



What Part of Legal Immigration Don't You Understand?

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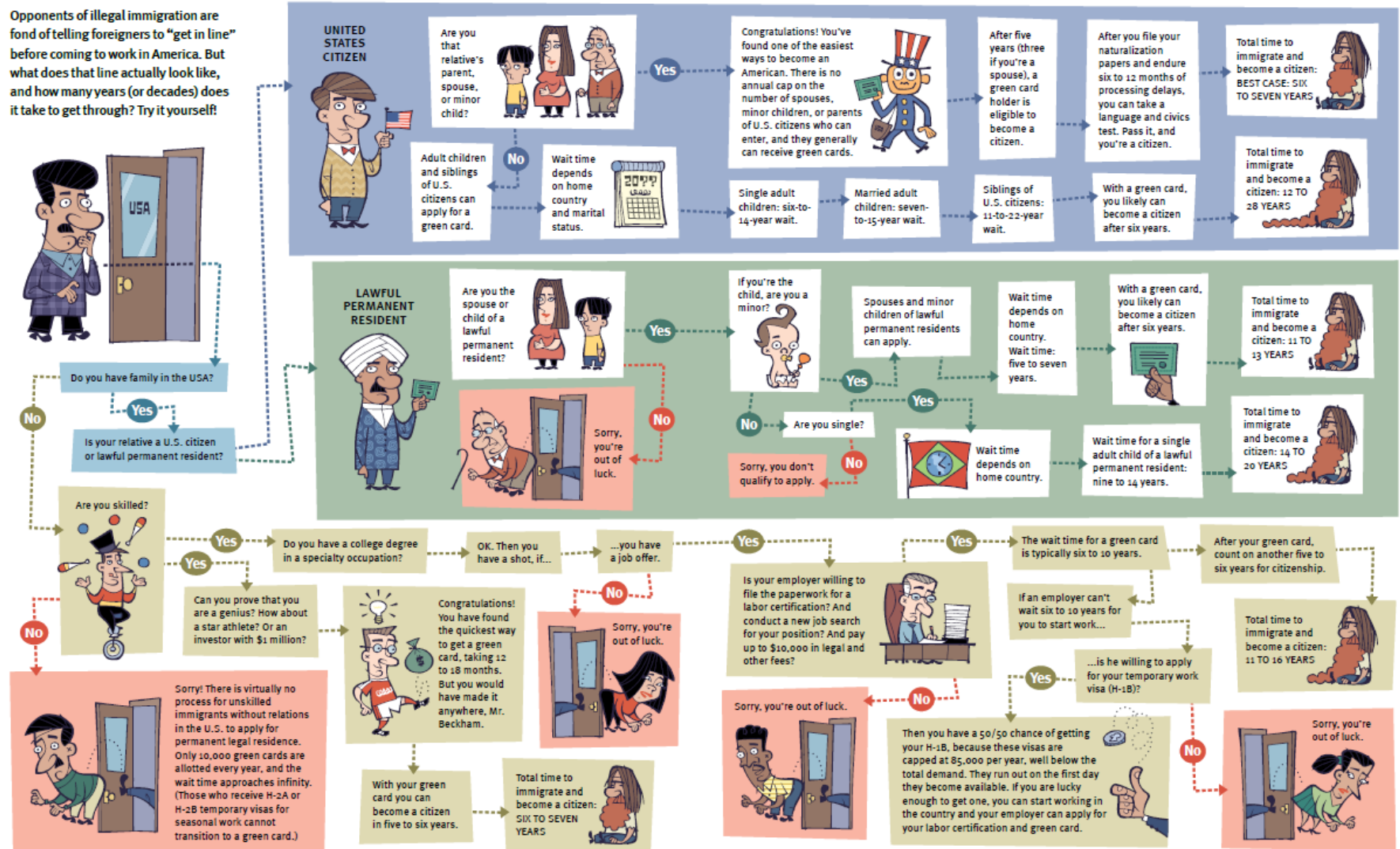
A ministry of the Catholic Diocese of El Paso, Diocesan Migrant and Refugee Services, Inc. (DMRS) is the only full-service immigration legal aid clinic serving low-income immigrants and refugees residing in the southwestern United States.

What Part of Legal Immigration Don't You Understand?

Mike Flynn and Shikba Dalmia

Illustrated by Terry Colon

Opponents of illegal immigration are fond of telling foreigners to "get in line" before coming to work in America. But what does that line actually look like, and how many years (or decades) does it take to get through? Try it yourself!



(Flynn is director of government affairs and Dalmia is a senior policy analyst at Reason Foundation. This chart was developed by Reason Foundation in collaboration with the National Foundation for American Policy.)

Types of Immigration Status

- ▶ People not under the authority of immigration
 - ▶ U.S. Citizens

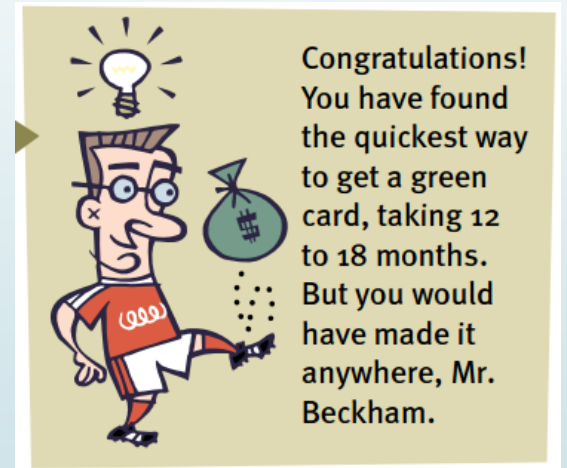
- ▶ People under the authority of immigration
 - ▶ Legal Permanent Residents (LPRs, green card holders, residents)
 - ▶ Visa holders
 - ▶ People who are undocumented

Citizenship

- ▶ Born in the United States
- ▶ Naturalize
 - ▶ Have been an LPR for 3/5 years
 - ▶ Can read, write and speak English
 - ▶ Can pass a civics/history test
 - ▶ Are a person of good moral character
- ▶ Inherit

Employment Based Residency

- Investment: if you have \$1,000,000
- Individuals of extraordinary ability in the sciences, arts, education, business or athletics



- Job Offer: Professionals holding advanced degrees, skilled workers, professionals, and other workers

Family Based Residency

► Citizen Petitioners

- Parents
- Spouses
- Children (21 or over)
- Siblings

► Resident Petitioners

- Parents
- Spouses

Immediate Relatives

Petitioner	Beneficiary
USC Parent	Unmarried child under 21
USC Spouse	Spouse
USC Child, 21 or over	Parent

Family Based Residency – Visa Bulletin and Priority Dates

April 2017

Petitioner	Beneficiary	Category		All Areas Except Those Listed	CHINA- mainland	INDIA	MEXICO	PHILIPPINES
USC Parent	Unmarried child over 21	F1		15OCT10	15OCT10	15OCT10	22MAY95	15JAN06
LPR Parent/ Spouse	Spouse and/or unmarried child under 21	F2A		08JUN15	08JUN15	08JUN15	22MAY15	08JUN15
LPR Parent	Unmarried child over 21	F2B		15SEP10	15SEP10	15SEP10	22DEC95	15JUN06
USC Parent	Married child over 21	F3		15MAY05	15MAY05	15MAY05	08JAN95	15SEP94
USC Sibling	Sibling	F4		8MAY04	08MAY04	15AUG03	15JUN97	08SEP93

Family Based Residency – Visa Bulletin and Priority Dates

Petitioner	Beneficiary	Category	MEXICO Apr 2017	MEXICO May 2017
USC Parent	Unmarried child over 21	F1	22MAY95	15JUN95
LPR Parent/ Spouse	Spouse and/or unmarried child under 21	F2A	22MAY15	22JUN15
LPR Parent	Unmarried child over 21	F2B	22DEC95	01FEB96
USC Parent	Married child over 21	F3	08JAN95	22JAN95
USC Sibling	Sibling	F4	15JUN97	01JUL97

For more information, see article: Wheeler, Charles. "Seriously, When Will My Visa Become Available?: Providing Honest Advice in Family-Based Cases." Catholic Legal Immigration Network, Inc., May 2012. Web. <<https://cliniclegal.org>>

Time-Based Status – Deferred Action for Childhood Arrivals

- ▶ For applicants who:
 - ▶ Don't have a serious criminal history
 - ▶ Have lived in the US since they were 16
 - ▶ Were born after June 15, 1981
 - ▶ Have graduated high school, gotten a GED, or are currently in school
 - ▶ Have lived here since June 15, 2007
- ▶ \$495 Application Fee
- ▶ 2 year work permit

Time-Based Residency – Registry

- ▶ Lived in the US continuously since 1972
- ▶ Person of good moral character
- ▶ Never been deported

Time-Based Residency – 10 year Cancellation of Removal

- ▶ In Removal Proceedings
- ▶ Lived in the US for 10 years
- ▶ Person of good moral character
- ▶ Have a parent, spouse, or child, who is a citizen or a resident, who would suffer exceptional and extremely unusual hardship

U-visa

- ▶ Victim of a crime in the United States
- ▶ Governmental report with your name as a victim
- ▶ Cooperated with the government in their investigation

Asylum

You must prove:

- ▶ Persecution
- ▶ Who is looking for you
- ▶ Your identity
- ▶ Your government cannot or is unwilling to help you
- ▶ You cannot go anywhere in your home country
- ▶ Why someone is looking for you (race, religion, nationality, political opinion, social group)

Asylum

**Table 13 - Asylum Grants by Country of Nationality
Top 25 Nationalities: FY 2012 - FY 2016**

Rank	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
1	China	China	China	China	China
2	Ethiopia	Ethiopia	India	Guatemala	El Salvador
3	Nepal	Nepal	Ethiopia	Honduras	Guatemala
4	Eritrea	India	Nepal	El Salvador	Honduras
5	Egypt	Egypt	Egypt	India	Mexico
6	Soviet Union	Eritrea	El Salvador	Nepal	India
7	India	Soviet Union	Guatemala	Ethiopia	Nepal
8	Guatemala	Russia	Eritrea	Mexico	Ethiopia
9	El Salvador	El Salvador	Soviet Union	Somalia	Somalia
10	Russia	Mexico	Honduras	Soviet Union	Eritrea
11	Pakistan	Guatemala	Mexico	Egypt	Egypt
12	Cameroon	Cameroon	Somalia	Eritrea	Soviet Union
13	Guinea	Pakistan	Russia	Syria	Cameroon
14	Mexico	Sri Lanka	Cameroon	Russia	Albania
15	Sri Lanka	Honduras	Venezuela	Cameroon	Bangladesh
16	Venezuela	Guinea	Pakistan	Bangladesh	Russia

Asylum

Table 12 – FY 2016 Asylum Grant Rate by Immigration Court

Immigration Court	Grants	Denials	Grant Rate
ADELANTO, CALIFORNIA	50	383	12%
ARLINGTON, VIRGINIA	342	210	62%
ATLANTA, GEORGIA	14	590	2%
AURORA, COLORADO	37	120	24%
BALTIMORE, MARYLAND	246	144	63%
BATAVIA SPC, NEW YORK	14	64	18%
BLOOMINGTON (ST. PAUL), MINNESOTA	42	142	23%
BOSTON, MASSACHUSETTS	197	57	78%
BUFFALO, NEW YORK	0	10	0%
CHARLOTTE, NORTH CAROLINA	49	240	17%
CHICAGO, ILLINOIS	101	146	41%
CLEVELAND, OHIO	38	136	22%
DALLAS, TEXAS	37	346	10%
DENVER, COLORADO	58	44	57%
DETROIT, MICHIGAN	29	221	12%
EL PASO SPC, TEXAS	3	130	2%
EL PASO, TEXAS	2	33	6%
ELIZABETH DETENTION CENTER, NEW JERSEY	135	172	44%
ELOY, ARIZONA	12	95	11%
FISHKILL - NEW YORK STATE DOC, NEW YORK	0	6	0%
FLORENCE SPC, ARIZONA	3	60	5%
GUAYNABO (SAN JUAN), PUERTO RICO	1	1	50%
HARLINGEN, TEXAS	22	26	46%
HARTFORD, CONNECTICUT	84	112	43%
HONOLULU, HAWAII	202	42	83%
HOUSTON SPC, TEXAS	24	201	11%
HOUSTON, TEXAS	147	1,529	9%
IMPERIAL, CALIFORNIA	10	61	14%
KANSAS CITY, MISSOURI	38	84	31%
KROME NORTH SPC, FLORIDA	33	465	7%

Asylum

KROME NORTH SPC, FLORIDA	33	465	7%
LAS VEGAS, NEVADA	10	223	4%
LOS ANGELES, CALIFORNIA	326	1,124	22%
LOS FRESNOS (PORT ISABEL SPC), TEXAS	26	273	9%
MEMPHIS, TENNESSEE	105	292	26%
MIAMI, FLORIDA	73	226	24%
NEW ORLEANS, LOUISIANA	29	77	27%
NEW YORK CITY, NEW YORK	4,125	708	85%
NEWARK, NEW JERSEY	85	43	66%
OAKDALE FEDERAL DETENTION CENTER, LOUISIANA	5	155	3%
OMAHA, NEBRASKA	20	47	30%
ORLANDO, FLORIDA	71	332	18%
OTAY MESA, CALIFORNIA	29	76	28%
PEARSALL, TEXAS	65	141	32%
PHILADELPHIA, PENNSYLVANIA	90	47	66%
PHOENIX, ARIZONA	29	13	69%
PORTLAND, OREGON	145	147	50%
SAIPAN, NORTHERN MARIANA ISLANDS	0	0	0%
SALT LAKE CITY, UTAH	2	27	7%
SAN ANTONIO, TEXAS	83	301	22%
SAN DIEGO, CALIFORNIA	47	64	42%
SAN FRANCISCO, CALIFORNIA	939	324	74%
SEATTLE, WASHINGTON	267	462	37%
STEWART DETENTION FACILITY, GEORGIA	16	226	7%
TACOMA, WASHINGTON	107	194	36%
TUCSON, ARIZONA	16	46	26%
ULSTER - NEW YORK STATE DOC, NEW YORK	0	7	0%
VARICK SPC, NEW YORK	11	26	30%
YORK, PENNSYLVANIA	35	172	17%
TOTAL	8,726	11,643	43%

Diversity Immigrant Visa Program

- ▶ Residency for individuals who are from countries with low rates of immigration to the United States.
 - ▶ Not from Bangladesh, Brazil, Canada, China (mainland-born), Colombia, Dominican Republic, El Salvador, Haiti, India, Jamaica, Mexico, Nigeria, Pakistan, Peru, Philippines, South Korea, United Kingdom (except Northern Ireland) and its dependent territories, and Vietnam.
- ▶ 50,000 a year
- ▶ Must have a high school education or 2 years of qualifying work experience over the last 5 years

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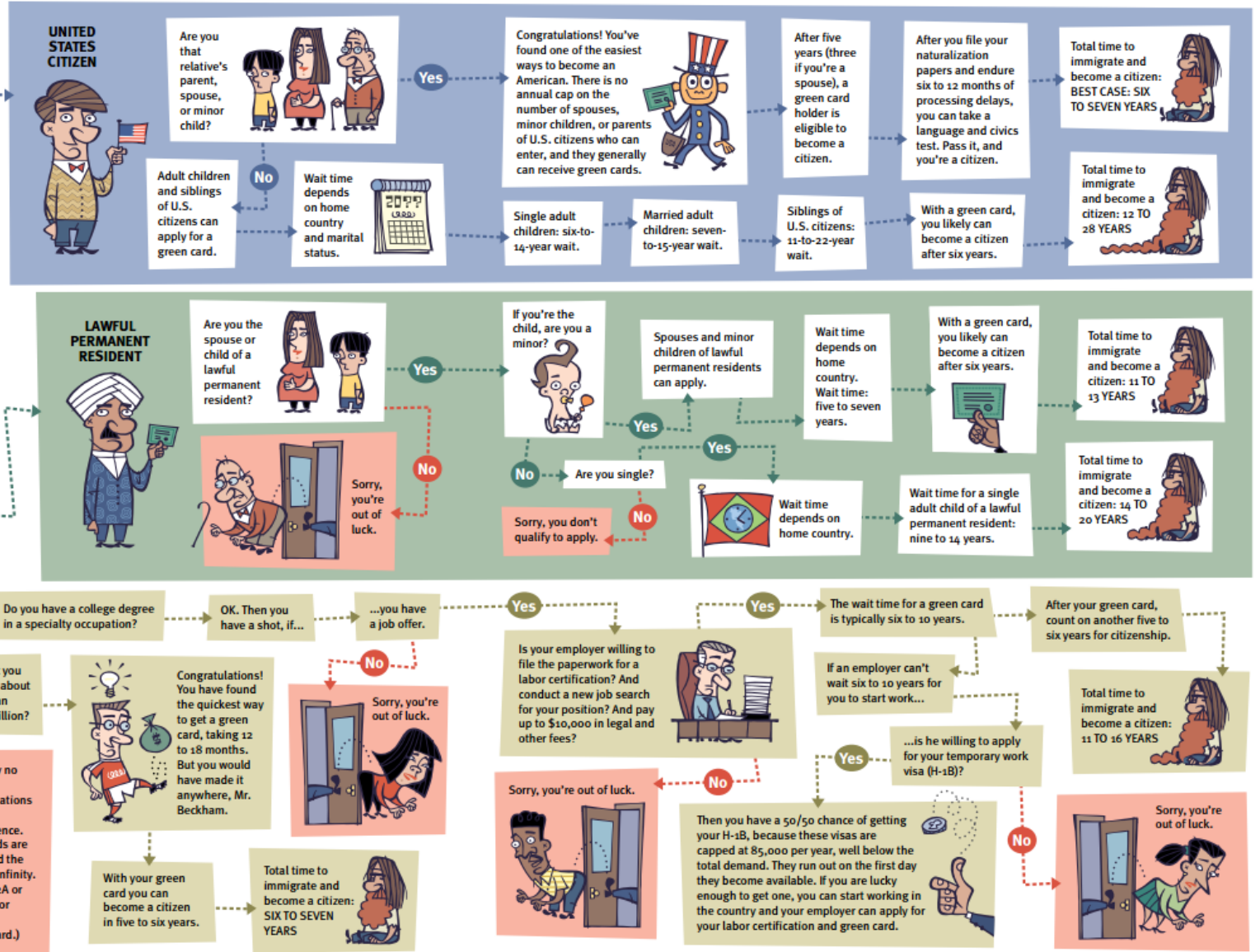
Opponents of illegal immigration are fond of telling foreigners to "get in line" before coming to work in America. But what does that line actually look like, and how many years (or decades) does it take to get through? Try it yourself!




Do you have family in the USA?
 Yes
 Is your relative a U.S. citizen or lawful permanent resident?

Are you skilled?
 Yes
 Do you have a college degree in a specialty occupation?
 Yes
 Can you prove that you are a genius? How about a star athlete? Or an investor with \$1 million?

Sorry! There is virtually no process for unskilled immigrants without relations in the U.S. to apply for permanent legal residence. Only 10,000 green cards are allotted every year, and the wait time approaches infinity. (Those who receive H-2A or H-2B temporary visas for seasonal work cannot transition to a green card.)



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Detention

► Families

- 1. Berks Family Residential Center (Leesport, PA): 96 beds; opened Mar. 2001
- 2. Karnes Family Residential Center (Karnes City, TX): 532 beds; opened Aug. 2014
- 3. South Texas Family Residential Center (Dilley, TX): 2,400 beds; opened Dec. 2014
- An average rate of \$161.36 per day.

► Adults

- 30,913 beds
- An average rate of \$126.46 per day