

Immigration Update

The Only Thing That is Certain is Change

Once again, immigration is in the news, as Donald Trump calls for building a wall and the elimination of birthright citizenship, contrary to the 14th Amendment. The only thing certain about immigration law and policy is that it is always changing.

The article published in the last issue of *The Philadelphia Lawyer* is a case in point. The article was completed in May 2013 after a study trip to Germany comparing their immigration system to ours. Since then, there have been major shifts in the immigration landscape.

• **The European Refugee Crisis**

In 2013 there were increasing numbers of those seeking asylum in Europe, but today, the numbers have significantly escalated as refugees flee Syria, Afghanistan and other troubled areas of the world. The number entering Europe in 2015 was over 100,000, more than three times that of the year before and much greater than in 2013. Many have died trying to reach safety. The Dublin Accords, which provide that asylum seekers in European common market countries be returned to the country they first entered, must be re-examined. It cannot be carried out, and is not being carried out, because to do so would create a tremendous burden on Italy and Greece, whose economies are less robust than Germany or other European Union nations. To date, no clear agreement has been reached.

• **The End of Federal Bi-Partisan Immigration Reform**

The U.S., which, in 2013, was considering a bi-partisan immigration

reform package, has ended federal legislative reform attempts. President Obama used his executive authority to provide a temporary program for youth known as Deferred Action for Childhood Arrivals (DACA) for youth who arrived before they were 16 and lived in the U.S. for five years prior to June 15, 2007. These youths can get employment authorization and be protected against deportation. His attempt to expand this program and include parents of U.S. citizens has been challenged by the governors of several states in federal court.

• **The Growth of Youth and Family Detention in the U.S.**

As violence increased in Central America, thousands of unaccompanied minors (those traveling without parents) and parents with their children fled to the U.S. seeking protection from harm. Family detention and youth shelters were flooded with Central American refugees as the U.S. grappled with its own asylum and refugee policies.

What a difference two years make! ■

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