June 4

On Friday, April 24, U.S. Citizenship and Immigration Services (USCIS) announced that it would remain closed through June 4 due to the ongoing COVID-19 pandemic. Affected services include field office appointments and naturalization ceremonies. In addition, affirmative asylum interviews will be cancelled and rescheduled. It is unclear whether asylum pre-screening (APSO) interviews will also be cancelled. Read more **here**.

USCRI Time Machine

This week's Time Machine revisits USCRI's 1985 report Afghan Refugees: Five Years Later. The report concerns the conditions for Afghanis living in protracted refugee situations in neighboring Pakistan, and the health consequences of that situation.

"There are also concerns about the health of the Afghan refugees, an issue that could quickly spread fear and apprehension among the Pakistani populace. Tuberculosis and malaria appear to have a higher incidence among the refugees than among the Pakistani population. According to UNHCR/World Health Organization (WHO) estimates, between 25 and 30 percent of refugee children are infected with tuberculosis, compared to 13 percent among the local Pakistani children. The WHO report states that the pool of cases in Baluchistan-13,000among the 700,000 refugees-has prompted plans to establish a tuberculosis control program there in the coming months.

"Disease is also a concern uppermost in the minds of Iranian authorities responsible for the Afghan refugees. The refugees are thought to be responsible for a resurgence of malaria in Sistan-Baluchistan province, and tuberculosis and cholera are reported to be spreading rapidly. Upon arrival in the province, the refugees are briefly confined to guarantine camps near the border entry points. These have been established following an upsurge in the number of victims of contagious diseases in the province, the state of health of the refugees often being poor.

"An important part of the overall health of the refugees is their mental health; some Afghan refugees in Pakistan are at risk of becoming inactive, dependent, and unproductive. Recently, experts on Afghanistan who are studying the refugee population have reported that the essence of Afghan character-their pride in being independent and self-sufficient-is in danger of being destroyed. Further-more, traditional values and the Afghan cultural identity are threatened in the camps, with the result that some youngsters have become undisciplined and delinquent..."

Global Gigabyte

In southern Iran, an Iraqi refugee is using his medical training to help Iranians stricken by COVID-19. Moheyman Alkhatavi is an Iraqi refugee and nurse at the Taleghani Hospital in the city of Abadan, in southwest Iran. Alkhatavi said he feels proud to be able to help both people in the host community and his fellow refugees during the current pandemic and public-health crisis. "Every day I start my shift hoping that all the required personal protective equipment will be available, but I put my patients first," he says. "We had two patients who tested positive but recovered. This is a small ray of light in an otherwise very stressful time." Read more here.

If you have any questions or comments, please contact Kelly Ann Whelan at kwhelan@uscrimail.org.

