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SCAPEGOATING IMMIGRANTS IN THE COVID-19 PANDEMIC

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Immigrants are once again the targets of draconian policymaking. It is during the COVID-19 pandemic this time.¹ Through a series of presidential proclamations and other executive branch maneuvers, the Trump Administration is attempting to leverage a host of so-called migration management tools to ban entry and force some immigrant to leave the country—all under the guise of containing the spread of the coronavirus and protecting American jobs (see Table 1).²

In addition to travel bans from multiple countries and a near total shutdown of the northern and southern borders, the Trump Administration’s migration management efforts target not only unauthorized immigrants but also asylum seekers, family members of legal permanent residents, temporary workers (agricultural & high tech), and international students. Migration management applies to nearly every person seeking entry to U.S. on an immigrant visa or nonimmigrant visas.³

¹Karuna Simbeck, 2020, COVID-19’s Impact on US Immigration: Some Key Changes, Law.com, July 14, available at <https://www.law.com/thelegalintelligencer/2020/07/14/escovid-19s-impact-on-us-immigration-and/?slreturn=20200615155340>; White House, 2020, Proclamation Suspending Entry of Immigrants Who Present Risk to the U.S. Labor Market During the Economic Recovery Following the COVID-19 Outbreak, April 22, available at <https://www.whitehouse.gov/presidential-actions/proclamation-suspending-entry-immigrants-present-risk-u-s-labor-market-economic-recovery-following-covid-19-outbreak/>; Sruthi Darbhamalla, 2020, Trump’s COVID-19 Visa Ban May Alter the Face of American Immigration beyond the Pandemic, The Chicago Reporter, July 8, available at <https://www.chicagoreporter.com/trumps-covid-19-visa-bans-may-alter-the-face-of-american-immigration-beyond-the-pandemic/>; Kevin Martinez, 2020, Trump Administration Exploits Coronavirus to Block All Asylum Seekers from Entering the US, World Socialist Website, March 21, available at <https://www.wsws.org/en/articles/2020/03/21/asyl-m21.html>; BBC, 2020, Coronavirus: Immigration to US to be Suspended Amid Pandemic, Trump Says, BBC New Daily, April 21, available at <https://www.bbc.com/news/world-us-canada-52363852>.

²Coronavirus (COVID-19) Resources—migration management tools—border closures, travel restrictions, and bars on asylum, available at <https://www.migrationpolicy.org/topics/coronavirus>.

³As one write noted, “even during earlier crises, such as the Great Depression, the two world wars, and the horrific flu pandemic of 1918-19, the U.S. did not categorically ban the entry of virtually all immigrants seeking to settle permanently.” See Ilya Somin, 2020, the Dangers of America’s Coronavirus Immigration Bans, The Atlantic, June 28, available at <https://www.theatlantic.com/ideas/archive/2020/06/danger-americas-coronavirus-immigration-bans/613537/>.

Some assert that the Trump Administration is merely using the coronavirus pandemic as an excuse to continue pursuing an anti-immigration and anti-immigrant agenda.⁴ Others question the purported link between international migration and spread of the coronavirus, noting that community spread is far more important than migration in population exposure to the deadly disease.⁵ Beyond these valid critiques, the administration's migration management proposals are problematic for other reasons, which have enormous implications for the future health, social wellbeing, and economic viability for our nation moving forward.

REASONS FOR CONCERN

First, the migrant management proposals are a manifestation of demographic myopia. The Trump Administration is erecting barriers to immigration precisely at the time the U.S. native-born population is aging and experiencing both below replacement level fertility and deaths of despair among the prime working age, less than college-educated demographic.⁶ Together with high rates of COVID-19 related deaths among working age people of color, these demographic developments will have a profound effect on the U.S. labor supply in the years ahead, especially as the 81 million baby boomers—individuals born between 1946 and 1964—continue to exit the workforce.⁷ Most immigrants are young and in their childbearing years. We are going to need them to both fuel population growth and propel the U.S. economy in the global marketplace as workers and business owners.

Second, combined with a host of other zero-tolerance immigration policies and practices proposed or implemented prior to the COVID-19 pandemic, current efforts to “manage” migration are also a form of economic myopia. Clouded by the unfounded or dubious claim that immigrants cost more than they contribute to American society, there is a clear failure to recognize or acknowledge the direct, indirect, and induced effects of immigration on employment and consumer spending. Above and beyond the toils of their labor, substantial economic and tax benefits accrue from the immigrant newcomers' consumer spending for housing, cars, and gasoline as well as other consumer goods and services—benefits that typically far outweigh any government expenditures for such services as K-12 education, health care, and criminal justice.⁸

⁴Eric Reidy, 2020, The COVID-19 Excuse? How Migration Policies Are Hardening Around the Globe, *The New Humanitarian*, April 17, available at <https://www.thenewhumanitarian.org/analysis/2020/04/17/coronavirus-global-migration-policies-exploited>; Alan Gomez, 2020, ACLU Lawsuit Claims Trump Administration Policy Blocking Migrants During Covid-19 is Illegal, *USA Today*, June 10, available at <https://www.usatoday.com/story/news/nation/2020/06/10/aclu-lawsuit-challenges-trump-rule-blocking-migrants-public-health-covid/3149300001/>.

⁵Alex Nowrasteh and Andrew C. Forrester, 2020, No, Mr. President, Immigration is Not Correlated with COVID-19 in the United States, *Cato at Liberty*, April 21, available at <https://www.cato.org/blog/no-mr-president-immigration-not-correlated-covid-19-united-states/>; Julia Ainsley, 2020, As Covid-19 Looms, Conditions for Migrants Stalled at the Border are a 'Disaster in the Making,' *NBC News*, May 12, available at <https://www.nbcnews.com/politics/immigration/covid-19-looks-conditions-migrants-stalled-u-s-border-are-n1204506>; Justine Calma, 2020, Migrants Aren't to Blame for Covid-19," *The Verge*, April 21, available at <https://www.theverge.com/2020/3/27/21196100/immigration-borders-covid-19-coronavirus>; Megan Janetsky, 2020, COVID Slows Central American-US Migration *VOA News*, May 28, available at <https://www.voanews.com/americas/covid-slows-central-america-us-migration>; Allyssa M.G. Scheyer, 2020, We are Killing Them: The Heavy Tool Covid-19 Takes on Undocumented Immigrants, *Jurist*, April 22, available at <https://www.jurist.org/commentary/2020/04/allyssa-scheyer-covid-19-undocumented-immigrants/>; World Bank Group, 2020, CoVid-19 Crisis Through a Migration Lens. Migration and Development Brief, no. 32, available at <https://openknowledge.worldbank.org/handle/10986/33634>; Indranil Chakkraborty and Prasenjit Maity, 2020, COVID-19 Outbreak: Migration, Effects on Society, *Global Environment and Prevention*, "Science of the Total Environment", Vol 728, available at <https://www.sciencedirect.com/science/article/pii/S0048969720323998>.

⁶James H. Johnson, Jr. and Allan M. Parnell, *Seismic Shifts*, Business Officer, July/August, available at <https://businessofficermagazine.org/features/seismic-shifts/>; Anne Case and Angus Deaton, 2020, *Deaths of Despair and the Future of Capitalism*, Princeton University Press, available at <https://press.princeton.edu/books/hardcover/9780691190785/deaths-of-despair-and-the-future-of-capitalism>. Richard A. Opell, Robert Gebeloff, K.K. Rebecca Lai, Will Wright, and Mitch Smith, 2020, The Fullest Look Yet at the Racial Inequity of Coronaviurs, *The New York Times*, July 5, available at <https://www.nytimes.com/interactive/2020/07/05/us/coronavirus-latino-african-americans-cdc-data.html>.

⁷James H. Johnson, Jr., Allan M. Parnell, & Huan Lian, 2019, *America's Shifting Demographic Landscape: Implications for Higher Education*. Frank Hawkins Kenan Institute of Private Enterprise, Kenan-Flagler Business School, University of North Carolina at Chapel Hill, April, available at https://www.ecs.org/wp-content/uploads/DisruptiveDemographics_06102019_reduced-003.pdf.

⁸See John D. Kasarda & James H. Johnson, Jr., 2006, *The Economic Impact of the Hispanic Population on the State of North Carolina*. Chapel Hill: Frank Hawkins Kenan Institute of Private Enterprise, Kenan-Flagler Business School, University of North Carolina at Chapel Hill, available at <https://www.cpc.unc.edu/resources/publications/bib/2969/>. For every \$1 dollar the state of North Carolina spent on K-12 education, health care, and corrections, it received \$11 in business revenues and taxes from the Hispanic newcomers.

Moreover, whenever a new immigrant group arrives, they are responsible for a net gain of “spillover” jobs in economic sectors that support their specific needs or consumer preferences for goods and services. In a 2006 study conducted for the North Carolina Bankers Association, we found, for example, that Hispanic newcomers to North Carolina were responsible the creation of 86,000 such spillover jobs.⁹ We found similar spillover job creation in two studies of Hispanic and immigrant newcomers to Arkansas and in a follow-up North Carolina study in 2014.¹⁰

What happens, then, when immigrants are forced to leave a community? Notably—and not inconsequential—there are parallel negative economic and employment impacts: losses of both business and tax revenue from immigrant consumer spending as well those spillover jobs that supported their presence in the community. Making matters worse, the negative externality effects of those losses reverberate through all sectors of the economy, including most notably housing, retail, and hospitality services.

Third, beyond the direct, indirect, and induced effects of the loss of immigrant consumer spending, the Trump Administration’s migration management efforts will adversely affect economic productivity and the viability of firms in nearly every sector of the U.S. economy. Immigrants are widely dispersed throughout the U.S. economy—in blue-, pink-, and white-collar occupations. They are overrepresented in the low-skilled 3D jobs—that is, jobs that native-born workers do not want because they are difficult, dirty, and dangerous—and in high skilled jobs in the STEM fields.

Most notably, immigrants account for a significant share of America’s essential workforce in health care and other sectors that are instrumental in controlling and combating the spread of the coronavirus, as well as caring for those infected by the deadly disease. Already stretched to its limits, this segment of our workforce is likely to face major labor supply issues, especially if infections rates continue to climb and some existing essential workers decide to vote with their feet in response to the high risk of exposure to the deadly coronavirus. While some aspiring immigrants, who would qualify as essential workers, are exempt from the Trump Administration’s migration management protocols, it is not at all clear that they will consider a temporary or permanent move to the U.S. given the Trump Administration’s widely publicized negative stance on immigration and inhumane treatment of immigrants.

Fourth, recent presidential proclamations and executive orders to manage migration also substantially reduce the innovation capacity of our nation. Immigrants are highly concentrated in university-, government-, and private sector-based research labs that we rely upon for scientific and technological breakthroughs that allow us to maintain a competitive edge in the global marketplace. Banning immigrants seeking green cards for permanent residency,

⁹Kasarda and Johnson, *Ibid.*

¹⁰ John D. Kasarda, James H. Johnson, Jr. Stephen J. Appold, and Derek Croney, 2007, *A Profile of Immigrants in Arkansas, Volume 2: Impacts on the Arkansas Economy*, The Winthrop Rockefeller Foundation, available at <https://www.urban.org/sites/default/files/publication/46411/411441-A-Profile-of-Immigrants-in-Arkansas.PDF>. Stephen J. Appold, James H. Johnson, Jr. and John D. Kasarda, 2013, *A Profile of Immigrants in Arkansas: Economic and Fiscal Benefits and Cost, Volume II*, Winthrop Rockefeller Foundation, January, available at <https://www.immigrationresearch.org/report/other/profile-immigrants-arkansas-economic-and-fiscal-benefits-and-costs-volume-ii>. Stephen J. Appold and James H. Johnson, Jr., 2014, *The New North Carolinians: The Economic Impact of the Hispanic and Immigrant Population in North Carolina*, SSRN Electronic Journal, January, available at https://www.researchgate.net/publication/272244935_The_New_North_Carolinians_The_Economic_Impact_of_the_Hispanic_and_Immigrant_Population_in_North_Carolina

shutting down the H1 B visa program, and travel bans from certain countries limit access to critical talent that, among other things, could potentially contribute to the development of a vaccine to curtail the spread of the coronavirus. Moreover, curtailing temporary work visas, especially those for high tech workers, will likely have the perverse effect of accelerating the offshore movement of white-collar jobs.

Fifth, the recent proposal to deny or retract the visas of international students enrolled in programs offering only online instruction this fall threatened the financial viability of higher education institutions who rely in part on tuition revenue from international students to remain solvent.¹¹ International students inject about \$40 million annually into the U.S. economy through their tuition payments and consumer spending for housing and other basic-necessities. Beyond their economic contributions, international students also enrich the academic experiences of native-born higher education students through their co-engagement in curricular and extracurricular activities. In addition, once they complete their degrees, many international students remain in the U.S. and fill critical positions in our labor market.¹² Although the Trump Administration was forced to rescind the proposal,¹³ the decision in the first instance could potentially have a chilling effect on the future flow of international students into U.S. higher education institutions.

Finally, the most recent memorandum seeks to bar people in the U.S. illegally from being counted in congressional reapportionment. The Census Bureau reports that 90 million households have responded to the 2020 Census, the majority online. In areas where there have been no responses, door-to-door census takers will be going to households. The Census count determines the distribution of \$675 billion in federal spending as well as how many congressional districts are apportioned to states. Fear of responding because of illegal relatives dampens numbers and harms underserved and rural communities in the formula for funding.

KEY TAKEAWAYS

Immigrants played a pivotal historical role in transforming the U.S. into an internationally recognized economic superpower. Today, they are instrumental actors in producing the food we consume, maintaining and upgrading our physical infrastructure, advancing our health and well-being, and ensuring in numerous other innovative and creative ways our continued competitiveness in a highly volatile global market place.

¹¹ ICE, 2020, SEVP Modifies Temporary Exemptions for Nonimmigrant Students Taking Online Courses During the Fall of 2020, July 6, available at <https://www.ice.gov/news/releases/sevp-modifies-temporary-exemptions-nonimmigrant-students-taking-online-courses-during>; Emma Whitford, 2020, International Students Banned from Online Instruction, "Inside Higher Ed, July 7, available at <https://www.insidehighered.com/news/2020/07/07/department-homeland-security-rule-bans-international-students-online-only>.

¹² Diana Quintero, 2020, NEW ICE Guidelines Jeopardize International Students Like Me, Brown Center Chalkboard, July 13, available at <https://www.brookings.edu/blog/brown-center-chalkboard/2020/07/13/new-ice-guidelines-jeopardize-international-students-like-me/>.

¹³ Alexandra Garrett, 2020, "Trump Reverses ICE ban on Foreign Students Taking Classes Only Online," C/Net.com, July 14, available at <https://www.cnet.com/health/trump-reverses-ice-restrictions-on-foreign-students-taking-online-only-classes/>.

At least one innovative policy remains intact: the EB-5 Immigrant Investor Visa Program.¹⁴ Created by Congress in the Immigration Act of 1990, EB-5 sets forth a process for eligible immigrant investors to become lawful permanent residents by investing in a business that will employ at least 10 American workers. Rural and high unemployment regions, called “targeted employment areas,” are typically the recipient of the investment. In 1992, Congress created the EB-5 Regional Center to stimulate capital investment by foreign entrepreneurs through the 800-plus regional investor pools as federally approved intermediaries.¹⁵

More than 78,000 investors from primarily China, South Korea, Taiwan and the United Kingdom have used the Regional Center Program, which has been extended through September 30, 2020.¹⁶ While the program supports much needed capital in real estate projects that initially create construction jobs and then service jobs, there also have been infrastructure projects for road and rail, technology centers, congregate senior living facilities, and charter schools. A 2017 U.S. Department of Commerce study found that the program created more than 170,000 jobs in federal fiscal year 2012-2013.¹⁷

EB-5 is often part of the capital stack for a real estate or infrastructure project and is an underutilized impact investment tool. Because the government does not release detailed data on EB-5 investments, the specific impact is difficult to measure, and there are few knowledgeable practitioners in philanthropy, business, or government who understand the rather complex program.

A second policy innovation, not yet enacted into law, comes from the Economic Innovation Group (EIG). In an April 2019 report, EIG outlined the core elements of an employment-based visas program—dubbed “the Heartland Visa”¹⁸—to incentivize population growth by allowing skilled immigrants to work in U.S. rural and underserved areas experiencing decline, similar to the Australian and Canadian place-based visas. Emblematic of the need for such a program, U.S. rural and micropolitan counties with between 10,000 and 20,000 inhabitants lost population, while 71% of all metropolitan counties gained population, between 2008 and 2017.¹⁹

¹⁴U.S. Department of State,–Bureau of Consular Affairs, Immigrant Investor Visas, available at <https://travel.state.gov/content/travel/en/us-visas/immigrate/immigrant-investor-visas.html>; Can AM Enterprises, The EB-5 Program: A Definitive Guide to EB-5 Visa, available at <https://www.canamenterprises.com/download-the-definitive-guide-to-eb-5-visa/>.

¹⁵U.S. Citizenship and Immigration Services, EB-5 Immigrant Investor Regional Centers, available <https://www.uscis.gov/working-in-the-united-states/permanent-workers/employment-based-immigration-fifth-preference-eb-5/eb-5-immigrant-investor-regional-centers>.

¹⁶Donoso & Partners, 2019, EB-5 Extension Until Sept. 30, 2020, December 19, available at <https://www.donosolaw.com/eb-5-extension-until-sept-30-2020/>.

¹⁷U.S. Department of Commerce, Estimating the Investment and Job Creation Impact of the EB-5 Program, Economics and Statistics Administration, Office of the Chief Economist, available at https://www.commerce.gov/sites/default/files/migrated/reports/estimating-the-investment-and-job-creation-impact-of-the-eb-5-program_0.pdf

¹⁸Adam Ozimek, Kenan Fikri, & John Lettieri, 2019, From Managing Decline to Building the Future: Could a Heartland Visa Help Struggling Regions?, Economic Innovation Group, April, available at <https://eig.org/wp-content/uploads/2019/04/Heartland-Visas-Report.pdf>

¹⁹David Swenson, 2019, Most of America’s Rural Areas Are Doomed, The Conversation, May 7, available at <https://theconversation.com/most-of-americas-rural-areas-are-doomed-to-decline-115343>.

Scapegoating immigrants will neither curtail the spread of the coronavirus nor address the enormous unemployment problems cause by the forced shutdown of the U.S. economy.²⁰ Moving forward, given the demographic headwinds our nation faces, it a strategic imperative to embrace immigrants as part of the solution as opposed to part of the problem.²¹ To do otherwise is to shoot-ourselves in the foot—demographically, economically, and geopolitically.

Table 1: COVID-19 Migration Management Tools

Initiating Entity	Date	Title	Targeted Group
Presidential Proclamation #q9984	January 31, 2020	China Travel Proclamation	Suspends entry of all Immigrants, non-immigrants, other non-US citizens present in PRC during 14-day period preceding entry or attempted into US.
CBP & TSA Federal Register Notices	February 4, 2020	PRC	Arrival restrictions and requirements to land in US at designated airports
	February 7, 2020	Additional Airports	John F. Kennedy International Airport (JFK), NY Chicago O’Hare International Airport (ORD), IL San Francisco International Airport (SFO), CA Los Angeles International Airport (LAX), CA
	March 4, 2020	Iran	Seattle-Tacoma International Airport (SEA), WA Daniel K. Inouye International Airport (HNL), HI
	March 17, 2020	European Schengen Area	Hartsfield-Jackson International Airport (ATL), GA Washington-Dulles International Airport (IAD), VA Newark Liberty International Airport (EWR), NJ
	March 19, 2020	UK & Federal Republic of Ireland	Dallas-Fort Worth International Airport (DFW), TX Detroit Metropolitan Wayne County Airport (DTW), MI Boston Logan International Airport (BOS), MA Miami International Airport (MIA), FL
	May 28, 2020	Brazil	Fort Lauderdale-Hollywood International Airport (FLL), FL George Bush Intercontinental/Houston Airport (IAH), TX
Presidential Proclamation #9992	February 29, 2020	Iran Travel Ban	Suspends entry of all aliens physically present within the Islamic Republic of Iran 14 day-period preceding entry or attempted entry into US.
Presidential Proclamation #9993	March 11, 2020	European Schengen Area Proclamation	Suspends entry of all aliens who were physically present within the Schengen Area during the 14-day period preceding their entry or attempted entry into US.
Presidential Proclamation #9994	March 13, 2020	Declaring a National Emergency Concerning the Novel Coronavirus Disease (CoVID-19)	All U.S citizens

²⁰ Abhinav Chugh, 2020, Will COVID-19 Change How We Think About Migration and Migrant Workers? The World Economic Forum COVID Action Platform, May 22, available at <https://www.weforum.org/agenda/2020/05/covid-19-coronavirus-migration-migrant-workers-immigration-policy-health-securitization-risk-travel-bubbles/>; Michelle L. O’Brien and Maureen A. Eger, 2020, COVID-19 Will Have Long-Lasting Effects on Migration, Fair Observer, May 14, <https://www.weforum.org/agenda/2020/05/covid-19-coronavirus-migration-migrant-workers-immigration-policy-health-securitization-risk-travel-bubbles/>

²¹ One study suggests that an alternative to blanket exclusion of immigrants is to “impose a 14-day quarantine on entrants from potentially dangerous areas,” a strategy employed by South Korea which has done a better job than the US containing the spread of the virus. The study goes on to note that “[i]mmigrants can be isolated until it is clear they do not have the virus,” which is an estimated “small price to pay for the chance to live in a society that offers greater freedom and opportunity.” A targeted quarantine strategy for incoming migrants also would likely reduce undocumented or illegal immigration—individuals who would have strong incentives to avoid testing for the virus and therefore facilitate community spread. See Marta Foresti, 2020, Less Gratitude, Please. How COVID-19 Reveals the Need for Migration Reform, May 22, available at <https://www.brookings.edu/blog/future-development/2020/05/22/less-gratitude-please-how-covid-19-reveals-the-need-for-migration-reform/>; Emma Graham-Harrison and Helena Smith, 2020, What is the future for Travel and Migration in age of Covid19? The Guardian, May 12, available at <https://www.theguardian.com/world/2020/may/12/what-is-the-future-for-travel-and-immigration-in-age-of-covid-19>.

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Presidential Proclamation #9996	March 14, 2020	Ireland & United Kingdom Proclamation	Suspends entry of all aliens who were present in England, Scotland, Wales, Northern Ireland, & Republic of Ireland during the 14-day period preceding their entry or attempted entry into the US.
Department of State News Alert	March 20, 2020	Routine Visa Services Suspended at all US Embassies & Consulates	Cancels all Immigrant & Non-Immigrant Visa Appointments
Federal Register Notices	March 24, 2020 April 20, 2020 May 26, 2020	Essential Only Travel Restrictions through Land Ports of Entry along US-Canada & US-Mexico Borders	Restricts tourism travel via car, rail and ferry along the northern and southern borders.
CDC Order	March 26, 2020 April 20, 2020 May 26, 2020	Congregate Settings Restrictions	Blocks entry of persons who are traveling from Canada or Mexico (regardless of country of origin) and who must be held in congregate settings in POEs or Border Patrol Stations to facilitate immigration processing.
Presidential Memoranda	April 10, 2020	VISA Sanctions	Imposes visa sanctions on any foreign country that denies or delays acceptance of aliens of that country as a necessary response to the ongoing pandemic.
Presidential Proclamation	April 22, 2020	Suspending Entry of Immigrants who Present a Risk to U.S. Labor Market During the Economic Recovery Following the COVID-19 Outbreak	Bans aliens outside US who do not have a valid immigrant visa and an official travel document other than a visa on effective date of proclamation. Does not apply to alien health professionals, aliens that would further US law enforcement objectives, aliens applying for the EB-5 Investor Program, alien spouses and children under age 21 of US citizens, members of Armed Services, their spouses and children, and aliens whose entry would be in the national interest.
Presidential Proclamation 10052	June 22, 2020	Suspending Entry of Aliens Who Present a Risk to the U.S. Labor Market Following the Coronavirus Outbreak	Suspends entry of aliens applying for H-1B visas (temporary non-agricultural workers), H-2B visas (temporary agricultural workers), L-visas (temporary inter-company transfers in managerial positions or who have specialized knowledge), and J-visa (exchange visitors, including, au pairs, camp counselors, interns, teachers, professors and research scholars, and students.
USDOT Order 2020-6-6	June 15, 2020	Status of Passenger Flights by Chinese Airlines to & From US	Limits Chinese carriers to operate, in the aggregate, four weekly roundtrip scheduled passenger flights to and from the US, the same number Chinese aviation authorities allow US carriers to schedule.

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Immigration & Customs Enforcement Rule	July 6, 2020	SEVP Modifies Temporary Exemptions for Nonimmigrant Students Taking Online courses During Fall Semester 2020	“US Department of State will not issue visas to students enrolled in schools and/or programs that are fully online for the fall semester.” Affected students required to either transfer to schools with in person instruction or leave the country.
Department of Justice & Department of Homeland Security	July 15, 2019	Asylum Eligibility & Procedural Modifications	Considers ineligible for asylum any alien who attempts to enter US across southern border after failing to apply for protection in a third country to which they transited en route to the US.
Presidential Memorandum to the U.S. Department of Commerce	July 21, 2020	Census 2020	Bars people in the U.S. illegally from being counted in reapportionment.
Department of Homeland Security Memorandum	July 28, 2020	DACA	Immigrants who already had protections will be allowed to renew their status under the program for one year, rather than two. The memo is intended to replace the Memorandum that originally established DACA in 2012. First-time applicants to the program will be rejected.

Source: NAFSA, 2020, COVID-19 Restrictions on U.S. Visas and Entry, June 22, available at [nder; Coronavirus \(COVID-19\) Resources—migration management tools—border closures, travel restrictions, and bars on asylum, available at https://www.migrationpolicy.org/topics/coronavirus.](https://www.migrationpolicy.org/topics/coronavirus)

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