KEY IMMIGRATION/REFUGEE LEGISLATION, BEFORE AND AFTER THE MID-1990s

*1965:  Immigration and Nationality Act of 1965
  - repeal of restrictionist/race-based national-origin Immigration Quota Acts of 1921 & 1924
  - limit of 20,000 legal immigrants per country a year, but with exceptions for: a) immediate family
    members -- prioritized family reunification; b) Western Hemisphere; c) political refugees – e.g.
    from Eastern Europe, Southeast Asia; d) certain job classifications

1966:  Cuban Adjustment Act: automatic legalization of Cubans fleeing socialist revolution

1977-81: annual quotas of 20,000/year extended to Western Hemisphere (Latin America) and statements by top
U.S. officials that Latin American undocumented immigrants coming over Mexico border constituted
a major “national security” threat; Congressional debates over restrictive measures

1980:  Refugee Act, bringing U.S. into line with international standards on refugee admissions (on paper)

1982:  Supreme Court decision, Plyler v. Doe, guarantee free public education (K-12) to undocumented
children

1986:  Immigration Reform and Control Act (IRCA)
  - granted amnesty to 3 million immigrants (mostly Mexicans) who had entered without documents
    before 1982, or who qualified as “Seasonal Agricultural Workers” (SAW)
  - employer sanctions formally implemented, to penalize employers of undocumented workers

1990:  Immigration and Nationality Act of 1990
  - raised limit for legal immigrants to 700,000/year, new economic bases for “legal” (investors, jobs)
  - established Temporary Protected Status for Salvadorans

1990-91: (December-January) ABC. (American Baptist Churches) v. Thornburgh lawsuit settled with Justice
Department/INS on behalf of Salvadoran and Guatemalan asylum applicants

-----------

ERA OF ENFORCEMENT-ONLY

1994:  Prop 187 in California passed by 59% majority of California voters, denying public services to
undocumented immigrants, requiring state workers to report “suspected” undocumented immigrants,
etc. — finally declared unconstitutional by a federal court in late 1990s

*1996:  Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA): major overhaul of
immigration legislation, stripping immigrants of many basic legal rights (including due process
rights), facilitating deportation, and “court-stripping” (eliminating judicial appeals)

Welfare Reform Act (PRWORA), removing virtually all services/benefits for non-citizens—
including Legal Permanent Residents (LPRs) as well as undocumented immigrants

Anti-Terrorism Law (AEDPA), with provisions unrelated to terrorism for deportation of immigrants,
including LPRs, who committed even a petty crime, even decades earlier (retroactivity)

1997:  Nicaraguan Adjustment and Central American Relief Act (NACARA); while automatically legalizing
Nicaraguans and Cubans, denied this amnesty to Guatemalans, Salvadorans, Hondurans, and Haitians;
the latter groups received lesser relief from harsh provisions of 1996 laws; beginning of a long but
never successful campaign by these latter groups for “NACARA parity”
2001: post-9/11 USA PATRIOT ACT, anti-terrorist law to “protect” Americans, but violating civil liberties of citizens as well as non-citizens and containing drastic anti-immigrant provisions

2003: Immigration affairs (heretofore INS) become Bureaus of Department of Homeland Security (DHS) – Immigrant and Customs Enforcement (ICE), Customs and Border Protection (CBP), and U.S. Citizenship and Immigration Services (USCIS); -- "E-Verify:" federal requirement that employers check work authorization of potential employees -- ICE undertakes “Operation Endgame” designed to remove (deport) all “removable” immigrants

2004: President Bush election-year proposal for new “guest-worker” program (not passed); “DREAM Act” (to benefit undocumented college students) and other legalization measures put on indefinite hold

2005: Congress passes “Real ID” legislation, restricting driver’s licenses to undocumented immigrants; -- (Dec.) HR 4437 (House only), criminalizing undocumented immigrants as “aggravated felons”

2006: (March-May) “Immigrant Spring;” grassroots immigrant communities (several million people) and rights advocates mobilize in the streets vs. HR 4437 and to create new immigrant rights movement -- followed by “Anti-Immigrant Summer;” nativist, backlash (e.g., Minutemen organizations), and anti-immigrant initiatives adopted in some towns and states; stepped-up ICE raids at workplaces

2007 ff.: despite Democratic control of both houses of Congress (until 2010), ongoing gridlock in Congress about “Comprehensive Immigration Reform;” both pro- and anti-immigrant measures (including DREAM Act) debated, but only enforcement measures enacted;

2008: design/implementation of ICE “Secure Communities” (S-Comm) program imposing mandatory cooperation on all local police forces in sharing fingerprint information on immigrants booked or charged with, but not necessarily convicted of, any crime/infraction, no matter how minor -- (May) massive (largest-ever) ICE raid at Agriprocessors Kosher meat-packing plant in Postville, Iowa: nearly 400 undocumented workers, largely Guatemalan Maya, arrested and rounded up; 300 were convicted of identity theft and “stealing” social security numbers; most detained and deported

2009 ff.: beginning of massive deportation campaign against undocumented migrants, driven by quota of 400,000 deportations annually; from FY 2009 to 2016, more than 3 million deported by Obama administration

2010: draconian anti-immigrant law in Arizona (SB 1070), followed by various other states; SB 1070 authorized police to demand “show me your papers” for anyone they stopped/arrested and suspected of being undocumented -- massive racial profiling against Latinos; in 2012, Supreme Court upholds that provision, while striking down others

2012: Obama Administration Executive Action on Deferred Action for Childhood Arrivals (DACA), giving temporary relief to 800,000 undocumented immigrants who came/were brought to the U.S. as children

2014: major humanitarian crisis at US-Mexico border triggered by surge of crossings by unaccompanied Central American children and families (mothers with children) and US government’s response, primarily enforcement/punitive policies of detention and deportation; secondary US response is “Alliance for Prosperity,” designed to address conditions that gave rise to the migration surge -- (Nov.) “Secure Communities” replaced by more targeted PEP (Priority Enforcement Program) -- (Nov.) Obama finally announces new Executive Action to expand DACA (and add DAPA for parents of DACA children); 26 Republicans governors, led by Texas, sue, and eventually (2016) win in Supreme Court, blocking this EA
2015: (July) shooting of Kathryn Steinle on San Francisco’s Pier 14, by undocumented Mexican immigrant after his release from detention in SF, becomes a national issue, with Presidential candidate Trump using the incident to launch major attack on Sanctuary Cities; ultimately (in 2017), the suspect was found to have made the shot by accident, with no intent to kill Steinle or anyone else;

2015-16: entire Presidential campaign dominated by Trump’s racist/white-supremacist and extreme anti-immigrant proposals, attacks, and ideological rants

2017: (Jan.) Trump proposals and Executive Orders -- most contested by opponents, some stayed by judges, or lawsuits won against them, so that Trump is forced to re-write and re-issue them:

- Executive Order on Border Security: border wall construction; additional Border Patrol personnel; increased detention facilities and increased detentions; restricted access to asylum and expansion of expedited removal

- Executive Order on Interior Enforcement (“Enhancing Public Safety in the Interior of the U.S.”): punish Sanctuary Cities by withholding some federal grants funds, reinstatement of “Secure Communities” program, and Sec. 287(g) program requiring local law enforcement cooperation with ICE; expansion of the “priority” list of deportable noncitizens to include virtually all undocumented immigrants (not only those convicted of serious crimes); increase the number of ICE agents by 10,000

- Executive Order on Refugees (“Protecting the Nation from Terrorist Attacks by Foreign Nationals”): suspends the issuance of entry visas to Muslim immigrants/refugees from certain countries and “extreme vetting;” establishment of Muslim Registry; suspension of some US refugee programs and ban on Syrian refugees – all of this on “national security” grounds

2017-18: Trump administration moves to end DACA, but is blocked from doing so by several federal judges; several bills (some bipartisan) introduced in the Senate to save DACA in one form or another, but not passed by Congress

Trump announces end of Temporary Protected States (TPS) at varying future dates for immigrants from Haiti, Nicaragua, Sudan, and El Salvador

2017-18: a variety of bills, mostly anti-immigrant, introduced and debated in the Republican-dominated Congress, even passed by either the House or Senate, but not both, and there are no new laws; initiatives include a bill to end so-called “Catch and Release;” “Kate’s Law,” passed by the House but not by Senate (would greatly increase the penalties for previously deported immigrants who try to return to the U.S. – questionable constitutionality); bills to end the diversity visa program, to restrict the number of refugees and asylum-seekers admitted; to restrict the ability of Legal Permanent Residents to bring family members to the U.S. (family-based migration, negatively dubbed “chain migration”);

on the other side, Senate Democrats introduce a bill against the Muslim Registry

2017-18: opponents of Trump policies (“Discontents”) such as the state of California pass a variety of new laws -- e.g., California Values Act, making California a “Sanctuary State,” so that state and local law enforcement agencies cannot use their resources to detain someone on federal immigration laws, and cannot inquire about someone's immigration status or detain someone on a hold request from ICE; another bill bans employers from permitting ICE workplace inspections without a warrant; another bill prevents landlords from reporting tenants’ immigration status to ICE.