

Upcoming Meetings & Events

COVID AND BEYOND: REBUILDING OUR IMMIGRATION SYSTEM – AUG 4

On August 4 at 4 PM EDT, Lutheran Immigration and Refugee Service will host a webinar entitled “COVID and Beyond: Rebuilding Our Immigration System.” For more information and to register, click [here](#).

IMMIGRATION AND IDENTITY PANEL – AUG 6

On Thursday, August 6 at 7 PM EDT, The Downtown Columbia Partnership will host a panel with Professor A. Naomi Paik and Laura Briggs to speak to the history of immigration and how it has evolved in the last four years. Abdi Nor Iftin, who posted secret dispatches to NPR when Islamic radicalists took over his home country of Mogadishu in 2006, will share his journey to America and the obstacles he overcame. For more information and to register, click [here](#).

INSECURE IMMIGRATION STATUS AND DOMESTIC ABUSE PANEL DISCUSSION – AUG 12

On Wednesday, August 12 at 1 PM EDT, the COVID-19 Taskforce Against Domestic Violence UK/EU will host a panel discussion focusing on issues surrounding those with insecure immigration status experiencing domestic abuse. Panelists include Meena Patel from Southall Black Sisters, Elizabeth Jiménez-Yáñez from Step Up Migrant Women and Latin American Women’s Rights Service, and Rosie Lewis from the Angelou Centre. For more information and to register, click [here](#).



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When You Cease to Exist: The State of Statelessness in the Former Soviet Union

By Kelly Ann Whelan

“I was born in a country that doesn’t exist anymore.”

This was something our Russian language professor said to us on the first day of Russian 101 my freshman year of college. For Americans, this concept is foreign and hard to wrap our heads around. Our history as a country is shorter than most, but still too distant, too long ago for us to remember anything other than the country we now exist within. The idea that our citizenship could just one day disappear is hard for many of us to comprehend.

Yet, for millions, this is exactly what happened.

On the morning of December 26, 1991, some 293 million people in Eastern Europe and Central Asia woke to having new citizenships, or for many, none at all. Overnight, the third most populous country in the world, the Soviet Union, had dissolved into 15 independent countries with vastly different, and highly politicized, plans to define who, and who were not, their citizens. For many countries, citizenship became a way to

develop national identity where many struggled to find it, thus excluding the rights of thousands on account of ethnicity who had lived their entire lives in the same place.

Nearly 30 years later, thousands continue to be stateless in the former Soviet Union. Stateless persons who remember being citizens of the countries they still live in, treated as foreigners in an un-foreign land.

In this brief, we look at the international tenants of statelessness and citizenship generally and how they applied in the Soviet Union before and after its dissolution, using two former republics’ policies as case studies, along with how current policies are not always viable solutions.

Read the entire brief [here](#).

ASYLUM COMMENTS

The Department of Justice (DOJ) and the Department of Homeland Security (DHS) have published a [proposed rule](#) that would give the power to the agencies to categorically disqualify asylum-seekers from protection if the government determines they could spread an infectious disease, including COVID-19, in the United States. The new regulation would expand the definition of "a danger to security" to include those who officials determine could spread a contagious disease. Further, the rule would bar asylum-seekers who have contracted COVID-19 while in the United States waiting for an asylum hearing from receiving refugee protections. Submit comments on this rule by August 10 [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)

[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)

[The Impact of COVID-19 in Refugee Camp](#) (June 9, 2020)

• Administration Refuses to Reinstate DACA as Required by Supreme Court

On Tuesday, July 28, the Acting Secretary of the Department of Homeland Security (DHS), Chad Wolf, issued a policy memorandum for the implementation of the Supreme Court's decision in *DHS v. Regents of the University of California*. The memorandum announced that DHS would not accept new DACA applications until it has finished a review of the decision, and only allow 1-year renewals for current recipients. The ruling does not comply with the Supreme Court ruling, which required a return to 2017 rules for DACA. Read the policy memo [here](#).

• New Colorado Law for Inspections of Immigrant Detention Facilities

On July 11, Colorado Governor Jared Polis signed HB1409, which expands state inspection of immigration detention facilities. The act includes public and private facilities that house noncitizens for civil immigration proceedings as "penal institutions" under state law. Each year, Colorado's Department of Public Health and Environment will make annual inspections of facilities that house non-citizens, and unannounced follow-up inspections as necessary, and will submit a report to the Governor and General Assembly annually. Read the bill [here](#).

• Gee Extends Order to Release Children from Family Detention Until August 5

On Monday, July 27, Judge Dolly Gee of the Central District of California ruled that her prior mandate to release children from family detention was "unenforceable by its own terms" and delayed proceedings until August 5. Immigration and Custom Enforcement (ICE) to release immigrant children who have been held for more than 20 days in the agency's Family Residential Centers, finding the delays and health conditions justify the action. Although ICE has authority to release families, it has declined to do so. Judge Gee does not have jurisdiction over release of the children's parents, owing to the *Flores* settlement that sets standards of care for children in immigration detention. Read Judge Gee's ruling [here](#).

• Gee Denies Move to Remove Counsel in *Flores* Litigation

On Wednesday, July 29, Judge Gee (see above) denied a motion by plaintiffs' co-counsel to replace lead counsel Peter Schey in *Flores* litigation. The move came after Schey chose to negotiate with ICE over "binary choice," in which families in immigration detention could elect to be separated from their children. Judge Gee wrote that children have received "more than adequate representation" from Schey. Read the ruling [here](#).

US Issue Updates (Cont'd)

• Court Halts New Rules on Public Charge

On Wednesday, July 29, the United States District Court for the Southern District of New York issued a nationwide injunction on the 2019 “public charge” rule. Judge George Daniels of the U.S. District Court of the Southern District of New York ruled that the national health emergency from the coronavirus pandemic provides grounds for enjoining the rule. The rule allows government officials to deny admission or residency rights to immigrants on the grounds that the immigrant is likely to become a “public charge,” or unable to provide for himself or herself. Read the ruling [here](#).

• DHS Attorneys Admit to False Statement in NY Global Entry Case

On Wednesday, July 29, Judge Jason Furman ordered that attorneys for DHS disclose all false and misleading statements made to the court in *Lewis-McCoy et al. v. Wolf*. *Lewis-McCoy et al. v. Wolf* concerned the Administration’s move to restrict access to New York residents to the Global Entry program. DHS admitted that it misled the court in claiming that New York’s restriction on Department of Motor Vehicles records was unique and prevented DHS from fulfilling its mission. Judge Furman called the admissions “deeply troubling revelations.” Read opinion and order [here](#).

• USRAP Resumes Refugee Arrivals

On Wednesday, July 29, the State Department’s Bureau of Population, Refugees, and Migration (PRM) announced the resumption of refugee arrivals for the final months of the federal government’s fiscal year. The U.S. Refugee Admissions Program (USRAP) has resumed operations as of July 30. PRM stated in its message that “we expect arrivals from Asia to steadily increase in coming weeks and then from other regions as flights resume.”

• New Jersey May Limit Information that Police Share with ICE

On Wednesday, July 29, Judge Freda Wolfson of the New Jersey District Court ruled that restrictions on information sharing between local police and ICE are legal. The case was a consolidated civil action of the cases *County of Ocean v. Grewal* and *Nolan v. Grewal*. The court dismissed the federal claims of local police departments that opposed restrictions on information sharing. Read the ruling [here](#).

• USCIS Publishes Rule to Increase Fees

On Friday, July 31, U.S. Citizenship and Immigration Services (USCIS) published a final rule in the federal register that increases most fees by 20% and nearly doubles fees to apply for citizenship. Fees for citizenship increase from \$640 to \$1170. In addition, the rule eliminates most fee waivers due to hardship, imposes a \$50 fee on asylum applications, and requires asylum seekers to pay \$550 for an Employment Authorization Document without which they cannot work legally. Read the rule [here](#).

Whispers from Washington

Current Capitol Hill Considerations

USCIS Funding Included in Republican “C4” Proposal

On Monday, July 27, Senate Republicans released their proposal for the so-called “C4” bill, referring to the fourth bill of supplemental appropriations related to the ongoing COVID-19 pandemic. While largely a messaging bill, the proposal includes continuation funding for USCIS in the form of a loan of \$1.22 billion. The House passed its “C4” legislation in May; the Senate bill has not come up for a vote.

The inclusion of USCIS funding suggests that Republicans will agree to fund continuing USCIS operations despite any budget shortfall. Under the terms of the bill, the loan to USCIS would require a surcharge on user fees paid to the agency and could only be repaid via that surcharge.

“C4” is expected to be negotiated between leadership of Senate Republicans, Senate Democrats, House Democrats, and the White House. House Republicans have little leverage at present, and so are likely to be excluded. Once negotiations conclude, a novel bill will be drafted and voted upon by both chambers.

Albence Steps Down as Head of ICE

Matthew Albence, the Senior Official Performing the Duties of Director for Immigration and Customs Enforcement (ICE), announced on Friday that he will retire at the end of August. He has led the agency since July 2019, although never confirmed by the Senate. Albence’s successor is not clear. Notably, August 3 is Kathy Nuebel Kovarik’s first day as ICE chief of staff. Kovarik authored the memo to end medical deferred action, which newly allowed the deportation of families whose children were undergoing life-saving medical treatment in the United States, last year.

Global Gigabyte

In a remote corner of northwestern Kenya, in the sprawling Kakuma refugee camp, a small online newspaper is demonstrating the power of refugees in the free press.

The newspaper is called *Kanere*, short for Kakuma News Reflector. It is currently produced on a small budget with donations. A modest print run supplements the online presence once per month. Copies are made available in public spaces in the four sections of the Kakuma camp and the nearby Kalobeyei camp, which together house nearly 200,000 refugees.

Since its founding in 2008, Kanere has reported events in the camp and advocated for refugee rights. It reports regularly on the camp’s chronic water shortages, frequent crime and corruption of aid staff. Previous issues focused on the Covid-19 pandemic, the legal rights of refugees and the alarming suicide rate among female residents, as rapes and sexual assaults are commonplace.

Kanere currently has 17 reporters earning little or no pay. The team is multinational; the Kakuma camp has refugees from 19 countries, including South Sudan, Sudan, Somalia, the Democratic Republic of the Congo, Burundi and Ethiopia. The staff’s diversity enables coverage from different viewpoints and across language barriers. Most staff members have prior experience in journalism.

Read more [here](#).

If you have any questions
or comments, please
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