



Immigrant Family Mental Health Advocacy Program New Year 2021 Updates

The IFMHA Program provided policy updates over the course of a challenging year in 2020. Anti-immigrant federal policy actions persisted, including human rights violations at our border and within ICE detention centers. The global Covid-19 pandemic challenged our strength as individuals, families, communities, a nation, and a global society. We witnessed murders of Black lives by police—Ahmaud Arbery, Breonna Taylor, George Floyd, Dion Johnson, Rayshard Brooks, Tony McDade, and others—that led to national protests against systems of racial injustice and oppression. We watched the destruction caused by the California wildfires and global natural disasters. And we endured a volatile political climate leading up to the Presidential election, and after. As we begin 2021, let us look toward solidarity, humanity, and collective social justice impact. We offer a few policy updates and anticipate more news soon on the immigration policy agenda for the first 100 days of the Biden Administration. Thank you to IJR and Department of Psychiatry leadership, as well as to department colleagues, for your continued support of this work in 2021.

-Dana Rusch, Ph.D., IFMHA Program Director & Thania Galvan, M.A.

DACA

- [UIC Legal Services](#) has two immigration attorneys that are available to assist UIC students with all DACA renewals and new applications.
- Due to the Federal NY District Ruling on December 4, 2020, the DACA program was restored to its original form (two-year renewals, new applications accepted, and restored advanced parole), and all work authorization requests and deferred action documents that had been approved for 1 year during July-December 2020 were extended to 2 years.
- But DACA is still under attack. In 2018, Texas and 8 other states filed a lawsuit against the federal government claiming DACA as unlawful. MALDEF subsequently filed a motion of behalf of 22 DACA recipients (see [here](#)). The TX Federal District Court began oral arguments on December 22nd but no ruling has been given yet (see [here](#) and [here](#)).

Refugee Resettlement

- Biden administration will look at increasing the refugee ceiling through an Executive Order with the intent of building infrastructure to receive 125k refugees annually. This will require re-opening the channels abroad to get infrastructure back in play to allow for a strong U.S. resettlement program.
- We expect to see refugees arriving in 8-10 months. In the upcoming months the IL Refugee Action Network (30+ member organizations) will provide an action plan update for our local resettlement.

Public Charge

- The Biden administration has stated its intent to end the new Public Charge Rule. PIF national submitted a 50-page memo to help guide litigation options. The future of Public Charge changes will be dependent on litigation efforts and timelines. A CA district court injunction blocked the rule in 5 states, but this does *not* apply to IL (PC rule is in effect in IL).

Asylum

- Despite strong opposition provided during the public comment period, the new asylum rule went into effect January 11th. The [final rule](#) is essentially the same as the proposed rule with very limited changes. Reactions to the rule can be found [here](#) and [here](#).
- Sarah Cartagena from The Latino Policy Forum (my CIMH Policy Workgroup Co-Chair) identified only 4 substantial changes that are detailed below:
 1. amends waiver provision related to claims of ineffective assistance of counsel to provide an exception for egregious conduct on the part of counsel
 2. amends language regarding when threats may constitute persecution to clarify that particular threats of severe harm of an immediate and menacing nature made by an identified entity or

person may constitute persecution, but that cases with threats alone, particularly anonymous or vague ones, rarely constitute persecution

3. amends that an unlawful or attempted unlawful entry into the U.S. by a person under the age of 18 will not be considered as a significant adverse discretionary factor in considering subsequent asylum applications
4. amendments in provision apply only to asylum applications filed on or after the effective date of the rule. The current definition of “frivolousness” will continue to apply to asylum applications filed between April 1, 1997 and the effective date of the rule. From the date of effect of the final rule, “frivolousness” will be considered if any material elements in the asylum application are purposely falsified or the applicant did not account for the discrepancy.

Covid-19 Updates, Community Education & Resources, and Vaccine Outreach

- The [American Immigration Council](#) reports how Covid-19 impacted the U.S. Immigration System.
- While some mixed status families are eligible for the second wave of federal relief, undocumented families continue to rely solely on [community-based organizations for relief](#).
- Concerns have been raised about how the vaccine will be equitably distributed to immigrant and refugee communities, and how private information will be gathered. See [here](#) for more on state-led advocacy against the federal government’s plan to collect privacy information.
- While states are moving forward with distributing the vaccine to essential workers, [Nebraska’s governor](#) recently announced that those who are undocumented will not first be eligible (i.e., they will be the last in line). This raises fears about how/what states are going to follow suit. Of the 487,000 undocumented immigrants in IL, an estimated 70% are essential workers. See United We Dream’s [call to action](#) to protect undocumented immigrant’s access to the vaccine.
- You can find a [virtual Spanish information](#) session on “Myths of COVID 19: Vaccines and Testing” that was hosted by the Mexican Consulate in Chicago, featuring Dr. Max Brito from UIC.
- Learn more about building trust and confidence in the vaccine by visiting [DuPage Federation](#) and [Salud America](#) (also see their [2-pager in Spanish](#) on the vaccine). For more on the politics of mistrust in Native American communities, see [here](#) and [here](#).
- Visit [ICIRR’s Covid-19 resource guide](#) or the [Illinois coronavirus website](#) (or 1-800-889-3931). More local and national resources are listed below.

Chicago Department of Public Health (information will be posted on the HAN COVID site)

- [Health Alert Network \(HAN\) COVID Quick Links](#)

Cook County Public Health Department

- [Vaccine Distribution Press Release](#)
- [Distribution Plan Presentation](#)
- [COVID-19 Vaccine FAQs](#)

Illinois Department of Public Health

- [COVID Prevention Ambassadors Initiative](#)
- [Illinois Vaccination Plan](#)
- [Vaccine Phase 1A](#)
- [Vaccine FAQ](#)

American Academy of Pediatrics

- [American Academy of Pediatrics \(AAP\) Townhall on COVID-19 Vaccine](#)
- [American Academy of Pediatrics \(AAP\) COVID-19 Vaccine Research FAQs](#)

Local Media Coverage

- [WTTW’s Chicago Tonight](#) on equitable distribution in Chicago
- [WBEZ News](#) on building trust in Chicago’s Black communities
- [ABC7 News](#) on mistrust of the vaccine in Chicago’s minority communities

National Resources

- [CDC COVID-19 Vaccine Information](#)
- [Immunization Action Coalition COVID-19 Vaccine News](#)
- [National Institutes of Health](#) fact sheets, videos, & social media messages and [how vaccines work](#)