

Immigration
Status/Classification



- There are many ways a person can be in the U.S. lawfully

Work Authorization



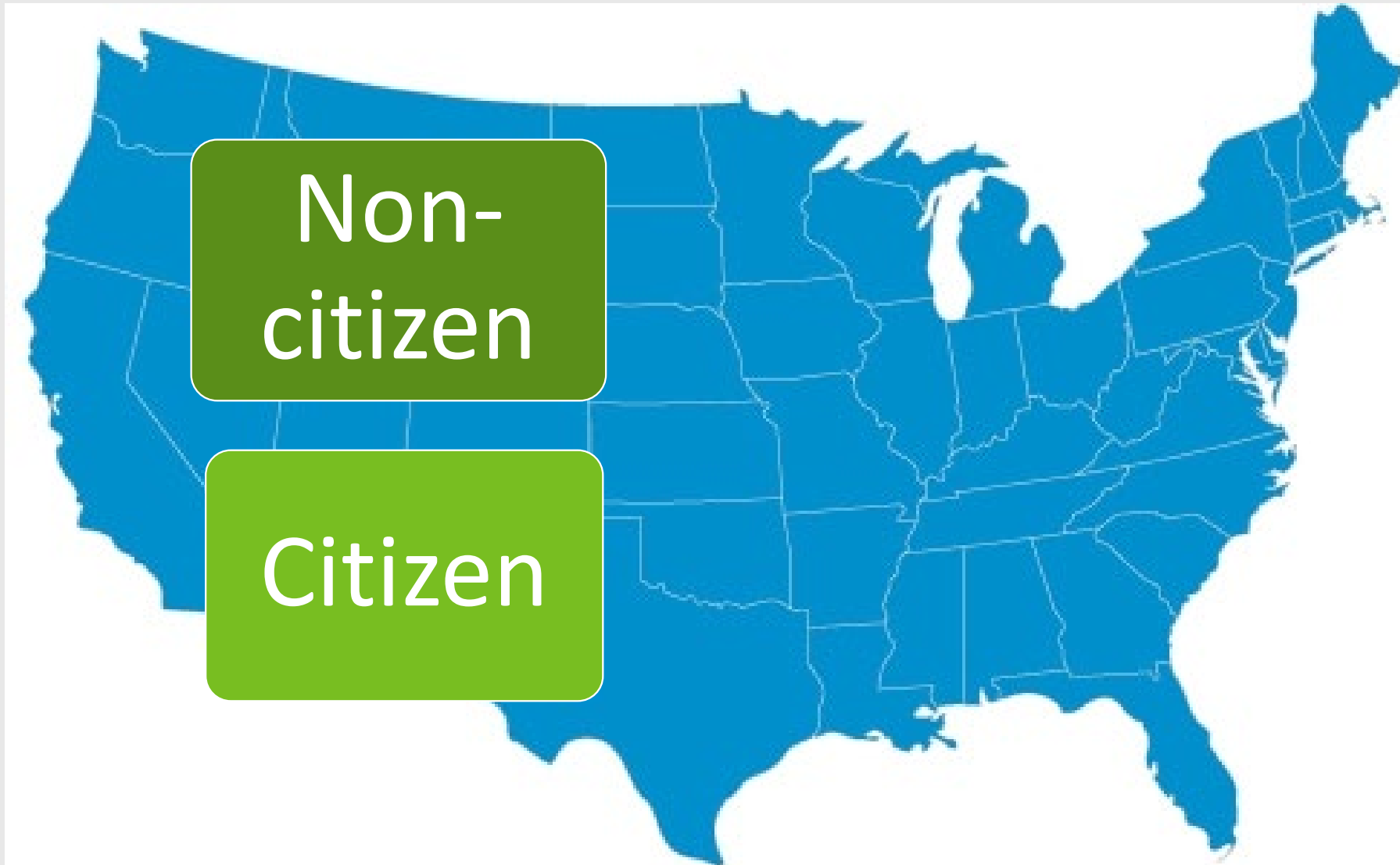
- There are many different versions of work authorization that can change throughout a person's immigration journey

Who to ask for help



- We in the Resettlement Programs Office want to build bridges and work more closely with partners to help non-citizens receive supports for work.

Immigration 101

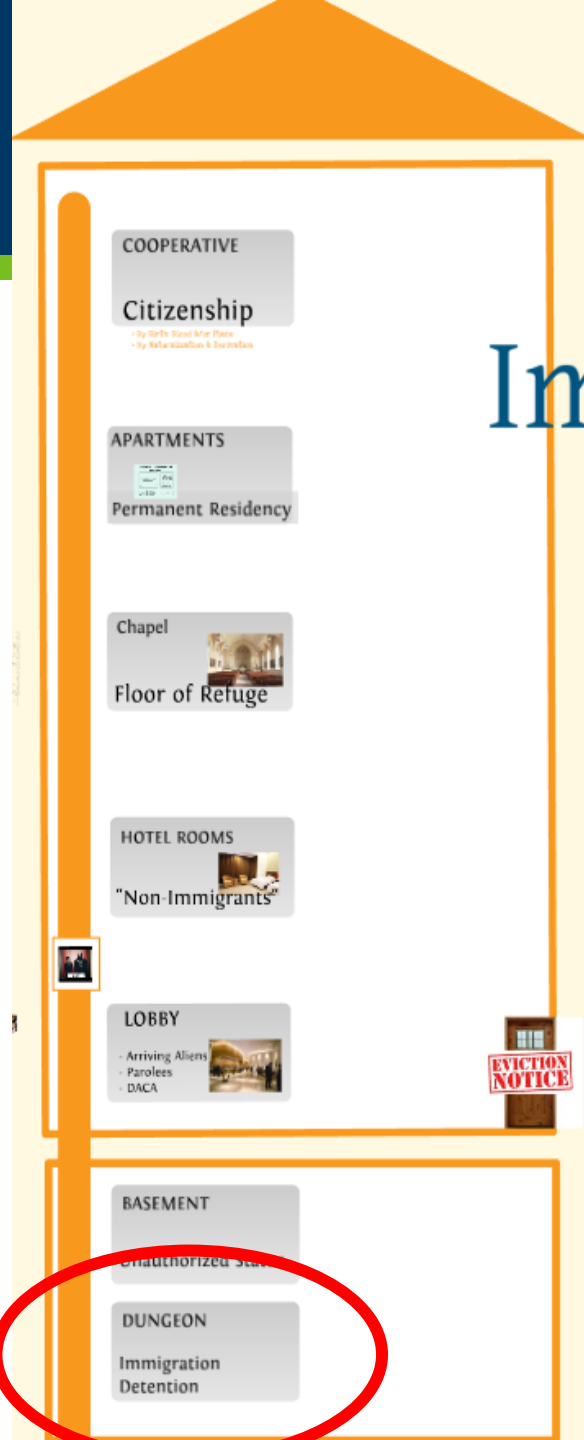


Immigration Hotel

- Virgil Wiebe, University of St. Thomas School of Law Director of Clinical Education and Professor
 - <https://www.youtube.com/watch?v=7lNtcl8Q-64>
- Hotel Graphic:
 - <https://prezi.com/edxkgmpafijy/immigration-hotel-focus-on-refuge-april-2020/>

Wiebe, Virgil, The Immigration Hotel (January 1, 2016). 68 Rutgers Law Review 1673 (2016); U of St. Thomas (Minnesota) Legal Studies Research Paper No. 14-41. Available at SSRN: <https://ssrn.com/abstract=2528343> or <http://dx.doi.org/10.2139/ssrn.2528343>.

The US Immigration Hotel

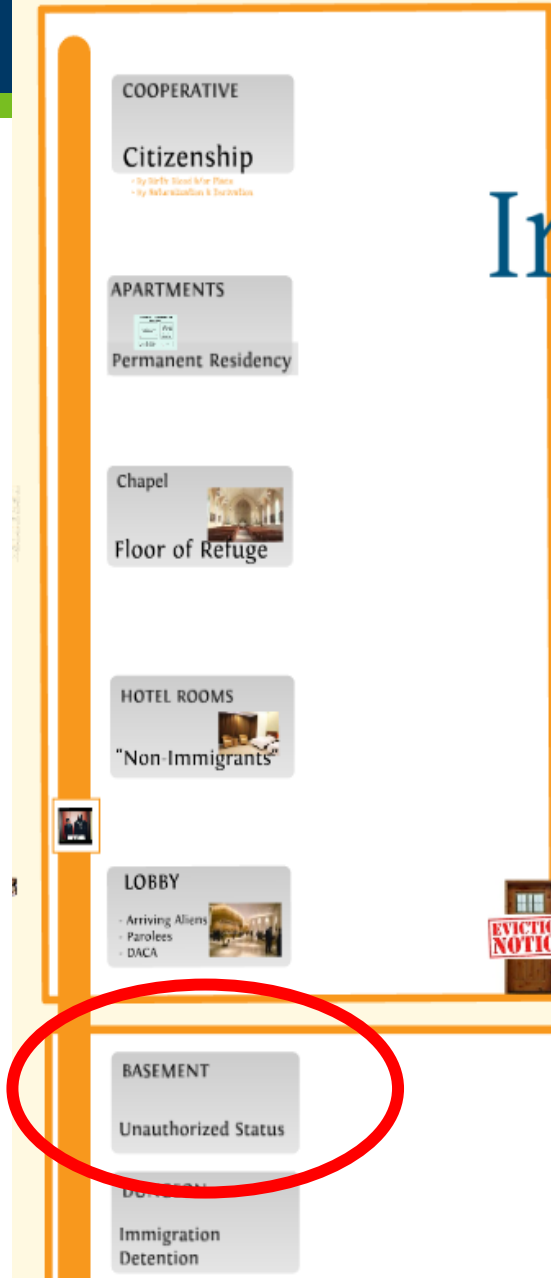


DUNGEON

- People in Immigration Detention
 - Caught on the way in
 - Detained and the federal government intends to deport them
 - People in immigration jail are also “In Removal Proceedings”

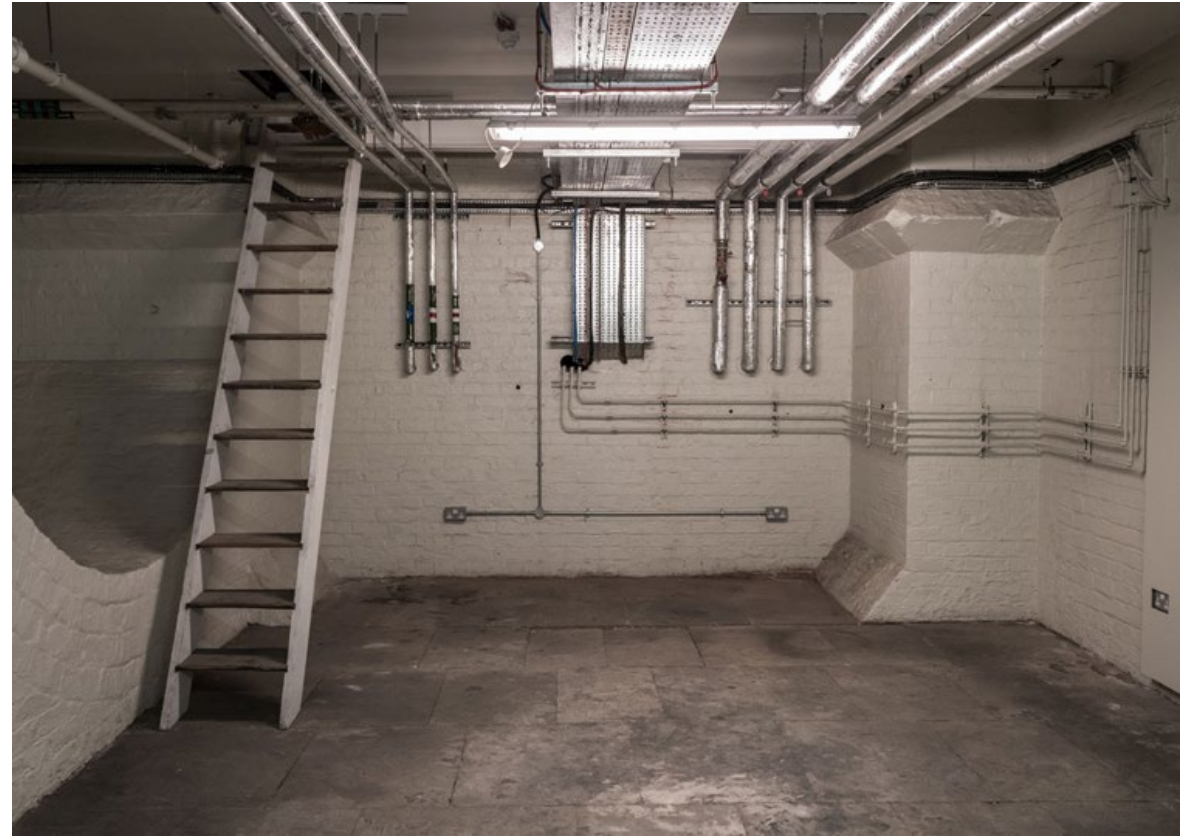


The US Immigration Hotel

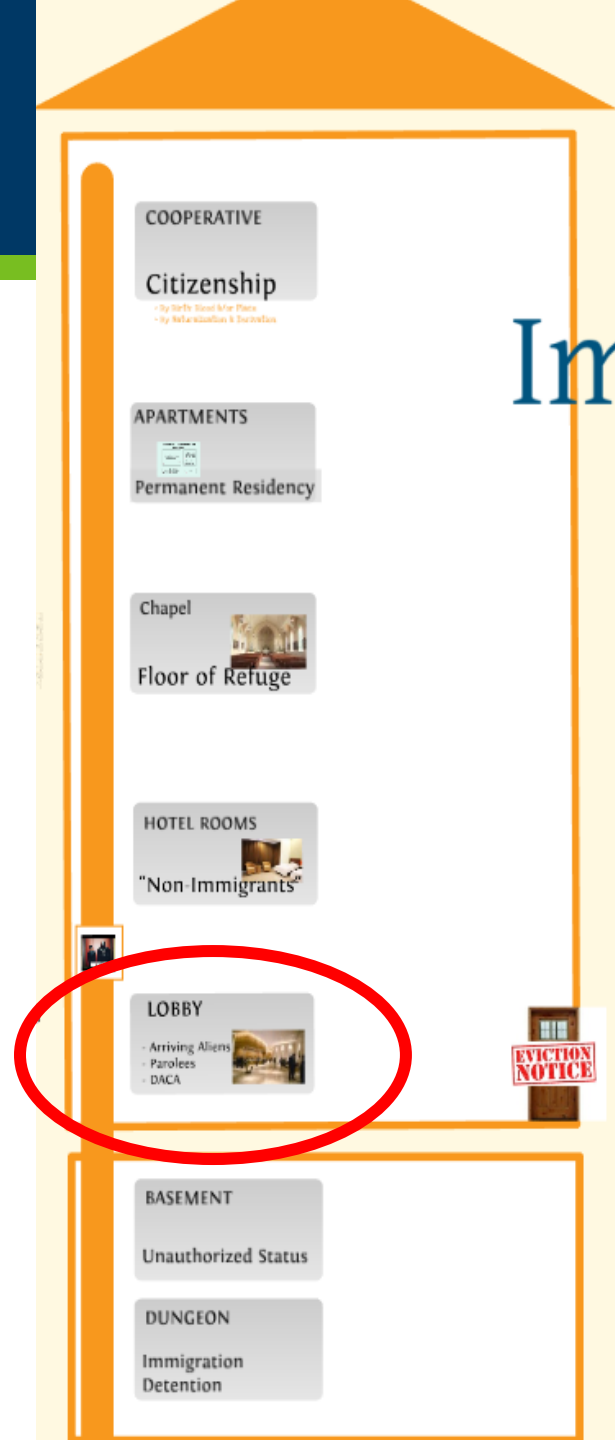


BASEMENT

- People who are Undocumented or without papers
 - Entered the U.S. Without Inspection (EWI)
 - Visa overstay/violation
 - People who are in Removal Proceedings & have no other immigration status or classification



The US Immigration Hotel



HOTEL LOBBY

- Permission to be in the U.S. vs. legal immigration status
 - Going in or out? Unknown
 - What floor they are going to? Unknown
 - People who are asking for a room = applicants for immigration benefits
- Known to USCIS
- Could possibly hang out there indefinitely



Lawfully Residing People

Applicants for Immigration Benefits

- Applicants for Asylum
- Applicants for Lawful Permanent Residence

Deferred Action for Childhood Arrivals (DACA)

Special Immigrant Juvenile Status (SIJS)

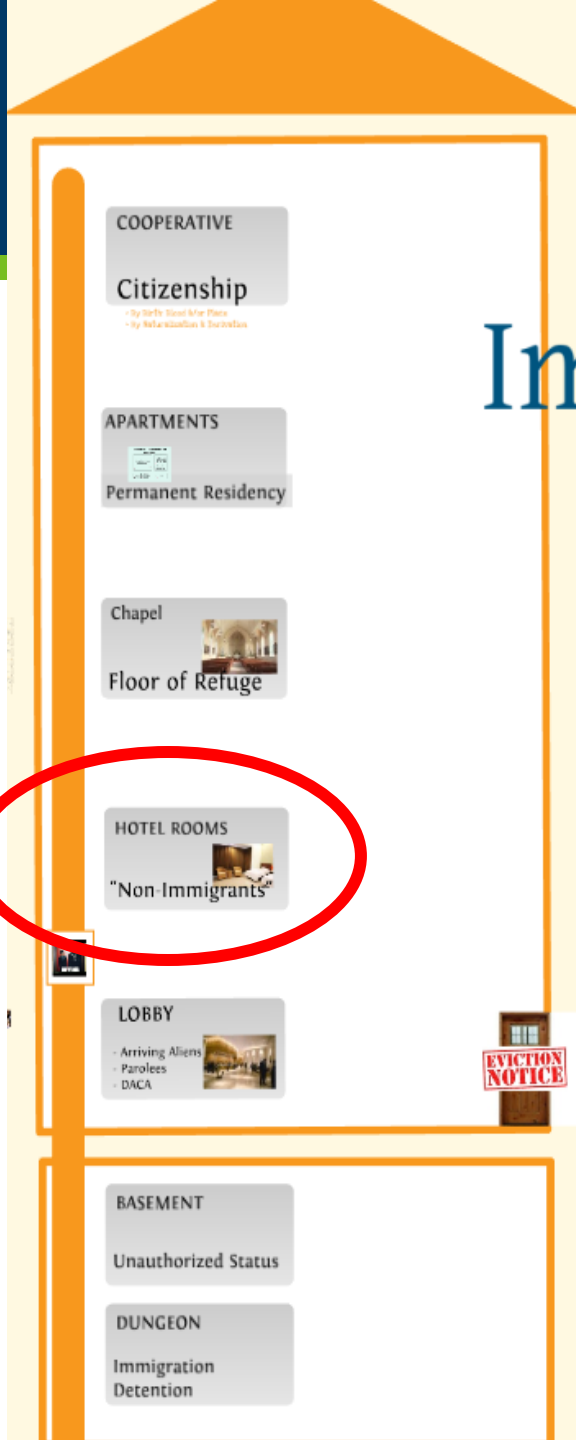
Temporary Protected Status (TPS)

People Paroled for less than one year

ALL must have a current documents – no expired documents

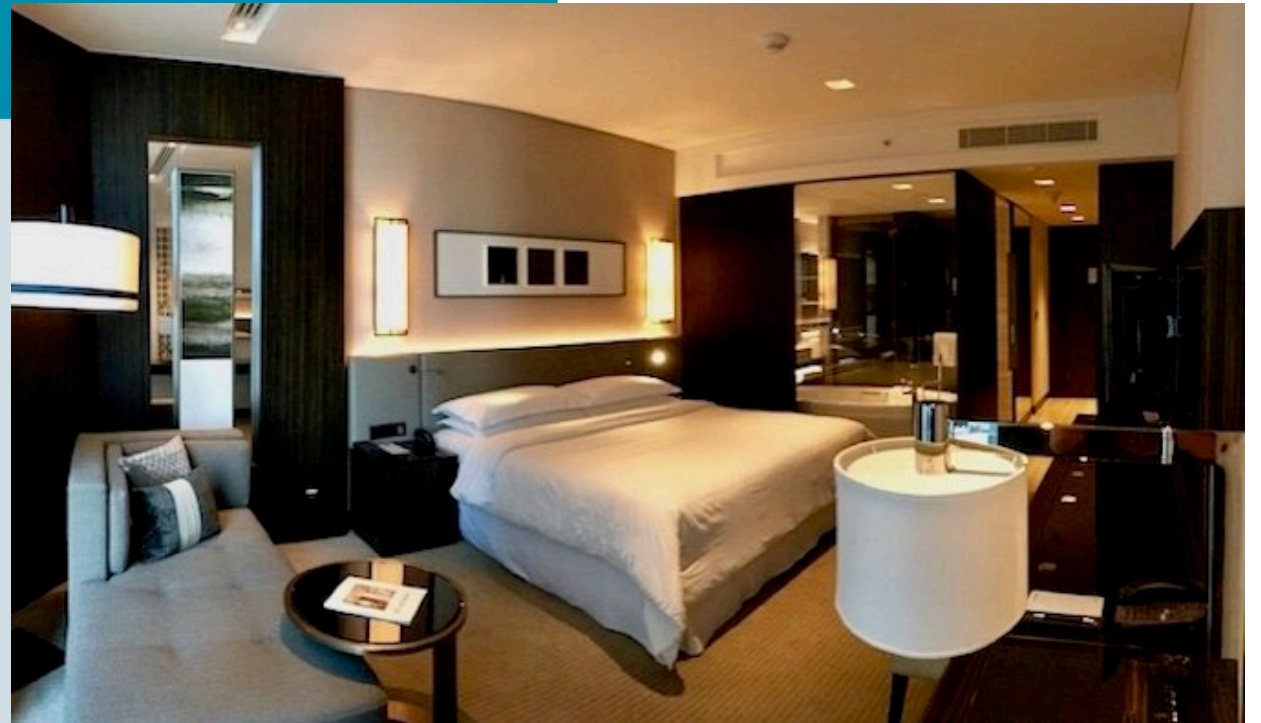
- If expired, ineligible and undocumented

The US Immigration Hotel



HOTEL ROOM FLOOR

- Non-immigrant visas
 - A-Z visas
 - **B1/B2 – tourist visas**
 - **F-1 Student Visas**
- Temporary Stay
- Specific purpose



Non-Immigrants

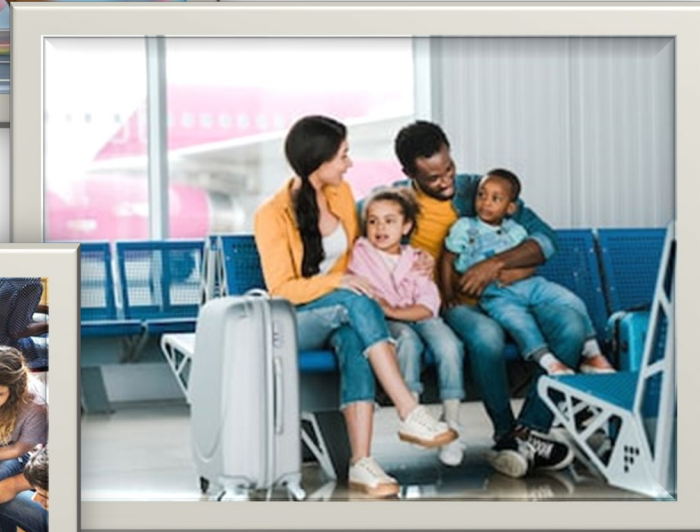
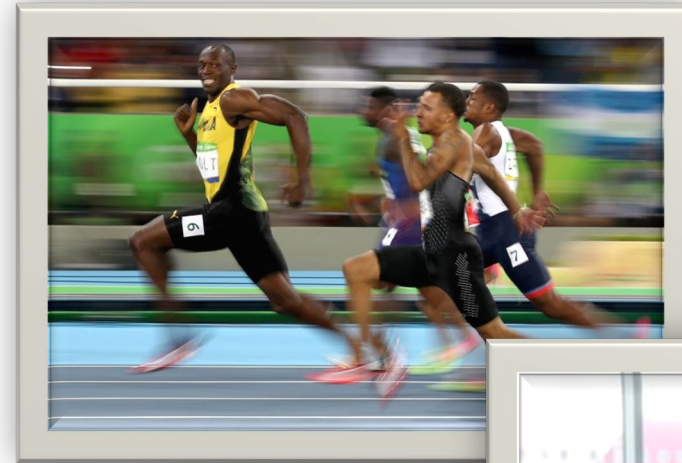
A-Z visas

Personal or Business Travel

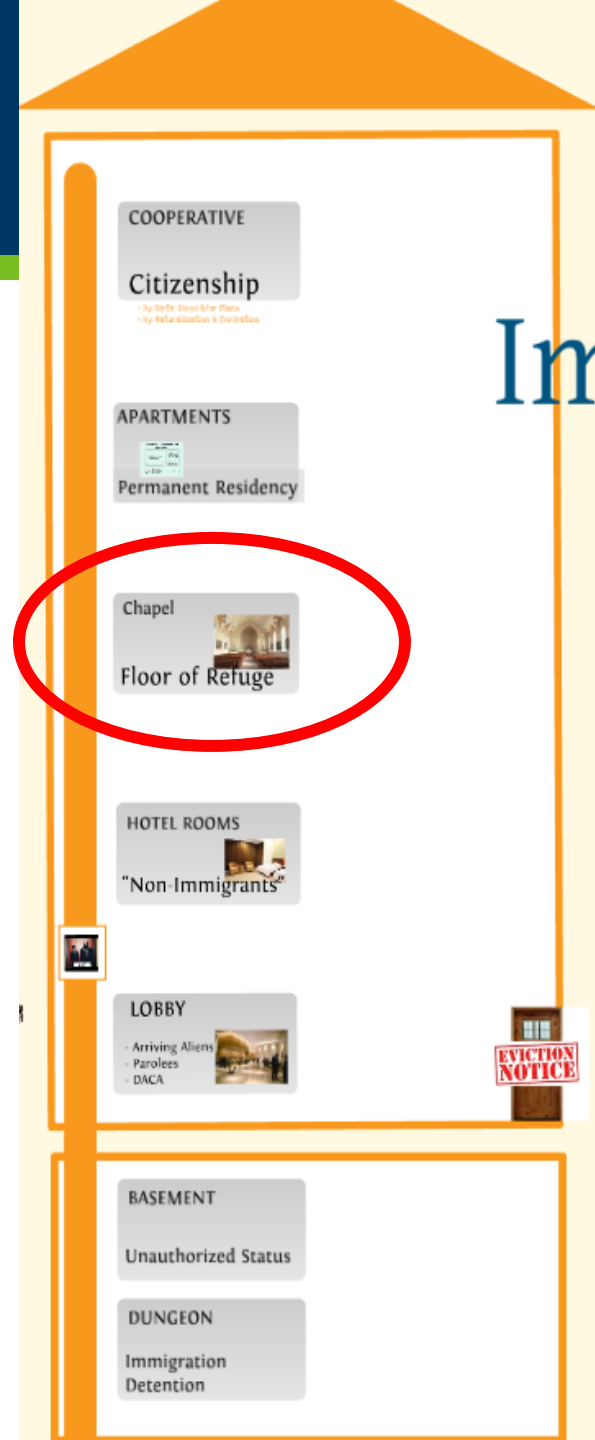
Student visas

H-1B Specialty Occupation

Generally not eligible



The US Immigration Hotel



CHAPEL or SANCTUARY

- Seeking protection and refuge in the United States
- Many groups are granted permission to stay indefinitely, some are not
- Some people are only on this floor for public benefits eligibility and on other floors regarding immigration status
- Focus in this section is on public benefits and ORR eligibility



ORR Populations Eligible to the same extent as Refugees

Refugees - People fleeing persecution who apply for protection from a third country.

Asylees - People fleeing persecution who apply for protection from within the U.S.

Iraqi or Afghan Special Immigrant Visa Holders

Victims of Trafficking

- Children who are applicants for a T-visa
- Adults who have been granted a T-visa

Amerasians

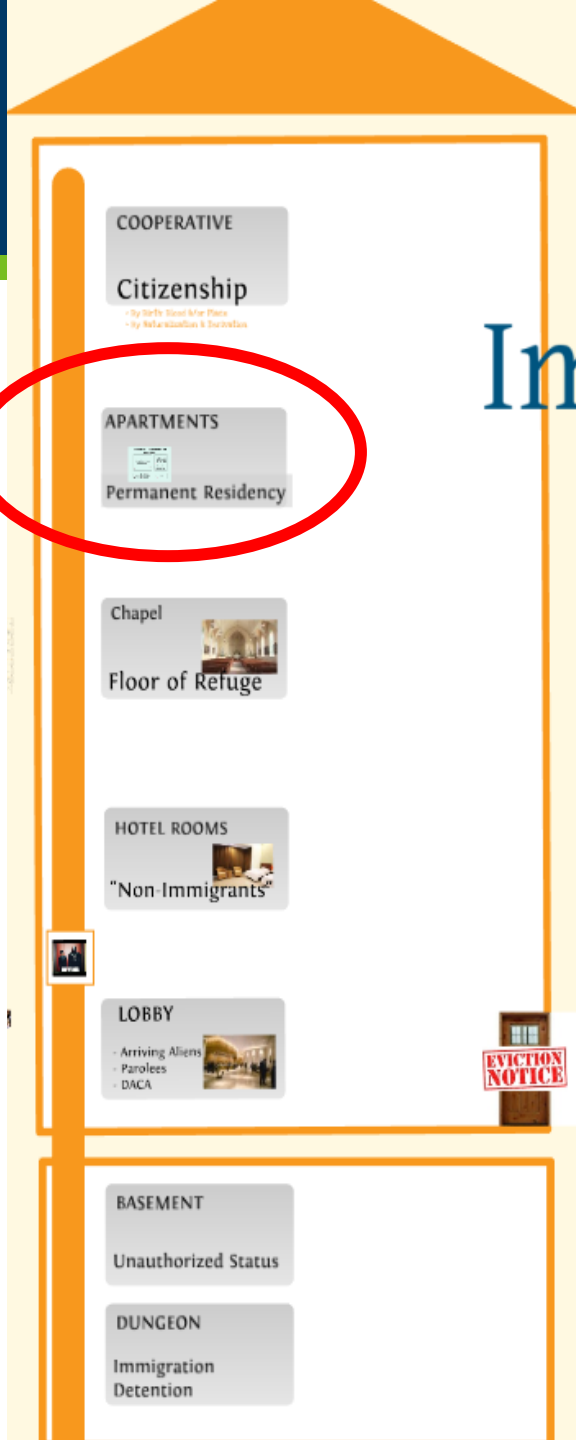
Lawful Permanent Residents who adjusted from an ORR-Eligible status

Cuban/Haitian Entrants

Afghan Humanitarian Parolees

Ukrainian Humanitarian Parolees

The US Immigration Hotel



COOPERATIVE
Citizenship
- By Birth (and After Birth)
- By Naturalization & Distribution

APARTMENTS
Permanent Residency

Chapel
Floor of Refuge

HOTEL ROOMS
"Non-Immigrants"



LOBBY
- Arriving Aliens
- Parolees
- DACA



BASEMENT
Unauthorized Status

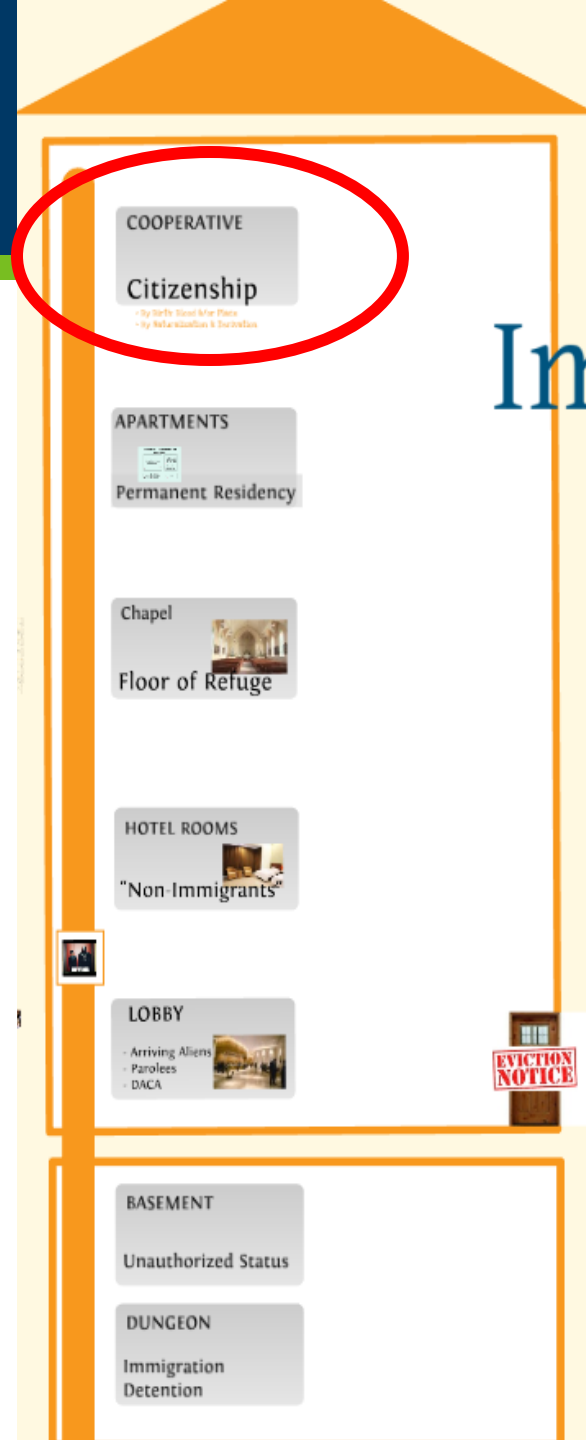
DUNGEON
Immigration
Detention

APARTMENTS

- Permanent Residents (LPR)
- More Secure
 - People have ridden the elevator up and can ride up to citizenship in time
- Risk:
 - If committed a serious crime, could be put in removal proceedings and/or ride the elevator down to the dungeon



The US Immigration Hotel



CONDO

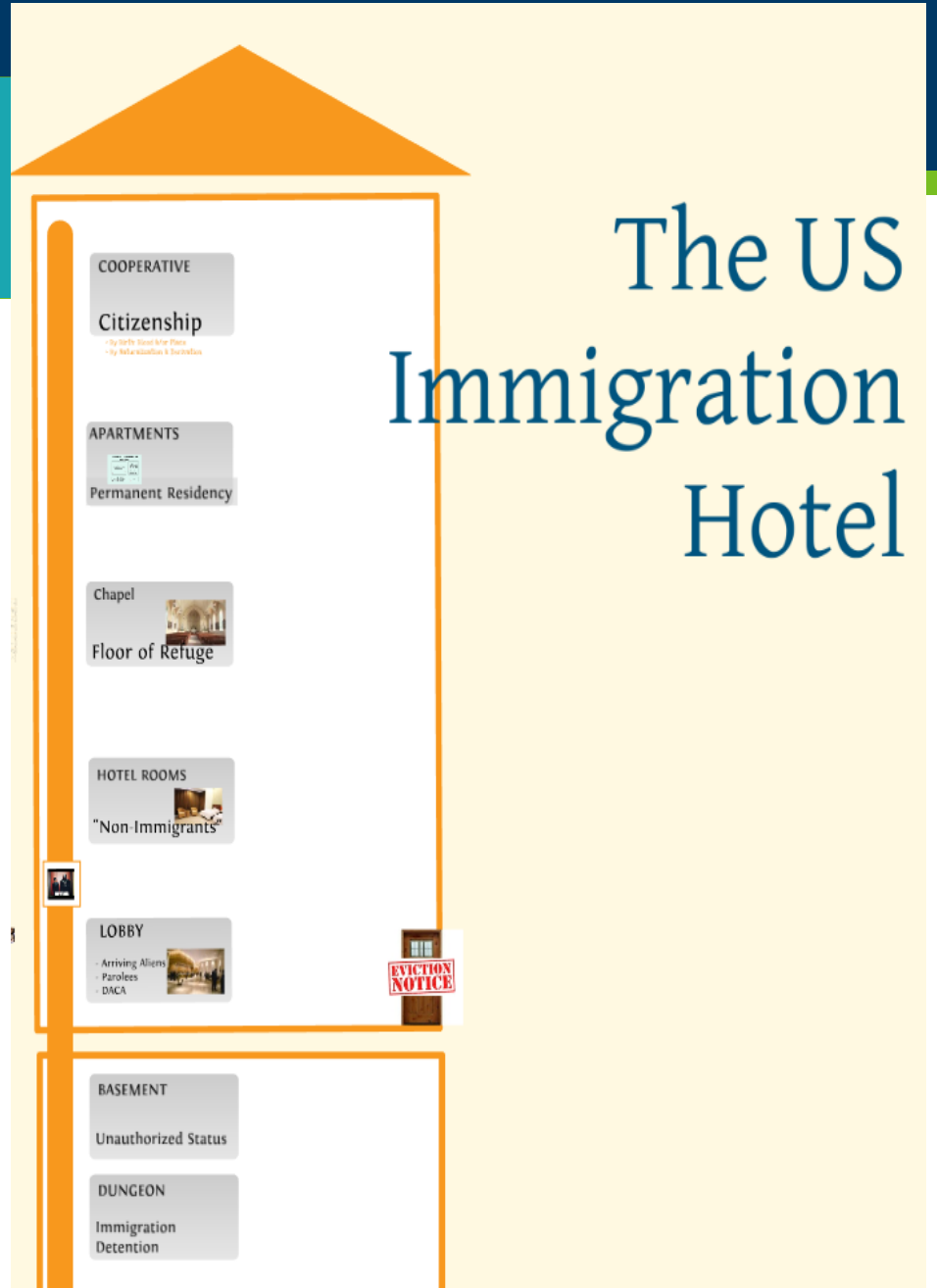
- Citizenship
- Penthouse of Immigration Statuses
- Ownership
- Very difficult for the U.S. government to kick people out
- Done riding the elevator
 - Exception: fraud



Hypothetical 1:

- Refugee enters the U.S.
- Becomes Lawful Permanent Resident after one year.
- Naturalizes five years later.
- How did the Refugee move in the immigration hotel?

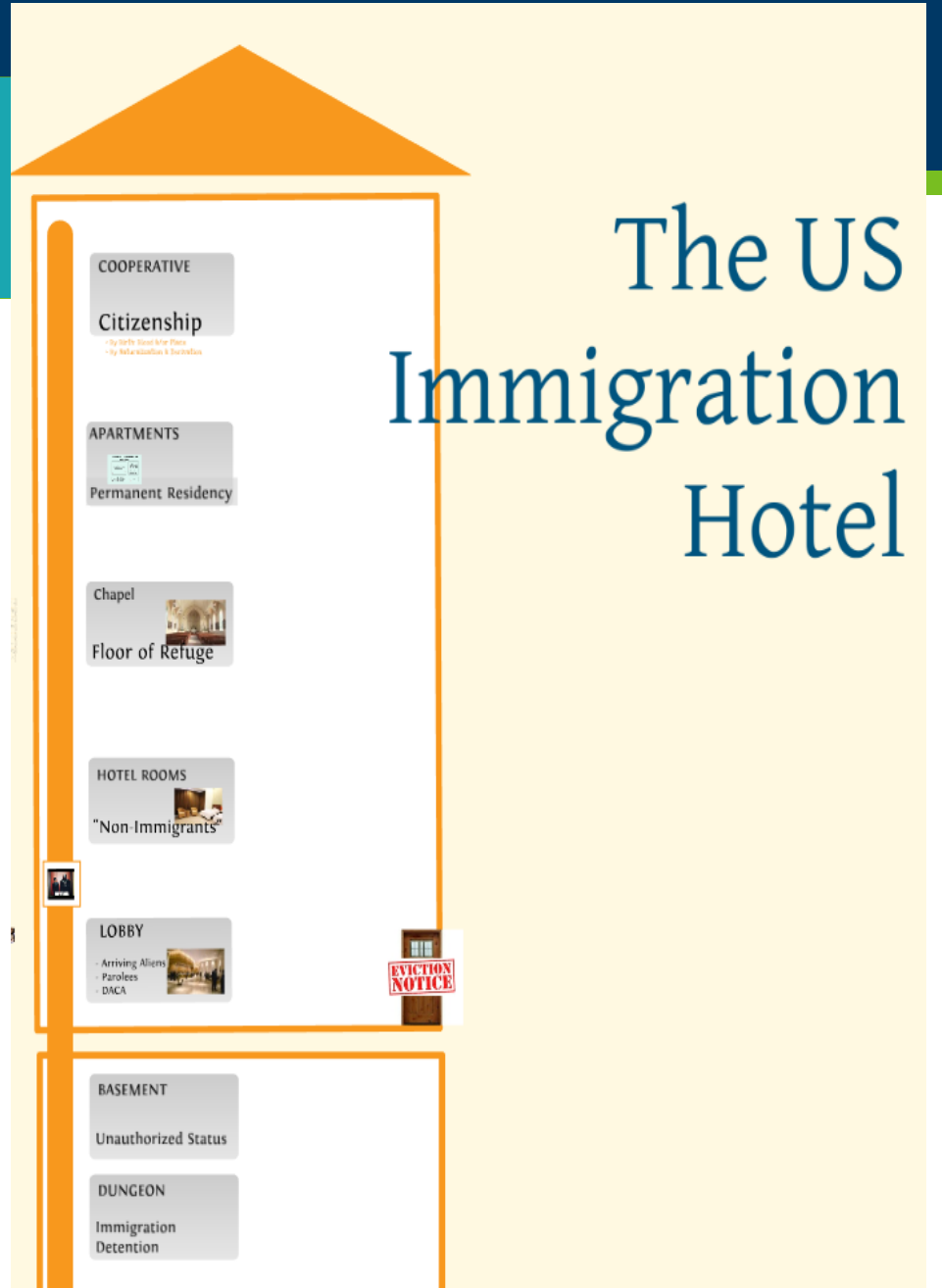
The US Immigration Hotel



Hypothetical 1:

- Refugee enters the U.S. - Chapel
- Becomes Lawful Permanent Resident after one year. - Apartment
- Naturalizes five years later. – Co-op or Penthouse

The US Immigration Hotel



Hypothetical 2:

- Citizen of Venezuela enters U.S. on parole.
- Apply for Temporary Protected Status after entry.
- Granted Temporary Protected Status.
- How did they move in the immigration hotel?



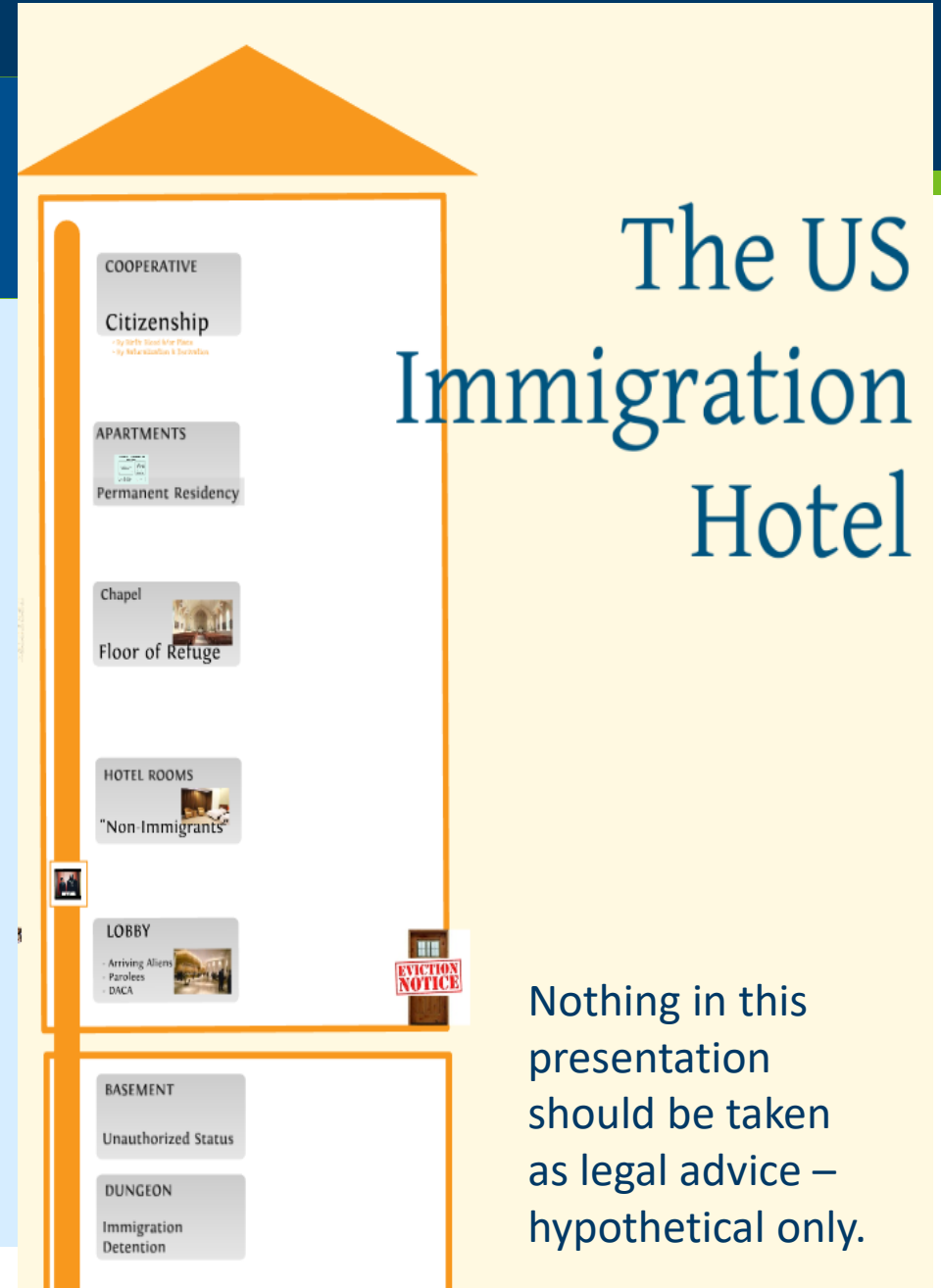
Hypothetical 2:

- Citizen of Venezuela enters U.S. on parole. - Lobby
- Apply for Temporary Protected Status after entry. - Lobby
- Granted Temporary Protected Status. - Lobby



Hypothetical 3:

- Citizen of Somalia flies into Brazil, walks through Central America, crosses southern border into the U.S., is detained for a week.
- They are released and granted 2 months of parole.
- During this time they applied for asylum.
- Five years later they were granted asylum.
 - Where are they now?

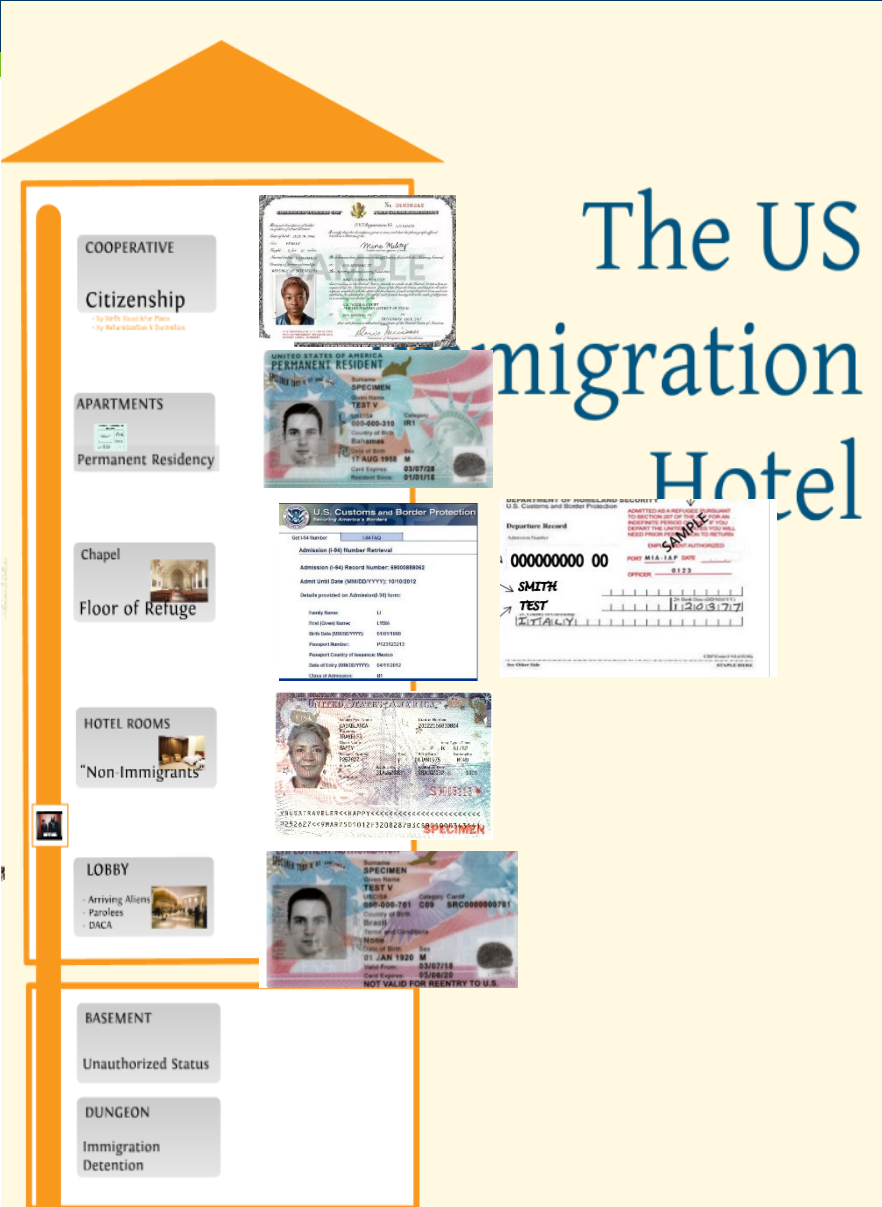


Hypothetical 3:

- Citizen of Somalia flies into Brazil, walks through Central America, crosses southern border into the U.S., is detained for a week. - Dungeon
- They are released and granted 2 months of parole. - Lobby
- During this time they applied for asylum. - Lobby
- Five years later they were granted asylum. – Chapel/Sanctuary
 - Where are they now?



Immigration Hotel



Immigration Hotel Lobby: Most common evidence of Work Authorization

The US Immigration Hotel

COOPERATIVE
Citizenship
By Birth, Blood And Place
By Naturalization & Derivation

APARTMENTS
Permanent Residency

Chapel
Floor of Refuge

HOTEL ROOMS
"Non-Immigrants"

LOBBY
- Arriving Aliens
- Parolees
- DACA

BASEMENT
Unauthorized Status

DUNGEON
Immigration Detention



HOTEL LOBBY

- Permission to be in the U.S. vs. legal immigration status
- Known to USCIS
 - Eligible for work authorization at some point, will have an expiration date
- Could possibly renew work authorization every 18 to 24 months for decades



Hotel Lobby: Lawfully Residing People

Applicants for Immigration Benefits

- Applicants for Asylum
- Applicants for Lawful Permanent Residence

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Special Immigrant Juvenile Status (SIJS)

Temporary Protected Status (TPS)

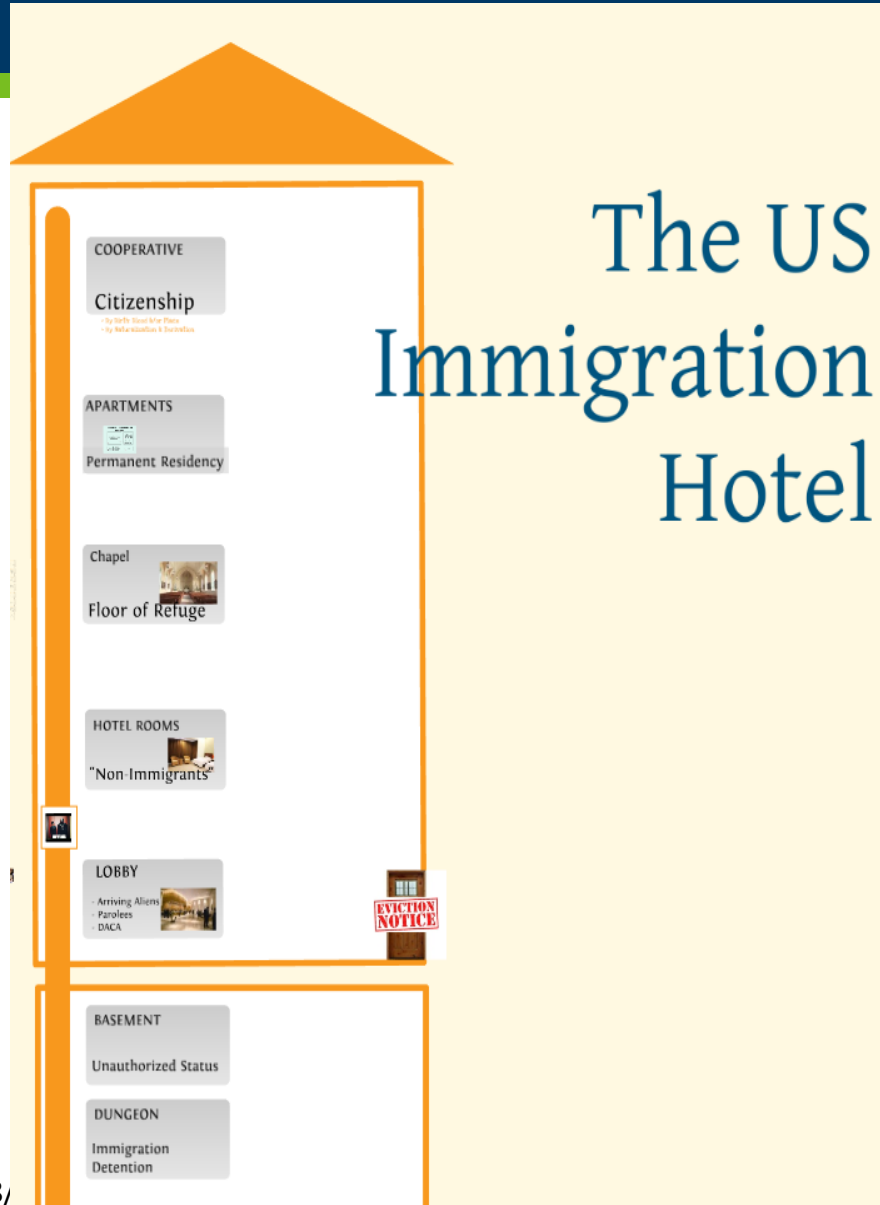
People Paroled for less than one year

ALL must have a current documents – no expired documents

- If expired, ineligible and undocumented

Non-Immigrants: Most common evidence of Work Authorization

The US Immigration Hotel



Immigration Hotel Sanctuary (Refugees): Most common evidence of Work Authorization

The US Immigration Hotel

COOPERATIVE
Citizenship
By Birth, Social Area Plans
By Naturalization & Derivation

APARTMENTS
Permanent Residency

Chapel
Floor of Refuge

HOTEL ROOMS
"Non-Immigrants"

LOBBY
- Arriving Aliens
- Parolees
- DACA

BASEMENT
Unauthorized Status

DUNGEON
Immigration
Detention



CHAPEL or SANCTUARY

- People who are seeking protection in the United States
- Some groups are work authorized incident to I-94 (U.S. entry doc) for the first 90 days
 - People typically do not have an SSN within these 90 days, it is not required.
 - Employers need to follow the [I-9 Handbook for Employers](#) and only require the documents necessary for completing the I-9.
- Discrimination laws protect people from employers who try to require specific documents.



DEPARTMENT OF HOMELAND SECURITY
U.S. Customs and Border Protection

ADMITTED AS A REFUGEE PURSUANT TO SECTION 207 OF THE IIRFRA FOR AN INDEFINITE PERIOD OF TIME. IF YOU DEPART THE UNITED STATES YOU WILL NEED PRIOR PERMISSION TO RETURN.

EMPLOYMENT AUTHORIZED

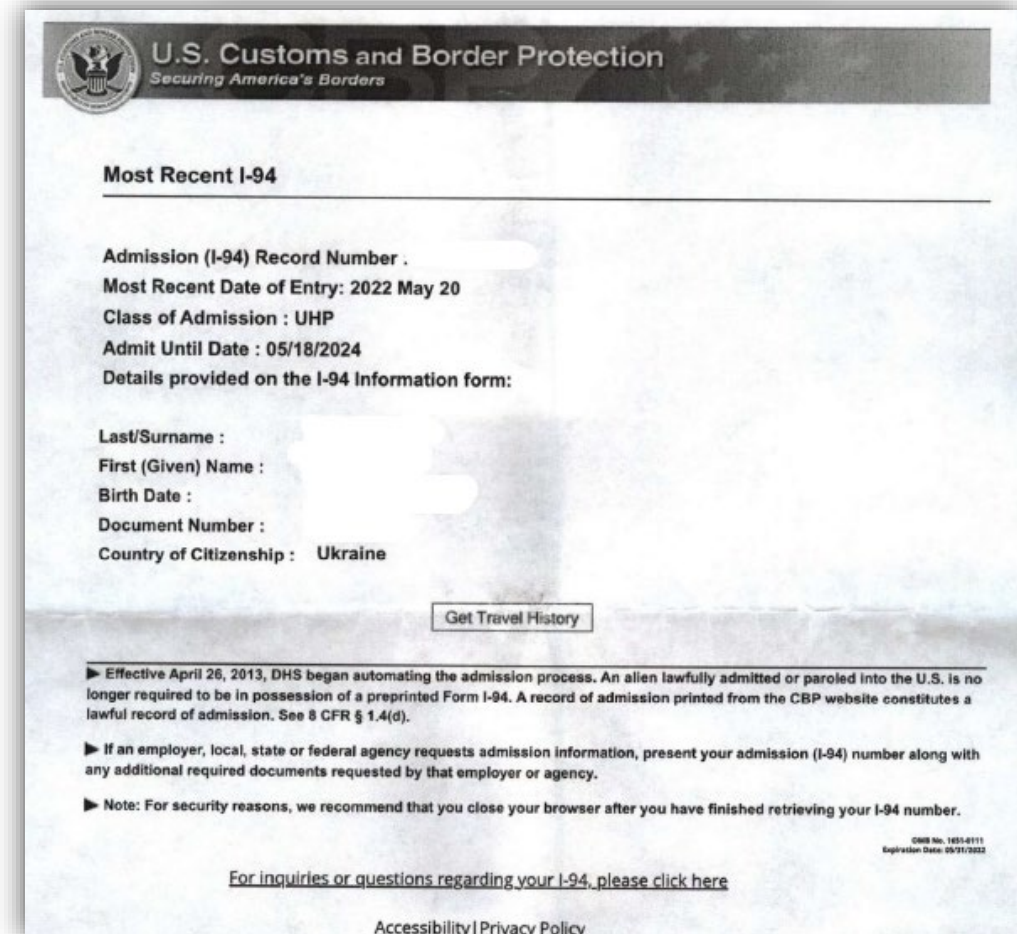
PORT MIA - IAP DATE _____ OFFICER 0123

Departure Record
Admission Number
000000000 00

SMITH
TEST
INITIALS

On Board Date (DDMMYY)
112013171

CBP Form I-94-0006
SAMPLE HERE



U.S. Customs and Border Protection
Securing America's Borders

Most Recent I-94

Admission (I-94) Record Number : [REDACTED]
Most Recent Date of Entry: 2022 May 20
Class of Admission : UHP
Admit Until Date : 05/18/2024
Details provided on the I-94 Information form:

Last/Surname : [REDACTED]
First (Given) Name : [REDACTED]
Birth Date : [REDACTED]
Document Number : [REDACTED]
Country of Citizenship : Ukraine

Get Travel History

► Effective April 26, 2013, DHS began automating the admission process. An alien lawfully admitted or paroled into the U.S. is no longer required to be in possession of a preprinted Form I-94. A record of admission printed from the CBP website constitutes a lawful record of admission. See 8 CFR § 1.4(d).

► If an employer, local, state or federal agency requests admission information, present your admission (I-94) number along with any additional required documents requested by that employer or agency.

► Note: For security reasons, we recommend that you close your browser after you have finished retrieving your I-94 number.

For inquiries or questions regarding your I-94, please click here

Accessibility | Privacy Policy

CBP No. 1651-0111
Expiration Date: 05/31/2022

Immigration Apartments: Most common evidence of Work Authorization

The US Immigration Hotel

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Citizenship
By Birth, Blood And Place
By Naturalization & Derivation

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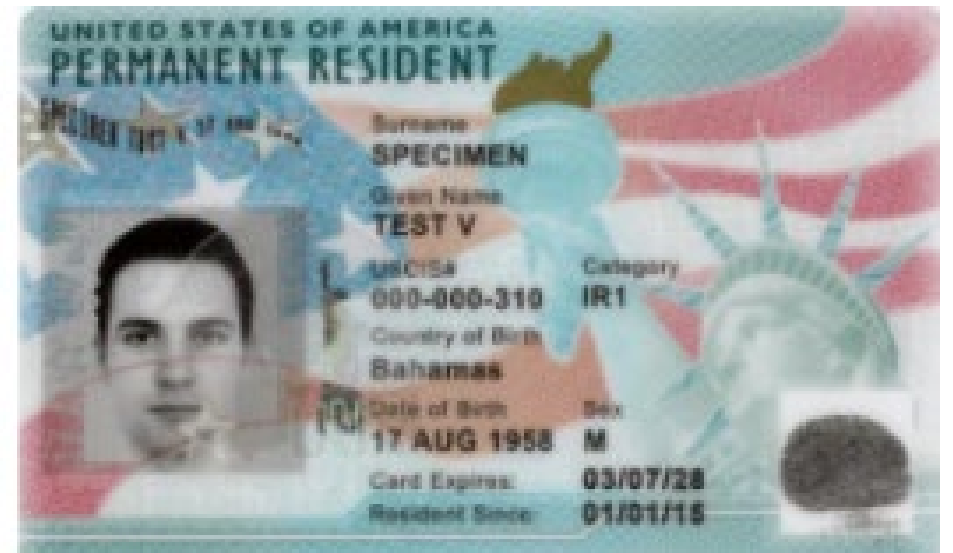
BASEMENT
Unauthorized Status

DUNGEON
Immigration Detention

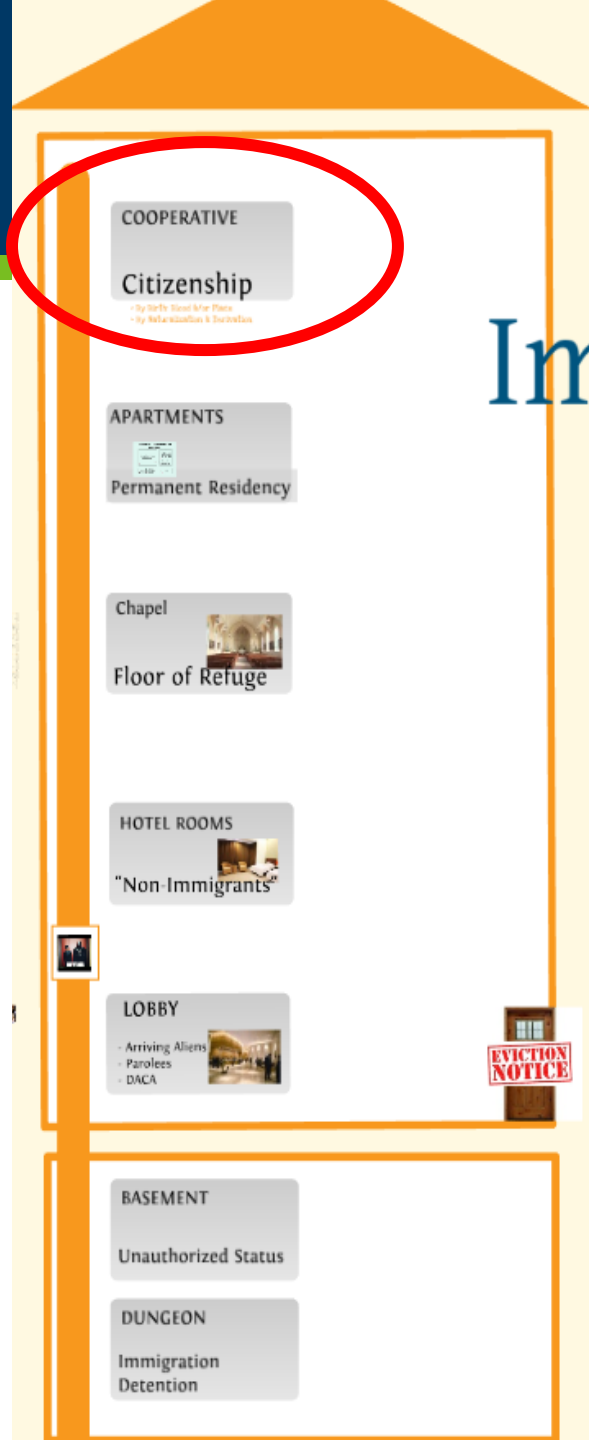


APARTMENTS

- Permanent Residents (LPR)
 - Secure immigration status
- LPR card or green card is evidence of work authorization
 - No time limitations
 - No limitation on what company a person can work for.



The US Immigration Hotel



CONDO

- Citizenship
- No additional work authorization document needed based on immigration status
 - Same I-9 requirements as all other U.S. citizens



Hypothetical:

- Refugee enters the U.S.
- Becomes Lawful Permanent Resident after one year.
- Naturalizes five years later.
- What document do they have to show work authorization?

Hypothetical:

- Refugee enters the U.S. – I-94
- Becomes Lawful Permanent Resident after one year. – Green Card
- Naturalizes five years later. – Typical I-9 rules, same as all USC.

- Immigration Status/Classification
 - There are many ways a person can be in the U.S. lawfully
- Work Authorization
 - There are many different versions of work authorization that can change throughout a person's immigration journey
- Who to ask for help
 - We in the Resettlement Programs Office want to build bridges and work more closely with partners to help non-citizens receive supports for work.

Thank You!

Marissa Hill-Dongre

marissa.hill-dongre@state.mn.us