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Immigration and Citizenship

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Immigration and Citizenship

The seventh edition of this pioneering casebook continues its tradition of comprehensive coverage, with problems and exercises that allow students to hone skills as counselors, as litigators, and as policy advisers. At the same time, the casebook situates immigration and citizenship law within broader contexts of constitutional and administrative law, as well as current political debates. This new edition is reorganized for more efficient coverage, with an introductory chapter on immigration history; treatment of unauthorized migration alongside lawful admissions; consolidated treatment of inadmissibility and deportability; reworked materials on state and local enforcement; and thorough redesign of materials on criminal convictions.

Americans in Waiting

Although America is unquestionably a nation of immigrants, its immigration policies have inspired more questions than consensus on who should be admitted and what the path to citizenship should be. In *Americans in Waiting*, Hiroshi Motomura looks to a forgotten part of our past to show how, for over 150 years, immigration was assumed to be a transition to citizenship, with immigrants essentially being treated as future citizens--Americans in waiting. Challenging current conceptions, the author deftly uncovers how this view, once so central to law and policy, has all but vanished. Motomura explains how America could create a more unified society by recovering this lost history and by giving immigrants more, but at the same time asking more of them. A timely, panoramic chronicle of immigration and citizenship in the United States, *Americans in Waiting* offers new ideas and a fresh perspective on current debates.

Forced Migration

Forced Migration: Law and Policy, 2nd edition, addresses the legal framework and policy issues raised by asylum seekers, refugees, internally displaced persons, and other forced migrants. It includes new materials on detention policies, expedited procedures, firm resettlement, fact-finding in the asylum process, gender-related persecution, maritime interdiction, particular social group, terrorism bars, the Convention Against Torture, and many other topics. The principal focus of this casebook is U.S. law and policy, but it also includes a wealth of comparative materials from many countries and regional organizations. *Forced Migration* provides a more expansive, in-depth treatment of topics examined in the chapter on asylum and the Convention Against Torture in the casebook, *Immigration and Citizenship, Process and Policy*, 7th edition, co-authored by Aleinikoff, Martin, Motomura, and Fullerton.

Immigration and Citizenship

With a theme of membership and belonging reflected throughout, *Immigration and Citizenship: Process and Policy* presents exceptionally broad coverage of immigration and citizenship and their unalienable rights. The book discusses constitutional protections, deportation, and judicial review and removal procedures. The authors define immigration and citizenship to include not only the traditional questions of who is admitted and who is allowed to stay in the United States, but also the complex areas of discrimination between citizens and non-citizens, unauthorized migration, federalism, and the close interaction of constitutional law with statutes and regulations. The fifth edition integrates important developments, including many changes to the immigration statutes as part of the Patriot Act; anti-terrorism enforcement; and splitting up the Immigration and Naturalization Service into various parts of the new Department of Homeland Security and other federal agencies. Other significant changes include deleting the chapter on the concept of entry, folding the deportation chapter's discussion of relief into a general chapter on the grounds of deportability, and creating a new chapter on undocumented immigration.

2001 Supplement to Immigration and Citizenship

History of U.S. Immigration Law and Policy; Source and Scope of the Federal Power to Regulate Immigration and Naturalization; Administrative Structure of Immigration Law; Congressional Role in the Immigration Process; Immigrant Visas; Nonimmigrant Visas; Nonimmigrant Visas for Students; Removal; Inadmissibility; Refugees and Asylum; International Law Issues Related to Immigration; Citizenship (Including Naturalization); Rights of Aliens in the United States; Criminal Aspects of Immigration; Ethical Dimensions of Immigration Practice.

Immigration and Citizenship

The 2007 Supplement covers the vital developments in immigration and refugee law and policy since the publication of the Fourth Edition's new cases, legislative action, regulations, scholarly advances, and political debate. Among the highlights: Developments on material support for terrorist organizations The Supreme Court's decision in *Lopez v. Gonzales* on drug crimes as aggravated felonies Judicial criticisms of the removal process, immigration judges, and the BIA Developments on judicial review of removal orders New requirements for establishing social group asylum claims Recent developments on asylum claims based on coercive population controls

Committee on the Judiciary, Subcommittee on Immigration Citizenship, Refugees, Border Security and International Law

Many liberal democracies, facing high levels of immigration, are rethinking their citizenship policies. In this book, a group of international experts discuss various ways liberal states should fashion their policies to better accommodate newcomers. They offer detailed recommendations on issues of acquisition of citizenship, dual nationality, and the political, social, and economic rights of immigrants. Contributors include Patrick Weil (University of Paris Sorbonne), David A. Martin, (University of Virginia School of Law), Rainer Bauböck, (Austrian Academy of Sciences), and Michael Fix (Urban Institute).

Immigration

In this important book, a distinguished group of historians, political scientists, and legal experts explore three related issues: the Immigration and Naturalization Service's historic review of its citizenship evaluation, recent proposals to alter the oath of allegiance and the laws governing dual citizenship, and the changing rights and responsibilities of citizens and resident aliens in the United States. How Americans address these issues, the contributors argue, will shape broader debates about multiculturalism, civic virtue and national identity. The response will also determine how many immigrants become citizens and under what conditions, what these new citizens learn -- and teach -- about the meaning of American citizenship, and whether Americans regard newcomers as intruders or as fellow citizens with whom they share a common fate.

Immigration Law and Procedure in a Nutshell

Pursuing Citizenship in the Enforcement Era provides readers with the everyday perspectives of immigrants on what it is like to try to integrate into American society during a time when immigration policy is focused on enforcement and exclusion. The law says that everyone who is not a citizen is an alien. But the social reality is more complicated. Ming Hsu Chen argues that the citizen/alien binary should instead be reframed as a spectrum of citizenship, a concept that emphasizes continuities between the otherwise distinct experiences of membership and belonging for immigrants seeking to become citizens. To understand citizenship from the perspective of noncitizens, this book utilizes interviews with more than one-hundred immigrants of varying legal statuses about their attempts to integrate economically, socially, politically, and legally during a modern era of intense immigration enforcement. Studying the experiences of green card holders, refugees, military service members, temporary workers, international students, and undocumented immigrants uncovers the common plight that underlies their distinctions: limited legal status breeds a sense of citizenship insecurity for all immigrants that inhibits their full integration into society. Bringing together theories of citizenship with empirical data on integration and analysis of contemporary policy, Chen builds a case that formal citizenship status matters more than ever during times of enforcement and argues for constructing pathways to citizenship that enhance both formal and substantive equality of immigrants.

Immigration and Refugee Law and Policy

Throughout the political spectrum, successful arguments often rely on fear appeals, whether implicit or explicit. Dominant arguments prey on people's fears - of economic failure, cultural backwardness, or lack of personal safety. Counterarguments feed on other fears, suggesting that audiences are being duped by emotional smokescreens. With chapters on the political, institutional, and cultural manifestations of fear, this book offers diverse investigations into how insecurity and the search for certainty shape contemporary political economic decisions, and explores how the rhetorical manipulation of such fears illuminates a larger struggle for social control.

Citizenship Policies for an Age of Migration

Examining Germany and the United States, this book argues that immigration policy in Western democracies is unjust and undemocratic.

Western Hemisphere Immigration

This detailed course book of immigration and refugee law and policies in the United States mixes theory, policy, and politics with practice-oriented material. After an overview of US immigration law, an introduction to the basic terms and concepts, and a quick outline of the historical roots of the modern US immigration policy, the book grapples the immigration debate. Among the aspects considered in this

context are the moral dimensions of immigration control, the relationship between immigration policy and multiculturalism, and the economic impact of immigration. The book then moves on to look at the sources of, and limits to, the federal immigration power, and immigration priorities in forms of quotas and preferences. A separate chapter focuses on non-immigrant priorities, that is, persons admitted for specific purposes such as study, business or pleasure. The course book continues with an overview of the inadmissibility or exclusion grounds, the admission procedure and deportability grounds. Possible factors for relief from deportability are examined in the following chapter, while a separate section takes a look at the deportation procedure. The terrorist attacks of September 11, 2001 had far-reaching implications for immigration law and these consequences are synthesized in the chapter focusing on immigration and national security. The US handling of the refugee question receives a thorough survey; this is followed by a chapter on undocumented migrants. A chapter on citizenship concludes the course book that also includes extra materials such as simulation exercises and notes and questions.

Admission of Refugees Into the United States, Part II

The migration and settlement of 11 million unauthorized immigrants is among the leading political challenges facing the United States today. The majority of unauthorized immigrants in the U.S. have been here for more than five years, and are settling into American communities, working, forming families, and serving in the military, even though they may be detained and deported if they are discovered. An open question remains as to what to do about unauthorized immigrants who are already living in the United States. On one hand it is important that the government sends a message that future violations of immigration law will not be tolerated. On the other sits a deeper ethical dilemma that is the focus of this book: what do the state and citizens owe to unauthorized immigrants who have served their adopted country? *Earned Citizenship* argues that long-term unauthorized immigrant residents should be able to earn legalization and a pathway to citizenship through service in their adopted communities. Their service would act as restitution for immigration law violations. Military service in particular would merit naturalization in countries with a strong citizen-soldier tradition, including the United States. The book also considers the civic value of caregiving as a service to citizens and the country, contending that family immigration policies should be expanded to recognize the importance of caregiving duties for dependents. This argument is part of a broader project in political theory and public policy aimed at reconciling civic republicanism with a feminist ethic of care, and its emphasis on dependency work. As a whole, *Earned Citizenship* provides a non-humanitarian justification for legalizing unauthorized immigrants based on their contributions to citizens and institutions in their adopted nation.

Admission of Refugees Into the United States

Since its initial publication in 1992, the book has been adopted at 183 U.S. law schools. It mixes theory, policy, and politics with practice-oriented materials that deal in doctrine, planning, and problem-solving. Legomsky and Rodríguez make heavy use of policy analysis, fact problems, and simulation exercises. The new edition incorporates the sweeping changes of the past five years. Highlights include: Discussion of DACA and the dramatic November 2014 executive actions Analysis of the legal limits and policy implications of prosecutorial discretion and other Obama Administration executive actions Discussion of comprehensive legislative immigration reform efforts, including S.744 A new section on vulnerable children, addressing UAC, special immigrant juveniles, child asylum issues, and children's use of T and U visas, with specific discussion of the current Central American UAC issues and 2014 opinion of the Inter-American Court A completely re-written section on same-sex marriages, to reflect *Windsor*, *Zeleniak*, and Administration implementation initiatives Entirely rewritten section on asylum claims based on particular social group, to reflect the recent BIA decisions in *M-E-V-G-* and *W-G-R-* (concerning the social distinction and particularity requirements), the BIA's 2014 landmark domestic violence decision in *A-R-C-G-*, and related developments on gender-based asylum claims A completely rewritten section on criminal immigration generally, the crime-related deportability grounds, and the categorical and modified categorical approaches, to reflect the Supreme Court's recent decisions in *Moncrieffe* and *Descamps*, lower court decisions such as *Silva-Trevino*, and the 2014 BIA decision in *Dominguez-Rodriguez* The addition of an extended section on federalism and *Arizona v. United States* in chapter 2 (constitutional foundations), the creation of a new chapter on enforcement that includes discussion of Secure Communities (now PEP), 287(g), non-cooperation laws, and detention, and a reorganization and streamlining of chapter 12 (undocumented immigrants), to accommodate these changes New developments on in-state tuition for undocumented students New developments on drivers' licenses for undocumented residents New material on advance parole, Arrabally, 601A provisional unlawful presence waivers, and parole in place MAVNI renewal and extension to DACA

recipients New developments on Padilla New avenues for representation for low-income immigrants and refugees The Supreme Court's Cuellar de Osorio decision on the Child Status Protection Act New developments on EB-5, particularly with respect to regional centers Material concerning work permits for H-4 nonimmigrants New material on the Adam Walsh Act Discussion of dramatic increases in credible fear interviews and Administration responses Discussion of the asylum clock litigation and its effect on work authorization Material on FOIA litigation involving asylum officer interview notes Important recent court decisions on temporary protected status New developments on in-country renunciation of U.S. citizenship Discussion of assisted reproductive technology (ART) and its effects on both immigration and citizenship law

Immigration and Citizenship in the Twenty-first Century

This compact, comprehensive title offers an expert overview of the history, constitutional authority, statutory provisions, regulations, structure, procedure, administrative process, and ethical principles of immigration law and practice.

Pursuing Citizenship in the Enforcement Era

Before 1882, the U.S. federal government had never formally deported anyone, but that year an act of Congress made Chinese workers the first group of immigrants eligible for deportation. Over the next forty years, lawmakers and judges expanded deportable categories to include prostitutes, anarchists, the sick, and various kinds of criminals. The history of that lengthening list shaped the policy options U.S. citizens continue to live with into the present. Deportation covers the uncertain beginnings of American deportation policy and recounts the halting and uncoordinated steps that were taken as it emerged from piecemeal actions in Congress and courtrooms across the country to become an established national policy by the 1920s. Usually viewed from within the nation, deportation policy also plays a part in geopolitics; deportees, after all, have to be sent somewhere. Studying deportations out of the United States as well as the deportation of U.S. citizens back to the United States from abroad, Torrie Hester illustrates that U.S. policy makers were part of a global trend that saw officials from nations around the world either revise older immigrant removal policies or create new ones. A history of immigration policy in the United States and the world, *Deportation* chronicles the unsystematic emergence of what has become an internationally recognized legal doctrine, the far-reaching impact of which has forever altered what it means to be an immigrant and a citizen.

Entertaining Fear

This last group of essays in the *Migration and Refugee* series focuses on "immigrant" policy, examining the institutions, laws, and social practices that are designed to facilitate the integration of immigrants and refugees into their receiving countries. The scope of the collection is highly interdisciplinary, drawing on the research of demographers, lawyers, and sociologists. It is also explicitly comparative, underscoring the similarities and differences in how the United States and Germany conceive of the role of immigrants and how the two nations incorporate them into civil and political society.

Admission of Refugees Into the United States

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Immigration as a Democratic Challenge

Between 2000 and 2011, eight million immigrants became American citizens. In naturalization ceremonies large and small these new Americans pledged an oath of allegiance to the United States, gaining the right to vote, serve on juries, and hold political office; access to certain jobs; and the legal rights of full citizens. In *The Road to Citizenship*, Sofya Aptekar analyzes what the process of becoming a citizen means for these newly minted Americans and what it means for the United States as a whole. Examining the evolution of the discursive role of immigrants in American society from potential traitors to morally superior "supercitizens," Aptekar's in-depth research uncovers considerable contradictions with the way naturalization works today. Census data reveal that citizenship is distributed in ways that increasingly exacerbate existing class and racial inequalities, at the same time that immigrants' own understandings of naturalization defy accepted stories we tell about assimilation, citizenship, and becoming American. Aptekar contends that debates about immigration must be broadened beyond the current focus on borders and documentation to include larger questions about the definition of

citizenship. Aptekar's work brings into sharp relief key questions about the overall system: does the current naturalization process accurately reflect our priorities as a nation and reflect the values we wish to instill in new residents and citizens? Should barriers to full membership in the American polity be lowered? What are the implications of keeping the process the same or changing it? Using archival research, interviews, analysis of census and survey data, and participant observation of citizenship ceremonies, *The Road to Citizenship* demonstrates the ways in which naturalization itself reflects the larger operations of social cohesion and democracy in America.

Immigration and Refugee Law and Policy

Aleinikoff, Martin, Motomura, Fullerton, Stumpf & Gulasekaram's *Immigration and Nationality Laws of the United States: Selected Statutes, Regulations and Forms* serves as a one-stop source for federal immigration legislation and other primary source materials. A staple in classrooms nationwide, this publication: Includes federal legislation, regulations, executive orders, and other materials most often used in immigration and citizenship courses Supplements any teaching materials on immigration and citizenship Includes selected statutes, regulations and forms

Review of Immigration Problems

Earned Citizenship