

Sol Price School of Public Policy
University of Southern California

PPD 485m: U.S. IMMIGRATION POLICY

Fall 2014—4 Units

Instructor: Michelle Carey

Class Location: VKC 258

Office: TBD

Class Hours: Wednesdays, 6:00-9:20 PM

Office Hours: By appointment

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Course Overview and Objectives

This course will cover selected topics in immigration law and policy. Some of the fundamental questions involved in this policy area include the following:

- What are the opportunities for, and limitations of, lawful immigration into the United States?
- When and why can noncitizens in the United States be forced to leave?
- What is the right balance between openness to outsiders and national security?
- How do we integrate newcomers?
- What responsibility does the United States have for the most vulnerable noncitizen populations, from survivors of domestic violence, sexual assault and human trafficking to children who arrive at the border unaccompanied?

The course will also provide students with an opportunity to combine theory with practice by choosing a project that will expose them to one aspect of the practical workings of the immigration system (ie. volunteering at a workshop to assist lawful permanent residents in their applications for U.S. citizenship, observing an immigration removal hearing at the Executive Office of Immigration Review/EOIR or federal Immigration Court, or assisting in the preparation of an application for immigration relief on behalf of a survivor of domestic violence, human trafficking, and/or some other violent crime, or on behalf of an undocumented young person who was brought to the U.S. as a child). Project specifics will depend upon availability and student interest.

This course is an elective track course that is particularly appropriate for students in the Public Policy and Law track as well as students interested in possibly attending law school or working in a non-profit setting that serves low-income immigrants. In addition, the course is about

outsiders and is important to those interested in learning about civil rights. It also fulfills the USC undergraduate diversity requirement.

Syllabus Revision

I will regularly assess progress and solicit student feedback regarding the course. If necessary the syllabus will be revised to make it more suitable.

Required Readings

The course will be run on a mixed format basis (lecture, class discussions, guest speaker presentations) so it is critical that you complete your readings prior to class. I will set the agenda for the discussion and shape the discussion in class, but I expect extensive student participation in developing the ideas and analyzing the materials in class.

- Brotherton, David C. and Philip Kretsedemas, *Keeping Out the Other: A Critical Introduction to Immigration Enforcement Today*. Columbia University Press, 2008.
- Ong Hing, Bill, *Defining America Through Immigration Policy*. Temple University Press, 2006

In addition to the above required readings, internet sites/links to on-line documents will be another source of required reading.

For in depth coverage of current developments in immigration law and policy, see *Interpreter Releases* published by Federal Publications, Inc.

Grading Criteria

Your grade for the course will be determined as follows:

- **Analytical Papers (2): 30% (15% each)**--Two reading reaction, analytical papers will be required of the assigned readings. Each must be 3 pages (12 font/double-spaced) minimum in length (not including title/reference pages).
- **Immigration Practical Application Project Paper: 20%**
- **Research Paper: 30%**
- **Class Presentation** on Immigration-focused Research Paper (which must contain a visual component, ie. powerpoint presentation): **10%**
- **Participation: 10%**

Attendance is mandatory. That said, I recognize that students may have religious, childcare-related, or other conflicts during the semester and I will do what I can to accommodate those concerns once students communicate them to me in a timely manner.

Guidelines for your Immigration Practical Application Project Paper

The purpose of assigning this project is to give you a hands-on experience in one aspect of immigration law and/or policy as well as an opportunity to reflect on the way in which your experience fits into the context of the themes covered in this course. The suggested volunteer time commitment is a minimum of 6 hours, however this amount may be longer where there is student interest and availability.

This paper will be an analytical/research paper defining the aspect of immigration law and/or policy observed/practiced, evaluating the practice experience you had, exploring how that area fits into the larger themes covered in the readings and discussed in the course, and making recommendations for policy changes that would in some way improve that aspect of immigration law and/or policy, ie. make it more efficient, accessible, humane, etc. Paper should follow MLA guidelines for citations, references and format. Paper must be 6 pages of text minimum in length not including title/reference pages (12 font/double-spaced) with a minimum of 5 references.

See “Guidelines for Immigration Practical Application Project Paper, Final Research Paper and Class Presentation” for further details.

Guidelines for Research Paper

The purpose of the paper is to enable you to explore one aspect of immigration law and/or policy in more depth. This paper will require you to explore the current state of the immigration law and/or policy issue you chose (including the noncitizen communities most affected), important background/historical aspects, current groups/organizations/individuals working on the policy issue and any recent outcomes/changes achieved, recommendations for policy changes/improvements in this area, etc. As noted above, this paper should also follow MLA guidelines for citations, references and format. Paper should be 10 pages of text minimum in length not including title/reference pages (12 font/double-spaced) with a minimum of 15 references.

At various points in the semester you will be required to submit your paper topic and outline for review. See “Guidelines for Immigration Practical Application Project Paper, Final Research Paper and Class Presentation” for further details.

Timeline for Immigration Practical Application Project Paper and Research Paper:

- Week 3: Selection of immigration practical application project
- Weeks 3-7: Participation in immigration practical application project (minimum 6 hour commitment between weeks 3-7)
- Week 8: Selection of research paper topic
- Week 9: Immigration Practical Application Project Paper due
- Week 11: Outline of research paper due

- Weeks 13 & 15: Class presentations on Research Paper
- Week 16: Final Research Paper due

Office Hours

I am available to meet by appointment as well as after class. Please email me at careymic@usc.edu to set up a time to meet.

Course Schedule

Week

Topic Outline/Readings/Assignments

1 (08/27/14)

Introductions

Course Overview and Overview of options for Immigration Practical Application Project and Paper/Class presentation

Introduction to the legal terminology of immigration law and policy as well as the interplay of governmental agencies that determine whether noncitizens will be welcomed into and/or forced out of the United States.

Taking a closer look at an immigration program for young people brought to the United States as children: Deferred Action for Childhood Arrivals (DACA)

2 (09/03/2014)

Historical Roots of U.S. Immigration Policy (Part I)

Required Readings:

- Ong Hing, Bill, *Defining America Through Immigration Policy*, Chapters 1-5

1st Analytical Paper: DUE TUESDAY OF WEEK 3 (09/09/2014) BEFORE 5 PM

Find and read an article that deals with a current immigration policy issue that you find interesting or compelling. Discuss the ways in which the issue itself, the arguments being made about the issue, or the way it is framed, fit into a historical context. For example, if the article deals with an immigration enforcement issue, discuss other examples of similar types of enforcement actions that took place during some earlier period in U.S. history, the communities that were affected then vs. now, etc. Citations should be from Bill Ong Hing, *Defining America Through Immigration Policy*, Chapters 1-6 in addition to the article you chose for this assignment. Please attach a PDF of the article (or a working link to it) to your paper.

3 (09/10/2014)

Historical Roots of U.S. Immigration Policy (Part II)

U.S. Immigration Law and Policy After 9/11: Non-citizens seen as Security Threats; Special Registration: Did it really make the nation more secure?

Moving from the past to the present to the future: What might Comprehensive Immigration Reform look like?

Required Readings:

- Ong Hing, Bill, Chapter 6
- Immigration and Customs Enforcement (ICE): Form M 526 (09/11/2002), Special Registration Procedures, <http://www.ice.gov/doclib/nseers/SRProc.pdf>
- Brotherton, David C. and Philip Kretsedemas, Chapters 5-6
- Immigration Policy Center, American Immigration Counsel. *How the United States Immigration System Works: A Fact Sheet*, March 1, 2014. Available at: <http://www.immigrationpolicy.org/just-facts/how-united-states-immigration-system-works-fact-sheet>
- National Immigration Law Center, *Detailed Analyses of 3 of the Bill's Titles* (re: S. 744: Border Security, Economic Opportunity, and Immigration Modernization Act of 2013); download PDFs for Titles I, II, and III by scrolling down and clicking on link at bottom right side of this webpage, then read all three documents: <http://www.nilc.org/s744summary1.html>

Guest speaker: Shiu-Ming Cheer, Immigration Attorney,
National Immigration Law Center (NILC)
Formerly the Civil Rights Coordinator at South Asian
Network (a community based non-profit dedicated to
advancing the health, empowerment and solidarity of the
South Asian community in Southern California)

**Selection of Immigration Practical
Application Project by the end of
WEEK 3 (6 hour minimum volunteer
commitment to be completed by
WEEK 7)**

4 (09/17/2014)

The Often Long (and Sometimes Impossible) Road to Becoming a Lawful Permanent Resident

Required Reading:

- Randall Monger and James Yankay, *DHS Office of Immigration Statistics, Annual Flow Report, U.S. Legal Permanent Residents: 2013* (May 2014). Available at:
http://www.dhs.gov/sites/default/files/publications/ois_lpr_fr_2013.pdf
- USCIS Visa Bulletin for month of October 2014 (available at U.S. Department of State website: www.travel.state.gov by typing “Visa Bulletin October 2014” into Search field)
- Cruz, Evelyn Haydee, *Because You’re Mine I Walk the Line: The Trials and Tribulations of the Family Visa Program* (September 1, 2010). *Fordham Urban Law Journal*, 2010. Available at:
<http://ssrn.com/abstract=1740685> (please read full article available by clicking “One click download” button on top left of page—not just the abstract)

5 (09/24/2014)

Who Has Temporary Status to be in the U.S.?

Citizenship: At birth or at some later period through parents or naturalization

Despite the distinctions—whether authorized for a specific period of time or permanently, U.S. citizen, or undocumented—are we really all members of one U.S. community?

Required Reading:

- Randall Monger, DHS Office of Immigration Statistics/Policy Directorate, *Annual Flow Report, Nonimmigrant Admissions to the United States: 2012* (August 2013). Available at:
http://www.dhs.gov/sites/default/files/publications/ois_ni_fr_2012.pdf
- USCIS website section on Citizenship. Available at:
<http://www.uscis.gov/portal/site/uscis/menuitem.eb1d4c2a3e5b9ac89243c6a7543f6d1a/?vgnextoid=a2ec6811264a3210VgnVCM100000b92ca60aRCRD&vgnnextchannel=a2ec6811264a3210VgnVCM100000b92ca60aRCRD>

- *I Am A Permanent Resident: How Do I Apply for U.S. Citizenship?* (October 2013). Available at: <http://www.uscis.gov/USCIS/Resources/B3en.pdf>
- James Lee and Katie Foreman, DHS Office of Immigration Statistics/Policy Directorate, *Annual Flow Report, U.S. Naturalizations: 2013* (May 2014). Available at: http://www.dhs.gov/sites/default/files/publications/ois_natz_fr_2012.pdf
- *My Life as an Undocumented Immigrant*, New York Times (Jose Antonio Vargas, June 22, 2011): <http://www.nytimes.com/2011/06/26/magazine/my-life-as-an-undocumented-immigrant.html>
- Amicus brief filed on Sergio C. Garcia's behalf by the American Civil Liberties Union (ACLU), American Immigration Lawyers Association (AILA), Asian Law Caucus, National Immigration Law Center (NILC), among other organizations, *In re: Sergio C. Garcia on Admission* (filed in the Supreme Court, State of California, July 27, 2012). Available at: <http://www.courts.ca.gov/documents/14-s202512-amicus-american-civil-liberties-union-foundation-072712.pdf>

2nd Analytical Paper: DUE Tuesday of WEEK 6 (09/30/2014) BEFORE 5 PM

Select a country from the list of 2013 Country Reports on Human Rights Practices and read that country's 2013 report (published 2014). What did you find most striking about the report you chose? How do you think the information in this report could be used as evidence to support an applicant's asylum claim? What biases, if any, do you think the report contains? What types of broader policy issues present themselves as you read the report you chose? Please provide citations from the report itself and the assigned asylum-related readings (from week 6).

6 (10/01/2014) Refugee and Asylum Policy

Required Reading:

- USCIS website section on Asylum. Available at: <http://www.uscis.gov/portal/site/uscis/menuitem.eb1d4c2a3e5b9ac89243c6a7543f6d1a/?vgnnextoid=f39d3e4d77d73210VgnVCM100000082ca60aRCRD&vgnnextchannel=f39d3e4d77d73210VgnVCM100000082ca60aRCRD>

- USCIS website section on Refugees. Available at:
<http://www.uscis.gov/portal/site/uscis/menuitem.eb1d4c2a3e5b9ac89243c6a7543f6d1a/?vgnextoid=385d3e4d77d73210VgnVCM100000082ca60aRCRD&vgnnextchannel=385d3e4d77d73210VgnVCM100000082ca60aRCRD>
- USA for UNHCR (United Nations High Commission on Refugees), The UN Refugee Agency, *What is a refugee?* Available at:
http://www.unrefugees.org/site/c.lfIQKSOWFqG/b.4950731/k.A894/What_is_a_refugee.htm
- Ong Hing, Bill, Chapter 12
- Brotherton, David C. and Philip Kretsedemas, Chapter 7
- U.S. Department of State, Country Reports on Human Rights Practices—the Human Rights Reports, 2013 (published 2014). Please go to the U.S. Department of State’s website, choose one country’s report to read, and use that report as the basis for your 2nd Analytical paper due next week. See 2nd Analytical Paper assignment below. Reports available at:
<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>

Guest Speaker(s): Carolina Sheinfeld, Human Rights Analyst
Legal Aid Foundation of Los Angeles (LAFLA)

7 (10/08/2014)

Immigration Remedies for Survivors of Domestic Violence, Sexual Assault, Human Trafficking, Child Abuse/Abandonment/Neglect and Other Crimes: the Violence Against Women Act, U and T Nonimmigrant Status, and Special Immigrant Juvenile Status

Required Reading:

- National Network to End Domestic Violence, *The Violence Against Women Reauthorization Act of 2013: Summary of Changes*. Article available at
http://www.nnedv.org/downloads/Policy/VAWA2013_Summary.pdf
- Department of Homeland Security, *U Visa Law Enforcement Certification Guide*. Available at:
http://www.dhs.gov/xlibrary/assets/dhs_u Visa_certification_guide.pdf
- Sarah Childress, *For Shadow Victims of Violence, The “U Visa” Can Help*, June 24, 2013. Available at:
<http://www.pbs.org/wgbh/pages/frontline/social-issues/rape-in-the-fields/for-shadow-victims-of-violence-the-u-visa-can-help/>

- Immigrant Legal Resource Center, *Immigration Options for Undocumented Immigrant Children*, July 2013. Collection of fact sheets available at http://www.ilrc.org/files/documents/ilrc-immig_options_undoc_children-2013-07.pdf

SELECTION OF RESEARCH PAPER TOPIC

DUE TUESDAY of WEEK 8 (10/14/2013)

BEFORE 5 PM

8 (10/15/2014)

Challenges Faced by LGBT Immigrants & New Opportunities Post-DOMA

Required Reading:

- Immigration Legal Resource Center, *Marriage Equality in Immigration Law, Immigration Benefits for Same-Sex Married Couples*, 2013. Available at: http://www.ilrc.org/files/documents/marriage_equality_in_immigration_law_-_immigration_benefits_for_same-sex_married_couples.pdf
- USCIS, “Same-Sex Marriages” (Statement from Secretary of Homeland Security Janet Napolitano on July 1, 2013 and Frequently Asked Questions). Available at: <http://www.uscis.gov/family/same-sex-marriages>
- U.S. Department of State, “U.S. Visas for Same Sex Spouses.” Available at: http://travel.state.gov/visa/frvi/frvi_6036.html
- USCIS, “Policy Memorandum, Subject: Adjudication of Immigration Benefits for Transgender Individuals,” (April 10, 2012). Available at: http://www.ilrc.org/files/documents/uscis_interim_memo_transgender_individuals_4.10.2012.pdf
- Heartland Alliance, National Immigrant Justice Center, Cover letter “Re: Submission of Civil Rights Complaints regarding Mistreatment and Abuse of Sexual Minorities in DHS Custody,” (April 13, 2011). Available at: <http://www.immigrantjustice.org/sites/immigrantjustice.org/files/O>

[CRCL% 20Global% 20Complaint% 20Letter% 20April% 202011% 20FINAL% 20REDACTED.pdf](#)

Recommended (but NOT mandatory) Reading for students particularly interested in learning more about these issues:

- Legal Action Center, American Immigration Council & Immigration Equality, *Immigration Benefits and Pitfalls for LGBT Families in a Post-DOMA World*, 2013.
http://www.legalactioncenter.org/sites/default/files/immigration_benefits_and_pitfalls__for_lgbt_families_in_a_post-doma_world_fin_8-5-13.pdf

<p>IMMIGRATION PRACTICAL APPLICATION PROJECT PAPER DUE TUESDAY of WEEK 9 (10/21/2013) BEFORE 5 PM</p>
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9 (10/22/2014)

Immigration Enforcement: Taking a closer look at “The Border” and the Secure Communities program

Required Reading:

- Ong Hing, Bill, Chapters 7, 8 and 10
- ICE (Immigration and Customs Enforcement), *Secure Communities: Get the Facts*. Available at:
http://www.ice.gov/secure_communities/get-the-facts.htm
- Brotherton and Kretsedemas, Chapter 15
- Rivas, Jorge, *Fear of Deportation Kept LA School Parents From Reporting Sex Abuse*, February 10, 2012. Available at:
http://colorlines.com/archives/2012/02/miramonte_elementary_parents_fear_deportation.html
- *A Domestic Violence Victim’s 911 Call for Help Results in Deportation Proceedings - Secure Communities Program Endangers Crime Victims*. Article available at: <http://www.aclu-sc.org/releases/view/103073>
- National Immigration Law Center, *Local Law Enforcement Leaders Oppose Mandates to Engage in Immigration Enforcement*, (August 2013). Available at: <http://www.nilc.org/policechiefs.html> (from there click on link (title of the article) to download the 10 page PDF document)

- CA Legislative Information, Assembly Bill Number 4, October 5, 2013, (“The Trust Act”). Available at:

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140A
B4

10 (10/29/2014)

Federal Immigration Detention

Taking a closer look at the Humanitarian Crisis of Unaccompanied Minors during and post Federal Custody: What can and should be done?

Required Readings:

- Brotherton and Kretsedemas, Chapters 3, 11, 12
- Applied Research Center Report, *Shattered Families: The Perilous Intersection of Immigration Enforcement and the Child Welfare System*, November 2, 2011. Executive summary and full report available at: <http://arc.org/shatteredfamilies> (click on link to download—10 page Executive summary is *Required Reading*; full report is *Recommended (but not mandatory) Reading* for students particularly interested in learning more about these issues)
- Center for American Progress: *Dignity Denied: LGBT Immigrants in U.S. Immigration Detention* (November 2013). Available at: <http://www.americanprogress.org/issues/immigration/report/2013/11/25/79987/dignity-denied-lgbt-immigrants-in-u-s-immigration-detention/>
- United Nations High Commissioner for Refugees (UNHCR), *Children on the Run*, March 12, 2014. Executive summary and full report available at: <http://www.unhcrwashington.org/children/reports> (click on link to download—13 page Executive summary is *Required Reading*; full report is *Recommended (but not mandatory) Reading* for students particularly interested in learning more about these issues)
- Lutheran Immigration and Refugee Service, *Unaccompanied Alien Children U.S. Law and Policy Background—Protecting the Best Interests of All Children*, March 1, 2014. Available at: <http://lirs.org/wp-content/uploads/2014/07/UAC-Law-and-Policy-FINAL.pdf>

<p>OUTLINE OF RESEARCH PAPER DUE Tuesday of WEEK 11 (11/04/2013)</p>

11 (11/05/2014) Removal from the United States

Required Readings:

- U.S. Department of Justice, Executive Office for Immigration Review, *EOIR At A Glance* (September 9, 2010). Available at: <http://www.justice.gov/eoir/press/2010/EOIRataGlance09092010.htm>
- *The State of Our Courts, A View From the Inside* by the National Association of Immigration Judges, April 2013. Article available at <http://trac.syr.edu/tracatwork/detail/A1103.html>
- Ong Hing, Bill, Chapter 11
- Brotherton and Kretsedemas, Chapter 9

Guest speaker(s): Brigit Greeson Alvarez, Attorney
Law Offices of Brigit Alvarez
Expert on Representing Noncitizens in their
removal proceedings at the Executive Office for
Immigration Review (EOIR) and on appeals at the
Board of Immigration Appeals (BIA) as well as the
U.S. 9th Circuit Court of Appeals.

12 (11/12/2014) What role does discretion play both at the Executive Office for Immigration Review and long before someone has a hearing date in front of the Immigration Judge?

Required Reading:

- Motomura, Hiroshi, *Prosecutorial Discretion in Context: How Discretion Is Exercised Throughout Our Immigration System* (April 2012). Article available at: http://www.immigrationpolicy.org/sites/default/files/docs/motomura_-_discretion_in_context_04112.pdf
- Carbado, Devon W. and Harris, Cheryl I., *Undocumented Criminal Procedure*. UCLA Law Review, Vol. 58, p. 1543, 2011; UCLA School of Law Research Paper No. 11-27. Available at: <http://www.uclalawreview.org/pdf/58-6-6.pdf>

Guest speaker: Federal Immigration Judge (to be confirmed)

13 (11/19/2014) Class Presentations on Research Paper Topic

- 14 (11/26/2014) NO CLASS (Thanksgiving Break)**
- 15 (12/03/2014) Complete Class Presentations on Research Paper Topics**
- 16 (12/10/2014): Research Paper Due (1st day of exam period) before 5 pm**

Statement on Academic Conduct and Systems

Academic Conduct

Plagiarism – presenting someone else’s ideas as your own, either verbatim or recast in your own words – is a serious academic offense with serious consequences. Please familiarize yourself with the discussion of plagiarism in SCampus in Section 11, Behavior Violating University Standards <https://scampus.usc.edu/1100-behavior-violating-university-standards-and-appropriate-sanctions/>. Other forms of academic dishonesty are equally unacceptable. See additional information in SCampus and university policies on scientific misconduct, <http://policy.usc.edu/scientific-misconduct/>.

Discrimination, sexual assault, and harassment are not tolerated by the university. You are encouraged to report any incidents to the Office of Equity and Diversity <http://equity.usc.edu/> or to the Department of Public Safety <http://capsnet.usc.edu/department/department-public-safety/online-forms/contact-us>. This is important for the safety whole USC community. Another member of the university community – such as a friend, classmate, advisor, or faculty member – can help initiate the report, or can initiate the report on behalf of another person. The Center for Women and Men <http://www.usc.edu/student-affairs/cwm/> provides 24/7 confidential support, and the sexual assault resource center webpage sarc@usc.edu describes reporting options and other resources.

Support Systems

A number of USC’s schools provide support for students who need help with scholarly writing. Check with your advisor or program staff to find out more. Students whose primary language is not English should check with the American Language Institute <http://dornsife.usc.edu/ali>, which sponsors courses and workshops specifically for international graduate students. The Office of Disability Services and Programs http://sait.usc.edu/academicsupport/centerprograms/dsp/home_index.html provides certification for students with disabilities and helps arrange the relevant accommodations. If an officially declared emergency makes travel to campus infeasible, USC Emergency Information <http://emergency.usc.edu/> will provide safety and other updates, including ways in which instruction will be continued by means of blackboard, teleconferencing, and other technology.