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# **Policy & Advocacy Report**

### Upcoming Meetings & Events

# QUEER MIGRATION AND VISUAL NARRATIVES – JUNE 8

On Monday, June 8 at 7 PM EDT, CLAGS: Center for LGBTQ Studies will host a virtual dialog about the solidarity between the Asian and Pacific Islander Queer diaspora, immigrant rights movements, the Black Lives Matter movement, and anti-Asian violence in the age of COVID19. For more information and to register, click here.

#### TRAUMA-INFORMED INTERVIEWING FOR IMMIGRATION LEGAL PROFESSIONALS – JUNE 15

On Monday, June 15 at 12 PM EDT, The University of Texas will host a training on causes, symptoms, and elements of trauma, as well as its most common intersections with immigration within the context of COVID-19. For more information and to register, click <a href="https://example.com/here/be/here/by/

#### STORIES BEYOND BORDERS- JUNE 18

On Thursday, June 18 at 7 PM EDT, Women Advance will host a film viewing of five short films that show a more complete picture of the attacks on immigrant families and communities. Beyond building empathy, these films lift up real stories of resilience and strength, while illustrating some of the ways people can give their time, energy, and resources to support organizing led by immigrant communities. The films will be followed by a panel discussion. To register and for more information, click here.



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## Understanding the President's Proclamation to Ban Some Chinese Grad Students and Researchers

#### By Mario Bruzzone

On May 29, President Trump signed a proclamation to bar the entry of Chinese graduate students and visiting researchers currently or previously involved with certain Chinese institutions. The proclamation alleges that the Chinese government exploits U.S. universities to appropriate technical knowledge. It further alleges that graduate student and post-doctoral researchers "are at high risk of being exploited or co-opted" by the Chinese government "to operate as non-traditional collectors of intellectual property." The policy disqualifies graduate students and post-doctoral researchers from entry to the United States based on current or any prior affiliation with institutions supporting China's "military-civil fusion strategy," but leaves application of the policy to the U.S. State Department. As of publication, no institutions are yet listed by the State Department.

This brief describes the immediate effects of the proclamation, to the extent possible at this time. In addition to Chinese scholars, it notes a potential knock-on effect for universities, which have increasingly turned to foreign undergraduate students to make up for budget shortfalls caused by declining state funding.

#### The Proclamation

The Proclamation prohibits the entry of Chinese nationals on F or J visa if those individuals are or have been involved with "an entity that "implements or supports the PRC's 'military-civil fusion strategy."" (PRC refers to the People's Republic of China.) Undergraduate students are exempted. Involvement might include studying, employment, receiving funding, or doing research, presently or in the past. Exemptions may be granted for individuals in fields deemed irrelevant to military-civil fusion. The State Department has been granted the power to revoke visas for individuals already present but who would have fallen under the present entry restrictions. Finally, the Department of State and the Department of Homeland Security are to "take action to further mitigate the risk posed by the PRC's acquisition of sensitive United States technologies and intellectual property," with a 60-day deadline to recommend further changes. The proclamation went into effect on June 1.

Read this week's full brief here.

### Ongoing Issues

#### USCIS RESUMES SOME OFFICE OPERATIONS AS OF JUNE 4

U.S. Citizenship and Immigration Services (USCIS) has announced that it has reopened some of its offices for certain operations as of June 4, 2020. Some USCIS field offices and asylum offices will resume non-emergency face-to-face services for the public with COVID-19 related restrictions. Application support centers will resume services later. For the latest information on the status of an office, check <a href="https://example.com/heres/best/4/">heres/best/4/</a>

#### 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)

COVID-19 Bill #4: Paycheck
Protection Program and Health
Care Enhancement Act (April 23, 2020)

Executive Order: Suspension of Immigration Following COVID-19 Outbreak (April 23)

Flores Enforcement Actions and COVID-19 (April 27)

The HEROES Act (May 12, 2020)

# Issue Updates

# Administration Loses Torture Deportation Case in the U.S. Supreme Court

On June 1, the Supreme Court of the United States ruled against the Administration in the case of *Nasrallah v. Barr, Attorney General.* The case concerned a Lebanese man who was at risk of torture by ISIS and Hezbollah if deported. His claim to protection under the Convention Against Torture (CAT) had been denied and he appealed the ruling in the 11<sup>th</sup> Circuit based on a factual challenge. The Administration had argued this was outside the scope of federal court power. However, in a 7-2 decision, the Supreme Court ruled against the Administration and decided that courts can review an immigrant's factual challenge to a denial of their application to stay deportation under CAT. Read the entire opinion by Justice Kavanaugh here.

### Secretary of Labor Now Has Power to Unilaterally Review Foreign Labor Certification Decisions

The U.S. Department of Labor (DOL) has published a final <u>rule</u> that gives the Secretary of Labor expanded power to unilaterally review decisions made by the Administrative Review Board (ARB) and the Board of Alien Labor Certification Appeals (BALCA). Both bodies within the DOL handle foreign labor certifications, including H-1B and H-2A and B nonimmigrant worker classifications. This rule gives the Secretary the individual power to overturn decisions, including rulings on foreign labor certification denials, federal contract pay discrimination, wage-hour violations, and whistleblower cases.

## Department of Homeland Security Reports High Numbers of Family Separations, Lack of Attempts to Reunify Unaccompanied Children with Families

On June 2, the Department of Homeland Security (DHS) Inspector General (IG) released a report detailing that the Administration separated eight times as many asylum-seeking families at ports of entry between May 6 and July 9, 2018 as DHS had previously reported. Further, the report highlighted that no attempts were made to reunify hundreds of unaccompanied children with their families due to a lack of recording possible family relationships in the system. Read the entire report here.

### Government of the United Kingdom Changes Position on Immigration Rules for Some Hong Kong Passport Holders

On June 3, the Prime Minister of the United Kingdom (UK) Boris Johnson announced a plan to allow some Hong Kong residents with certain passports to come to the UK for an extended period of time to work and potentially gain citizenship. This decision is in response to a decision by the government of China to impose a national security law that would greatly curtail Hong Kong's autonomy, antithetical to a 1997 legally binding treaty registered with the United Nations. Under the new rules, Hong Kong residents who hold British National (Overseas) passports and those who are eligible for them would be able to come to the United Kingdom for a renewable period of 12 months and be given further immigration rights, including the right to work, which could place them on a route to citizenship. Read Number 10's press release here.

# **USCRI** Time Machine

In this week's Time Machine episode, we blast off to November 1991 when USCRI travelled to Mozambique. When USCRI reported about children in Mozambique, the southeast African country had been embroiled in a civil war for nearly 15 years. Heavily influenced by the Cold War politics at the time, socialist and anti-socialist forces battled for control until October 1992. By that time, out of a total population of 13-15 million, the civil war had caused about one million deaths, displaced 5.7 million internally, and resulted in 1.7 million refugees. A few weeks ago, USCRI's focused on trafficking of children in the context of armed conflict, something that was rife in the Mozambican civil war under the armed group "Renamo."

"Recent surveys reveal that one-third of Mozambique's children die before they reach the age of five years. These surveys list Mozambique's high rates of infant and child-mortality as an indirect consequence of the decade-long war, statistically demonstrating that increasing child deaths by starvation, malnutrition and preventable illnesses parallel the continuing conflict. What happens to the Mozambican children who do survive beyond the age of five? Many have become the victims and the tools of war. Boys as young as six have served as soldiers, children of all ages have been the targets of systematic, country-wide abductions, and large numbers have been killed or been the victims of torture, rape, and forced labor."

"Renamo's actions also reveal the age at which boys are seized and trained for combat...teenagers from 15 to 19 were separated from their community and sent to Renamobase camps to train. In other parts [of the country] interviews indicated that Renamo has used children as young as 13 for combat."

"Like colonial administrations of the past, Renamo relies on human beings, many of them children, to provide basic transport. When civilians cannot porter any longer, their "usefulness" is at an end. Many who cannot keep up are killed along the way."

"Kidnapped children interviewed for this study were used by Renamo for a variety of purposes. Some had been sent to control zones where they were subjected to the hardships already described. Many, however, worked directly for Renamo, usually as servants or combatants. Those with Renamo for more than a few months spent most of their time in base camps. The following two sections review the various functions these children served, including the progression some of them underwent as they rose from servant to positions of greater authority within the Renamo hierarchy."

## Global Gigabyte

Ten refugee children from the Azraq Syrian refugee camp in Jordan participated in the inaugural COVID-19 Global Common Society (GCS) Virtual International Taekwondo Championships from June 4-7. Since April 2016, the Taekwondo Humanitarian Foundation, along with the World Taekwondo Cares Programme (WTCP), has been operating a Taekwondo academy in the refugee camp.

Over 300 athletes from 20 different countries participated in the four-day virtual taekwondo event, the first of its kind.

The U.S. chapter of GCS provided sponsorship to the refugee children to participate.

"My special appreciation goes to the refugee children at the Jordan Humanitarian Taekwondo Center," Dr. Chungwon Choue, president of World Taekwondo and GCS International, said, "I wish this event a great success and want to see more virtual taekwondo events, which will give hope and dreams to children in need of global support."

Read more here.

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