



# CIMH Policy & Advocacy

## Workgroup Update

### SEPTEMBER 2022

We are back with our monthly policy tracker infographic.

Stay tuned for plans to develop working groups to create deeper dive infographics on specific policy issues and impacts.



## Action Alerts

### ILLINOIS

- Many of the arrivals to Chicago are families with children. Read about the 3rd wave of migrants arriving to Chicago [here](#).
- See the city's [Donation List](#) and [Volunteer Registration form](#).

### FEDERAL

- On Aug 2, a Federal Judge ruled that the Biden Admin must reconsider denied visa applications for those harmed by the Muslim & African Bans. See [here](#).
- On August 24th, the Biden Admin released the final rule on DACA that maintained the eligibility criteria from 2012 and falls short on the promise to “preserve and fortify” DACA (see below).
- TX and AZ governors bus migrants to other major U.S. cities ([NYC](#), [Washington, D.C.](#), & [Chicago](#)).

## Policies we are tracking



### Title 42 & MPP

- On August 9th, DHS ended the MPP policy. In response, Texas and Missouri filed an amended complaint to challenge the termination of MPP. See Kids in Need of Defense Report [here](#).
- It is anticipated that it will take months until current MPP enrollees in Mexico are taken out of the program and allowed to remain in the U.S. as they await their cases.



### Public Charge Rule

- On Sept 8th, the final Public Charge rule was posted that will take effect on Dec 23rd.
- [MPI analysis](#) anticipates ongoing chilling effects due to ongoing confusion and fear within communities.



### Immigration Enforcement

- In late July, the Biden Administration proposed national ID cards for undocumented immigrants. See [here](#).



### Humanitarian Parole

- [Reveal News](#) reported disparities in processing and granting applications from Afghanistan and Ukraine.
- 60,000 Afghans applied for humanitarian parole and they have a much higher bar (and \$575 fee); 123 Afghan cases have been approved.
- Ukrainians can apply for humanitarian parole through a program Uniting for Ukraine (for free); 68,000 Ukrainian cases have been approved.
- See more [here](#).

## DACA PRECARITY

### DACA Final Rule

- This new rule did not include our CIMH recommendations to expand DACA eligibility, to extend the reciprocity time period, or to eliminate prejudiced categorizations based on interactions with the criminal system.
- This regulation does not change the current status of DACA. It only applies to the 600K current DACA recipients, not to the 80K+ first time applicants whose applications are still in limbo due to Judge Hanen’s 2021 decision.

### What does this mean?

- If you have DACA, you are protected and will be able to continue to renew.
- If you are eligible for DACA and already applied, DHS will not process your application.
- If you are eligible for DACA and have never applied, DHS can accept your application, but it will not be processed.

The DACA regulation goes into effect on October 31st but we do not know how the Texas court ruling might interfere with the regulation going into effect.

Join our General CIMH Meeting on Oct 21st for more discussion on DACA.

### DACA NY Court Case

- On August 3, NY Federal District Court Judge Garaufis ruled against DACA in the *Batalla Vidal et al. v. Mayorkas* case.
- Denied relief to the 80K new DACA applications and those that lapsed more than 1 year and reapplied. See MALDEF summary [here](#).

### DACA TX Court Case

- On July 6 oral arguments began in the *Texas vs. U.S. DACA* case in 5th Circuit Court of Appeals.
- We are waiting for the court's ruling.
- This court previously ruled that DHS did not have authority to establish DAPA; court could rely on this precedent

### What are the possible outcomes of the ruling?

- Rule that DACA is legal
- Rule that TX & other states have no injury from DACA and cannot bring suit in federal court
- Rule that Judge Hanen’s decision was premature, and order a full trial before deciding legality of DACA
- Rule that Judge Hanen’s decision stands, and affirm DACA is unlawful

### What happens after the ruling?

- It is expected that ruling will be appealed by SCOTUS.
- Even if the court rules that DACA is unlawful, this does not necessarily mean that there will be an order to immediately end DACA. Based on the SCOTUS 2020 ruling precedent, it is unlikely that the court would order a sudden termination.
- See MALDEF summary [here](#).



## Research and Data Corner

- [American Immigration Council](#) overview on asylum (updated Aug 2022)
- Aug 2022 study on the impact of Covid-19 pandemic and immigration enforcement ([here](#))
- Professional guidelines for psychological evaluations in immigration proceedings ([here](#))
- Migration Policy Institute Report on misinformation about migration ([here](#))

## Local Spotlight ✨

- [Dr. Stephanie Torres](#) published on the impact of discrimination on Latinx adolescent mental health

Let us know about any local research to spotlight in upcoming infographics.



Want more information? Join our [monthly workgroup meetings](#) and see [previous updates!](#)

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