

Indivisible SOS Meeting Notes, JAN 27, 2025

NEW MEMBERS: Gabi Richard

ANNOUNCEMENTS

- Successful discussion last week at Cynthia's. What makes Trump appealing to people?
- Fill out the survey for legislative alerts
- Feb 3 at the roundhouse (Indivisible and Green Amendment)
- If you want to take more national action, Americans of Conscience Checklist. She has the most positive take. She is primarily non-partisan at the end of her link.
- Indivisible National. They have a toolkit. Safetools.
- The school board and community college have a plan. They are taking a challenging position.
- The march and rally is Monday, Feb 3. There will be many people. It will be from the RailYard to the Capital. March starts at RYPark at 10:30. Rally at East entrance to the Capital.
- Bill status: hoping bill #s Thursday morning. They are calling it a public safety package. Privacy Immigration bill will be introduced today by Cedilla Lopez. For Dreamers.
- For a U Visa. A witness or victim of a crime.

RACHEL PUBLIC SAFETY BILL

- Moe M. Is introducing no resources for immigration enforcement. It's already a law in other cities and counties. The rest of the state is Wild West.
- The Immigration Safety Act was called the Dignity, not the Detention Act.
- Putting \$ for immigrant legal aid - trying to put an in a few places. Lines in HB2.
- "More funding for immigrant services, and removing immigration status as a criterion for funding post education. HB 64
- Peter Wirth is not responding to a request for a meeting.
- Rachel filed a new complaint against Jason Bowie under the certification board. Rachel doesn't think there will be a hearing on the standards and training board.

GUEST SPEAKER

Dan Kowalski, immigration attorney for 32 years. He is retired now. With him was a friend, Martin Lawlor, a very famous Immigration Lawyer

How does immigration law work?

Timeline:

In 1776, there was no immigration law at the federal level. Some colonies would banish people from one colony to another.

1880 - first law. Keep out pauper prostitutes—also the Chinese Exclusion Act.

1924 - quotas.

1945- during WW11, the Chinese Exclusion Act was abolished.

1950 -Under Truman, the foundations of today are the INA Immigration and Naturalization Act.

1996 - Clinton, Immigration Reform and Responsibility Act. Made it hard to come in and increased detention. Harder for lawyers to protect people. Why 1996. Reaction to the Oklahoma City bombing - everyone thought it was a foreign terrorist.

Since '96 - tinkering a little here and there.

We've gone from none to a tight federal statute.

Statutes get to describe who comes in and how long they can come in. They basically cover the following:

Out - who gets boots out

Waivers - or workarounds because the statutes were too strict.

Detention - who gets detained and why. Trump will sign the Lakin Riley Act: it opens up the pool of people to be detained and requires that ICE will have no boundaries and go after more than people only accused of crimes. It will be overturned for due process. It also gives the states in fed court to complain about something that ICE didn't do.

This will enable the states to micromanage the federal.

JR of Judicial review. Fed courts can have a say in all of the above.

The 96 restriction has made it more difficult to fight.

YOU ARE EITHER A CITIZEN OR YOU ARE NOT

-If you are not a citizen, you are an alien.

A few ways to be a citizen

BH. Born here. Automatically, a US citizen on day one. CONSTITUTIONAL. There's been a TRO (temporary restraining order from Trump) on this.

BA: Born abroad. US citizen but born somewhere else. This is statutory, not constitutional.

Naturalized - if you have a green card, you can upgrade to citizenship.

ALIENS ARE SOL or, more politely put, have no status. They don't have a visa and can't get one. There is a slight chance with something called a cancellation of removal. Read more about it below.

TYPES OF VISAS

NIV - Non Immigrant Visa. Time-limited and function-limited. Or H1B. **Statutory** - Green Cards.

Green Card: family - marriage, parent, child. For spouses, there is no quota. Otherwise, there are numerical limitations. They are very low. And there is a huge backlog. For instance, if you were born in Mexico and your sister is an American, there are few visas for this. The waiting period is 40 years.

JOBS: green cards through jobs. They have to prove that they can or will Can will do the job.

Investment: \$250 000, you can buy a green card

Lottery - there is a Visa lottery. Only to people to undersubscribed countries. There is a published list.

Humanitarian, victim of trafficking, violence against women, numerically limited. Huge backlog.

Refugee and Asylum status. Race Religion Nationality Political Group.

REFUGEE - Refugees apply outside the US. The Afghans had special visas because they helped American troops.

They have permission to settle as Refugees. Suddenly, they can't come here as Trump killed this one.

The backlog is caused by the limits being so low.

ASYLUM - you apply at the border or inside.

Asylum seekers who are here. First year, waiting for an interview, they can't work. The lack of authorizations for work permits is a problem.

With Lakin Riley - states may have primacy.

The SOL group - if you have lived here for 10 years and are in good standing, you can apply for a Cancellation Removal. Also costs 10K.

Tribal members were granted US Citizenship by statute in 1924.

Jurisdiction thing - if you are born here, you are subject to jurisdiction. Children of invading army soldiers can not get citizenship because they don't have jurisdiction. If they are not subject to jurisdiction, how can we deport them?

What does undocumented mean?

1. You are probably SOL. You are here working under the table, getting paid cash. Or you stole a social security number or an ITIN number that allows people who are not allowed to get a social security number. If you have one, you can file taxes.
2. . Tourist visa - makes you documented. But you overstayed your visit.

Arguments: they are paying taxes, probably ITIN, OR HAVE lied on their I9. There is money in SS billions of it because of fraud.

If ICE should arrive at Church, show us your papers; don't say I'm a Citizen because it allows ICE to check others.

1. If ICE questions you, don't say anything.
2. Don't sign anything
3. Don't open the door unless ICE has a warrant.
4. Lawyer up

Warrants have specific names. What about restaurants? Can they just walk in? Yes, they can.

BIB Daily.com

Substack Dan Kowalsky. Involuntary departure.