

IMMIGRATION

The Trump Administration Is Still Making Immigration Rules

Three months is plenty of time to do damage.

By LORELEI LAIRD

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(Photo by Mark Wilson/Getty Images)

For the past almost-four years, the Trump administration's politically appointed leadership has essentially vandalized the immigration agencies. Just under 50% of the American people trusted them to run agencies that grant visas, naturalize new Americans, run the immigration courts and apply asylum law. That trust has been repaid with [abject cruelty](#), [open prejudice](#), [outright lies](#), and [blatant violations](#) of federal and international law, implemented by people who can barely even bother [disguising](#) their [racism](#).

None of this was an accident, or the actions of rogue officials; they had [every intention](#) of doing more. So I'd be a fool to expect them to leave quietly. I haven't seen any specifically

Deporting The Witnesses

Remember in September when everyone was briefly outraged that an ICE prison in Georgia was sending immigrant women for [unnecessary hysterectomies](#) that the women didn't consent to or even realize were happening? The DHS inspector general has that paperwork and Congress is [trying to investigate](#), but suddenly the victims, especially those who've agreed to testify, are [being deported](#). One of them was [literally taken off a plane](#) after members of Congress made a fuss.

Similarly, asylum seekers from Cameroon who [allege they were physically assaulted](#), pepper-sprayed and threatened into signing their own deportation orders are being [fast-tracked for deportation](#), using travel documents that the government of Cameroon denies issuing.

The trouble with all this is that, as the team of lawyers trying to find the separated children's parents has discovered, deportation makes it tough to find someone. This is especially true for people who were seeking asylum, which applies to 100% of the Cameroonians and I'd guess more than zero of the ladies with the stolen uteruses. When someone's trying to kill you, you don't publish your home address. I strongly suspect this factored into ICE's decision making.

Making Administrative Rules

Sure, the Trump administration just lost an election, but that's no reason not to keep crapping all over American institutions! U.S. Citizenship and Immigration Services [announced on November 13](#) that it was putting up yet another roadblock to naturalized citizenship: doubling the size of the civics test. Instead of answering six out of 10 questions correctly, applicants must now answer 12 out of 20 questions correctly. The person giving the test also won't stop once the applicant passes, but ask all 20 questions, presumably to maximize the applicant's suffering.

Another [recent proposed rule](#) would change the rules for granting H-1B visas, which go to skilled temporary workers. The proposal is complex, but it would make it harder for

Unfortunately for them, [it's not clear](#) that USCIS has the authority to make this rule under the authorizing law. So they're probably going to get sued, even if they manage to make the rule before Joe Biden is inaugurated (which would be fast by administrative rulemaking standards). In general, you can expect most administrative rules under USCIS to be met with lawsuits for the next three months, thanks to [recent rulings](#) that Chad Wolf and Kevin McAleenan were illegally appointed.

There are other things, like ICE [raids on "sanctuary cities"](#) and [political interference](#) in the U.S. Census, but they've been doing that stuff all along. There are also some possibilities that remain speculation, like craven toady Bill Barr issuing more AG opinions about immigration law on his way out the door. But he and the people like him will eventually leave. Our job for the next few months is to keep paying attention, so they will be at least accountable for whatever they do on the way out.

Lorelei Laird is a freelance writer specializing in the law, and the only person you know who still has an "I Believe Anita Hill" bumper sticker. Find her at wordofthelaird.com.



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