

# The Broken US Immigration System: Immigration in the United States & South Carolina

Talk for the League of Women Voters

Presented by Prof. Dr. Melissa Siegel



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# Agenda

1. USA: Migration Overview
2. South Carolina: Migration Overview
3. US Systematic Problems
4. New/Current Policies and Issues
5. Domestic and International Legal Implications for Current Policy
6. Some Solutions (Good practices from other countries)
7. Q&A

# USA: The Facts

The USA is home to **more immigrants than any other country in the world.**

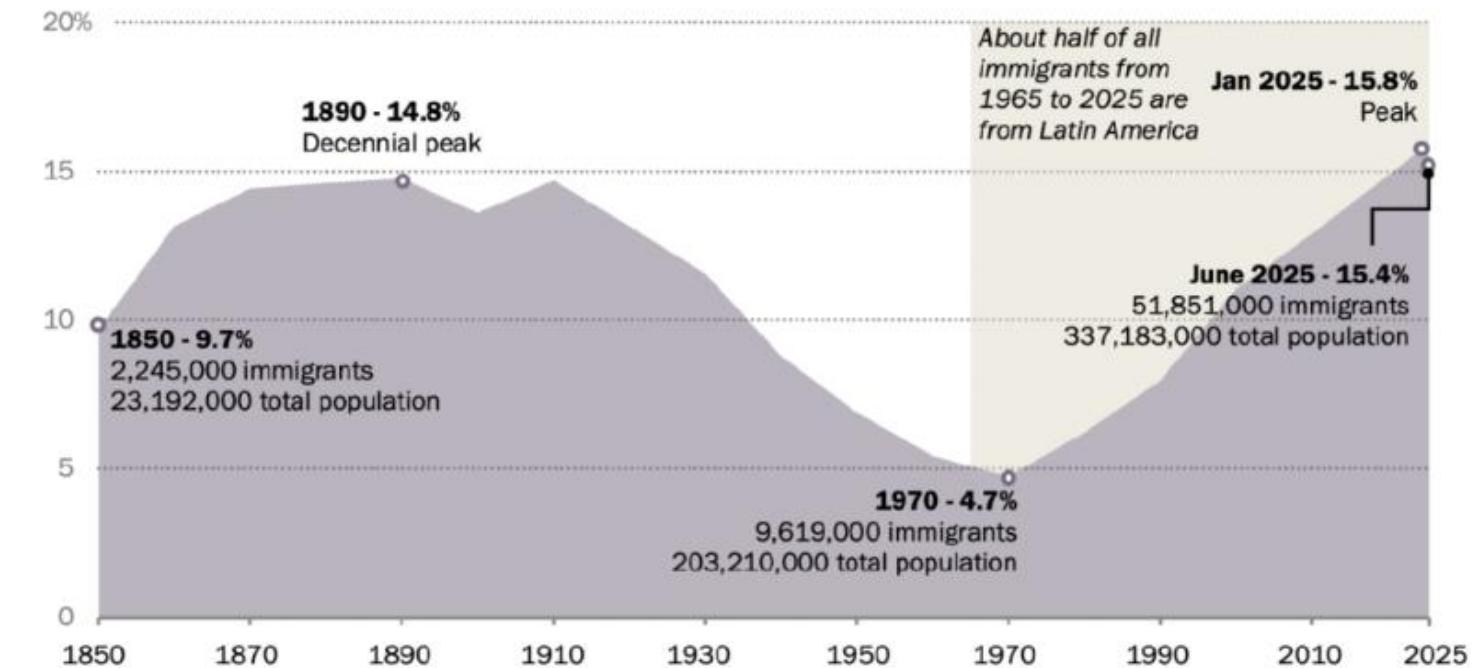
The USA represented **4% of global population in 2024**, while approx. 17% of all international migrants reside in the United States.

As of **2025**, 53 million immigrants reside in the United States, accounting for **15.4% of the US population** (down from Jan 2025 15.8% peak)

Growth slowed substantially in 2024, and the number declined by more than 1 million between January and June 2025.

**U.S. immigrant population peaked at nearly 16% in January 2025**

*% of U.S. population that is foreign born*



Note: Populations are rounded to the nearest 1,000. Shares are calculated using unrounded population numbers. Data for 2025 represents the civilian, noninstitutional population.

Source: U.S. Census Bureau, "Historical Census Statistics on the Foreign-Born Population of the United States: 1850-2000," Pew Research Center tabulations of 2010 and 2023 American Community Surveys and 2025 Current Population Surveys (IPUMS).

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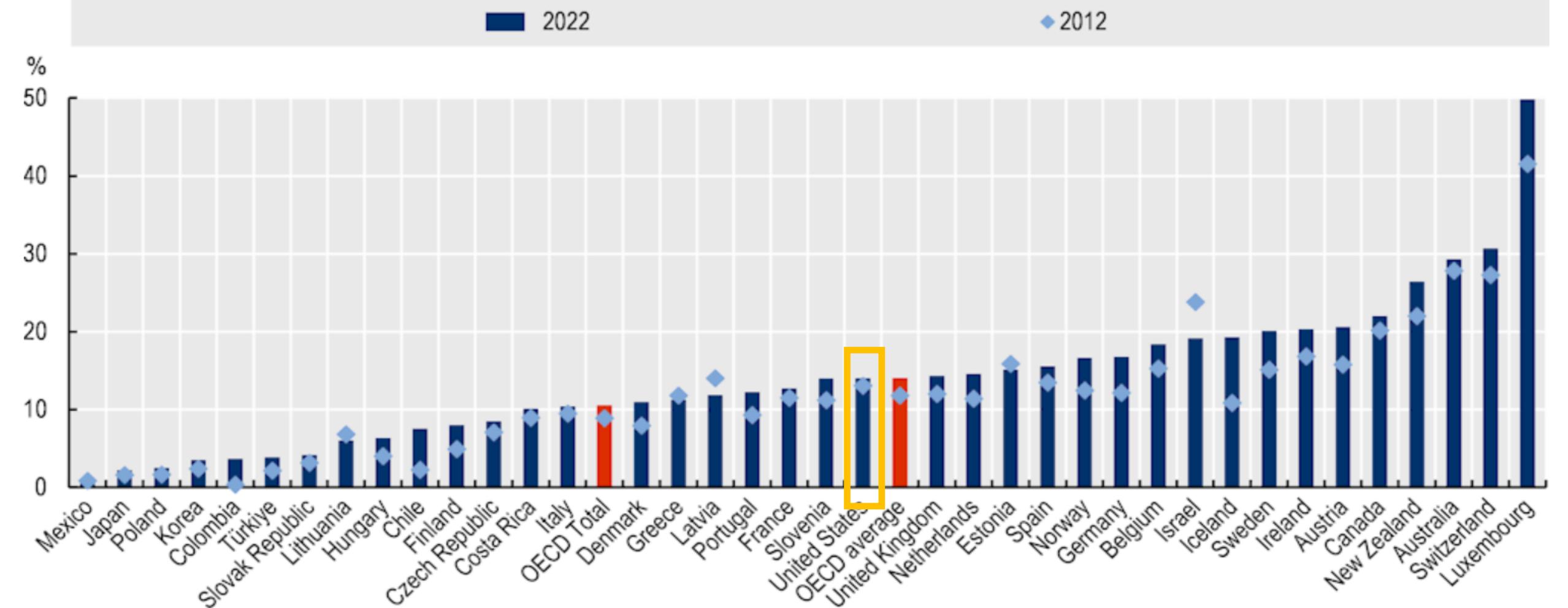


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Source: [Migration Policy Institute, 2025](#); [Pew Research Center 2025](#), [Pew Research Center 2025](#)

# Numbers in Perspective

Figure 1.19. Foreign-born population as a percentage of the total population in OECD countries, 2012 and 2022



Refer to 2012 or the closest available year, and to 2022 or the most recent available year. The OECD average is a simple average based on rates presented on the figure. For Japan and Korea, the data refer to the foreign population rather than the foreign-born population.

© International Migration Database, Eurostat, UNDESA.

# Numbers in Perspective

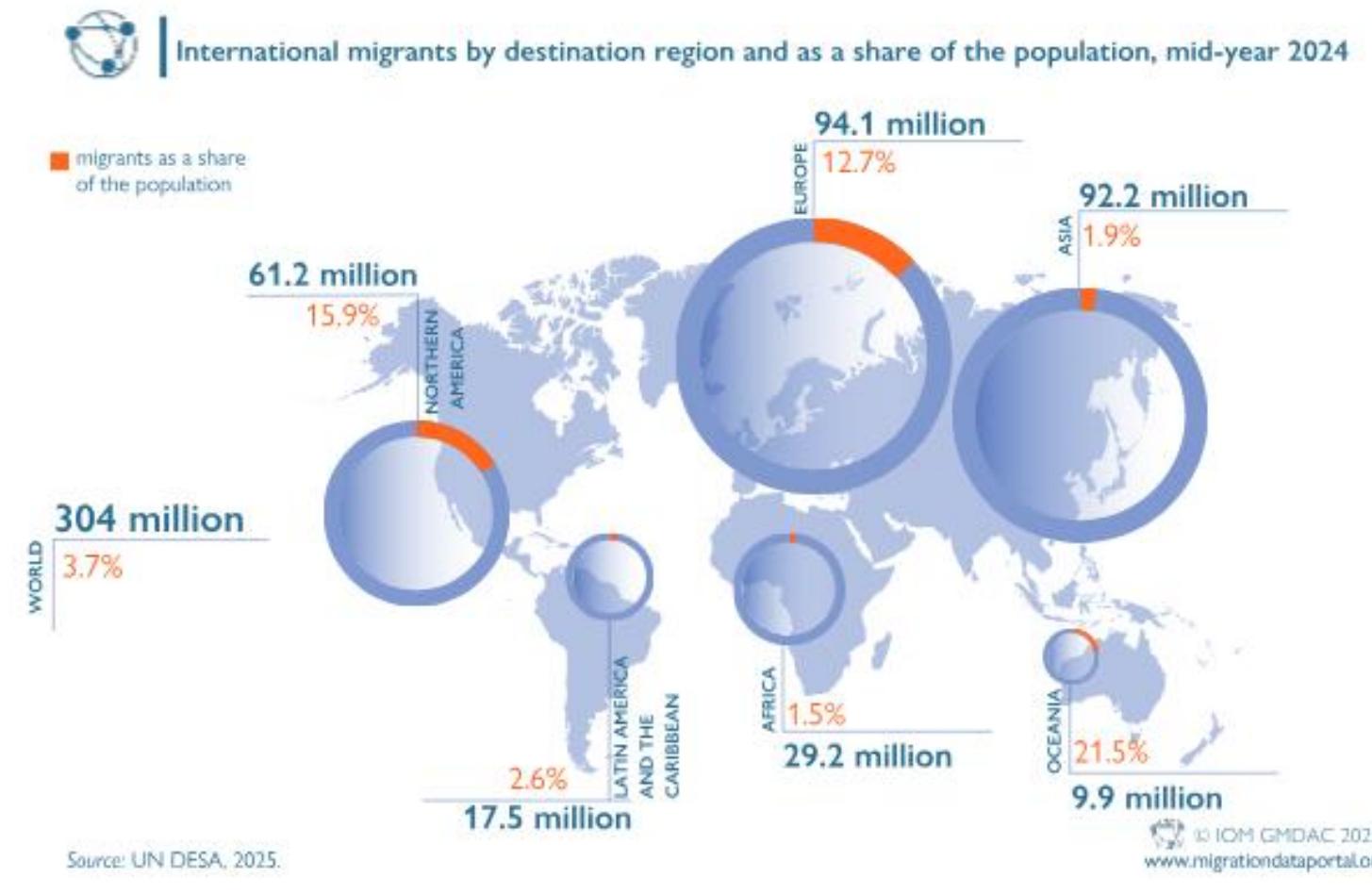
Europe hosted **more international migrants than any other region** in mid-2024 with **94 million**

Asia hosted **92 million international migrants** by mid-2024

Northern America hosted **61.2 million international migrants** by mid-2024

Worldwide, international migrants make up only **3.7% of the world population**

When people do move, they don't go far: as of **mid-2024, 53% of all international migrants migrated within their same region of origin**



# USA: Main Countries of Origin

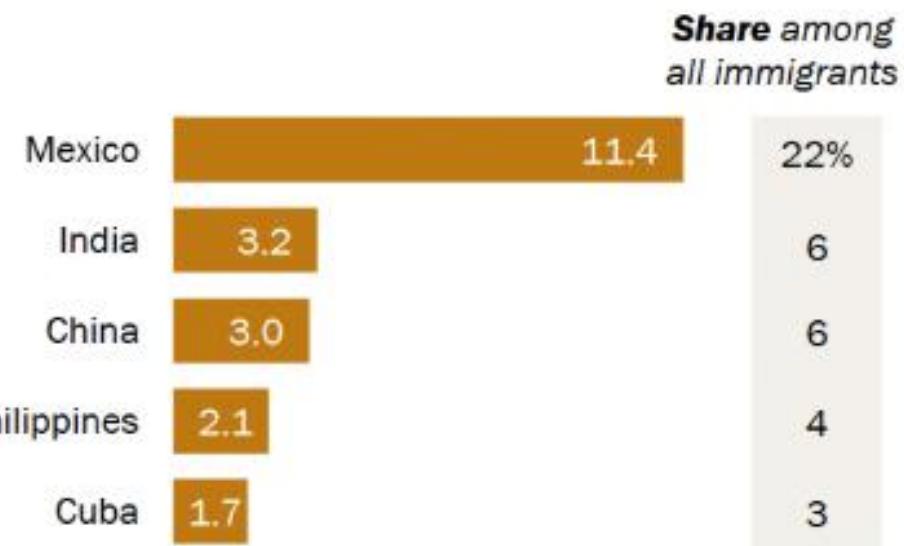
As of 2023, more than 11 million US residents were born in Mexico (22% of all immigrants nationally)

The second largest groups are from India (6%), China (6%), the Philippines (4%), and Cuba (3%)

About half of all U.S. immigrants (52%) were born in Latin America. In addition to the millions of migrants from Mexico and Cuba, other significant countries are El Salvador, Guatemala, the Dominican Republic, Colombia, Honduras and Venezuela.

**Mexico is by far the most common birthplace for U.S. immigrants**

*Top 5 countries of birth for immigrants living in the U.S. in 2023, in millions*



Note: China includes Hong Kong but not Taiwan.

Source: Pew Research Center estimates based on augmented U.S. Census Bureau data (IPUMS).

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Source: [Pew Research Center, 2025](#)

# USA: Immigrant Definitions

**Four major principles currently underlie US legal permanent immigration policy, which are:**

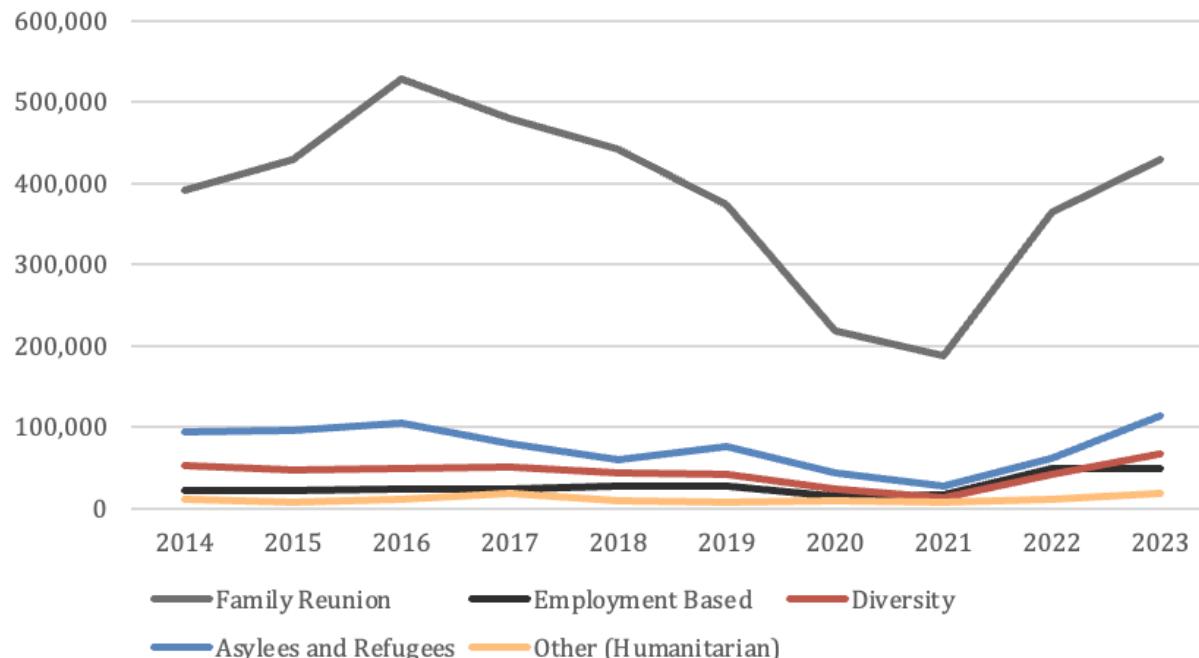
- Allowing families to reunify
- Admitting needed skilled workers
- Providing humanitarian protection
- Fostering geographic diversity among lawful permanent residents (LPRs)

**“Legal aliens”\* (“any person not a citizen or national of the United States”) are of three main types:**

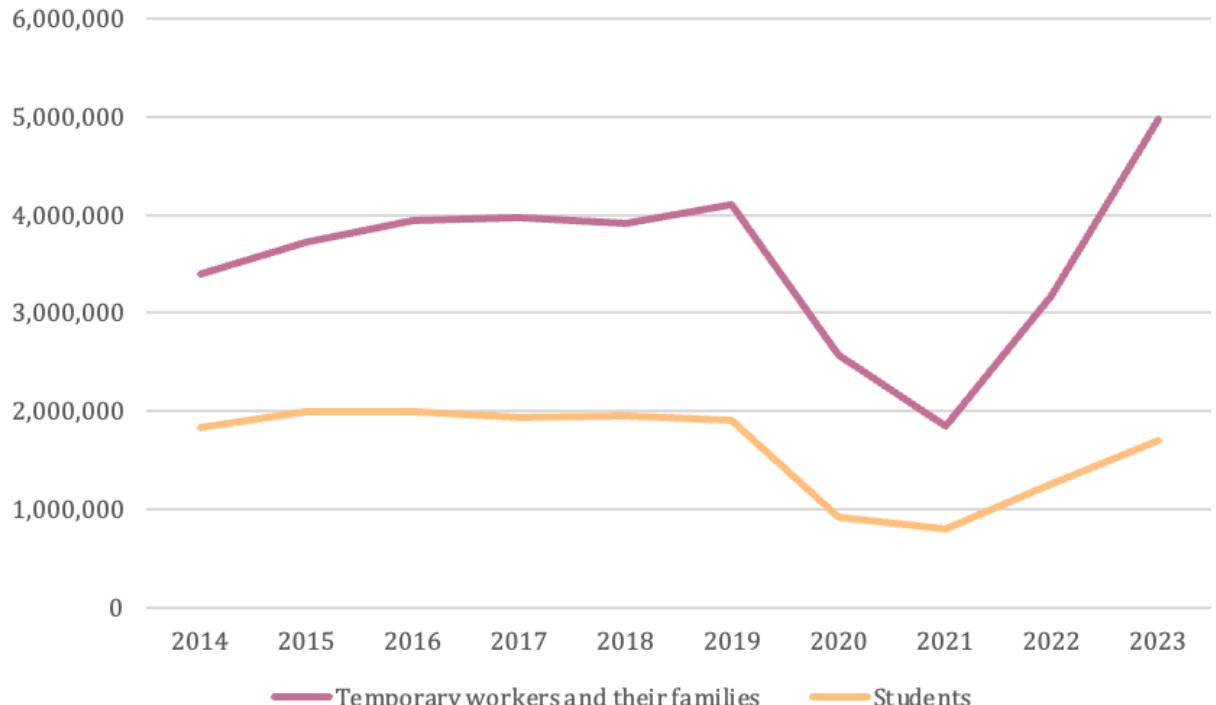
- *Immigrants* (referring to foreign nationals who come to live lawfully and permanently in the US)
- *Non-immigrants* (referring to tourists, foreign students, diplomats, temporary agricultural workers, exchange visitors, or intracompany business personnel – admitted for a specific purpose and a limited time)
- *Asylees/Refugees* (referring to people unwilling or unable to return to their countries because of persecution or a well-founded fear of persecution).

# USA: Visa Issuances Breakdown (2023, flows)

"New Arrival" Legal Permanent Residence Visas by Category



Temporary Residence Visas by Category



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Source: [Office of Homeland Security, 2024](#)

# USA: Immigrant/LPR Visa Breakdown

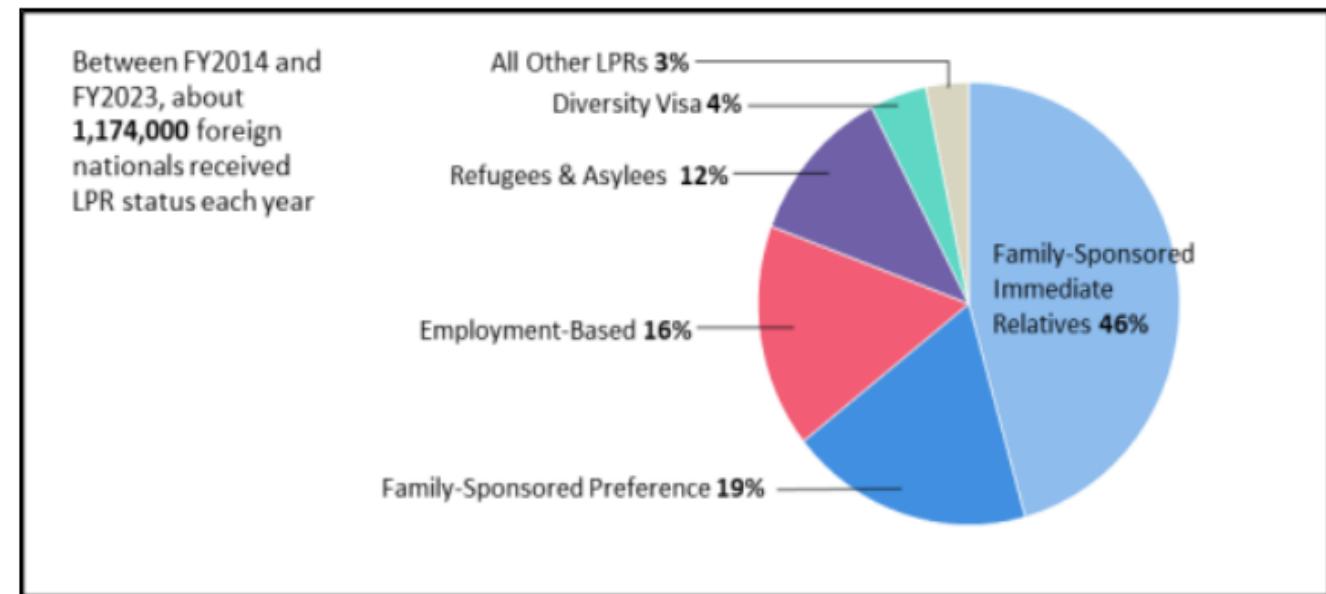
From 2014 to 2023, roughly 1 million foreign nationals acquired LPR status each year

Of this, 64% were as family-sponsored immigrants; family-sponsored immediate relatives (46%) and family sponsored preference (19%)

Remaining LPR categories include employment-based immigrants (16%), refugees and asylees (12%), diversity visa immigrants (4%), and all other LPRs (3%).

Figure 3. New LPRs by Major Category, FY2014-FY2023

Average annual proportions



Source: DHS, Office of Immigration Statistics, *Yearbook of Immigration Statistics*, Table 6, multiple years.

Notes: Total figure is rounded to the nearest 1,000.



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Source: [Congress.gov](https://www.congress.gov), 2024

# USA: Most Common Immigrant Visa Categories

## Family Based Immigrant Visas:

- Immediate Relative Visas (IR-1, IR-2, etc.): For spouses, children, and parents of US citizens
- Family Preference Visas (F1, F2A, F2B, F3, F4): For extended family members, such as siblings or adult children.

## Employment-based Immigrant Visas:

EB-1: For individuals with extraordinary abilities, outstanding professors, researchers, or multinational executives.

EB-2: For professionals with advanced degrees or exceptional ability in sciences, arts, or business.

EB-3: For skilled workers, professionals, or unskilled workers.

EB-4: For special categories, such as religious workers or certain international employees.

EB-5: For investors who make a substantial financial investment in a U.S. business.

## Other:

- Diversity Visa (DV) Lottery: Grants **50,000 immigrant visas** annually to applicants from countries with low immigration rates to the US
- Humanitarian Visas: Includes visas for refugees, asylum seekers and individuals under the Violence Against Women Act (VAWA)

# USA: Most Common Immigrant Visa Categories

- **Employment-based immigration is generally viewed most favorably**, with supporters arguing current limits are **outdated and insufficient for U.S. labor market needs**, while critics warn of negative effects on less-skilled U.S. workers.
- **Family-sponsored immigration is more contested**, with critics citing “**chain migration**” and limited skill screening, and supporters emphasizing **economic integration and family stability**.
- **Diversity visas face recurring criticism over skill and security concerns**, while supporters argue they **promote geographic diversity and U.S. soft power**.
- **Asylum is the most politically contentious pathway**, with debates focused on **eligibility standards, border arrivals, and case backlogs versus humanitarian obligations**.



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# USA: Most Common “Non-Immigrant” (mostly temporary migrants and visitors) Visa Categories

## **Tourism and Business Visas:**

- B-1: For purposes such as attending conferences or negotiating business contracts
  - B-2: For tourism, vacations or medical treatment

## **Student Visas:**

- F-1: For academic studies at accredited institutions
  - M-1: For vocational and non-academic training
- J-1: For exchange visitors in approved programs including students, researchers and interns

# USA: Most Common Non-Immigrant (mostly temporary migrants and visitors) Visa Categories

## Temporary Worker Visas:

- H1-B: For Speciality Occupations Requiring a Bachelor's degree or higher
  - H2-A: For temporary agricultural workers
  - H2-B: For non-agricultural seasonal workers
- O-1: For individuals with extraordinary abilities in sciences, arts, education, or athletics
  - L-1: For intra-company transferees



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# USA: Visa Category Quotas

## Family-Preference Visa Caps [F1 – F4]:

- Unmarried sons/daughters of US Citizens: **Not to exceed 23,400**
- Spouses and children of LPRs + unmarried sons/daughters: **Not to exceed 114,200, plus unused numbers from 226,000 global limit**
  - Married sons/daughters of citizens: **Not to exceed 23,400**
  - Brothers/sisters of adult citizens: **Not to exceed 65,000**

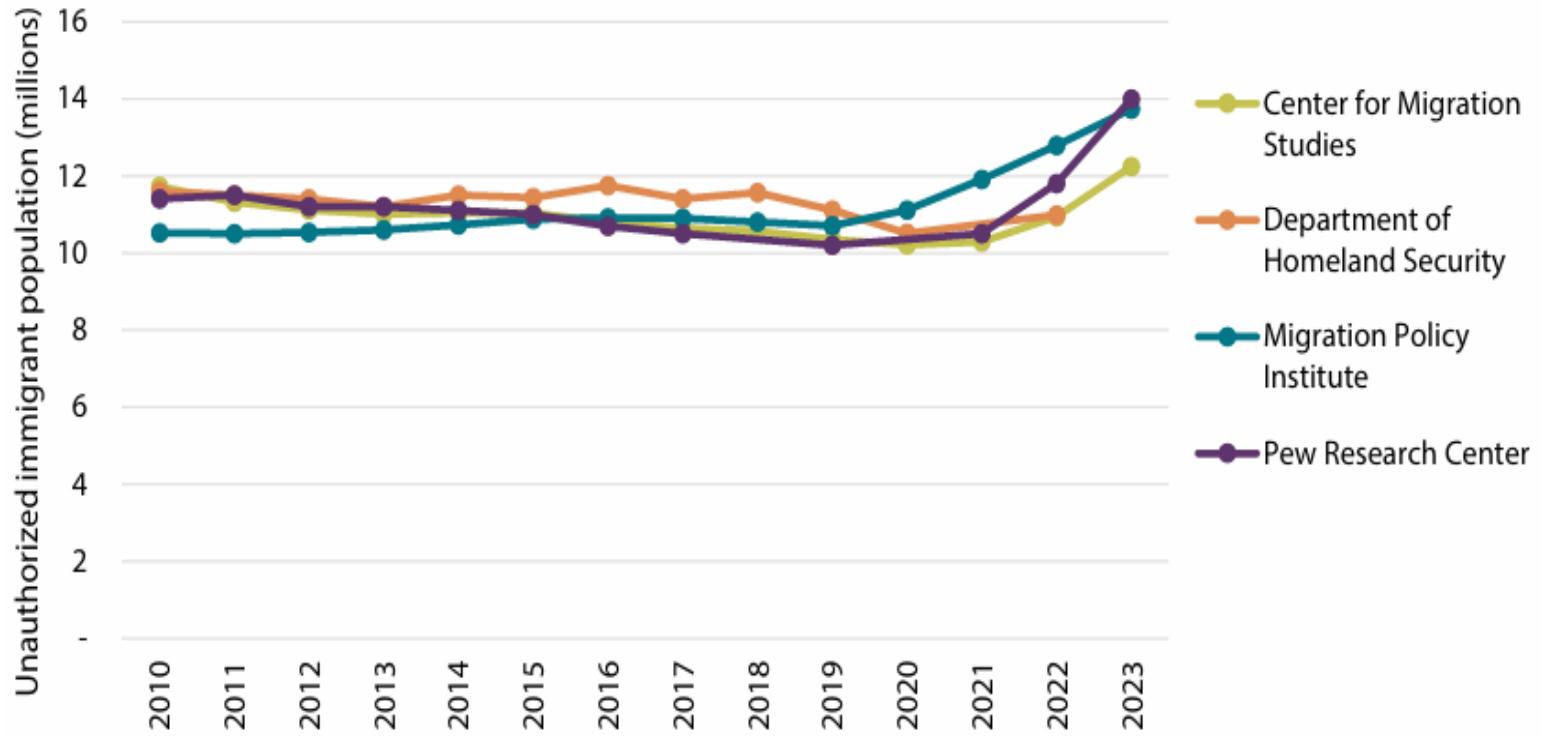
## Employment Visa Caps

- H1-B Cap: **65,000**, with an additional **20,000** available for beneficiaries with a US advanced degree
- H2-B: **66,000 per year**, with **33,000** for workers who begin employment in first half of fiscal year
  - EB-1 – EB-5:
    - Priority workers not to exceed **28.6% of annual EB level**
    - Advanced degree/exceptional ability not to exceed **28.6% of annual EB level**
- Skilled/professionals/other not to exceed **28.6% of EB**, with not more than 10,000 “other workers”
  - Special immigrants **not to exceed 7.1% of EB**
  - Employment creation (EB-5) **not to exceed 7.1% of EB**

# USA: “Unauthorised” Migration

- ‘Unauthorised’ status consists of multiple categories:
  - Visa Overstayers
  - ‘Twilight’/liminal status holders
  - Border encounters
- Approximately **13.7 million unauthorised immigrants** in USA as of mid-2023\*
- Nearly **half (46%)** of this population has **lived in the country for 20 years or more**
- Figures are up by **3 million** since **2019**; mostly from **South America and the Caribbean**

FIGURE 1  
Estimates of the Size of the U.S. Unauthorized Immigrant Population by Leading Institutions, 2010–23



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# USA: Unauthorised Migration Enforcement

- On December 19, 2025, DHS said that 622,000 noncitizens had been deported since Trump took office.
- It is below the 778,000 repatriations carried out in the final full fiscal year of the Biden administration.
- The current target is 1 million deportations per year.
- These figures do not include the **1.6 million who have “self-deported”** since the beginning of the Trump presidency according to the Administration.



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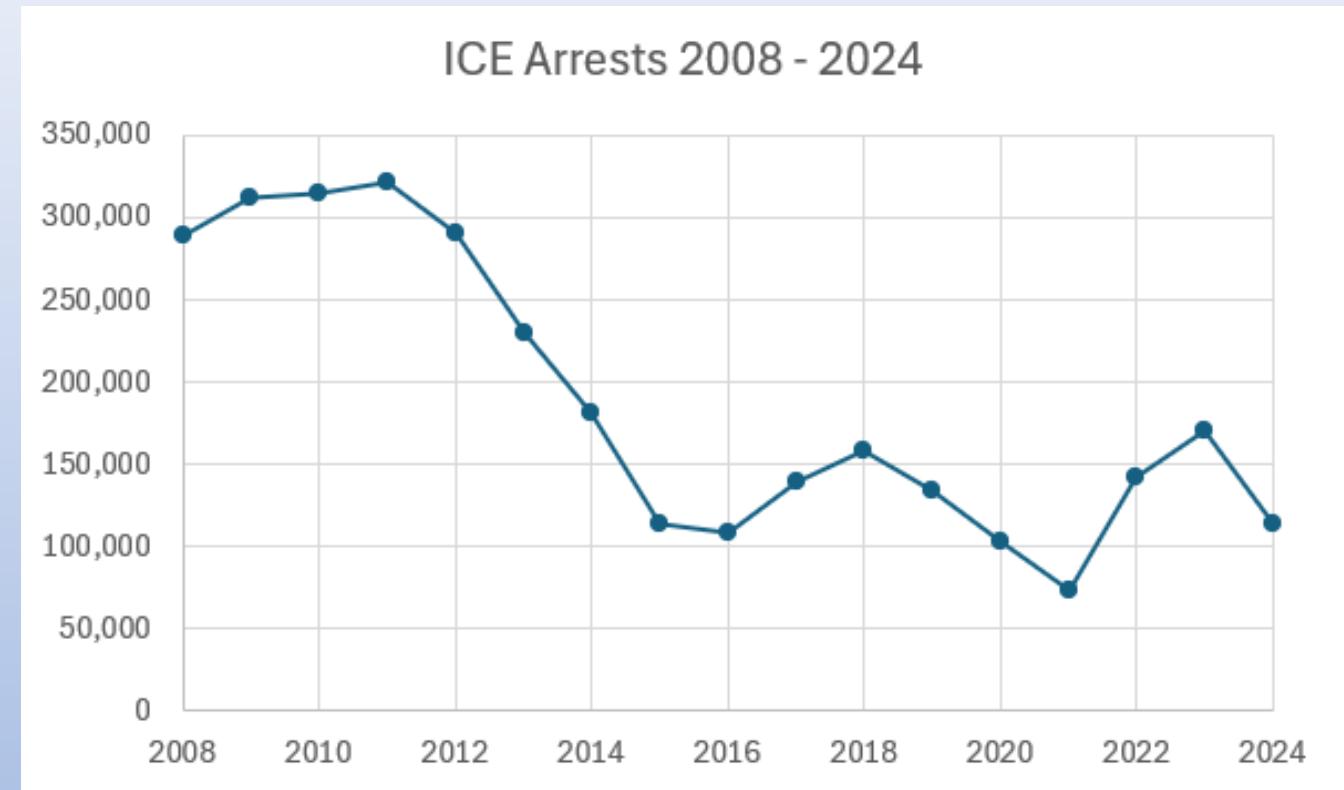


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Source: [ICE.gov](https://ICE.gov) 2025, [DHS.gov](https://DHS.gov) n.d., [DHS.gov](https://DHS.gov) 2025

# USA: Unauthorised Migration Enforcement

- Arrests rose from **288,811 (2008)** to a peak of **322,093 (2011) (+12%)**, then fell sharply to **108,732 by 2016**, a **-66% decline** from the peak, reflecting narrowed enforcement priorities during the later Obama years.
- Arrests increased from **108,732 (2016)** to **158,581 (2018) (+46%)**, before slipping to **133,541 (2019)**. They then fell to **103,603 (2020) (-22%)** and **74,082 (2021) (-45% from 2019)** due to pandemic-related operational limits.



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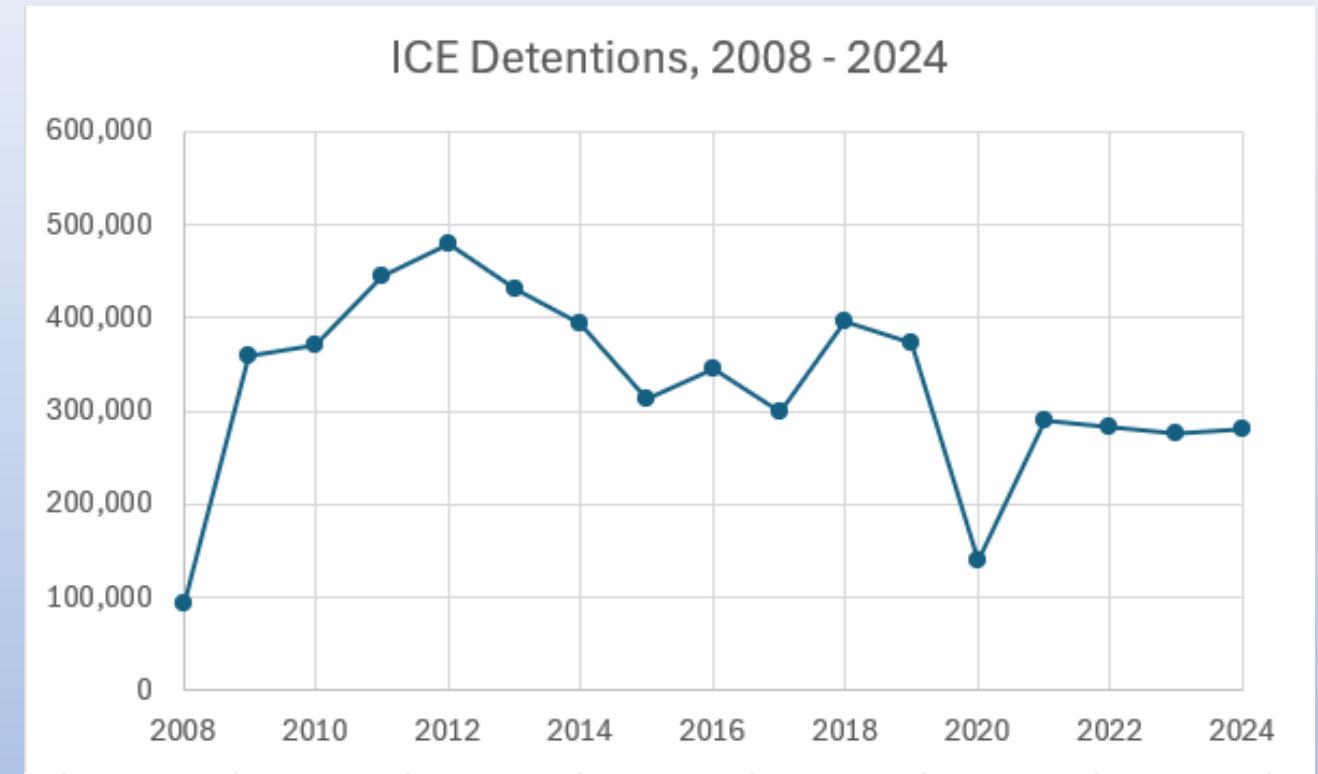


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Source: [ICE.gov 2025](#), [TRAC 2018](#), [GAO 2024](#), [MPI 2024](#)

# USA: Unauthorised Migration Enforcement

- Previously, **processing capacity resulted in large numbers being released rather than detained**
- Pending case backlogs also **constrain how long and how many individuals can be held in detention** while cases are resolved.



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Source: [Vera Institute 2025](#), [GAO 2024](#), [MPI 2024](#)

# Spotlight on South Carolina



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# South Carolina: The Facts

- Approximately **316,000** immigrant residents in South Carolina as of 2023 (about 6% of overall population)
- This is **low in comparison to the US average**, which is about 15%.
- Immigrant population grew by **less than 2% over 10 years; up from 4.7% in 2014**
- By contrast, **SC population grew by 7% from 2020 to 2024**
- Immigrants make up approximately **7.7% of the labour force in South Carolina**

Foreign-born pop. in SC, 1990, 2000, 2023



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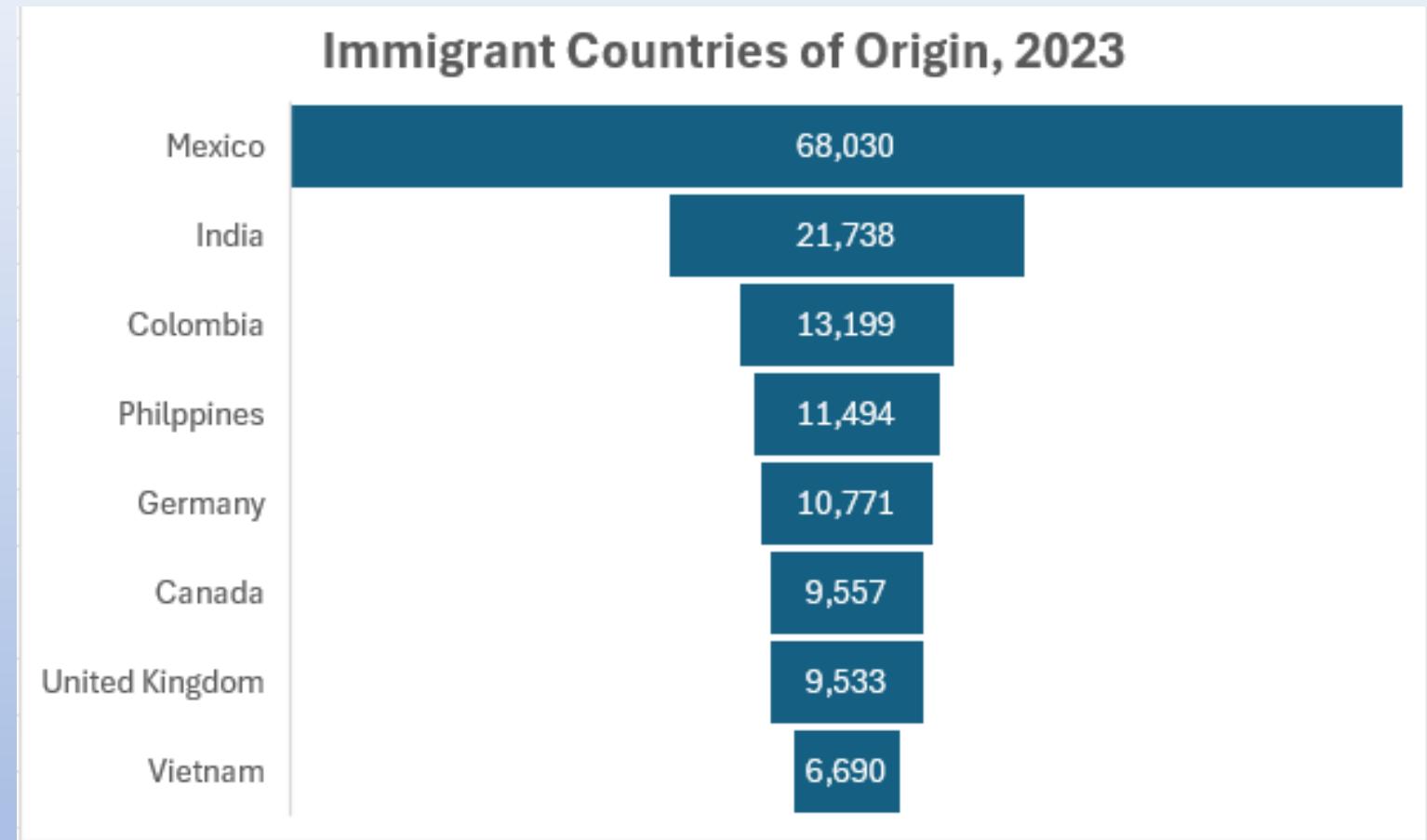


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Source: [MPI 2025](#), [American Immigration Council 2025](#), [USAfacts.org 2024](#), [Census.gov 2024](#)

# South Carolina: Countries of Origin

- Mexico is the **single largest country of origin**, but **non-Latin American countries** count for a substantial share
- These figures are made up of:
  - lawful permanent immigrants (or green-card holders),
  - refugees and asylees,
  - Lawful temporary immigrants (student, work, or some other temporary visas),
  - unauthorized



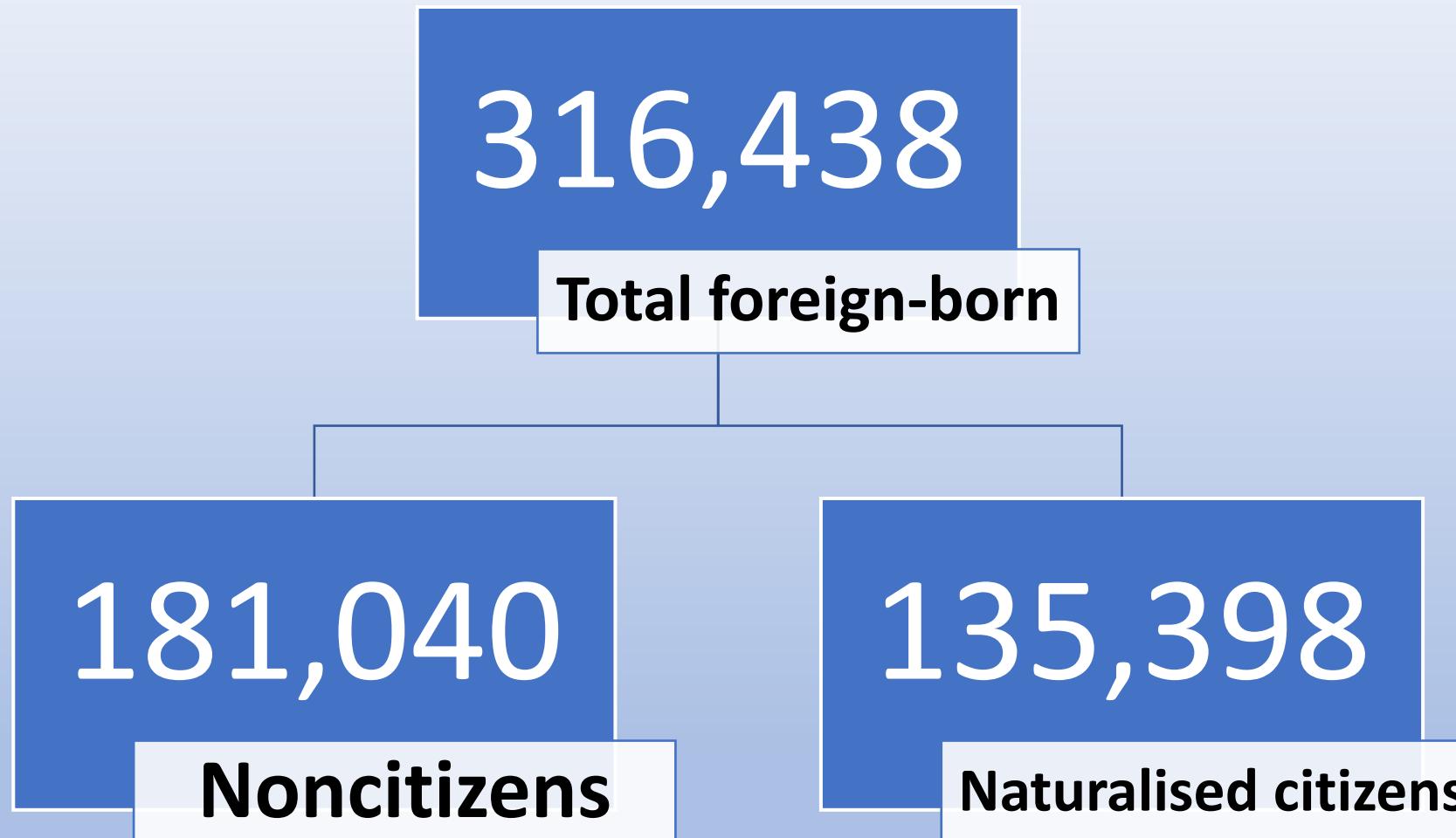
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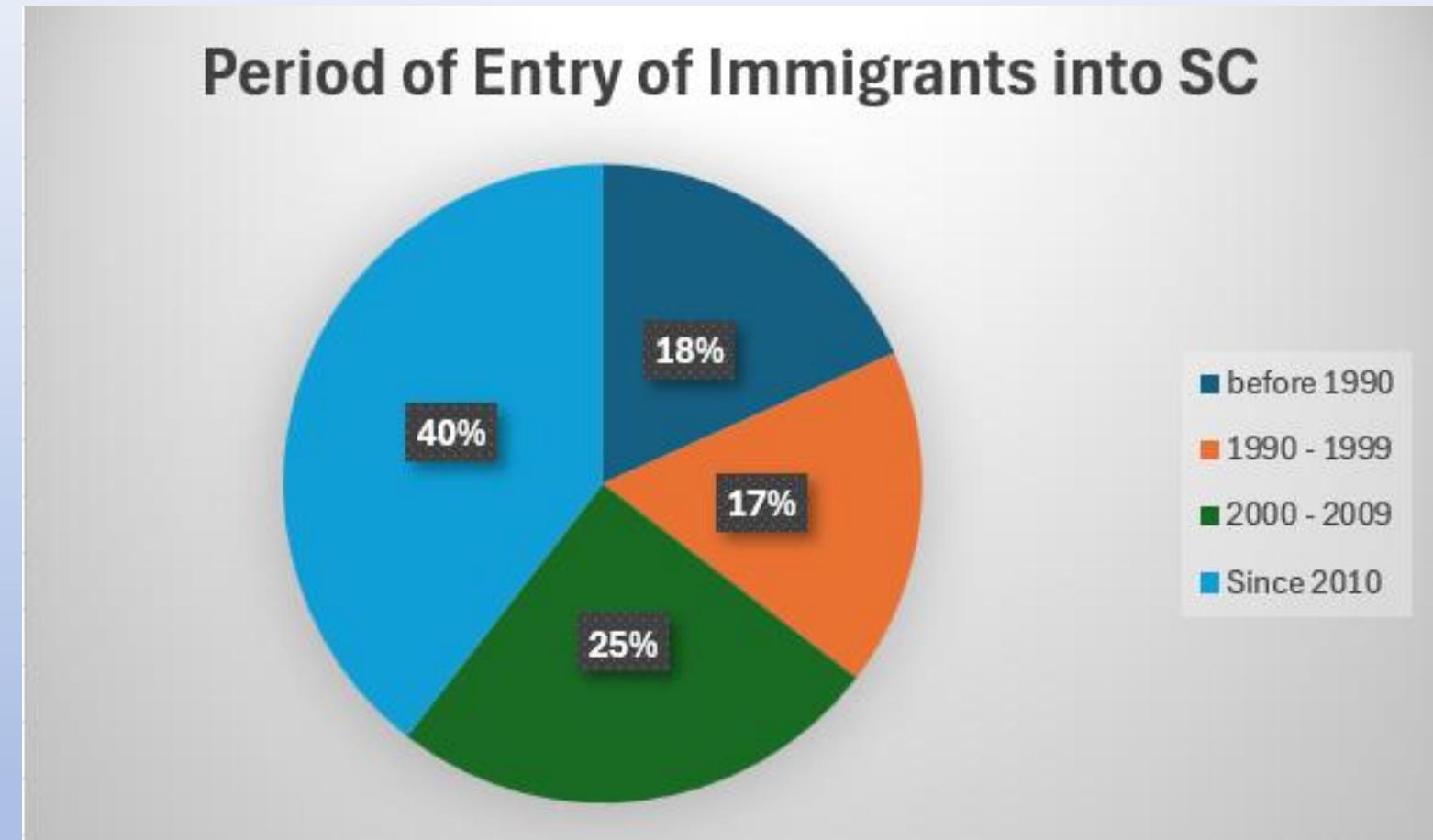
Source: [MPI 2025](#)

# South Carolina: Types of migrants (2023)



# South Carolina: When did immigrants arrive?

- The largest share (40%) arrived after 2010
- Immigration in SC is therefore not historically entrenched, which has implications for:
  - **Policy capacity**
  - **Public familiarity with immigrants**
  - **Local service provision**



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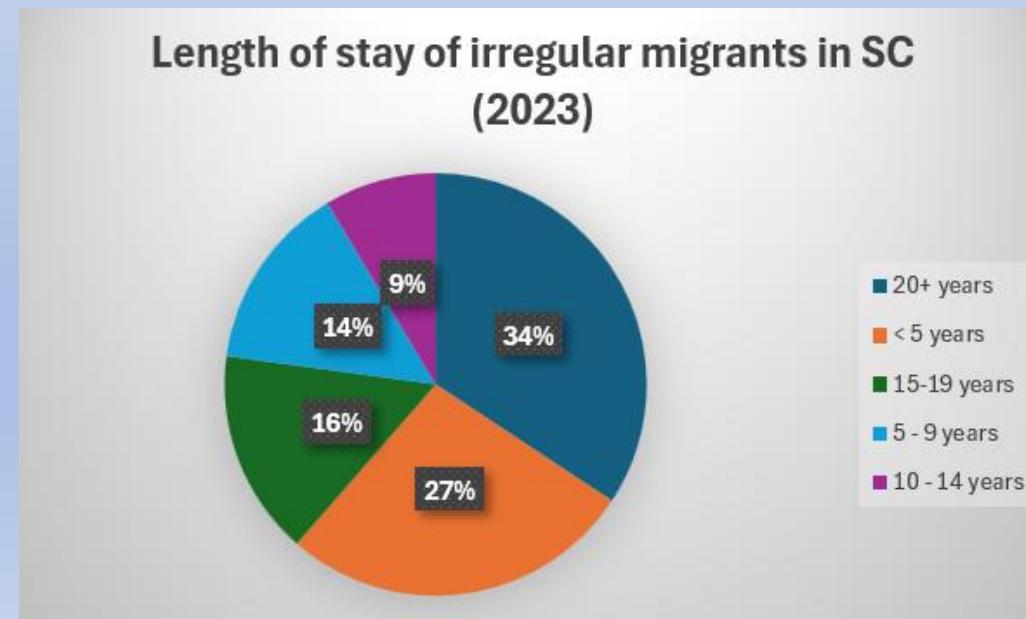
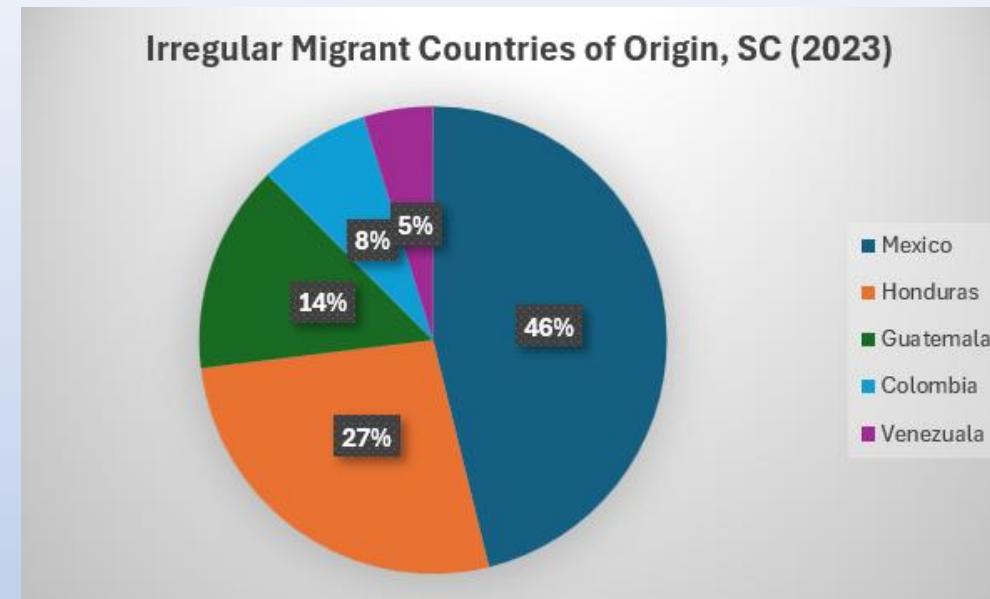


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Source: [MPI 2025](#)

# South Carolina: “Unauthorised” Immigration

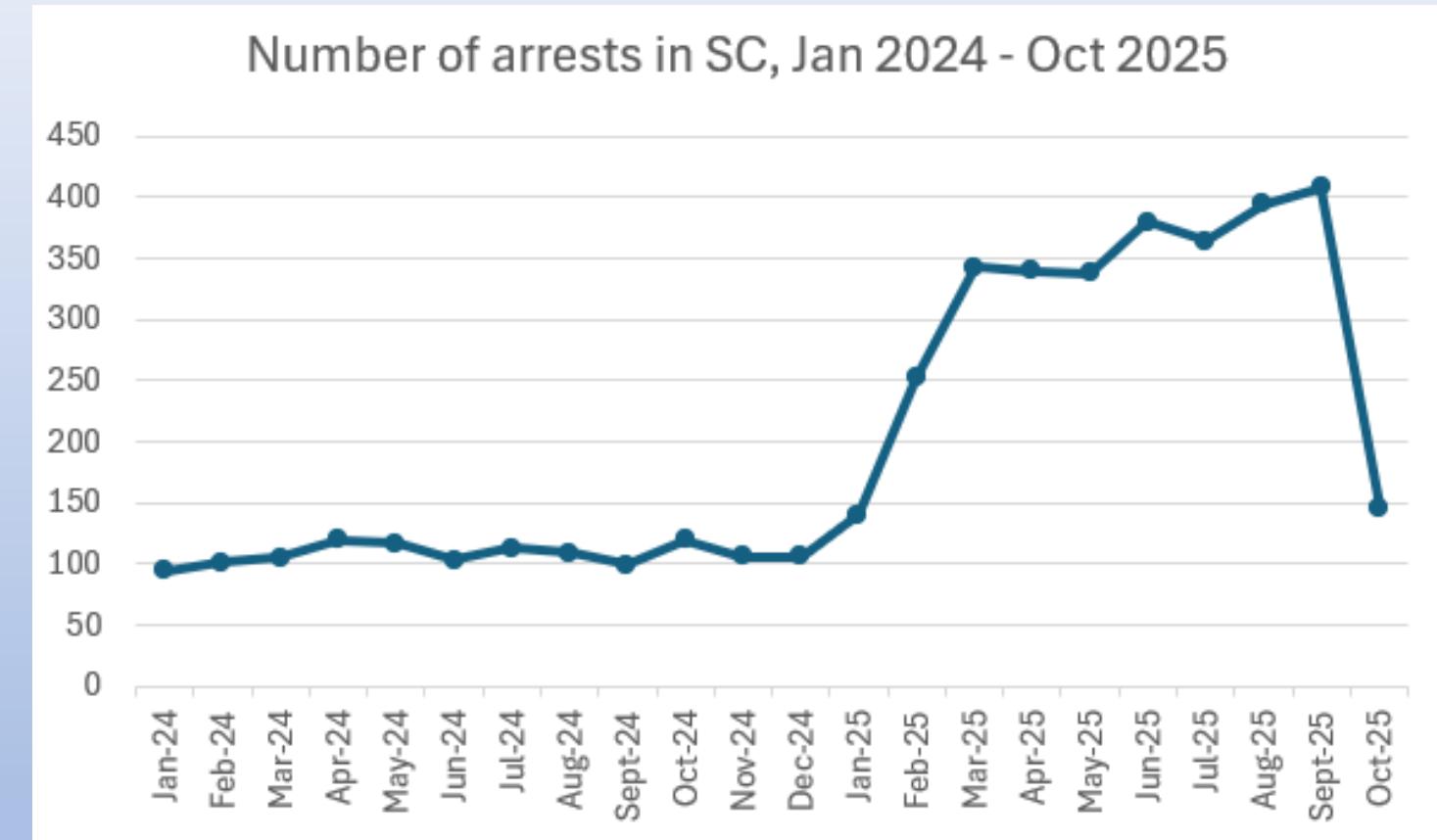
- As of 2023 there are an estimated **139,000 unauthorised migrants** living in South Carolina
- Origins tend to be from Latin America, mirroring national trends, **the majority of unauthorised migrants have been living in SC for over 20 years**; 48,000 (35%) of population
- These figures include those with liminal/‘twilight’ status, such as humanitarian, Temporary Protection and pending asylum applications



Source: [MPI 2025](#)

# South Carolina: Unauthorised Migration Enforcement

- More than **3,000 people were arrested by ICE agents in South Carolina in 2025**, more than double 2024
- **1,755 arrests from Jan 1 – June 2025, vs. 1,294 in all of 2024**
- Uptick in arrests aligns with SC's increasing cooperation with ICE: American Civil Liberties Union of SC reported that **the number of local 287(g) agreements jumped from 3 in December 2024 to 28 as of July 2025, the 5<sup>th</sup> highest in the country**



# Systemic Problems with the US Immigration System

# What was already broken?

- **High backlogs and delays: In almost all spheres – visas, Green Cards, asylum applications**
  - Due to limited staff, overly bureaucratic and confusing procedures, high application volumes, among others.
  - Processes can range from **several months to years**
  - This can **slow down family reunification, prevent important investment in the US economy and prevent the movement of much-needed talent into the US.**
  - **3.6 million cases backlogged in US courts in 2024; 11 million pending applications at US Citizenship and Immigration Services in early 2025; 2 million pending asylum applications in early 2025**
- **Fragmented Agencies and Complicated Procedures**
  - Agencies include **US Citizenship and Immigration Services, US Customs and Border Protection, US Immigration Customs and Enforcement**
  - Each has its own set of **rules, forms, procedures – which differ also depending on immigration pathway**
  - This complexity can result in **delays, mistakes, missed deadlines and incomplete applications**

# What was already broken/problematic?

- **Limited Legal Pathways**
  - Legal pathways are limited in number; **caps on work visas, family reunification visas and refugee programs**
  - In 2018 **roughly 32 million immigrants (adults and children)** were attempting to become LPRs, and the US granted it to only about **1 million**.
  - This **forces people into unauthorised routes** or to **not come to the US at all**
  - Affects **not only migrants themselves, but US businesses and US citizens with family attempting to join them**
- **Caps on Green Cards**
  - Currently 4 ways to obtain US Green Card/LPR: **Diversity Lottery, Refugee Program, Family Sponsorship, Employment-based Sponsorship**
  - Employment-based: Capped at **140,000 per year, 9,800 (7%) per country**.
  - Family-sponsored: **Capped at 226,000 per year**
  - Diversity Lottery: **55,000 winners per year**
  - Refugee resettlement: **Was 125,000, reduce to 7,500 per year**
    - Many humanitarian visas have been completely revoked/stopped under current administration

# What was already broken?

- Lack of coherence between labor market needs and immigration policy
- Policy Inconsistencies
  - “Remain In Mexico”/“Migrant Protection Program”: Requires asylum-seekers to remain in Mexico while their US cases proceed; introduced by Trump in 2019, ended in 2021 by Biden, proposals to revive being circulated in 2024/25
  - Travel bans: Restrict asylum eligibility based on nationality; adopted 2018 – 2020 by Trump, reintroduced in modified form 2023 by Biden, expanded again 2024/2025 by Trump
  - Title 42 COVID expulsions: Used public health law to expel migrants immediately without asylum screening during COVID-19; implemented by Trump in 2020, ended May 2023 when the public health emergency expired
  - Inconsistencies mean people's statuses can change, and back again, throughout processes and leads to administrative uncertainty and increased processing times.

# Policy Shifts Under Current Administration

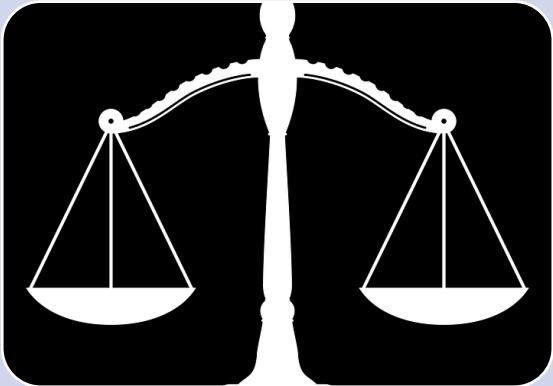
- As of January 2026, Trump had signed 38 executive orders related to immigration, **17%** of all executive orders and had taken over **500 immigration-specific actions**.
- **These touched nearly every corner of the US Immigration system in ways such as:**
  - Detention-First Border Enforcement and Rapid Removal
  - Militarised Border Governance
  - Suspension of Refugee Resettlement
  - Restriction of High-Skilled Legal Entry
  - Redefining Citizenship Eligibility
  - Restricting Immigrant Access to Public Benefits
  - National-Security Entry Restrictions and Expanded Travel Bans

# Policy Shifts Under Current Administration

## Key component changes

- Making the US inhospitable to immigrants
  - Focus on cruelty
- A focus on deportations above all else
- Revoking status, canceling visas
- Unprecedented use of and work with local law enforcement
- Unprecedented resource allocation to border enforcement, detention and removal
- Reduction in capacity for hearing cases (large firing of immigration judges)/canceling immigration cases, stop in some processing

# Challenges in US domestic law include:



Undermines constitutional citizenship protections; **14<sup>th</sup> Amendment Rights**

Policies that block or deter access to asylum  
**conflict with the US Immigration and Nationality Act (1952)**

**“Detention first” enforcement tactics prioritise incarceration over due legal process;** e.g. access to individualized case decisions

# Challenges in International Human Rights Law Include:



Blocking protection access to asylum-seekers **violates core principle of non-refoulement** (1951 Refugee Convention)

Travel bans, ideological screening **raise conflicts with international non-discrimination obligations** under ICCPR

Birthright citizenship restrictions **risk creating stateless children**, violating international norms on the right to nationality

# Solutions: Good Practices from other Countries

# ... so what IS working?

In Canada....



- **Private Sponsorship of Refugees (PSR)**
  - Organisations and private citizens can ‘sponsor’ refugees to find a new life in Canada
  - Involves private citizens and/or organisations supporting a refugee/individual in refugee-like situation to: find a place to live, give financial support, give social/emotional support and material support for up to 1 year.
  - Allows in more refugees on top of the governmental/public system; some years have seen more refugees admitted through this program than the government-sponsored program.
- **Express Entry and Comprehensive Ranking System (Highly Skilled)**
  - Uses a points-based system called the Comprehensive Ranking System (CRS) to assess and rank skilled worker candidates in the Express Entry pool for economic immigration to permanent residence
  - The CRS score is out of 1,200 points, and every ~2 weeks the IRCC invites the highest-scoring candidates to apply for permanent residence to keep much-needed talent

# ... so what IS working?

In Canada....



- **Temporary Foreign Worker Program (TFWP) and Seasonal Agricultural Worker Program (SAWP)**
  - TFWP: A federal program **allowing Canadian employers to hire foreign workers where qualified Canadians are not available**
  - Employers must prove **no Canadians or permanent residents are available for the job**, and that hiring the worker will **not harm the Canadian labour market**; responds directly to **skill shortages**
  - SAWP: A program that **lets Canadian farm employers hire seasonal temporary foreign workers** when **Canadian workers unavailable during peak planting + harvesting seasons**
  - Workers must be from **eligible countries** (Mexico and many Caribbean states) and **permitted to work in Canada for ~8 months per year**, specifically for seasonal agricultural work.
  - Addresses **recurring seasonal labour shortages in agriculture** (e.g. planting, harvesting), when local labour insufficient

# ... so what IS working?

In Canada....



- **Open Work Permit Pilot (2023) and Accelerated H1-B Pathway (2025) (Highly Skilled)**
  - **Open Work Permit Pilot:** A special public policy allowing US H1-B visa holders to apply for a Canadian open work permit valid for up to 3 years
  - Opened in 2023 with a cap of 10,000 applications; cap was reached within a day (policy effective July 16<sup>th</sup> 2023; applications closed July 17<sup>th</sup> 2023)
  - Government of Canada explicitly announced the initiative was meant to “continue to position Canada as a leader in innovation” and to align immigration policy with industrial and economic priorities
  - **Accelerated H1-B Pathway:** New immigration pathway for US H1-B holders, signalled in Canada’s new federal budget
  - Few details as of yet but designed to attract highly-skilled professionals in key sectors such as technology, healthcare, and research as part of Canada’s strategy to boost innovation
  - Both part of Canada’s ambition to meet strategic labour market needs and support sectors critical to the country’s long-term competitiveness.

# ... so what IS working?

In Europe



- **The Netherlands: Knowledge Migrant scheme (Highly Skilled)**
  - A Dutch residence and work permit for **highly skilled workers coming from outside the EU**; intended to **attract people who contribute to the Netherlands' knowledge economy**
  - Requires a **recognised sponsor in the Netherlands** to apply on behalf of the migrant; **sets income requirements to show they are highly-skilled** (e.g. gross monthly salary above threshold)
  - Includes **family reunification rights for partners and children**
- **EU Blue Card (Highly Skilled)**
  - A European Union **high-skilled work and residence permit** designed to **attract highly qualified non-EU workers to the EU**
  - Applicants must hold a **higher-education degree or equivalent professional experience**, as well as a **job contract** and meet a salary threshold set by Member State
  - **After 12 months legal employment**, holders may **move to another participating Member State to take up highly skilled employment there**
  - Family reunification; family can **also receive residence permits and immediate labour market access**



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Source: [Business.gov NL n.d](#), [IND 2026](#), [European Commission 2025](#)

# ... so what IS working?

In Europe



- **Germany: Western Balkans Regulation (Westbalkanregelung)**
  - A special immigration pathway in German law allowing nationals for six Western Balkans countries (**Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia, Serbia**) to obtain a work and residence permit for **almost any type of employment**
  - **No need for formal recognition of professional qualifications** for non-regulated jobs; a key difference from other skilled worker routes
  - Most in the **construction, hospitality, and healthcare sectors**
  - Enacted in 2015 to **reduce the number of asylum-seekers by opening its labour market**
  - Intended as a short-term program ending in 2020; extended through to 2023. **Between 2015 and 2017 more than 117,000 work contracts were submitted and approved, and asylum applications from the region dropped by 90%.**
  - Regulation also **reduced illegal employment and workload for border police, and improved cooperation between Germany and Western Balkans.**

# ... so what IS working?

In Europe



- Regularization programs



***Questions?***



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# For more information..



## Melissa Siegel

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[melissasiegel.org](http://melissasiegel.org) and 7 more links

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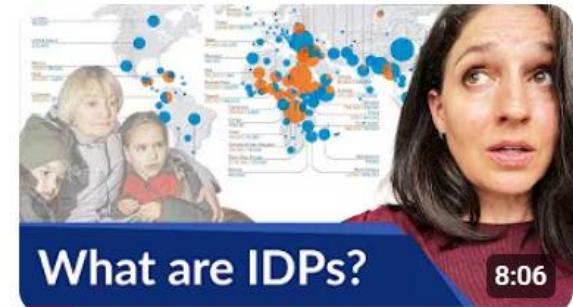
Migration and the Media 12:33



The Immigration System Is Broken 12:59



A week in the life of a Uni prof 10:17



What are IDPs? 8:06

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# Detention-First Border Policy and Rapid Removal

- **What the policy does**
  - EO “Securing Our Borders” sets policy to deter/prevent illegal entry using **barriers, personnel (increased militarisation) and technology.** ([White House, 2025](#))
  - EO orders resumption of **Migrant Protection Protocols (MPP)** “as soon as practicable”, **returning certain migrants to the territory they came from during proceedings.** ([White House, 2025](#))
  - EO directs Department of Homeland Security (DHS) to detain people “**to the fullest extent permitted by the law**” and **terminate a long-standing release policy for some non-citizens** ([CRS, 2025](#))
- **Issues with the policy approach**
  - MPI finds the administration’s early second-term actions “dramatically reshaped” policy but is not meeting mass deportation aims, **citing constraints such as resources and implementation limits** ([MPI, 2025](#))
  - EO’s detention-first and release rollbacks **increases rates of detention and makes access to counsel and fair hearings more challenging** ([Vera Institute, 2025](#))
  - Expanded fast removal tools + detention expansion **can increase family separation and harms when scaled** ([NILC, 2025](#))

# Militarised Border Governance

- **What the policy does**
  - The White House memo expanding Guantánamo detention states it is issued to “halt the border invasion” and restore sovereignty. ([White House, 2025](#))
  - EO “Securing Our Borders” calls for **physical barriers, “supported by adequate personnel and technology.”** ([White House, 2025](#))
  - The broader second-term crackdown includes troop deployment to the US-Mexico border; when the government started publishing monthly apprehension numbers—**after the administration declared an “invasion,” sent 10,000 troops to the border, and effectively barred access to asylum there.** ([MPI, 2025](#))
- **Issues with the policy approach**
  - Trump administration turned a 60 foot wide strip of federal land across 3 states on the southern border into a “**military installation**”: ACLU reports **vast swathes of land are being treated as military bases, cutting off access and escalating the military role** ([The Brennan Center, 2025](#)) ([ACLU, 2025](#))
  - The Brennan Centre reports the “military installation” memo appears **designed to sidestep the Posse Comitatus Act, which normally bars federal armed forces from domestic law enforcement** ([The Brennan Center, 2025](#))
  - Reports of US troops **detaining migrants in newly designated national defence zones** before transferring them to CBP. ([AP News, 2025](#))

# Suspension of Refugee Resettlement

- **What the policy does**
  - EO “Realigning the United States Refugee Admissions Program” establishes the second-term refugee admissions approach ([The White House, 2025](#))
  - The Order place **stops/suspensions decisions of refugee applications** ([The White House, 2025](#))
  - A Senate Resolution text cites the EO as “**indefinitely suspending all refugee admissions**” and states the ban remains in effect as of June 2025 ([CRS, 2025](#))
- **Issues with the policy approach**
  - Reports the government stopped processing and cancelled travel almost immediately, **stranding vetted refugees in legal limbo** ([USCRI, 2025](#))
  - Baker Institute argues that dismantling/suspending refugee resettlement **harms US refugee (and by extension, global) infrastructure and broader humanitarian leadership capacity** ([The Baker Institute, 2025](#))
  - The administration set an **annual refugee cap of 7,500 with most admissions expected to be Afrikaners**, prompting criticism that the program is being politicised ([AP News, 2025](#))

# Restriction of High-Skilled Legal Entry

- **What the policy does**
  - White House proclamation “**Restriction on Entry of Certain Nonimmigrant Workers**” sets the **\$100,000 payment condition for covered H1-B petitions**. ([The White House, 2025](#))
  - The proclamation alleges the H1-B program has seen “**the large-scale replacement of American workers through systemic abuse of the program has undermined both our economic and national security.**” ([The White House, 2025](#))
- **Issues with the policy approach**
  - The Chamber of Commerce cited the new fee would **force businesses that rely on the H1-B program to choose between dramatically increasing their labour costs or hiring fewer highly-skilled foreign workers** ([Reuters, 2025](#))
  - More than **70% of H1-B visa holders are from India**; the Indian Ministry of External Affairs reported the measure was likely to have “**humanitarian consequences**” by the way of disruption caused for families. ([AP News, 2025](#))
  - Contrary to White House claims, evidence points to **the presence of H1-B visa holders being associated with lower unemployment rates**, with the policy risking the pushing of jobs outside of the US. ([Forbes, 2025](#))

# Redefining Citizenship Eligibility

- **What the policy does**
  - EO “Protecting the Meaning and Value of American Citizenship” directs the federal government to stop recognising US citizenship for certain children born in the United States, specifically those to undocumented parents or those present on a temporary basis ([The White House, 2025](#))
  - The EO asserts such children are not “subject to the jurisdiction” of the United States, and therefore **not entitled to birthright citizenship** ([The White House, 2025](#))
- **Issues with the policy approach**
  - The EO directly contradicts **more than a century of legal interpretation** that **the Fourteenth Amendment grants citizenship** to nearly all people born on US soil ([Politico, 2025](#))
  - Places the **citizenship of certain US-born children** into question, producing uncertainty for families and state governments regarding **documentation and rights** ([Politico, 2025](#))
  - Courts blocked the EO because it **seeks to redefine constitutional citizenship without congressional action or constitutional amendment**, raising **separation-of-powers** concerns. ([AP News, 2025](#))

# Restricting Immigrant Access to Public Benefits

- What the policy does
  - EO “Ending Taxpayer Subsidization of Open Borders” directs agencies to take actions to **limit access to state-funded benefits by undocumented immigrants** ([White House, 2025](#))
  - EO frames benefit access as an **incentive for illegal immigration**, and requires agencies to **modify these benefit programs** “to the maximum extent permitted by law.” ([White House 2025](#))
- Issues with the policy approach
  - Eligibility crackdowns often create **chilling effects**, which **discourage even eligible households from accessing benefits** due to fear/confusion ([NILC, 2025](#))
  - EO directs agencies to “**enhance eligibility verification systems**”, but does not define uniform standards which lead to **incorrect denials and administrative confusion** ([NILC, 2025](#))
  - **No evidence such measures produce meaningful fiscal savings**, and may harm low-income families and workers ([EPI, 2025](#))

# National-Security Related Entry Restrictions and Expanded Travel Bans

- What the policy does
  - EO “Protecting the United States from Foreign Terrorists and Other National Security and Public Safety Threats” authorises the President to restrict or suspend the entry of foreign nationals when deemed necessary to protect national security ([The White House, 2025](#))
  - A Presidential Proclamation (June 4<sup>th</sup> 2025) fully implements this authority by fully suspending entry of nationals from 12 countries and partially suspending entry from 7 additional countries, across multiple visa categories ([The White House, 2025](#))
- Issues with the policy approach
  - The proclamation affected large numbers of people seeking lawful entry for work, family, education and humanitarian reasons ([Reuters, 2025](#))
  - Concern has been expressed from foreign governments and officials around diplomatic costs associated with broad nationality-based entry restrictions ([Reuters, 2025](#))
  - The US State Department confirmed it is fully or partially suspending visa issuance for affected countries, meaning individuals cannot obtain visas even if otherwise eligible ([US State Department, 2025](#))



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# What is their current status?

- **Detention-First Border Enforcement and Rapid Removal**
- **Militarised Border Governance**
  - EO “Securing Our Borders” detention-first and rapid removal directives are mostly being implemented; DHS/ICE have reduced releases and tightened detention. Some elements face ongoing legal challenges e.g. “Remain In Mexico” program for removal. ([CBP 2025](#), [Immigrant Defenders 2025](#))
- **Suspension of Refugee Resettlement**
  - EO “Realigning the US Refugee Admissions Program” is in force, refugee resettlement has effectively been suspended. ([Forum Together, 2025](#))
- **Restriction of High-Skilled Legal Entry**
  - White House proclamation “Restriction on Entry of Certain Nonimmigrant Workers”; in process but faced significant legal backlash, particularly from business interests. ([Burr and Forman, 2025](#))
- **Redefining Citizenship Eligibility**
  - EO “Protecting the Meaning and Value of American Citizenship” has largely been stalled by legal challenges; blocked by lower courts. ([Reuters, 2025](#))

# What is their current status?

- **Restricting Immigrant Access to Public Benefits**
  - EO “Ending Taxpayer Subsidization of Open Borders”; partially in motion, but legal rulings have blocked key enforcement tactics (e.g. withholding funds), and other elements remain under litigation. ([Reuters 2025](#), [Reuters 2025](#))
- **National-Security Entry Restrictions and Expanded Travel Bans**
  - EO “Protecting the United States from Foreign Terrorists and Other National Security and Public Safety Threats” is in force and used to expand vetting/entry limits, but courts have blocked or limited specific applications (e.g. refugee exclusions, visa denials). ([AP News 2025](#), [Politico 2025](#))