



Migration Advocacy

Table of Contents

[Backgrounder](#) | *Immigration policy in the United States is complicated and often confusing. This backgrounder provides context for immigration policy and realities as it stands today, to provide some clarity as you prepare for your advocacy visit.*

[Talking Points](#) | *For your advocacy visit*

Leave Behind | *Coming Soon!*

Note: This year, we have one shared migration and ecology talking point in addition to one unique talking point for each issue area. We have included the shared talking point—Climate Displacement—in both sets of talking points to account for groups that opt to present only one issue area in their legislative advocacy meetings. The backgrounder you are currently reading focuses on the unique migration talking point. **You can access the backgrounder for the shared talking point [here](#).**

MIGRATION BACKGROUNDER

IGNATIAN FAMILY TEACH-IN FOR JUSTICE 2024

ACCESS TO ASYLUM

WHAT IS AN ASYLUM SEEKER?

An asylum seeker is someone who has been forced to leave their country and is directly seeking legal status while in the U.S., or arriving at the border. To obtain this status, they must go to a U.S. court and claim asylum.

To gain asylum in the U.S, a person must prove that they have a well-founded fear of persecution that is due to race, religion, nationality, political opinion, or membership in a particular social group, and their own government must be unable or unwilling to protect them from that persecution. Generalized violence, resisting gang recruitment, escaping extortion, and climate change are not currently recognized as grounds for asylum

ASYLUM PROCESS

People detained at the border generally have to seek defensive asylum and argue their case in front of an immigration judge—without free legal representation. Asylum seekers either have to pay thousands of dollars for a private attorney, rely on the limited resources of community organizations, or represent themselves in court.

- At least one in five asylum seekers appear in court without an attorney.
- 90% of asylum seekers without legal representation lose their cases in court, compared to 54% of those who do have an attorney.

CHANGES IN ASYLUM

Launch of CBPOne: In 2023, the Biden administration ended Title 42, a Trump-era policy that closed the border to prevent COVID-19 spread, and launched CBPOne, a required smartphone app for asylum seekers to apply for appointments to enter the U.S. In June

2024, the “Securing the Border” rule enacted quotas for people entering the U.S. each week, but was designed to be exceeded at the publishing of the proposed rule. It has effectively shut down the border to asylum seekers and made the CBP One app the only way for asylum seekers to access an appointment. If someone were to cross into the U.S., and immediately try to claim asylum when apprehended by immigration officials, which has been the primary method of seeking asylum, they would be immediately deported and barred from re-entry for 10 years.

- CBPOne has been criticized by many humanitarian groups—particularly for issues with languages and the likelihood of migrants having access to smartphones. The app is only available in English, Spanish, and Creole, though there are sections of Spanish and Creole that are not, or are improperly, translated.
- Appointments account for the number of individuals, so larger families needing more “slots” for each family member have a significantly longer waiting period while attempting to access appointments.

PATHWAY TO CITIZENSHIP

There are [over 10 million undocumented immigrants](#) in the U.S. without a pathway to citizenship. Congress must pass legislation that will allow undocumented immigrants, DACA recipients, TPS holders, farmworkers, and undocumented essential workers to obtain citizenship, ensure that the process is affordable for all regardless of economic status, and guarantee that all immigrants are treated with dignity and respect.

FAMILIES AND COMMUNITIES TORN APART:

Our faith recognizes family as the cornerstone of community, but we see hundreds of thousands of families being separated by our broken immigration system.

- 16.6 million people are in “mixed-status” families, with at least one member who is undocumented. Nine million mixed-status families have at least one U.S.-born child. [Pew Research Hispanic Center]
- Increased enforcement actions, combined with significantly broadened priorities for enforcement and the termination or weakening of temporary protections, have been detrimental to families and communities. An estimated 78% of people deported to Mexico are separated from their U.S.-born children. On average the parents have lived nearly 20 years in the U.S. and 48% report that their children experience difficulty in school as a result of their deportation (KBI, Center for Migration Studies, Office of Justice and Ecology)
- Shortages of family-based visas, which are financially out of reach for many, and backlogs at U.S. Citizenship and Immigration Services (USCIS) of up to 22 years force

family members to choose between being separated for extended periods of time or entering the country without documentation. (Bread for the World)

TEMPORARY STATUS:

The U.S. does offer some types of temporary legal status, including:

- **Deferred Action for Childhood Arrivals (DACA)** has allowed nearly 800,000 eligible undocumented young immigrants to be protected from deportation and obtain work authorization for two years. After those two years they can renew their DACA status if they continue to qualify. DACA is not a path to citizenship and recipients live in continued uncertainty. For the past five years, the DACA program has gone through a rollercoaster of federal court lawsuits and changes to the program. Currently, no initial DACA applications are being accepted, and there continues to be uncertainty about the DACA program.
- **Temporary Protected Status (TPS)** is a life-saving immigration program that allows foreign nationals to remain in the U.S. if, while they were in the U.S., something catastrophic happened in their country of origin that prevented their safe return. It was created by a bipartisan act of Congress in 1990, allowing the Department of Homeland Security to grant the status when disasters strike. Currently, Haiti, El Salvador, Syria, Nepal, Honduras, Yemen, Somalia, Sudan, Nicaragua, Myanmar, South Sudan, and Venezuela are all countries from which qualified people can apply for TPS.

VALUE OF WORK DENIED AND WORKERS EXPLOITED:

Migrant men and women are an integral part of the U.S. economy, yet there is a general failure to recognize their value. Because many migrants live in the shadows of society with no pathway to obtaining citizenship, they are often subject to exploitation (e.g., not paid, wage theft) that is inconsistent with Catholic Social Teaching that work provides dignity and that all have the right to dignified work.

MIGRATION TALKING POINTS

IGNATIAN FAMILY TEACH-IN FOR JUSTICE 2024

ASK: Will the Senator / Representative publicly support legislation that:

- creates pathways to legal entry for people directly impacted by climate change
- creates a pathway to citizenship for undocumented immigrants, DACA recipients, TPS holders, farmworkers, and undocumented essential workers?

PERSONAL TESTIMONY (If Applicable):

Personalize the issue by sharing your story or the story of someone you know who is directly affected by immigration policy or the conditions that fuel migration.

SPECIFIC LEGISLATION:

- **Support [S.3340/H.R.6455 - The Climate Displaced Persons Act](#) and create pathways for legal entry into the U.S. for people affected by climate change**
 - **WHAT:** This bill would enact a national strategy that provides a more equitable immigration pathway to the U.S. for people displaced by climate change.
 - **WHY:** Climate-related issues are one of the leading motivations for migration and displacement, with 70% of refugees coming from the most climate-vulnerable countries.
 - **FAITH:** Catholic Social Teachings asks us to make a “preferential option for the poor.” Reading the signs of the times, we must act with compassion to assist those who have been marginalized by human-caused climate change.
- **Support [S.2606/H.R.1511 - Renewing Immigration Provisions of the Immigration Act of 1929](#) and create a pathway to citizenship for undocumented immigrants, DACA recipients, TPS holders, farmworkers, and undocumented essential workers.**
 - **WHAT:** This bill would create a streamlined path to citizenship for undocumented immigrants, DACA recipients, TPS holders, farmworkers, and undocumented essential workers while ensuring its affordability. This would be done by renewing already existing legal structures that have been periodically updated—the most recent of which was in 1986 during the Reagan administration.
 - **WHY:** Our immigration system is broken. There are [over 10 million undocumented immigrants](#) in the U.S. without a pathway to citizenship. A pathway to citizenship would allow for people who have been regularly

contributing to their communities and calling this country their home to be recognized as what they are: Americans.

- **FAITH:** As Pope Francis said, “migrants and refugees do not only represent a problem to be solved but are brothers and sisters to be welcomed, respected, and loved.”