

2019

ANNUAL REPORT



LETTER FROM THE EXECUTIVE DIRECTOR

These are extraordinary times. Nearly every day there are new legal and political threats to the U.S. immigration tradition. These challenges—promoted by the government and anti-immigration groups—could result in significant and far-reaching changes.



BETH WERLIN, Executive Director

Over her career, she has worked to protect the rights of noncitizens and to ensure that the immigration agencies are held accountable for violations of the law. She leads the Council's efforts to promote sensible and humane immigration policies and to achieve justice and fairness for all immigrants under the laws. She previously served as Policy Director from 2015-2016 and in a variety of positions on the Council's legal team from 2001-2015.

**Honoring our immigrant past.
Shaping our immigrant future.**

The government's adoption of a blatantly discriminatory travel ban and a public charge rule are intended to keep people out of our country. The government has already tried to end protections for Dreamers and many with Temporary Protected Status and is actively trying to dismantle the immigration courts. Our country has watched in disbelief as the Trump administration has pursued inhumane detention conditions and family separation, a barrage of mean-spirited asylum rules, and policy shifts that have increased uncertainty in how visas will be processed.

The American Immigration Council, working from the heart of our mission "toward a more fair and just immigration system," is responding to the call. As a result, the Council has made a difference in the lives of many who call America home. The Council has provided much needed data, analysis, and practical solutions to millions of Americans.

In this extremely challenging environment, the Council has renewed its commitment to bringing strategic impact lawsuits. Because of the successful efforts of the Council's litigators and brave litigants, sustained attacks on our immigration system and asylum seekers at the border have been rebuffed. A new Government Transparency Project was also launched to secure data and documentation from government

agencies and take them to court when they fail to comply.

And, through the Council's collaborative initiative the Immigration Justice Campaign, a volunteer network of lawyers has been mobilized to provide legal assistance to thousands of women, men, and children—including many detained at the border—who would have otherwise been deprived of access to an attorney.

An essential part of our immigration work is understanding how immigrants and immigration are perceived and discussed in our communities. In 2019, the Council launched the Center for Inclusion and Belonging, an initiative to house our growing efforts to change hearts and minds toward those considered "other" and to build bridges that foster more united communities.

The Council and our work prove that positive change is possible. The Council believes that, long term, our success in realizing our vision for America depends on creating the environment where smart immigration policies are not only adopted, but where they can be sustained and thrive.

The Council remains grateful for the commitment of our staff, board, and donors as we continue our work to create a better today and lay the foundation for a brighter future.

LITIGATION AND LEGAL EDUCATION

The American Immigration Council is a national leader in immigration litigation and is respected for its willingness and ability to bring cutting-edge lawsuits that hold the government accountable.

In 2019, the Council stopped, slowed down, or improved some of the most egregious, unlawful immigration policies through litigation. These successes have real-life implications on the targets of these policies, their families, and our communities.

The Council's robust docket of over 20 cases addresses a range of critical issues—including abusive enforcement and the denial of due process. The Council also filed amicus ("friend of the court") briefs in an additional 20 cases.

In addition to litigation, the Council engages in extensive legal education for immigration attorneys through practice advisories. The Council developed eight practice advisories on topics including how to challenge immigration agency case delays to administrative closure of cases in immigration court, and how to respond to immigration raids when a client has a deportation order.

The Council also provided individualized technical assistance to over 500 attorneys on removal defense and business immigration.

The Council stopped attacks on employment-based immigration.

Extreme anti-immigrant policies are impacting employment-based immigration as well. Unfair deci-

sions and policies by U.S. Citizenship and Immigration Services are having devastating impacts on employers and the workers for whom they petition. The Council has successfully challenged unlawful denials of H-1B high-skilled worker petitions by filing suit with immigration attorneys on behalf of their clients. The Council also has supported other litigation with amicus briefs targeted towards ensuring that employers and the foreign workers they seek to hire have full access to employment-based immigration benefits.

The Council held the government accountable for inhumane detention conditions.

A federal court found that the conditions in CBP holding cells are presumptively punitive and violate the U.S. Constitution "unless and until CBP can provide conditions of confinement that meet detainees' basic human needs for sleeping in a bed with a blanket, a shower, food that meets acceptable dietary standards, potable water, and medical assessment performed by a medical professional."

The Council's litigation:

1 Demanded compensation for separated families.

Sought monetary compensation for five mothers and their children who were separated by the "zero tolerance" policy. Our lawsuit demands accountability and compensation for the trauma these families endured.

2 Stopped expedited removal.

Protected people's right to a fair day in court. We stopped the nationwide expansion of expedited removal, a fast-track process that deports people before they can see an immigration judge or speak to an attorney.

3 Protected people seeking asylum.

Prevented the U.S. government from banning people from qualifying for asylum months after sending them back to Mexico to wait for their asylum hearing.

IMMIGRATION JUSTICE CAMPAIGN

Provided legal and interpretation services to 10,086 families detained in Dilley, Texas.

Activated 4,006 volunteers to defend and advocate for detained immigrants and asylum seekers.

Grew the Immigration Justice Campaign network by 40 percent to 12,140 volunteers.



The Council reunited separated families.



Yeimi was brutally separated from her two U.S.-citizen daughters, ages 3 and 5, for four months after being apprehended in October 2018. Yeimi was seeking protection from severe domestic violence and death threats in her native Honduras. Immigration Justice Campaign volunteers and partners won the release of Yeimi and she was reunited with them in 2019.

The Immigration Justice Campaign was launched by the American Immigration Council and the American Immigration Lawyers Association to increase access to legal counsel for thousands of men, women, and children held in immigration detention centers.

Legal assistance can be the difference between caring for your children or indefinite separation, safety or persecution—or even life and death. Individuals are 10 times more likely to prevail in their removal proceedings with a lawyer. Yet there is no right to appointed counsel—even for those who cannot afford a lawyer. And only 14 percent of detained persons have an attorney by their side in immigration court.

Since 2017, the Campaign has built a nationwide volunteer

network of attorneys, interpreters, social workers, and other supporters to serve thousands of detained individuals who would otherwise go unrepresented and to advocate for change. In tandem, the Campaign employs innovative tactics and strategies to enable lawyers to vigorously defend immigrants facing removal.

In 2019, the Campaign joined with partners at the border to form the El Paso Immigration Collaborative (EPIC). The collective works to increase representation for detained individuals in the El Paso area, where the needs are enormous, and provide sorely needed oversight of the immigration courts and detention centers in and around El Paso, Texas.

Learn more at
[IMMIGRATIONJUSTICE.US](https://immigrationjustice.us)

POLICY, ADVOCACY AND COMMUNICATIONS

The American Immigration Council's efforts in the courts to halt egregious policies are complemented by our efforts to ensure these policies aren't enacted in the first place. The Council does this by providing facts and reliable analysis in public debate on immigration. Council resources were frequently cited in court cases, by lawmakers, and by 2020 presidential candidates.

In 2019, the Council issued 20 new or updated publications, including fact sheets such as "How the United States Immigration System Works" and "Why Don't Immigrants Apply for Citizenship." Other fact sheets debunk myths about our immigration system, such as "Immigrants and Families Appear in Court: Setting the Record Straight." A special report, "Changing Patterns of Interior Immigration Enforcement in the United States, 2016-2018," was published to expose the government's indiscriminate approach to immigration enforcement, which essentially creates new categories of individuals vulnerable to enforcement actions. A total of 250 articles analyzing immigration developments and challenges were also published on the Council's blog Immigration Impact.

The Council filed four civil rights complaints with government oversight agencies drawing attention to serious concerns about immigration detention practices. The Council's efforts frequently triggered immediate responses. One complaint demanded the release of infants from Immigration and Customs Enforcement (ICE) custody. The substance of the complaint—aided by amplification from the Council's communications team—prompted the release of all infants under one-year old along with their mothers. Another complaint documenting inadequate medical care at a Colorado immigration detention center resulted in weekly inspections of the facility by a congressional office.

COMMUNICATING IMMIGRATION SOLUTIONS TO MILLIONS OF PEOPLE IN 2019

Reached over 1.5 million people through our website and 100,000 followers on social media.

Cited by over 1,000 stories in more than 2,600 outlets nationwide.

Authored opinion pieces in *The Wall Street Journal* and *The New York Times*.



CENTER FOR INCLUSION AND BELONGING

Building a cohesive America where all people are welcomed and included.

The American Immigration Council invested in efforts to change hearts and minds. This included officially launching the Center for Inclusion and Belonging to house our growing programmatic work that will drive attitude and behavior change towards newcomers in America. The Center's work is organized under four pillars: Trainings, Campaigns, Research, and Community of Practice.

In 2019, the "Communicating Inclusion" training was piloted. Through this training, local organizers were provided with the tools to assess the values, fears, and motivations active in their community around immigration and how to activate better messaging strategies that can help create more inclusive communities.

The Center also hosted the 22nd annual Fifth Grade Creative Writing Contest. The contest asks students across America to share their thoughts and feelings about why they are glad America is a nation of Immigrants. The winner presents their entry at the Council's annual American Heritage Awards.

One of the centerpieces of the Center's work will be the launch of a national communications campaign in 2020. The Center has cultivated new and wide-ranging partnerships with local, national, and private organizations to support its work.



GOVERNMENT TRANSPARENCY

The Council is a leader in exposing harmful government policies.

The American Immigration Council has taken a leading role in shedding light on immigration policies and information that are otherwise shielded from the public eye. The government has historically withheld immigration documentation and data but the cloud of secrecy has worsened substantially over the past few years, as immigration agencies regularly and frequently implement policy changes without sharing crucial information with the public.

The Transparency Project, a unique partnership of our legal and research staff, uses the Freedom of Information Act (FOIA) to secure data and documentation from government agencies and takes them to court when they fail to comply. Once we receive data, we analyze and publish reports to share the information publicly.

We are litigating more than half a dozen FOIA lawsuits, including the first-ever certified class action lawsuit under the

FOIA. In this case, we are challenging the severe delays in government responses to requests for individuals' personal immigration files (called an "A-files"). These delays can hinder a person's ability to challenge their deportation or secure an immigration benefit.

The Transparency Project also worked with the media to share important stories with the public. For example, we obtained government records that revealed new and troubling details on the 2018 family separation policy. Heightened by extensive media coverage, the revelation of these documents raised concerns with members of Congress, who called for an internal government agency investigation into monitoring of family separation protests and demanded answers from the Secretary of the Department of Homeland Security about targeted government surveillance of journalists, activists, and lawyers.

CULTURAL EXCHANGE

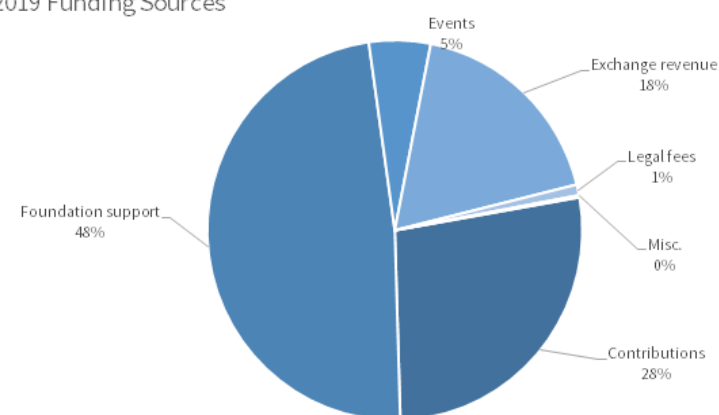
The American Immigration Council's Cultural Exchange program connects American businesses with the global market of ideas and innovation. In 2019, approximately 250 interns were hosted across six occupational categories ranging from arts and culture to science, engineering, and architecture.

The Cultural Exchange program is also a strong, self-sustaining source of revenue for the Council, generating over \$1.7 million in revenue in 2019.



FINANCES

2019 Funding Sources



2019 Use of Funds

