



Executive Actions

As the Biden administration's staffing falls into place, CHIRLA continues to monitor and advocate on numerous developing policies related to immigration, primarily with regards to enforcement. Among those policies are:

- **DACA:**
 - At a court hearing this week, the state of Texas continued to argue for the termination of the DACA program. Prior to the hearing, the Biden Administration announced that it was going to strengthen DACA by using the formal rulemaking process including public comment and notice.
 - MALDEF asked that the court await this rulemaking and developments in Congress.
 - Judge Hanen, who presided over the hearing, noted that the American Dream and Promise Act (H.R.6, see above) had passed the House.
 - The Judge is expected to rule in the near future and could rule that:
 - DACA is unconstitutional (rulemaking will not save it);
 - DACA needs to undergo rulemaking; or
 - DACA is legal.
- **Asylum and the border:**
 - The Department of Homeland Security (DHS) working with the Department of Health and Human Services (HSS) continues to process unaccompanied children. This means moving them from Border Patrol custody to HSS and when possible, reuniting them with family members in the U.S.
 - Some victims of the Migrant Protection Protocol (MPP/Remain in Mexico program) are being admitted to the U.S. to exercise their right to apply for asylum. Others, who received deportation orders because they were unable to appear for court hearings remain in limbo.
 - The Administration continues to use Title 42 of the Public Health Code to expel the vast majority of all other asylum seekers who arrive as single adults or families.
 - Alarming, some 25 deportation flights have taken off for Haiti despite the political turmoil there.
 - Other flights have left for Vietnam and Cameroon.
- **Immigration enforcement:**
 - The Biden Administration's deportation moratorium remains blocked by a court in Texas; BUT
 - DHS has set new immigration enforcement priorities that, in theory, should protect most of those would have fallen under the moratorium's umbrella;
 - This process must be monitored in order to comply with both its spirit and letter of keeping families together and not criminalizing immigrants.
- **Refugees:**
 - The Administration has committed to increasing the annual refugee admission caps that hit an all-time low under the previous President.



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- In addition, it has announced that it will increase this year's admissions by 62,500; but
- To date, President Biden has not formally enacted these changes and refugees are having to cancel their U.S.-bound flights.