



Trump's shutdown proposal would drastically toughen asylum, DACA, TPS rules

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Central American children who crossed the border illegally could not ask for asylum. Application fees for protection for deportation would increase. More than \$5.7 billion for available for the border wall.

President Donald Trump has described his proposal for ending the government shutdown as a trade of a three-year extension of the Deferred Action for Childhood Arrivals, or DACA program, for the \$5.7 billion he's been demanding for the border wall he wants to build.

But details in the bill that the Senate will vote on Thursday have immigration advocates and Democrats calling the offer partisan, malevolent and "feigned" attempt at compromise.

"It's a sham," Ur Jaddou, director of America's Voice DHS Watch program, told NBC News Wednesday. "It's shocking to see they would call this a serious compromise. They didn't even try."

The proposal got the White House's endorsement Wednesday morning. Meanwhile, Senate Minority Leader Chuck Schumer, D-N.Y., said the proposal is was not intended to end the shutdown.

"The president's proposal is one-sided, harshly partisan and was made in bad faith," Schumer said on the Senate floor Tuesday.

DRASTIC CHANGES TO ASYLUM, DACA AND TPS

In a statement, the administration touted the millions the bill provides for immigration enforcement and border security, including medical support and housing, anti-drug canines, 2,750 more border agents and money for new immigration judges.

But it did not address other parts of the legislation that are drawing loud criticism, including provisions that could drastically change the U.S. asylum system.

Children from Honduras, Guatemala and El Salvador who arrive at the border and request asylum would be sent back home without exception.

U.S. law and international treaties require border officials to grant interviews with asylum officers when people who arrive at the border request asylum or claim a credible fear of being returned to their home country. If they pass the interview, they are allowed to remain while their claim goes through the asylum process.

According to Department of Homeland Security data, 38,189 children ages 17 and under from those countries arrived at the border or were apprehended in fiscal year 2018, up from 31,754 in fiscal year 2017.

But just as troublesome to advocates and Democrats are the wholesale changes the administration wants to make to DACA and TPS, under the guise of extending those programs that shield immigrants from deportation and allow them to work.

An analysis by the Cato Institute found that the proposed legislation would require immigrants who have DACA and are in good standing to reapply rather than simply renew their status. The DACA program allows young immigrant adults and teens who were brought to the U.S. as children to study and work without fear of deportation; currently recipients renew their status every two years.

Under the plan, when they reapply, they would have to meet a higher burden to prove their eligibility.

The proposal would exclude from eligibility for DACA anyone not in the program now and require those who are not students to have an income that is at least 125 percent of poverty level.

Although DACA recipients are ineligible for almost all federal benefits, the legislation would ban anyone at least 5 percent dependent on state or local aid from eligibility for DACA. This could affect immigrants in states like California and New York that offer benefits such as medical services and in-state college tuition, Cato found.

In addition to paying the \$495 application fee, DACA recipients would also have to pay an additional “security fee” of \$500, an assessment that the Cato Institute pegged as a fine. Application fees for TPS would go from \$50 to \$500 in addition to the \$495 for a work permit.

TPS recipients would have similar requirements to DACA about reapplying, which could jeopardize their employment as they wait for renewals of work permits. People with TPS who are from Nepal, Sierra Leone, Liberia, Guinea and Sudan — all African countries — could not reapply.

TPS recipients also would have to meet an income test.

Immigrants in both groups also would have to pay back the government for any legally obtained tax credits they’ve received.

The proposal would ban all people without legal permission to be in the country from obtaining TPS in the future. TPS is provided to immigrants, many who enter legally, who can’t return to their home country because of a natural disaster, political upheaval or other catastrophe.

In an interview on MSNBC’s “All In with Chris Hayes,” Omar Jadwat, director of the American Civil Liberties Union Immigrants’ Rights Project, called the administration’s proposal a “wish list” that brings entirely new issues into the negotiations that were not previously mentioned by Trump in his speech to the American public Saturday.

“I don’t think there’s enough lipstick that you can put on this pig,” Jadwat said.