



# IMMIGRATION UPDATE - NOVEMBER 25, 2024

*Posted on November 25, 2024 by Cyrus Mehta*

## Headlines:

### [Planned Trump Mass Deportations Could Heavily Impact U.S. Farming](#) –

The Trump administration's plans to deport millions of undocumented migrants currently in the United States could severely impact U.S. agriculture and thus reduce the food supply and raise grocery prices.

### [ACLU SoCal Files Suit to Obtain Info on ICE Air Operations Program in Light of Trump Mass Deportation Plans](#) –

ACLU SoCal said that the information sought "will shed critical light on removal processes and help to inform the public of the risks that would result if capacity is further built out."

### [DHS Announces Countries Eligible for H-2A and H-2B Nonimmigrant Worker Programs](#) –

The announcement adds Belize to the list of countries eligible to participate.

### [DOL Recovers \\$1.4 Million in Back Pay and Damages From General Dynamics Subsidiary for Wage Violations](#) –

Dozens of Mexican workers brought into the United States from Mexico on L-1 visas were paid in Mexican pesos below the minimum wage. The Department of Labor found that the company owed \$719,135 in unpaid minimum and overtime wages plus an equal amount in liquidated damages.

### [President-Elect Trump Names Picks for Secretary of Labor, Attorney General](#) –

Continuing his rapid-fire announcements of cabinet picks, President-elect Donald Trump named his choices for several more positions.

## Details:

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## **Planned Trump Mass Deportations Could Heavily Impact U.S. Farming**

According to reports, the Trump administration's plans to deport millions of undocumented migrants currently in the United States could severely impact U.S. agriculture, among other industries, and thus reduce the U.S. food supply and raise grocery prices.

For example, in an ABC News report, [Mass Deportations Could Upend Agriculture Industry](#), correspondent Martha Raddatz interviewed farm owners in California's Central Valley, which produces 25 percent of the U.S. food supply. According to the report, the Department of Agriculture has estimated that about half of U.S. farmworkers do not have legal status. In the Central Valley, that constitutes more than 330,000 workers, according to estimates.

One farmer, Joe Del Bosque, said that his farm's labor supply was already stretched thin and that they cannot afford a labor shortage. He noted that when there have been labor shortages, crops have been unharvested and lost. Mr. Del Bosque said that U.S. citizens do not want to perform that type of work in "extreme conditions" like 100+-degree heat and dust. He said California grows about 50 percent of the fruits, vegetables, and nuts for the entire country.

The head of a farmers and farmworkers trade association in the Fresno area, Manuel Cunha, Jr., said that California pays some of the highest wages in the nation for farm work, but U.S. citizens still will not apply, so higher pay is not the issue. He attributed U.S. citizens' unwillingness to perform farm work to the toughness of the work: "It ain't gonna happen. They're not going to get up at 4 or 5 a.m. in the morning, drive to the field, and pick fruit." He also distinguished between undocumented migrants who are criminals and those who are otherwise law-abiding and in some cases have been working in the United States for decades without incident.

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## **ACLU SoCal Files Suit to Obtain Info on ICE Air Operations Program in Light of Trump Mass Deportation Plans**

On November 18, 2024, the American Civil Liberties Union (ACLU) SoCal, joined by Mayer Brown LLP, filed a [lawsuit](#) in Los Angeles, California, to obtain information on U.S. Immigration and Customs Enforcement's (ICE) Air

Operations (IAO) [program](#) following an unsuccessful Freedom of Information Act (FOIA) request submitted in August 2024.

President-elect Trump [plans](#) to [declare a national emergency](#) so he can use the U.S. military, including the National Guard and other U.S. troops, to support his mass deportation plans. Kyle Virgien, senior staff attorney for the ACLU's national prison project, [said](#), "For months, the ACLU has been preparing for the possibility of a mass detention and deportation program, and FOIA litigation has been a central part of our roadmap. A second Trump administration underscores the urgency of our litigation."

In its suit, ACLU SoCal said that President-elect Trump's "stated plan to arrest noncitizens on a vast scale and operate around-the-clock deportation flights using has rendered the public's interest in the matter all the greater." Specifically, the lawsuit "seeks disclosure of records related to from the period of January 1, 2023 through the present, including, but not limited to, contracts for operating removal flights and ground transportation to removal flights, and internal policies and procedures for staging, staffing, and handling flights, including those with unaccompanied children."

IAO is ICE's primary air transportation division. IAO "facilitates the transfer and removal of noncitizens via commercial airlines and chartered flights in support of ICE field offices and Department of Homeland Security (DHS) initiatives." ACLU SoCal noted that "ICE continues to withhold from the public key information about the millions of taxpayer dollars that it funnels to private third parties to operate with little public oversight or transparency." The suit notes that "ver the past few decades, the institutional infrastructure behind these flights has shifted from a government-run operation by the U.S. Marshals Service on government planes, to a sprawling and opaque network of flights on privately-owned aircraft chartered by . Despite the critical role these flights play in the removal system—in many instances, serving as the mechanism for deportation— remains shrouded in secrecy." ACLU SoCal said that the information sought "will shed critical light on ICE's removal processes and help to inform the public of the risks that would result if capacity is further built out."

ACLU SoCal is a nonprofit affiliate of the national ACLU Foundation and has more than 120,000 members.

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## **DHS Announces Countries Eligible for H-2A and H-2B Nonimmigrant Worker Programs**

The Department of Homeland Security (DHS), in consultation with the Department of State (DOS), has [announced](#) the [list of countries](#) whose nationals are eligible to participate in the H-2A and H-2B nonimmigrant worker visa programs for the next 12 months.

The announcement adds Belize to the list of countries eligible to participate in those programs and does not remove any country previously designated as eligible. (Mongolia and the Philippines are eligible to participate in the H-2B program but not the H-2A program. Paraguay is eligible to participate in the H-2A program but not the H-2B program.)

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## **DOL Recovers \$1.4 Million in Back Pay and Damages From General Dynamics Subsidiary for Wage Violations**

On November 19, 2024, the Department of Labor's (DOL) Wage and Hour Division (WHD) announced that it has [recovered](#) more than \$1.4 million in back pay and damages from a General Dynamics subsidiary, National Steel and Shipbuilding Co. (NASSCO), in San Diego, California, on behalf of 36 Mexican engineer employees. NASSCO paid the employees in Mexican pesos at a rate below the federal minimum wage.

NASSCO brought the engineers into the United States via the L-1B visa program from a General Dynamics subsidiary in Mexicali, Mexico, to install power plants, engines and machinery; complete structures; and finish and furnish ship interiors.

According to DOL, NASSCO "paid the engineers in pesos at Mexican pay rates to work an average of 42 hours or more weekly." WHD also determined that NASSCO "wrongfully treated the traveling workers' per diem and lodging costs as wages and did not maintain accurate time records for them. Investigators found that NASSCO owed the 36 engineers \$719,135 in unpaid minimum and overtime wages, plus an equal amount in liquidated damages."

DOL noted that NASSCO, which is headquartered in San Diego, operates shipyards in Norfolk, Virginia; and Bremerton, Washington; and Mayport in Jacksonville, Florida. Its parent company, General Dynamics, is an aerospace

and defense contractor employing more than 100,000 people worldwide that generated \$42.3 billion in revenue in 2023.

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## **President-Elect Trump Names Picks for Secretary of Labor, Attorney General**

Continuing his rapid-fire announcements of cabinet picks, President-elect Donald Trump named [Rep. Lori Chavez-DeRemer \(R-Ore.\)](#) as his choice for Secretary of Labor on November 22, 2024. She is described as "[moderate](#)" and "union-friendly," although reactions were mixed. She served on the House of Representatives' Education and the Workforce Committee, among other assignments. Rep. Chavez-DeRemer was [favored](#) by the head of the Teamsters Union, Sean O'Brien, but the AFL-CIO [scored](#) her at only 10 percent for her legislative record in 2023. The Senate is expected to consider her nomination in January after the new Congress convenes.

President-elect Trump has also named his picks for various other key positions. Most recently, he named [Pam Bondi](#) for Attorney General, heading the Department of Justice, after Matt Gaetz, who was Trump's first pick for Attorney General, withdrew following a [swirl of controversy](#). Ms. Bondi, formerly Florida's Attorney General, has also served as a defense lawyer and legal advisor on Trump's legal team and headed legal activities for the America First Policy Institute.

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