



**February 10, 2021**

The Honorable Zoe Lofgren, Chair  
The Honorable Pramila Jayapal, Vice Chair  
The Honorable Ken Buck, Ranking Member

United States House of Representatives  
2138 Rayburn House Office Building  
Washington, D.C. 20515

**RE:** February 11, 2021 Hearing, "The U.S. Immigration System: The Need for Bold Reforms,"  
House Judiciary Committee Subcommittee

Dear Representatives Lofgren, Jayapal, and Buck:

The Interfaith Immigration Coalition (IIC) is made up of over 55 national, faith-based organizations across many theological traditions, with a common call to seek just policies that lift up the God-given dignity of every individual. In partnership, we work to protect the rights, dignity, and safety of all refugees and migrants.

The continued deportations and expulsions of Haitian migrants, including entire families, and people who have lived in the U.S. for decades makes this topic extremely urgent. As our nation grapples with admitting and articulating the true history of Black people in America during Black History Month, we call attention to these unjust deportations of Black asylum-seekers who face danger and violence if returned. This is not the country we should aim to be. President Biden himself pledged to bring a 'racial equity lens' to every aspect of his administration. Deportations of refugees to Haiti and African countries, including Cameroon, Congo, Mauritania and more after they are denied a fair asylum process is hypocritical and deadly.

In 2020, we released the "Interfaith Framework for Welcoming and Supporting Migrants, Immigrants, Asylum Seekers, and Refugees; Priority Recommendations for the Biden-Harris Administration to Restore Welcome from 2021-2025." Today, we respectfully request that this report, enclosed here, be included in the record of the February 11 hearing, "The U.S. Immigration System: The Need for Bold Reforms."

Our blueprint for immigration policy change contains three broad priorities:

- Bring accountability, compassion, fairness, and morality to immigration and other policies. Tear down walls and build communities.
- Decolonize the U.S.' role in other countries as they build and strengthen.
- Work with Congress to pass bold, humane, and compassionate immigration laws.

The extent of human suffering due to the prior administration's anti-immigration, anti-asylum, and anti-refugee policies cannot be measured or overstated. Many children and adults have died while in U.S. jails, their liberty denied for exercising their legal right to seek asylum. Thousands of people have been traumatized by their treatment at the hands of the U.S. Government and may never recover, including children and adults who had already fled violence; families subjected to forced separation at the border; and U.S. citizen children whose parents were deported.

As people of faith, we call on the Biden Administration and Congress to put humanity at the center of U.S. immigration administration. The path forward requires repealing cruel policies; strengthening the system we have today; creating avenues for healing; and transforming U.S. immigration laws into a pro-human, anti-racist paradigm. This is not just a goal, this is an imperative.

Sincerely,

Elissa Diaz, IIC Co-Chair and Policy and Advocacy Manager, Church World Service

Peniel Ibe, IIC Co-Chair and Policy Engagement Coordinator, American Friends Service Committee



# **Interfaith Framework for Welcoming and Supporting Migrants, Immigrants, Asylum Seekers, and Refugees**

Priority Recommendations for the Biden-Harris Administration to  
Restore Welcome from 2021-2025

**December 2020**

*The Interfaith Immigration Coalition is made up of over 55 national, faith-based organizations brought together across many theological traditions with a common call to seek just policies that lift up the God-given dignity of every individual. In partnership, we work to protect the rights, dignity, and safety of all refugees and migrants.*

**This report is a project of the Interfaith Immigration Coalition and was specifically endorsed by the following organizations and denominations**

American Friends Service Committee / Quaker

Christian Reformed Church Office of Social Justice

Church World Service

Columban Center for Advocacy and Outreach

Congregation of Our Lady of Charity of the Good Shepherd, U.S. Provinces

Cooperative Baptist Fellowship

Disciples Refugee & Immigration Ministries

Evangelical Lutheran Church in America

Franciscan Action Network

Friends Committee on National Legislation

Leadership Conference of Women Religious

Maryknoll Office for Global Concerns

National Advocacy Center of the Sisters of the Good Shepherd

National Council of Jewish Women

National Justice for Our Neighbors

NETWORK Lobby for Catholic Social Justice

Plymouth UCC Welcoming Migrants Committee, Des Moines, IA

Sisters of Mercy of the Americas Justice Team

Sojourners

T'ruah: The Rabbinic Call for Human Rights

Union for Reform Judaism

United Church of Christ Justice and Witness Ministries

United Methodist General Board of Church and Society

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## Introduction

Our diverse faith traditions compel us to welcome one another with love and compassion, regardless of place of birth, religion, or ethnicity. All of us are called to love our neighbor – all of our neighbors. Generations of immigrants and refugees have made this country stronger through their ideas, hard work, resilience, and traditions. U.S. policies on immigration and refugee resettlement should recognize the gifts, contributions, and struggles of immigrants and refugees, and ensure justice and protection for all.

We call on the new Administration and Congress to enact humane and equitable reforms to our immigration policies. Each day in our congregations, direct service programs, health care facilities, and schools, we witness the human consequences of a callous, punitive, and outdated immigration system. We see the exploitation of undocumented workers, the plight of separated families, and the fear in communities where immigrants and those perceived to be immigrants fall victim to hate. We see what it looks like when the U.S. – a nation built out of the enslavement of Black people and the destruction of Indigenous communities – uses the immigration system as a weapon. We see a direct connection between this country’s founding to today’s “crimmigration” system that is used to detain, politicize, silence, and deport migrants seeking a safer and more secure life in the U.S. This suffering offends the dignity of all human beings. The work to create a humane and just world for all people, regardless of immigration status, is inextricably intertwined with the work of racial justice to ensure the safety of dignity of Black lives. Compassionate and systemic immigration reforms will help heal our communities and our nation.

The Torah tells us: “The strangers who sojourn with you shall be to you as the natives among you, and you shall love them as yourself; for you were strangers in the land of Egypt” (Leviticus 19:33-34). In the Christian Bible, Jesus commands us to welcome the stranger, for “what you do to the least of my brethren, you do unto me” (Matthew 25:40). The Qur'an directs us to “do good to... those in need, neighbors who are near, neighbors who are strangers, the companion by your side, the wayfarer that you meet” (4:36). The Hindu Taittiriya Upanishad reminds us: “The guest is a representative of God” (1.11.2).

The Interfaith Immigration Coalition is rooted in these faith teachings and values, which call us to ensure that our laws promote and protect the dignity of each individual. We work for sustainable policies that:

1. Reform Border Security, Interior Enforcement, and Detention
2. Champion Refugee Resettlement and Protect Asylum Seekers
3. Improve Access to the Immigration System, Protections, and Public Benefits
4. Support Migrants Beyond U.S. Borders

This report outlines specific policy recommendations for the incoming Administration and 117th Congress. We urge policymakers to work in a bipartisan manner to pass reforms and legislation that protect the dignity and rights of every human being, including migrants, immigrants, and refugees. We call on the new Administration and Congress to enact anti-racist policies, understanding that immigration policy in the U.S. is currently rooted in white supremacy. As we advocate for just and sustainable policy, we are grateful for the leadership of immigrant rights organizations and our partners in this work.

*Note that not all Interfaith Immigration Coalition members have policy positions for all areas discussed.*

## Reform Border Security, Interior Enforcement, and Detention

*“Believers! Be upholders of justice and bearers of witness to truth for the sake of Allah.”*  
*Quran 4:135*

### Customs and Border Protection and the Border

The federal government has dramatically expanded border walls and militaristic infrastructure over the past thirty years in the southwest region of the U.S. These barriers stifle the economic vibrancy and quality of life in our border communities. Border enforcement policies also tear families and communities apart, devastating our congregations, contributing to the deaths of thousands of migrants in remote desert regions, and violating the rights of both U.S. citizens and immigrants.

Border wall construction has decimated fragile ecosystems, severed and destroyed habitats for endangered species, desecrated Indigenous sacred sites and burial grounds, violated religious liberty, and taken private land from those who operate businesses and live along the border. While national protests have raised concerns about local policing practices, these same concerns exist for Customs and Border Protection (CBP), such as their use of lethal force, particularly against communities of color, lack of accountability, culture of impunity, and the militarization of policing.

There is great need to reform our immigration system, including border enforcement tactics, priorities, and accountability. Solutions do not involve expanding authority and resources for CBP, instead, progress forward involves increasing transparency and accountability. Instead of criminalizing migrants and militarizing our border communities, solutions should address the root causes of migration and make protection of human life a core mission.

#### Recommendations:

- Reform CBP to ensure that policies and practices protect, not jeopardize, the human rights, civil rights and well-being of migrants and border communities and ensure accountability.
- Reverse southwest border wall damage. Freeze all barrier construction on day one of the new Administration and rescind all outstanding contracts, remove concertina wire, and conduct a thorough review of wall contracts for potential criminal and civil violations. Partner with communities, Indigenous tribes, scientists, and other stakeholders to remediate the harmful environmental and other harmful consequences and restore tribal lands, wildlife refuges, water resources, and seized private land.
- Demilitarize and end the over-policing of the border region. The new Administration must repeal EO 13767<sup>1</sup> (border wall construction and additional Border Patrol agents); end the deployment of National Guard and Department of Defense (DOD) personnel to the border; end the 1033 program that transfers military weapons and equipment to the Department of Homeland Security (DHS); and remove internal checkpoints that block access to essential services.
- Invest in a transformational change at CBP. The hostile and callous culture at CBP must be replaced with a value system that recognizes and respects human dignity. Such a change will require significant investment of leadership, time, training, and funding.
- Invest in modernizing port infrastructure including by increasing channels for the travel of border residents, visitors, merchants, and immigrants by hiring qualified and accountable staff and expanding access to ports of entry.

<sup>1</sup> The White House (2017),  
<https://www.whitehouse.gov/presidential-actions/executive-order-border-security-immigration-enforcement-improvements>.

- Respect civil rights and the right to privacy. End the collection of DNA from migrants and the use of face scanning and similar technologies that violate human privacy. Any technology deployed in the border region must be approached with extreme caution and consideration to ensure robust protections for human rights and civil rights.

## Immigration and Customs Enforcement and Interior Enforcement

Policies that strengthen relationships between local law enforcement and communities are essential for public safety. Separating local policing from immigration enforcement promotes the safety of the whole community. Immigrants, family members of immigrants, and individuals perceived to be immigrants should neither feel vulnerable, nor fear retribution or deportation, if they report being a victim or a witness to a crime. As we focus on building more inclusive communities, we support local and federal policing reforms that seek to eliminate racial profiling and disproportionate targeting of communities of color. We encourage policies that emphasize effective community-driven policing for the safety of all community members, citizens and non-citizens alike.

In a wholly egregious and tragic process, the past Administration ramped up deportations, in part, by broadening the definition of who could be subjected to enforcement actions – including removal. Increased deportation has been achieved through several means, including but not limited to surveilling immigrant communities even more closely, increasing the number of CBP checks on buses and trains, reopening DACA recipients’ removal cases, expanding expedited removal, and increasing funding for ICE and other federal enforcement agencies.

### Separate Federal Immigration Enforcement and Local Community-Driven Policing

The new Administration should ensure that DHS, ICE, and CBP officials respect current policies to avoid enforcement actions at “sensitive locations,” such as schools, courthouses, places of worship, and healthcare facilities. Respecting this policy includes not employing false statements or trickery to lure or coerce someone to walk away from a sensitive location. Recent reports detail how ICE detained an asylum seeker and church caretaker who has lived with his family in the U.S. for 29 years, violating their own policy.<sup>2</sup> Additionally, ICE recently engaged in raids of sanctuary cities in full force, not just destroying communities, but amplifying a harmful narrative.<sup>3</sup> These practices violate ICE guidelines on sensitive locations.

### Recommendations:

- Oppose laws and policies that infringe on the rights of states, cities, localities, and police departments to refuse collaboration with ICE and not honor ICE detainer holds.
- End administrative programs that incentivize, encourage, resource, or mandate collaboration between local police and immigration officials.
- End the 287(g) program and rescind all current 287(g) agreements, including the 287 (g) programs that are located in jails.
- Investigate complaints that ICE officers are using questionable tactics, such as posing as police officers, and enforce standards and consequences to prevent such actions.
- Place a moratorium on all deportations starting day one of the new Administration, with ample time to study and investigate ICE and CBP practices to create new guidelines that can end deportations and family separation for good.

<sup>2</sup> Religion News Service (2020), <https://religionnews.com/2020/09/21/ice-apprehension-on-church-grounds-violated-federal-policy-say-faith-leaders>.

<sup>3</sup> The Washington Post (2020), [https://www.washingtonpost.com/immigration/trump-ice-raids-sanctuary-cities/2020/09/29/99aa17f0-0274-11eb-8879-7663b816bfa5\\_story.html](https://www.washingtonpost.com/immigration/trump-ice-raids-sanctuary-cities/2020/09/29/99aa17f0-0274-11eb-8879-7663b816bfa5_story.html).

- Protect and expand sensitive locations to ensure ICE will not enforce immigration at the following: health care facilities; schools and school bus stops; places that provide assistance for people such as children, pregnant women, and abuse victims; places that provide disaster or emergency services; places of worship; courthouses and lawyers' offices; and public assistance offices.

## Stop Mass Deportations

We urge the new Administration to roll back policies that were implemented with the purpose of increasing deportation numbers. We also demand a moratorium on the deportation of asylum seekers during the COVID-19 pandemic. Immigration policy should be driven by research, public opinion, and the needs of immigrant communities. Policies that simply increase the number of immigrants who are detained and deported, during a pandemic and otherwise, are callous and do not increase public safety.

## Community-Based Case Management and Ending Reliance on Immigrant Detention

People of faith who visit, accompany, or represent immigrants in detention facilities witness firsthand the toll incarceration takes on those detained, their families, and our communities. As long as immigrants are detained, facility conditions must be improved and access to due process must be upheld. We support policies that promote the use of community-based alternatives to detention and prevent the detention of immigrants. Vulnerable individuals, such as children, asylum seekers, those with disabilities or medical conditions, those who are unable to read or write, and transgender people should never be placed in detention facilities; if necessary, they should be sheltered in non-restrictive environments. Vigorous efforts should be made to reunite children and asylum seekers with family members.

Two 1996 laws, the Illegal Immigration Reform and Immigrant Responsibility Act (IIRAIRA) and the Antiterrorism and Effective Death Penalty Act (AEDPA), greatly expanded the number and types of crimes that lead to automatic detention and deportation to include lower-level offenses and nonviolent crimes, created fast tracks to deportation that bypassed hearings before a judge, and put many more immigrants in detention facilities while they fight their cases. The retroactivity of the laws and their implementation have torn apart families and communities unjustly. For example, mandatory detention does not permit individualized release determinations and, thus, prevents the consideration of family ties, employment, housing, and other factors that may be relevant to release determinations and conditions.<sup>4</sup> Thus, the new Administration should work with Congress to repeal the harmful provisions in these laws.

The immigration detention system as we know it today constitutes a relatively new experiment in American history.<sup>5</sup> The detained population stands at 22,340<sup>6</sup> as of July 11, 2020, but while this number constitutes a marked drop in the averages seen over the course of the Trump Administration, this number in fact brings the system back to the approximate averages seen in detention during the early 2000s. Even this number, however, is historically anomalous if we extend our lens only a few decades further back.

The recent exponential growth of the immigration detention system is largely driven by profit, not sound policy. The U.S. immigration detention system is in fact a sprawling network of more than 200 facilities operating under a patchwork of contracts. More than 90 percent of immigrants detained by ICE are in fact held in county or local jails contracting with ICE, or in large prison complexes owned and/or operated by

<sup>4</sup> American Bar Association (2010),

[https://www.americanbar.org/content/dam/aba/publications/commission\\_on\\_immigration/coi\\_complete\\_full\\_report.authcheckdam.pdf](https://www.americanbar.org/content/dam/aba/publications/commission_on_immigration/coi_complete_full_report.authcheckdam.pdf).

<sup>5</sup> The New York Times (2018), <https://www.nytimes.com/2018/12/01/opinion/sunday/border-detention-tear-gas-migrants.html>.

<sup>6</sup> Immigration and Customs Enforcement (2020), <https://www.ice.gov/detention-management>.

private prison companies. These prison companies have been central and causal to the growth of the immigration detention system.<sup>7</sup>

While steps have been taken to promote alternatives to detention, immigration detention is still relied upon excessively at great financial and moral cost.<sup>8</sup> The exponential growth of the immigration detention industry has reached an all-time high, forged an unhealthy reliance on for-profit prison companies, and cultivated an irrational, immoral congressional mandate to detain tens of thousands of people every day.

### Reduce the Use of Detention for Immigration Enforcement and Invest in Community-Based Case Management

Immigration detention by ICE and CBP makes communities less safe, not more. Recent studies show that communities where the local police cooperate more with federal immigration enforcement and consequently have higher deportation rates do not see any corresponding decrease in crime rates.<sup>9</sup> On the other hand, studies consistently show that immigration and detention enforcement actions destabilize entire communities by creating financial and housing insecurity for families and contributing to fear and mistrust of local police and other state and local government entities.<sup>10</sup>

The COVID-19 pandemic has brought into sharp relief ICE's inability to protect public health in its detention practices. ICE's response to the pandemic has been a series of failures. For months into the pandemic and to this very day, immigrants in custody are not provided free soap in sufficient quantities. ICE has not provided free access to phones for all those behind bars during a pandemic, despite the agency having promised congressional staff it would do so.<sup>11</sup> A recent investigation illustrates further failings, including an insufficient supply of masks and hand sanitizer.<sup>12</sup> Throughout the pandemic, ICE has continued engaging in reckless and unnecessary transfers of people between facilities – transfers that have created new outbreaks within facilities and in surrounding communities.<sup>13</sup>

Twenty-one people died in ICE custody in fiscal year 2020,<sup>14</sup> the highest death rate in 15 years, even as the number of people in custody decreased significantly because of Trump Administration policies sealing the southern border to people seeking asylum. Adding to the tragic loss of life in ICE custody, CBP officers killed two people in Texas<sup>15</sup> and California<sup>16</sup> in a two-week period in October 2020. The death toll in ICE and CBP custody underscores that these agencies operate within a culture of violence that results in sexual assault,<sup>17</sup> violent abuse,<sup>18</sup> medical neglect,<sup>19</sup> and unsanitary conditions.<sup>20</sup>

Evidence-based studies consistently prove community-based programs to be safer than a detention-based approach, up to 80 percent cheaper than detention, and effective at ensuring compliance rates of 90

<sup>7</sup> Migration Policy Institute (2018), <https://www.migrationpolicy.org/article/profitting-enforcement-role-private-prisons-us-immigration-detention>.

<sup>8</sup> Human Rights First (2020),

<https://www.humanrightsfirst.org/resource/immigration-detention-and-covid-19-timeline-administration-fails-heed-warnings-worsens>.

<sup>9</sup> The Marshall Project (2019), <https://www.themarshallproject.org/2019/09/23/do-deportations-lower-crime-not-according-to-the-data>.

<sup>10</sup> Center for American Progress (2012), <https://www.americanprogress.org/wp-content/uploads/2012/08/DrebyImmigrationFamiliesFINAL.pdf>.

<sup>11</sup> The Hill (2020), <https://thehill.com/homenews/senate/498590-democrats-call-on-dhs-to-allow-free-calls-at-ice-detention-centers>.

<sup>12</sup> The Associated Press (2020), <https://apnews.com/article/c37254edd0acb3738fa4e916c3f249c6>.

<sup>13</sup> BuzzFeed News (2020), <https://www.buzzfeednews.com/article/hamedaleaziz/ice-immigrant-transfer-jail-coronavirus>.

<sup>14</sup> CNN (2020), <https://www.cnn.com/2020/09/30/us/ice-deaths-detention-2020/index.html>.

<sup>15</sup> The New York Times (2020), <https://www.nytimes.com/2020/10/25/us/border-patrol-shooting-texas.html>.

<sup>16</sup> The San Diego Union-Tribune (2020),

<https://www.sandiegouniontribune.com/news/public-safety/story/2020-10-23/border-patrol-agent-reportedly-shoots-person-near-san-ysidro>.

<sup>17</sup> ProPublica (2020),

<https://www.propublica.org/article/ice-guards-systematically-sexually-assault-detainees-in-an-el-paso-detention-center-lawyers-say>.

<sup>18</sup> USA Today (2019),

<https://www.usatoday.com/in-depth/news/nation/2019/12/19/ice-detention-private-prisons-expands-under-trump-administration/4393366002>.

<sup>19</sup> Project On Government Oversight (2019), <https://www.pogo.org/investigation/2019/05/medical-neglect-at-a-denver-immigration-jail>.

<sup>20</sup> Office of Inspector General, DHS (2017),

<http://www.endisolation.org/blog/wp-content/uploads/2017/05/Management-Alert-on-Issues-Requiring-Immediate.pdf>.

percent or more.<sup>21</sup> Most importantly, community-based alternatives offer a framework for migration processing that allows families to remain together and whole, making all our communities safer. A recent report, titled “A Better Way,” explores different models in the U.S. and globally.<sup>22</sup>

Meaningful detention reform requires expansion of community-based, not-for-profit, alternatives to detention (ATD) programs. Expanding the least restrictive form of community-based ATDs would save money and should be emphasized as the new Administration pursues a reduction in detention at large. People of faith will continue accompanying immigrants as they navigate the immigration system.

### Recommendations:

- End reliance on immigrant detention, including family detention, and eliminate mandatory detention and local bed quotas.
- End all federal contracts, and subcontracts, with private prison corporations, including those contracted through DHS.
- Ensure that immigration proceedings are not punitive, profit-driven ventures, but rather humane, civil proceedings that primarily address protection and immigration status adjustment.
- Invest in community-based alternatives to detention and case management programs, including for family case management.

### Improve Existing Oversight and Quality of Detention Conditions

For as long as immigrants and other individuals are detained, existing detention facilities’ conditions must be improved. The new Administration can protect due process through increasing access to legal counsel, pro bono legal services, and legal orientation programs. This can include funding and expanding the DOJ’s Legal Orientation Program for immigrant detainees and setting up immigration court advice desks in communities with detention centers.

The new Administration should support reforms that ensure immigrant detainees are treated in compliance with specific requirements related to issues of humane treatment, detention facility standards, solitary confinement limitations, telephone access, facility location, investigation of grievances, transfers, language and translation services, recreational programs and voluntary work, medical care, vulnerable populations, and legal access. Furthermore, the new Administration should support additional measures that would address the lack of oversight and accountability in regards to humane standards in detention facilities across the country.

The detention system is marred by endemic corruption and abuse, with expansion particularly harming those most vulnerable. There are frequent deaths in ICE custody, deaths that ICE’s own reviews reveal to be attributed to medical negligence in approximately half of all cases.<sup>23</sup> Independent medical experts identify consistent substandard care, including unreasonable delays in obtaining care, poor practitioner and nursing care, and botched emergency response. Despite these findings, ICE has failed to investigate or remedy the unsafe conditions putting human lives in jeopardy. In the very same facilities where multiple deaths have occurred, egregious lapses in medical care and unconscionable delays in treatment persist.

<sup>21</sup> Justice for Immigrants (2019), <https://justiceforimmigrants.org/what-we-are-working-on/immigrant-detention/real-alternatives-detention>.

<sup>22</sup> National Immigrant Justice Center (2019), <https://immigrantjustice.org/sites/default/files/uploaded-files/no-content-type/2019-04/A-Better-Way-report-April2019-FINAL-full.pdf>.

<sup>23</sup> National Immigrant Justice Center (2018), <https://immigrantjustice.org/research-items/report-code-red-fatal-consequences-dangerously-substandard-medical-care-immigration>.

Such abuses are aggravated by massive failures in oversight and accountability. The DHS Inspector General has found ICE's contracting tools inadequate to hold detention contractors accountable<sup>24</sup> for failing to meet standards and uncovered grievous failings in the agency's inspections regime.<sup>25</sup>

Furthermore, under the Trump Administration, ICE has dramatically ramped up its detention of immigrants with particular vulnerabilities, such as pregnant women and the elderly, leaving many exposed to inordinate harm.<sup>26</sup> ICE has also adopted a policy of automatic and prolonged detention of asylum seekers, in violation of its own stated policy that preferences release. Numerous legal challenges have brought limited relief as ICE continues to flout even court-ordered requirements to observe their own directives.<sup>27</sup> For survivors of trauma in particular, the experience of ICE detention can lead to quickly deteriorating mental health and a reliving of the harms recently fled.

### **Recommendations:**

- Establish oversight for all facilities to ensure rigorous medical treatment standards and access to visitation and pastoral care.
- Increase access to detention facilities for non-governmental entities to help improve transparency and accountability in the detention process.
- Provide immigrants greater access to legal services while in detention and removal proceedings including accessible legal counsel and legal orientation programs.
- Investigate reports of medical abuse in all DHS detention facilities, particularly Irwin County Detention Center (ICDC) in Georgia.
- During a pandemic, greatly reduce population density in detention centers and ensure all detainees and staff have access to personal protective equipment, personal hygiene products, and are able to socially distance.

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<sup>24</sup> Office of Inspector General, DHS (2019), <https://www.oig.dhs.gov/sites/default/files/assets/2019-02/OIG-19-18-Jan19.pdf>

<sup>25</sup> Office of Inspector General, DHS (2018), <https://www.oig.dhs.gov/sites/default/files/assets/2018-06/OIG-18-67-Jun18.pdf>

<sup>26</sup> U.S. Government Accountability Office (2019), <https://www.gao.gov/products/GAO-20-36>.

<sup>27</sup> American Civil Liberties Union (2018),

<https://www.aclu.org/blog/immigrants-rights/ice-and-border-patrol-abuses/under-court-order-ice-must-reconsider-asylum>.

## Champion Refugee Resettlement and Protect Asylum Seekers

*“Do not mistreat or oppress a foreigner, for you were foreigners in Egypt.  
Do not take advantage of the widow or the fatherless.”  
Exodus 22:21-22*

### Refugee Resettlement

An unprecedented 79.5 million people worldwide have been forced from their homes, of which 29.6 million have fled their countries to seek refuge from conflict and persecution.<sup>28</sup> As outlined in Refugee Council USA’s “Where are the refugees?” report, the Trump Administration has made countless policy and operational decisions that have dismantled the U.S. Refugee Admissions Program (USRAP).<sup>29</sup> The U.S. must act boldly to restore and strengthen its longstanding global leadership on refugee protection.

As the COVID-19 pandemic strains our public health and economic wellbeing, refugees are acutely vulnerable during this difficult time. Displaced populations urgently need aid and access to safety.<sup>30</sup> Refugees are particularly vulnerable to food insecurity, income disruptions, loss of housing, and medical or health emergencies – which make them a population ripe for exploitation, especially women head of households<sup>31</sup> and unaccompanied refugee children.<sup>32</sup> Displaced children are particularly vulnerable to violence and falling behind in their education, in addition to curtailed access to COVID-19 testing, treatment, and care.<sup>33</sup> While the U.N. High Commissioner for Refugees (UNHCR) continues to help countries provide emergency assistance, refugee resettlement is absolutely critical to help the most vulnerable refugees given that COVID-19 has exacerbated already dire humanitarian needs globally.

Refugees who are forced to flee conflict and persecution should not be denied safety and protection on the pretext, or even as a side effect, of responding to the pandemic. Securing public health and protecting refugees are not mutually exclusive.<sup>34</sup> Longstanding U.S. law can be respected even as we adopt stringent measures to protect public health. There are ways to respond to this pandemic in a manner which respects international human rights and refugee protection standards, including the principle of non-refoulement, through health screenings, treatment, and other safe processing procedures.<sup>35</sup> More than ever, as COVID-19 poses a global threat to our collective humanity, our primary focus should be on the preservation of life – regardless of status. Many refugees, displaced people, stateless people, and migrants have skills and resources that can also be part of the solution.

### Restore and Strengthen Refugee Admissions and Family Reunification

On day one, the new Administration should notify Congress that the President proposes to raise the FY 2021 refugee admissions goal to 100,000, which is justified by grave humanitarian concerns and is in the

<sup>28</sup> United Nations High Commissioner for Refugees - UNHCR (2020), <https://www.unhcr.org/en-us/news/press/2020/6/5ee9db2e4/1-cent-humanity-displaced-unhcr-global-trends-report.html>.

<sup>29</sup> Refugee Council USA (2019), <https://rcusa.org/wp-content/uploads/2019/07/RCUSA-Report-1.pdf>.

<sup>30</sup> UNHCR (2020), <https://www.unhcr.org/news/briefing/2020/5/5eabdc134/displaced-people-urgently-need-aid-access-social-safety-nets-coronavirus.html>.

<sup>31</sup> UNHCR (2020), <https://www.unhcr.org/news/press/2020/4/5e998aca4/displaced-stateless-women-girls-heightened-risk-gender-based-violence-coronavirus.html>.

<sup>32</sup> UNHCR (2020), <https://www.unhcr.org/news/press/2020/4/5e9d4c044/covid-19-pandemic-continues-forcibly-displaced-children-need-support.html>.

<sup>33</sup> UNHCR (2020), <https://www.unhcr.org/news/press/2020/4/5e9d4c044/covid-19-pandemic-continues-forcibly-displaced-children-need-support.html>.

<sup>34</sup> UNHCR (2020), <https://www.unhcr.org/news/press/2020/4/5ea035ba4/beware-long-term-damage-human-rights-refugee-rights-coronavirus-pandemic.html>.

<sup>35</sup> UNHCR (2020), <https://www.unhcr.org/news/press/2020/3/5e836f164/rights-health-refugees-migrants-stateless-must-protected-covid-19-response.html>

national interest, pursuant to section 207 of the Immigration and Nationality Act (INA). Following such notification, set the FY 2021 admissions goal at 100,000 with regional-based allocations that account for the greatest resettlement needs. At least 1 percent of the refugee admissions goal should go toward resettling Unaccompanied Refugee Minors (URMs). The commitment to meeting these admissions goals must come with appropriate increases<sup>36</sup> to fund the overseas and domestic components of the USRAP, as well as clear messaging that helps maintain and build public support for increased refugee resettlement.

Family unity is critical to refugees' well being, integration, and success. Unfortunately, family reunification options within the USRAP are too narrowly defined and heavily backlogged, leaving many families permanently separated and without this vital protection. The next Administration should engage in an interagency process to help identify and resolve bottlenecks in Priority-3 (P3) and follow-to-join case processing that result in extreme and unnecessary delays. It is equally critical that the next Administration reunite refugee families by expanding the number of approved nationalities, types of family relationships, and categories of immigration statuses eligible for individuals in the U.S. to apply for their family members to be resettled. Further, case processing for married sons and daughters, siblings, grandparents, and grandchildren (Priority-4) and uncles, aunts, nieces, nephews, and first cousins (Priority-5) should be re-established so that these channels of family reunification are accessible.

Within the first month in office, the new Administration should appoint a senior coordinator in the White House with high-level security clearances to coordinate federal agencies and other stakeholders; establish specific benchmarks to meet admissions goals; and lead an interagency audit in FY 2021 of all existing refugee security checks to ensure that security vetting is fair, efficient, and narrowly tailored to its legitimate purpose.

### **Recommendations:**

- Rescind the Muslim, refugee, and asylum bans: Presidential Proclamations 9645 and 9822 and Executive Orders 13769, 13780, 13888, and 13815.
- Rebuild refugee resettlement by increasing the FY 2021 admissions goal to 100,000, the FY 2022 goal to 125,000, FY 2023 to 150,000, FY 2024 to 175,000, and FY 2025 to 200,000 refugee admissions, with congressional consultation in accordance with U.S. law. The annual refugee admissions goal must be based on vulnerability, allocating resettlement slots according to regional needs.
- Restore and improve refugee processing, including by immediately accepting resettlement referrals from UNHCR and rebuilding the U.S. processing infrastructure.
- Issue, from the White House, an executive order to the State Department's Bureau of Population, Refugees, and Migration (PRM) and the U.S. Department of Health and Human Services's Office of Refugee Resettlement (ORR) to immediately comply with administrative changes to rebuild the overseas and domestic resettlement infrastructure.

### **Strengthen Refugee Integration in the U.S. and Modernize Resettlement Services**

The new Administration should create an Office of New Americans (ONA) in the White House to build partnership across federal agencies and with national, state, and local stakeholders to help facilitate refugee and immigrant integration. The goal of a federal ONA should be to champion refugee and immigrant rights; improve services; and engage diverse immigrant and refugee communities through enhanced collaboration with all levels of government, community organizations, academic institutions, and the private sector. The ONA should ensure it continues to build bipartisan support for refugees and other humanitarian populations of concern with Members of Congress, governors, state legislatures, local

<sup>36</sup> Refugee Council USA (2020), [https://drive.google.com/file/d/1SxI410xYzF5UgZS3UV8\\_5qg1UBRJsDio/view](https://drive.google.com/file/d/1SxI410xYzF5UgZS3UV8_5qg1UBRJsDio/view).

officials, and the American public. The ONA should coordinate with the interagency audit to review reforms that would strengthen refugee processing and integration.

The ORR, within the Department of Health and Human Services' (HHS) Administration for Children and Families (ACF), was originally established to assist refugees resettled by the U.S. Over the past three decades, its mandate has grown and the populations it serves have become more varied, their needs more complex, and their numbers more difficult to predict. ORR's services have been destabilized by more than a decade of under-resourcing and reprogramming funds out of refugee resettlement services to meet the needs of unaccompanied children. Further, the current ORR budget structure does not allow enough flexibility to target specific emerging needs such as professional recertification and long-term case management. While asylees are eligible for ORR services, given a variety of barriers and a lack of information, few asylees – just 10-15 percent – access any ORR benefits.

The new Administration should create funding structures to respond to the needs of all populations under ORR's mandate, and it should ensure all eligible individuals are aware of and are able to access its services. The new Administration should invest in case management capacity and tailored specialized services for asylum seekers during the adjudication of their cases, Central American Minors (CAM) program parolees, refugees arriving with particular skills who cannot access those industries for employment, refugees who are secondary migrants, asylees, and other particularly vulnerable populations.

The new Administration should focus on data collection and conduct longitudinal studies of refugees and asylees to fill a critical gap in generating an evidence-base through the Annual Survey of Refugees (ASR) to better understand asylee and refugee integration and economic contributions over time. The Administration should also collect comprehensive nationwide data on refugee and asylee needs, program outcomes, and secondary migration in order to identify the successes and gaps of the resettlement program and inform program changes.

### Safeguard Humanitarian Admissions by Improving Complementary Pathways to U.S. Protection

The new Administration should invest in restoring and strengthening the entire U.S. protection system, including complementary pathways to resettlement. More information about complementary pathways to strengthen sustainable and strategic solutions for refugees can be found [here](#).

The Special Immigrant Visa (SIV) program provides a pathway for Afghans and Iraqis who face danger because of their service to the U.S. mission in Afghanistan and Iraq. Though Congress mandated that the State Department and vetting partner agencies issue visas within nine months, average processing times have always been several years long and have dramatically increased since 2017. The Administration should support Congress' efforts to authorize 4,000 Afghan SIVs until sufficient visas are approved to meet the backlog and projected future need of wartime partners – and engage the interagency process to implement efficiencies, reduce backlogs and delays, and ensure that all SIV processing agencies have appropriate staffing to issue SIVs expeditiously.

Private sponsorship models of refugee resettlement enable committed groups to take responsibility for integration services for newly arriving refugees, providing them with initial financial assistance, direct services, guidance, and mentorship.<sup>37</sup> They also allow groups located far from resettlement agencies to welcome refugees to their communities – and could serve as an “introductory” location seeking to welcome more refugees. Such models must ensure that privately sponsored refugees receive similar benefits to refugees resettled under the current public/private partnership model. Sponsorship programs must also collaborate closely with and be monitored by refugee resettlement agencies. The new

<sup>37</sup> Refugee Council USA (2020), [https://drive.google.com/file/d/1ki--1vMRUPI7orau1i\\_Kg6jmMAr2cvpa/view?usp=sharing](https://drive.google.com/file/d/1ki--1vMRUPI7orau1i_Kg6jmMAr2cvpa/view?usp=sharing).

Administration should re-establish options for private sponsorship in the U.S. by working with Congress to authorize visas under a new humanitarian category, and/or allowing co-sponsorship groups to resettle refugees in addition to the admissions goal established in the Presidential Determination.

The CAM Program provided a pathway to safety through resettlement or parole for children from the Northern Triangle of Central America to reunite with a parent lawfully residing in the U.S. This program, which was terminated under the Trump Administration, provided an important way for children to seek safety and reunify with a parent without undergoing a dangerous journey to the U.S. The Administration should restore and expand the CAM program, along with resources for safe transport and housing while children wait and funding for application preparation.

## Asylum Protections

All those fleeing conflict and persecution deserve the opportunity to pursue safe and fruitful lives. We support policies that ensure individuals maintain the right to seek protection within our borders. Furthermore, our policies should not force people to return to deadly or dangerous conditions or to be handed over to persons who seek to exploit them. Nor should our policies exclude protection based on history of being victim to gang violence, domestic violence, or any other specific experience. The new Administration should roll back any policies that have made it more challenging to seek asylum, restrict who can be granted asylum, make it harder to access work permits while asylum claims are being adjudicated, and make it more difficult to become a sponsor.

We are deeply troubled that the Trump Administration has used every weapon in its arsenal to meticulously dismantle the U.S. asylum system by restricting access to due process, excluding specific populations from being able to make asylum claims, and implementing callous policies that expedite removal of asylum seekers and neglect to uphold its obligations under international and U.S. law. We also have specific concerns about the mistreatment of families and children who do not have adequate representation and therefore are further subjected to violence, trafficking, and persecution should their asylum claims be rejected.

Even during a global pandemic like COVID-19, there is no public health rationale for a categorical ban on asylum seekers.<sup>38</sup> The U.S. has the ability to both safeguard public health in the midst of the COVID-19 crisis and safeguard the lives of families, adults, and children seeking asylum and other humanitarian protection at the U.S. southern border. Public health experts have repeatedly recommended measures like social distancing, wearing masks or similar coverings, using hand sanitizer, demarcations and barriers, health screenings, sheltering in place at homes of family members through proven case management strategies, and more.<sup>39</sup> Such measures, rather than banning people seeking humanitarian protection, protect both public health and the lives of those seeking safety and freedom.

Beyond ICE and CBP's horrific treatment of all asylum seekers, including women and children, there are disparities within the system. White supremacy is at the root of the U.S. immigration system, and how anti-Blackness plays out demonstrates how egregious the problem of neglect and abuse of detainees is. The new Administration should reject counterproductive prevention-through-deterrence strategies so that no one is unlawfully deterred from seeking asylum or asking for protection at the border.

## Expand Protections for All Asylum Seekers and Unaccompanied Children

<sup>38</sup> Just Security (2020), <https://www.justsecurity.org/69747/there-is-no-public-health-rationale-for-a-categorical-ban-on-asylum-seekers>.

<sup>39</sup> Human Rights First (2020), <https://www.humanrightsfirst.org/sites/default/files/PublicHealthMeasuresattheBorder.05.18.2020.pdf>.

Federal policy should ensure that every person seeking asylum in the U.S. is interviewed by a qualified asylum officer and provides for increasing the number of officers available to perform credible fear interviews. The new Administration should ensure the best interests and safety of children are paramount rather than curtailing existing protections. Proposals that would roll back protections for children from Central America should be rejected. All unaccompanied children should have access to independent child welfare, legal, and anti-trafficking experts who can assist in their identification, screening, and referrals as asylum applicants and trafficking victims. For the short time children are in CBP custody, they should receive adequate nutrition, housing, and medical treatment.

The new Administration should immediately end all “hotelling” practices, or the Temporary Housing Program, in which children are detained in hotels rather than detention centers before being expelled from the U.S. without due process. Because children are being held in custody of the contractor MVM Inc., there are concerns that children are not being granted access to their basic care and are not granted protections under TVPRA of 2008<sup>40</sup> and the *Flores* Settlement Agreement,<sup>41</sup> subjecting these children to neglect and abuse.

The new Administration should immediately undo the multiple regulations and policies put in place to dismantle the asylum system and obstruct access to life-saving protection, including withdrawing from the so-called “Asylum Cooperative Agreements” with El Salvador, Guatemala, and Honduras, and terminating the asylum and transit bans and metering policies. Further, asylum seekers and parolees should have timely and equitable access to ongoing and automatic work authorization.

### Recommendations:

- End expulsions under Title 42 in which individuals seeking asylum are rejected rather than processed and provide an opportunity to make an asylum claim.
- Strengthen protections contained in the Trafficking Victims Protection Reauthorization Act (TVPRA) of 2008 by increasing access to protection for unaccompanied children from contiguous countries to align with provisions protecting children from noncontiguous countries.
- Provide unaccompanied children with adequate services, while maintaining services and funding for other groups under the care and custody of the ORR within HHS.
- Improve implementation and oversight of the asylum screening process to ensure that all individuals are asked if they fear returning to their country of origin and are referred to the asylum process if such fear is expressed.
- Ensure that qualified U.S. Citizenship and Immigration Services (USCIS) asylum officers conduct credible fear interviews for detained asylum seekers and increase the number of officers.
- Rescind the Migrant Protection Protocols (MPP), also known as “Remain in Mexico” program, which allows border officers to expel non-Mexican asylum seekers to dangerous locations in Mexico while their asylum claims are adjudicated. Also, parole into the U.S. all asylum seekers with pending cases who are waiting in Mexico and release them to family, friends, or a community-based program while cases proceed in immigration court.

### Increase Access to Legal Counsel and Initiate Immigration Court Reform

Everyone is deserving of legal representation. In fact, immigrants who have representation are 15 times more likely to pursue lawful status than those who do not have adequate resources or knowledge of the system.<sup>42</sup> The new Administration should ensure that immigrants, asylum seekers, and unaccompanied children have legal representation so that they can fully present their case for protection. The new

<sup>40</sup> Public Law 110-457 (2008), <https://www.congress.gov/110/plaws/publ457/PLAW-110publ457.pdf>.

<sup>41</sup> American Immigration Lawyers Association (2019), <https://www.aila.org/infonet/flores-v-reno-settlement-agreement>.

<sup>42</sup> UCLA School of Law (2015), <http://ssrn.com/abstract=2581161>.

Administration should also reduce lengthy delays and strengthen the U.S. asylum system by expanding the number of immigration judges, improving the use of technology; enhancing training on culture, country conditions, trauma, and child protection; and expanding upon interpretation services available at the border, in detention, at asylum offices, and during court hearings – including for those who speak Indigenous languages and African dialects.

Finally, legislative and other management reforms are needed within the U.S. Immigration Court system to ensure participants are afforded fair consideration of their cases. In its recommendations to the new administration, the American Immigration Lawyers Association writes:<sup>43</sup>

America needs a just and efficient immigration judicial system. Legislatively, the Biden administration should urge Congress to create an Article I immigration court that is independent from the Department of Justice. In the meantime, the new administration should take concrete steps within its executive authority to ameliorate the damage done by its predecessor and implement measures to increase judicial independence, fairness, and consistency in decision making.

### Recommendations:

- Provide adequate interpretation services for speakers of dialects and Indigenous languages at the border, in detention, at the asylum offices, and during court hearings.
- Strengthen due process, judicial independence, fairness, and access to protection within the DHS and the DOJ's Executive Office for Immigration Review (EOIR) adjudication and enforcement systems.
- Guarantee legal counsel for all children and asylum seekers.

### Prioritize the Health and Safety of Black Migrants, Immigrants, and Asylum Seekers

The Trump Administration increased the swift deportations of Black migrants, limiting their access to due process through expedited removals and by coercing detainees to sign their own deportation papers. The deportation rate of Black immigrants is higher than other communities, and Black asylum seekers face among the highest rates of rejection. Throughout the COVID-19 pandemic, hundreds of Black migrants were deported – mainly Cameroonians, Congolese, and Haitian asylum seekers – who were sent back to the countries where they fled harm. Not only is this cruel, but it's even more so during a global pandemic as these migrants are being sent back to countries with insufficient capacity to mitigate the spread and threat of COVID-19.

In order to combat the injustices Black immigrants and asylum seekers face every day, we urge the new Administration and Congress to stop detention and deportations, especially during the COVID-19 crisis; cut funds for ICE and CBP; seek accountability for the gross abuses by ICE and CBP officials; and extend or redesignate TPS to nationals of Cameroon, Mauritania, Haiti, and other African and Caribbean countries. All people deserve access to health and safety, not deportation to countries they initially fled because of persecution and violence. The U.S. must prioritize Black immigrants and asylum seekers' experiences in policies and legislation to build a more just, humane, and equitable immigration system.

### Return to the U.S. After Deportation

Deportation – banishment from one's home, family, and established life – is a major life event that has profound impacts on the deported person, as well as their friends, family members, and community. Many of the people harmed by deportation are U.S. citizens, including the citizen children of those who are

<sup>43</sup> AILA Doc. No. 20110933, <https://www.aila.org/infonet/a-vision-for-america-as-a-welcoming-nation>.

deported. There are levers that exist in current law to facilitate return after deportation, and the new Administration should ensure that these levers work to reunify families and communities. Reunification would be a powerful example of progress for a nation that has experienced much division and pain in recent years. Changing the law is also a priority to facilitate more returns with access to permanent legal status and citizenship, but the following changes can be carried out after installation of a new Administration, without requiring an act of Congress.

### Recommendations:

- Revise ICE Directive 11061.1<sup>44</sup> and their Frequently Asked Questions<sup>45</sup> on facilitating return to the U.S. after deportation to make the process clearer, fairer, more accessible, and more common. Promulgate a rule on this directive to make the changes permanent.
- Use humanitarian parole to allow people to return to the U.S. and resume their requests for relief from removal.
- Ensure that persons unable to obtain passports or equivalent documentation from their countries of origin can still travel on commercial transport.
- Create an Office of Removal Order Review to create a safety-valve for people whose individual circumstances warrant an opportunity for them to remain in or return to the U.S.
- End the regulatory departure bars to reopening and reconsidering immigration cases. Do not deport people while their motions for *sua sponte* reopening of removal proceedings, or other legal proceedings, are pending before the agency or in federal court.
- Reopen removal orders predicated on anti-asylum policies and ensure that applicants for asylum who were wrongfully denied protection are given the ability to return to the U.S. to seek relief.
- Permit people subjected to illegal workplace raids or other enforcement actions to receive advance parole to return to the U.S. and seek whatever relief may be available to them as a result of their mistreatment, including but not limited to U and T visas, non-LPR cancellation, and Deferred Action.

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<sup>44</sup> Immigration and Customs Enforcement (2012), [https://www.ice.gov/doclib/foia/dro\\_policy\\_memos/11061.1\\_current\\_policy\\_facilitating\\_return.pdf](https://www.ice.gov/doclib/foia/dro_policy_memos/11061.1_current_policy_facilitating_return.pdf).

<sup>45</sup> Immigration and Customs Enforcement, <https://www.ice.gov/faq/facilitating-return>.

## Improve Access to the Immigration System, Protections, and Public Benefits

*“The Spirit of the Lord is upon me, because God has anointed me to preach good news to the poor. God has sent me to proclaim release to the captives and recovering of sight to the blind, to set at liberty those who are oppressed, to proclaim the acceptable year of the Lord.”*

*Isaiah 61:1-2 and Luke 4:18-19*

### Discriminatory Policies that Brutalize, Criminalize, and Dehumanize Migrant Communities

As people of faith, it is against our shared values and beliefs to push white supremacist and exclusionary policies that discriminate on the basis of faith, national origin, and immigration status. Indeed, America was founded on the basis of freedom to practice religion. We must work to bring reunification and dignity to all Muslims, Africans, and immigrant families. The singling out and banning of people solely based on their religious traditions or birthplace hurts families, openly discriminates against communities of color, and creates a pathway for systemic religion-based discrimination. The new Administration must roll back policies that have been implemented to tear families apart, force people to choose between two unacceptable realities, or bar anyone access to life-saving immigration based on their identity or income.

### Deferred Action for Childhood Arrivals, Temporary Protected Status, Deferred Enforced Departure, and More

Work with Congress to immediately provide permanent protection and a pathway to citizenship for all undocumented immigrants, including Deferred Action for Childhood Arrivals (DACA) recipients and Temporary Protected Status (TPS) holders.

The new Administration’s immigration agenda should include ensuring a pathway to citizenship for all undocumented immigrants in the U.S. in order to stabilize individuals and families, grow the U.S. economy, and strengthen our democracy. The legalization program should ensure access for all, regardless of income or financial situation.

We urge the new Administration to use its authority to grant Deferred Enforced Departure (DED) and TPS to those who are at risk of losing their status and to those countries for which TPS was eliminated under the Trump Administration. In September 2020, 213 state, local, and national organizations requested that the new Administration use DED and TPS to protect 2.2 million at-risk immigrants,<sup>46</sup> and we will continue urging the Administration to do so.

#### Recommendations:

- Pass a legalization program for all undocumented immigrants within the first 100 days. Ensure that no one is denied access based on their financial situation or previous interaction with an already discriminatory criminal legal system.
- Restore DACA in full to its 2012 implementation while legislation is passed.
- Halt all terminations of TPS for the six countries currently being protected by litigation.

<sup>46</sup><https://static1.squarespace.com/static/5c3cfd9ab10598b47aa1cadff/t/5f6b6a2ae86e6e0638455f5a/1600875050718/2020-09-28+NGO+Sign-on+Letter+to+Biden+re+DED.pdf>.

## Deferred Action for Childhood Arrivals

While a legalization program is passed, DACA should be restored to its 2012 implementation in order to ensure protection for this vulnerable population. While being passed and following a legalization program, DACA should continue to exist in order to provide protection for those who may choose not to regularize their status or are otherwise not eligible for relief.

## Temporary Protected Status and Deferred Enforced Departure

The Trump Administration dramatically rolled back TPS protections, putting hundreds of thousands at risk of family separation and being deported to unsafe conditions. Nearly 50,000 TPS holders whose status the Trump Administration attempted to terminate were Black and at thousands of other Black immigrants who would have benefitted from TPS never received it. These populations faced and continue to face extreme risks and vulnerability due to American police brutality and anti-Black systemic racism both outside and within the U.S. immigration system. The Trump Administration also undermined the law and Congressional intent both in TPS decision making at DHS and implementation at USCIS. The new Administration must use its authority to immediately restore protection for those at risk and commit to restoration of this vital humanitarian immigration law and related policy.

There are three distinct groups that lost or did not receive protection due to the Trump Administration's anti-immigrant agenda and improper use of TPS. These include:

- TPS holders from El Salvador, Haiti, Honduras, Nepal, Sudan, Nicaragua, and Honduras whose status was terminated.
- Venezuelans, Bahamians, and Lebanese nationals in the U.S. whose countries were not designated for TPS.
- Nationals from Syria, Yemen, Somali, and South Sudan who would have benefitted from redesignation.<sup>47</sup>

Given the extreme vulnerability of these populations, the Interfaith Immigration Coalition recommends a day one use of DED to form a bridge of protection while TPS is restored and/or the new Administration works with Congress to pass permanent protection and a pathway to citizenship – two essential but potentially time-consuming acts. DED would be a highly efficient and immediately impactful strategy. DED for the three above-mentioned populations can be issued through a single presidential memorandum pursuant to the president's authority to conduct foreign relations and would be effective immediately.

Following DED, the new Administration's roadmap should be to restore TPS for all populations while simultaneously and aggressively working to pass legislation. While a legislative solution is necessary, the new Administration should also use TPS as the life-saving tool Congress intended it to be. TPS is a vital part of U.S. humanitarian immigration law, supplementing and providing a safety net when people slip through the cracks of the asylum and refugee systems. Finally, the new Administration should commit to working with Congress on other adjustment programs as needed for well-rooted populations in the U.S. on temporary protections such as TPS or DED.

The new Administration must also ensure USCIS is functional and properly adjudicating immigration benefits and adjudicating cases. Namely, the new Administration must issue Federal Register Notices on or before TPS decision dates, restore a robust public outreach and education program to assist TPS

<sup>47</sup> Redesignation is the Secretary of DHS' power to move up in time the date by which a person needed to be in the U.S. in order to apply for TPS. While TPS for Syria, Yemen, Somalia, and South Sudan – some of the world's worst humanitarian crises – was extended under the Trump Administration, no country received redesignation at any decision. Prior to the Trump Administration, TPS for Syria, Yemen, and South Sudan had been redesignated at every decision. Given deteriorating country conditions, redesignation has been warranted for all four countries.

holders in re-registration and other issues, and reduce processing delays so that TPS holders receive their documents on time. Under the Trump Administration, failures at USCIS in these categories cost TPS holders jobs, income, driver's licenses, loans, and more. In order to ensure TPS holders are protected and stabilized as Congress intended, USCIS must do its part.

### Recommendations:

- Use DED on day one of the new Administration to:
  - Restore protection for TPS holders whose protection was terminated under the Trump Administration and work to designate countries for TPS as quickly as possible.
  - Protect countries the Trump Administration failed to designate, including Venezuela, the Bahamas, and Lebanon.
  - Protect Yemenis, Syrians, Somalis, and South Sudanese in the U.S. who would have benefited from redesignation if used properly by the Trump Administration.
- Work with Congress to immediately provide permanent protection and pathway to citizenship for TPS holders and commit to working with Congress on other adjustment programs as needed for well-rooted populations on temporary protections such as TPS and DED. The new Administration should support legislation that excludes harmful add-ons like increases in immigration enforcement and the militarization of border communities that further jeopardizes the lives of Black and Brown immigrants who are already subject to racialized policing by law enforcement.
- Restore the historical practice of DHS/USCIS timely publishing Federal Register Notices on or before TPS decision days.
- Address systemic issues such as processing delays and lack of public education and outreach at USCIS to ensure TPS holders are not harmed in the implementation of TPS decisions.

### Use Deferred Enforced Departure as a Key Tool in U.S. Foreign Policy

DED is a key executive tool allowing the president to provide protection from deportation and work authorization to nationals in the U.S. in furtherance of U.S. foreign policy objectives. As human rights and humanitarian protection should be cornerstones of U.S. foreign policy, DED should be used as often as necessary to safeguard human life. The use of DED helps send a message to the world that the sanctity and dignity of each person is paramount. Mechanically, DED can be put in place quickly through presidential memorandum and can be used prior to a TPS designation for a country. For more information on our foreign policy positions, please refer to the International and Foreign Policy section.

### Liberian Refugee Immigration Status

LRIF was passed as part of the 2019 National Defense Authorization Act, creating a pathway to citizenship for Liberians who have lived in the U.S. since 2014 or before. Many have held either TPS or DED for decades since the Liberian civil wars in the 1990s. USCIS' implementation of LRIF under the Trump Administration was botched due to little to no outreach or education, extreme processing delays, inefficient adjudication policy choices, and more.

In the fall of 2020, with just months left before the program's December 20, 2020 deadline, only a few thousand out of the 10,300 eligible had applied and only a few of these cases had been adjudicated or approved.<sup>48</sup>

### Recommendations:

<sup>48</sup> Catholic Legal Immigration Network, Inc. (2020), <https://cliniclegal.org/resources/humanitarian-relief/liberian-refugee-immigration-fairness-lrif/report-failing-our>.

- Review status of LRIF and work with Congress on additional legislation as needed.
- Review status of approvals and adjudications and overall implementation of LRIF at USCIS.
- Work with Congress to extend the program’s deadline as needed to ensure all eligible are able to apply.
- Put in place a robust outreach and education program at USCIS and take other measures necessary to ensure the success of the program.

## Public Charge

The DHS’ dramatic expansion of the definition of the public charge significantly raises the barriers to maintaining and obtaining legal immigration status; it is unconscionable and cruel. Prior, “public charge” applied to immigrants who are likely to depend on cash assistance or need long-term medical care at the expense of the government. After the change, the definition is so broad that it denies immigrants legal status if they have used one of an expanded list of public benefits, including health and nutrition benefits, to survive. This dissuades people from utilizing life-saving benefits like SNAP and Medicaid out of fear that it can prevent them from obtaining a green card or from reuniting with loved ones in this country in the future.

This policy also affects U.S. citizens who are in mixed immigration status families, preventing citizen children and pregnant women from accessing programs that could help fulfill vital needs. The wealthy will pass easily through while hard working immigrants who are struggling to make ends meet will have to choose to put the health and safety of their families at risk in favor of a secure future. The new Administration must change the public charge definition to be less stringent to ensure the health and safety of all people seeking to advance their immigration status.

### Recommendations:

- Rescind the Inadmissibility on Public Charge Grounds final rule and oppose other harmful public charge policies and regulations.<sup>49</sup>
- Oppose public charge policies that require people to choose between enrolling in programs that provide basic health and safety or a secure immigration status.

## Family-Based Immigration

Faith communities stand united in the value of family and the need to strengthen the family-based immigration system. The Immigration and Nationality Act of 1965 established our current family-based immigration system to end the previous racist national origin quotas. Unified families bring stability to individual households and strengthen neighborhoods and communities. Family members help one another navigate a new culture; pursue job opportunities; start businesses; and contribute economically, socially, and spiritually to society.

The Trump Administration has severely cut family-based immigration by creating barriers to obtaining these visas, such as the public charge rule, which particularly affects low-income immigrants of color. Additionally, the family-based system has confronted years of administrative delays due to government failure to process visas to the statutory caps, leaving millions of people stuck in backlogs and keeping families separated for years. The number of family-based visas should better reflect the realities of today’s families, rather than arbitrary and outdated quotas.

### Recommendations:

<sup>49</sup> <https://www.uscis.gov/green-card/green-card-processes-and-procedures/public-charge>

- Clear the family-based visa backlogs. Congress must authorize more green cards to provide for family unity, both for family members at risk of deportation inside the country and those separated by borders.
- Increase the family-based country caps and the diversity visas available.
- Eliminate the public charge “Wealth Test.” The Administration should rescind the new public charge rule and Congress should repeal the public charge ground of inadmissibility entirely.
- Clear the employment-based backlogs for people living in the U.S. on temporary visas to ensure that families stuck on temporary visa programs are able to access permanent status and citizenship.
- Create enforcement relief for families living under the threat of deportation and for family members barred by harsh immigration laws and seeking to sponsor loved ones or who live under the threat of deportation.
- Eliminate the 3-year, 10-year, and permanent bars to immigrate for the undocumented and the unjustly deported.
- Congress should create broad waivers allowing the government discretion and flexibility to provide relief for people deportable due to criminal convictions and to ensure a right to return for the deported, e.g. by waiving grounds of inadmissibility or deportability in the interest of family unity, for humanitarian purposes, or the public interest.
- Create parole programs for family members within the U.S. and those outside the U.S. stuck in long lines due to the backlogs.
- Expand sponsorship categories for additional family members to include grandparents and parents of minor U.S.-citizen children. Family relationships extend beyond current family sponsorship categories (spouse, children, parents, and siblings). For example, the pre-1977 INA provisions allowed the parents of minor U.S.-citizen children to legally immigrate or adjust their status if present as immediate relatives. Allow people to sponsor one more person who does not fall into the prescribed family categories or who is alone in the country of origin.
- Safeguard the interests of minors by immediately reuniting them with their parents, and allowing for the repatriation of deported individuals, especially if they have U.S.-citizen children.

## Workers

Immigrants are valued members of our communities and contribute greatly to the prosperity of this country. All workers benefit from the enforcement of health, safety, and wage-and-hour laws, as well as the right to organize, but immigrants are often denied these protections. Employers must abide by labor protections and standards for all workers, regardless of immigration status. As people of faith, we seek policies that decrease immigrants’ vulnerabilities to exploitation and reduce unfair and discriminatory hiring and firing practices.

Since the 1940s, two guest worker programs have brought low-wage immigrants to the U.S. for temporary agricultural and non-agricultural work. Unfortunately, these programs give guest workers a very restrictive immigration status and have inadequate workplace protections. Recognizing that many guest workers have experienced extreme exploitation and abuse, sometimes akin to human trafficking, the new Administration should ensure adequate enforcement of workplace protections.

### Strengthen, Implement, and Monitor U.S. Labor and Employment Laws

The new Administration must ensure robust implementation of existing U.S. labor and employment laws, including the Fair Labor Standards Act,<sup>50</sup> the National Labor Relations Act,<sup>51</sup> and their state equivalents.

<sup>50</sup> U.S. Department of Labor (2011), <https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/FairLaborStandAct.pdf>.

<sup>51</sup> National Labor Relations Board (1935), <https://www.nlr.gov/guidance/key-reference-materials/national-labor-relations-act>.

The new Administration, and DOL in particular, should improve work site monitoring, create more robust enforcement mechanisms, and increase awareness about U- and T-visas. In addition, DOL should utilize its authority to certify U- and T-visas in an expeditious and timely manner based on its role as a law enforcement agency. Given DOL's proximity to and engagement with the most vulnerable workers, it is essential that DOL has sufficient resources to identify and provide redress for exploitation, and to hold employers accountable.

### **Recommendations:**

- Increase the number of federal DOL inspectors responsible for all U.S. wage and hour violations.
- Ensure all statutory and administrative remedies that redress workplace grievances apply equally to all workers, regardless of immigration status.

### **Guarantee Equal Rights and Equal Treatment of All Workers**

Currently, each guest worker program imposes a temporary, non-immigrant status that ties workers to particular employers and makes their ability to obtain a visa dependent on the willingness of the employer to make a request to the U.S. government and to continue to employ them. To ensure workers – including farm and other guest workers – fully realize their rights and can access meaningful justice, it is essential to remove the ability of employers to threaten workers with deportation by ensuring job portability. Similarly, the new Administration should support policies that protect and guarantee the rights of workers to effectively exercise their labor rights; form unions; and bargain collectively without fear of intimidation, retaliation, or retribution from employers.

All workers should be afforded access to permanent lawful status, meaningful opportunities to apply for citizenship, and the ability to live lawfully with their families in the U.S. Without this ability, migrant farm workers and other guest workers will be a permanent underclass in our society, a social group that creates and prepares the food we eat but can never sit at the table. The new Administration should also support policies that would offer undocumented farm workers the chance to earn lawful status by meeting certain work requirements, and should revise the H-2A agricultural program to ensure farmworkers' labor rights are protected.

### **Recommendations:**

- Untie workers from particular employers to reduce vulnerability to exploitation.
- Ensure freedom of association for all workers, including guest workers.
- Create an opportunity for all workers to pursue a path to citizenship.

### **Reform the Electronic Employment Verification (E-Verify) System**

The E-Verify program has proven detrimental to migrants, employers, and U.S.-citizen employees alike. It has led to increased discrimination and unfair hiring and firing practices. Mandatory expansion of the current E-Verify program would lead to more problems, particularly in the absence of increased rights and protections for immigrant workers. Access to employment opportunities in the U.S. should not be compromised by the continuation of employment criteria or income standards that are unrealistic for many workers, especially those who have been subjected to labor violations and exploitative wages. It is immoral for our nation to benefit from the labor of individuals who contribute to our economy while preventing them from being fully part of our society.

### **Recommendations:**

- Review adverse effects of the E-Verify system on the agricultural industry and temporary workers, and develop recommendations for reform and privacy protections.
- Establish key worker protections, including the creation of an administrative and judicial review process, to allow workers to contest and have remedies for erroneous non-confirmations.
- Shift the burden to the U.S. government to prove that an individual is ineligible to work, rather than requiring an individual to disprove non-confirmation.

## COVID-19 Relief

Throughout the COVID-19 pandemic, we've seen Congress come together then fall apart on providing suitable and significant relief to Americans during a time that's gutted the economy and put people at risk of losing a steady income, access to safe food and water, healthcare, and housing. Unsurprisingly, immigrant communities have disproportionately been harmed by this reality, and Congress has done nothing to try to mitigate that problem.

Signed into law in March 2020, the CARES Act provided relief to Americans through various means, including sending stimulus checks directly to individuals.<sup>52</sup> Unfortunately, the CARES Act withheld economic relief from families who identify a spouse or claim any dependent using an Individual Taxpayer Identification Number (ITIN). The Migration Policy Institute estimates that due to these restrictions, about 15.4 million people in mixed-status families were excluded from the stimulus payments.<sup>53</sup> Not only does excluding people from receiving relief hurt these families directly, it also hurts the U.S. as a whole and slows economic recovery.

The new Administration must include mixed status families and undocumented immigrants in any and all future COVID-19 relief packages to ensure that everyone affected by this virus has equal and fair access to government relief.

## 2020 Census

The new Administration must include the full Census count when making political apportionment and public benefits funding decisions. As people of faith, we understand the importance of counting and representing all people. In a democracy, every person matters and every voice should count, starting with being counted in the Census.

In March 2018, the Department of Commerce announced that it would be adding a question about citizenship to the 2020 Census. It was immediately clear that adding a question about citizenship would suppress response rates among immigrants, thus undermining the integrity of the Census. After more than a year of litigation fights, the Supreme Court ruled that the Trump Administration's reason for adding the question "appears to have been contrived," but left the possibility open for the Administration to provide an answer.

The Trump Administration then moved onto other means of undermining the census and excluding immigrants from the Census count. Throughout the COVID-19 pandemic, there have been concerns about the Census Bureau meeting their deadlines for delivering data to the Trump Administration on time before the December 31 deadline. This was the reasoning for the Administration's premature ending of the Census count. We know that stopping the count with only a few days notice made it more challenging to count hard-to-reach communities, including immigrant communities.

<sup>52</sup> H.R. 748 - Coronavirus Aid, Relief, and Economic Security Act (2020), <https://www.congress.gov/116/bills/hr748/BILLS-116hr748enr.pdf>.

<sup>53</sup> Migration Policy Institute (2020), <https://www.migrationpolicy.org/content/mixed-status-families-ineligible-pandemic-stimulus-checks>.

The more explicit attempt at excluding immigrants from the Census count comes with another Supreme Court case on the constitutionality of the Trump Administration's order to exclude undocumented immigrants from the Census count, specifically from the data that informs apportionment of political representation. This is a clear attempt at further disenfranchising the most vulnerable people living among us. The new Administration must ensure that everyone living in the U.S. is counted in the 2020 Census and that all people receive political representation.

## **Liberation for Sanctuary Leaders**

Over the last four years, dozens of people around the U.S. have taken refuge in houses of worship as their only option to be safe from deportation, and to keep their families intact. Their stories can be found [here](#). Some of these families have roots in the U.S. spanning more than two decades; some have U.S.-citizen children. Many had previously received stays of removal for years under the Bush and Obama Administrations, only to become targets under the Trump Administration. Others arrived at the border seeking refuge, pleading for protection from unimaginable violence. They were met with an immigration system that threatens to send them back to countries where they will face harm or even death.

At its very core, sanctuary represents resilience and human dignity. Families living in sanctuary have been pleading with elected officials to find national policy solutions to this issue, which would have implications for thousands of people. Sanctuary leaders have faced targeted retaliation from DHS. ICE has threatened to impose exorbitant fines, upwards of \$497,999, as well as potential criminal prosecution.

Faith communities across denominations and traditions have stood in solidarity and advocated alongside those claiming sanctuary demanding freedom and family unity. Those in sanctuary have suffered enough. Their confinement has been long and the injustices they experience are ongoing. The new Administration can bring them the relief they need and deserve.

### **Recommendations:**

- Exercise favorable prosecutorial discretion to grant a stay of removal to each person living in sanctuary on day one of the new Administration.
- Lift the deportation orders against all people living in sanctuary within the first 200 days.
- Work with Congress to ensure all private bills for people fighting their deportation receive stays of removal.

## Support Migrants Beyond U.S. Borders

*"None is our enemy, none is stranger to us, we are in accord with one and all."  
Guru Granth Sahib*

### Root Causes of Forced Displacement

The teachings of our faith traditions are clear – people have the right to dignity and the necessary conditions to provide for themselves and their families no matter where they live and, when necessary, they have the right to migrate to meet those needs or to reunite their families. We are convinced that migration should be driven by choice, not necessity.

No immigration strategy is truly comprehensive or long-term if it does not address the economic, social, environmental, and political factors which compel migration. Forced migration is a symptom of deeper social and economic issues, including oppression, violence, insecurity, and unequal social and economic conditions. The root causes of those conditions are often directly related to U.S. foreign policy and ill-conceived trade agreements as well as the actions of U.S. business and corporate actors.

### Recommendations:

- Re-envision U.S. foreign policy in order to strengthen human rights and local self-determination.
- Address the consequences of U.S. foreign and trade policies that contribute to spiraling violence and poverty including US trade policy, the militarized war on drugs, training and support of corrupt security forces, etc.
- End U.S. support to governments that engage in human rights violations; including illegal land grabs; environmental degradation; corruption of democratic institutions; and the persecution of Indigenous, faith, and grassroots leaders.
- Support effective poverty reduction and trade policies that provide greater benefit and protection for Indigenous populations, small farmers and businesses, and women-led organizations in migrant-sending countries; eliminate funding for programs that promote privatization of public services, thus restricting inclusive access.
- Partner with local communities to address the poverty, violence, and repression that drive forced migration.
- Ensure the active engagement of civil society and vulnerable populations in the design and implementation of U.S. aid and trade initiatives.
- Invest in locally developed violence reduction and prevention programs and initiatives that address the root causes of forced displacement at a community level.
- Advance local efforts to create educational and job opportunities, especially for women, girls, and youth.
- Support regional initiatives that take into account specific country contexts and reject “one size fits all” approaches.
- Address climate change, and mitigate its effects, which negatively impact already vulnerable communities around the world and drive forced migration.

## International and Foreign Policy

### Re-Envision U.S. Foreign Policy that Strengthens Human Rights Laws and Standards

All interdicted migrants must be adequately screened by an appropriately trained individual for protection concerns, including persecution, torture, and human trafficking. The detention and deportation of migrants without such screening violates international law. To the degree that this is happening because of pressure from the U.S. government on other governments in the region, this constitutes *refoulement* by proxy.

The new Administration should adjust all trade agreements to ensure respect for human and labor rights, as well as environmental standards. The new Administration should modify or revoke agreements that negatively impact livelihoods and rural economies and lead to increased poverty and migration. The U.S. should also reshape trade policies and international financial institutions to support local communities in sending countries. Investment in development that defends basic human rights of all people would provide sustainable alternatives to migration for individuals seeking safe futures for their families and would reduce the need for costly border enforcement, detention, and deportation systems. Further, investing in women and girls has a profound multiplier effect that benefits local communities.

The new Administration should reduce its reliance on militarized and armed approaches to the prevention of violence or to stop people from migrating. It is imperative that the U.S. cut off funds and training to police and armed forces implicated in human rights abuses and corruption. A militarized approach contributes to violence and distrust in communities and leads to egregious human rights violations. The new Administration should focus on strengthening judicial independence, the capacity of prosecutors to independently investigate police and military abuses, and the ability of civil society to hold government actors accountable for corruption and abuse.

#### Recommendations:

- Strengthen human rights conditions on the transparency of U.S. security assistance to Mexico and Central American countries and combat corruption within entities charged with border and migration enforcement.
- Increase accountability through internal affairs units, witness and whistleblower protection, vetting, and civil society groups performing independent oversight.
- Support effective national poverty reduction and trade policies that provide greater benefit and protection for indigenous populations, poor farmers, and small businesses in key migrant-sending countries; and support employment opportunities for youth.

## Key Legislative Initiatives

*“Open your mouth for the mute, for the rights of all who are in need.  
Open your mouth, decree what is just, defend the needy and poor.”  
Proverbs 31: 8-9*

As faith organizations inspired by a common call to seek just policies that affirm the dignity of every person, we are committed to pursuing legislative solutions that ensure:

**Inclusive COVID-19 Relief for Refugees, Immigrants, and All Neighbors:** Meaningful COVID-19 relief must prioritize Americans with few resources; Black, Indigenous, and other People of Color (BIPOC); and our immigrant and refugee neighbors. Crises test who we are as a nation and we are stronger when we are united, extend compassion to our neighbors, and listen to public health experts. People struggling to overcome poverty, BIPOC, and immigrants and refugees – many of whom work on the frontlines of the pandemic – face unique challenges in surviving this pandemic. **We call for [legislative solutions](#) that fully support all of our neighbors during this pandemic.**

**Pathways to Citizenship for Dreamers and TPS Recipients:** We stand in solidarity with the more than one million people who have lost protection from deportation. Undocumented young adults, many of whom are recipients of DACA and TPS, are part of the fabric of our communities. The new Administration should support [H.R.6](#), the American Dream and Promise Act, which would create a pathway to citizenship for young people who have grown up in the U.S. – commonly referred to as “Dreamers” – and other long-term U.S. residents who have lived and worked in the U.S. under the TPS and DED programs. **We call for legislative protection and a pathway to citizenship for these individuals.**

**Reduced Funding for Deportation, Detention, and Border Militarization:** Cruel enforcement policies are fiscally and morally irresponsible. Congress has the power to limit spending on enforcement that tears families apart and erodes legal protections for vulnerable migrant populations. Our government spends around \$20 billion annually on the machinery of immigration enforcement, including barrier/wall construction, agents, deportations, and detention centers. **We call for an end to this harmful spending pattern and to focus instead on true reforms.**

**Ending Reliance on Immigrant Detention:** Faith communities witness firsthand the toll of incarceration. There is systemic abuse within a network of over 200 detention facilities where, before the global COVID-19 pandemic, 45,000 people were detained per day. ICE habitually and recklessly overspends what Congress allocates and increasingly more vulnerable populations are being incarcerated – including families, pregnant women, and asylum seekers. **We call for oversight of existing practices and direct ICE to prioritize less costly, more efficient, community-based alternatives to detention.**

**Restoring U.S. Commitment to Resettle Refugees, Protect Vulnerable Populations, and Value Immigrants of All Backgrounds:** The Trump Administration consecutively set record-low refugee admissions goals, cutting the resettlement program by more than 80 percent and imposing refugee, Muslim, asylum, family, and African bans while prolonging family separation and curtailing access to family-based immigration. Immigration based on factors like wealth, race, national origin, and religion undermines our shared national and faith values. **We call for legislative solutions that restore and strengthen refugee and asylum protections, facilitate refugee and immigrant integration, and expand access to family-based immigration and the diversity visa program.**

We support the following pieces of legislation:

- [S.2936 / H.R.5210](#) - The Refugee Protection Act (RPA) is a comprehensive blueprint for restoring and reinvigorating our resettlement program and asylum system. This bill would modernize the U.S. refugee resettlement program and the U.S. asylum system, improve family reunification, and strengthen protections for refugees and asylum seekers. A one-page summary is available [here](#).
- [S.1123 / H.R.2214](#) - The National Origin-Based Antidiscrimination for Nonimmigrants (NO BAN) Act would repeal all versions of the refugee, Muslim, and asylum bans, requires travel restrictions to be fact-based and time-limited, and prevents future discriminatory travel bans by broadening the Immigration and Nationality Act's (INA's) nondiscrimination clause to prohibit discrimination against any immigrant or visa applicant based on religion or country of origin.
- [S.3470 / H.R.4928](#) - The New Deal for New Americans Act would set a minimum refugee admissions goal of 110,000, eliminate roadblocks to citizenship for eligible residents, establish a National Office of New Americans in the White House, and provide social, economic, and civic support to refugees and rebuild the capacity and infrastructure of local communities to welcome refugees.
- [H.R.3391](#) - To Offer Refugees College Help (TORCH) Act would require states to charge in-state tuition rates for institutions of higher education to refugees, asylees, and special immigrant visa holders when they are first resettled.
- [S.4011 / H.R.7569](#) - The Immigration Enforcement Moratorium Act would halt deportations and many immigration enforcement activities during COVID-19 – and defund the CDC order. It would provide for supervised release for people who've received removal orders to prevent prolonged detention; halt in-person check-ins with ICE ERO; service of NTAs; referrals for migration-related prosecutions; and at the border, provide for processing and parole (not detention) of individuals who make claims for relief under the immigration laws. It would also suspend all in-person court proceedings, and for detained individuals, establish a procedure for conducting custody determinations and provide for telephonic hearings provided the respondent requests such a hearing in writing.
- [HR 1011 / S.2907](#) Protecting Sensitive Locations Act that prohibits immigration enforcement actions within 1,000 feet of a sensitive location unless there are exigent circumstances or if written prior approval has been obtained from certain officials. The prohibition shall apply to Department of Homeland Security officers and agents, as well as state employees pursuing immigration enforcement actions. Sensitive locations include: health care facilities; schools and school bus stops; places that provide assistance for people such as children, pregnant women, and abuse victims; places that provide disaster or emergency services; places of worship; courthouses and lawyers' offices; and public assistance offices.
- [H.R.6537 / S.3645](#) - The Federal Immigrant Release for Safety and Security Together Act (FIRST Act) would provide urgent and critical restrictions on immigration detention and enforcement during COVID-19. This bill would reduce detention levels and civil immigration enforcement activity to protect the health of those held in custody and all of our communities.
- [H.R.3799](#) - The Reuniting Families Act would preserve and strengthen family-based immigration, clear the backlogs, and promote humane and timely reunification of families. Immigration is fundamentally about people planting permanent roots in a new country. It should take into account the human need to live with and care for one's family. Our current family-based immigration system, including the diversity visa program, has contributed to strong, vibrant, and diverse American communities. Family unity promotes physical and mental health and well-being, security, integration, and prosperity. Yet, today, there are nearly four million people in the family immigration backlog, and the current system has not been updated in 20 years – keeping spouses, children, and their parents separated for years and often decades.
- [H.R.8046](#) - Improving Opportunities for New Americans Act would direct the DOL to study the factors that lead to the underemployment and unemployment of immigrants and refugees who

hold professional credentials earned outside the U.S. Many immigrants and refugees remain unable to fully contribute their talents to the workforce because of systemic barriers, including the lack of recognition of their international education and experience, outdated occupational and professional recertification processes, and insufficient access to meaningful workforce development and adult education services.

**Remedied Root Causes of Forced Migration:** Addressing forced displacement effectively and responsibly means providing protection for those who flee violence while focusing on the conditions forcing people to flee. Congressional funding must end reliance on militarized and armed approaches to the violence prevention and migration. **We call for legislation that would demilitarize foreign assistance, prioritize adherence to human rights, fund civil society-based violence prevention programs, and expand refugee protection in the Northern Triangle of Central America and Mexico.**

## Strive for Lasting Solutions

*"Love and good faith must so dominate the human heart that men will regard the stranger as a familiar friend, the malefactor as one of their own, the alien even as a loved one, the enemy as a companion dear and close."  
Abdu'l-Baha*

We will continue to press the new Administration and Congress to work in a bipartisan manner to pass legislation that protects the dignity and rights of every human being – including migrants, immigrants, and refugees. Let us work together towards these solutions, to build a future that values the unity of families; protects the safety of all communities; unites people rather than tears them apart; centers the voices of impacted communities and BIPOC; and addresses the root causes of migration, including the imminent threat of climate change.

We implore the new Administration to support policies that celebrate diversity and protect all people, with a focus on those who have historically and are currently victimized by U.S. immigration policy. The creation, adoption, and implementation of immigration policies under the Trump Administration was rooted in white supremacy and bolstered by racist and xenophobic rhetoric, inciting even more violence than what was being legislated. As a community, we will hold the new Administration and Congress accountable to implement anti-racist policies that help create a more just, fair, equal, and equitable society.

*As a matter of faith, we are called to act.*