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“The U.S. Immigration System: The Need for Bold Reforms”

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Introduction

Chairwoman Lofgren, Ranking Member McClintock and members of the subcommittee:

Thank you for the opportunity to appear before the committee today and provide testimony on behalf of the National Immigration Law Center (NILC).

As a Latina, as an immigrant from Colombia, and a naturalized citizen, I know at a deeply personal level that if my family tried to migrate over the last four years, my family would not be considered worthy of being here. Like millions of immigrants and refugees, my parents -- Arturo and Teresa -- came to the U.S. in search of that elusive American Dream. It is that same promise of equality, freedom, and justice for all that today's immigrants and refugees -- whether they be from Haiti, Honduras, or Syria, whether they be Muslim, Catholic, or Jewish -- continue to believe in.

Through my parents' immense personal sacrifices, my nine brothers and sisters and I have had the educational and economic opportunities that my parents did not have.

My parents also reminded us that they made a lot of sacrifices to come to the US, and that we had a responsibility to leave this country a better place. Today, my brothers & sisters and I are contributing to this great country in many ways. Among my siblings, I count educators, a small business owner, corporate manager, health professionals, including a brother who is a physical therapist and a sister who is a biochemist. And I have the privilege of fighting to defend our Constitution and the promise of equality, freedom, and justice for all. I have the honor of doing so by leading the National Immigration Law Center, an organization that envisions a society in which all of us — regardless of where we were born, the color of our skin, or how much money we have — should have the Freedom to Thrive.

At the National Immigration Law Center (NILC), we believe that *immigrants are essential* to the fabric of who we are as a nation.

We use litigation and policy advocacy, narrative change, and movement building, to create the cultural and political conditions so everyone can live a healthy and safe life, with dignity and respect. Over the past decades, NILC has won landmark legal decisions protecting fundamental civil rights and advocated for policies that reinforce our nation’s values of equality, fairness, and justice for all. We have advocated for legislative solutions such as the inclusion of lawfully residing immigrant children in the Children’s Health Insurance Program Reauthorization Act of 2009 and most recently the inclusion of certain mixed status immigrant families as part of the COVID relief package, the Consolidated Appropriations Act of 2021, signed into law in December 2020.

Over the last four years, NILC fought in the courts challenging the Muslim ban, the immigrant wealth test known as the public charge rule, and had the honor of representing our courageous plaintiffs to block the termination of the Deferred Action for Childhood Arrivals (DACA) policy for which we won a temporary victory at the Supreme Court. Through our Winning in the States initiative, we have partnered with state and local policymakers and allies on enacting more welcoming and inclusive policies that improve working conditions, access to higher education, safety, and result in healthier communities for all their residents.

As the last administration understood, immigration is one of the defining issues of our times. President Biden and Vice President Harris were elected with one of the broadest coalitions in American history, with 81 million voters rejecting the divisive and harmful agenda of the previous administration. Voters elected President Joe Biden in large part because he pledged to restore fairness, humanity, and reclaim America's role as a beacon of hope for all of those seeking a better life.

It is imperative that the Biden administration and Congress take immediate action to recognize that immigrants are essential and that we are contributing greatly to our society, culture, and economy.

Why we need bold immigration reform now

Our country is facing the enormous challenge of trying to heal from the brutality of immigration enforcement under the prior administration and its catastrophic handling of the worst global pandemic we have faced in a century. The Trump administration used blunt instruments to inflict harm on immigrant communities and U.S. citizens alike – with intentionally cruel policies such as the discriminatory Muslim and African bans; decimation of our refugee resettlement program; a morally bankrupt family separation policy that continues to separate over 600 children from their parents;¹ destabilizing the future of millions of people who have relied on the protections under DACA and Temporary Protected Status (TPS) policies remain in limbo; and gutting legal immigration channels through numerous discriminatory bans; bars to accessing asylum and the refugee program; and the creation of a wealth test for accessing our immigration system. These tactics were nothing short of an attack on the soul of our nation and among the most dangerous attempts to redefine what it means to be an American, to divide us and to undermine and threaten our democracy.

While it is crucial to emphasize the distinctive cruelty of the Trump Administration it is important to acknowledge that the approach of the past four years was also possible because Congress has failed to seize opportunities to enact permanent solutions and protections for noncitizens and has let past immigration reform efforts and federal Department of Homeland Security (DHS) spending be defined by the massive expansion of harmful interior enforcement and border militarization. We are long past due in taking action.

The political and social realities of the past year also demand that Congress take swift action in passing truly inclusive, people-centered and effective legislation that will put people on a fair path to citizenship and respects all people regardless of where they are from or how much they have. Our long overdue national reckoning with deeply embedded systemic and racial injustices in our criminal legal system and a pandemic that has laid bare our interdependence both speak to how ready we are to reject the politics of hatred and division. And the recent election outcomes that were fueled by the historic engagement of multi-racial, multi-ethnic and multi-generational coalitions – including many newly naturalized citizens – were a mandate from the electorate to the White House and to Congress to deliver a bold pro-immigrant

¹ Shear, Michael D., “Trump and Aides Drove Family Separation at Border, Documents Say,” New York Times, Jan. 14, 2021, <https://www.nytimes.com/2021/01/14/us/politics/trump-family-separation.html>.

agenda that recognizes the full humanity of immigrants and the role we play in shaping and strengthening who we are as a nation.

It is imperative that we begin any conversation on reforming our immigration system by acknowledging that we must no longer accept the premise that legalization for some immigrants can only be provided in exchange for further militarization of our U.S.-Mexico border, and criminalization and punishment of other immigrants. We can no longer propose policies that offer relief for some, and more suffering for others. This deeply flawed framework has come to define the immigration debate for too long and resulted in decades of pain and punishment for immigrant communities at a tremendous cost to U.S. citizens--both as tax payers and as relatives of those trapped by our immigration system.

Since 2016, the U.S. Immigration Customs Enforcement's (ICE) budget has grown by about 40 percent while U.S. Custom and Border Protection's (CBP) budget has grown by 30 percent.² Federal immigration enforcement policies and practices, including increased reliance on state and local agencies for information about non-U.S. citizens, have swept an unprecedented number of asylum seekers and community members into the detention and deportation system.³

Our civil immigration system has become an arm of the mass incarceration system, relying on a criminalization model that perpetuates racial inequality and where immigrants of color feel the double oppression that comes from over-policing from both law enforcement and immigration enforcement. The same prejudices that pervade the criminal legal system extend to the immigration system: research suggests that Black people are more likely than white people to be targeted by police. Similarly, Black immigrants are also disproportionately vulnerable to immigration enforcement and deportation.⁴ Immigrants from African countries have experienced some of the most dramatic increases in deportations since President Trump took office. The consequences that stem from deportation are devastating. A person in removal proceedings faces not only the loss of their job and home, but permanent separation from their family and community. Upon return to their countries of origin, many face persecution, torture, and even death.⁵ This harm extends well beyond the individual facing detention or deportation. When a parent is detained or deported, it often means the loss of a family's breadwinner and harms the health of families, with children facing increased rates of anxiety, depression, and behavioral problems, and even post-traumatic stress disorder (PTSD)--related symptoms.⁶

We must also commit to addressing the root causes and drivers of migration, including the role of our government and our foreign and economic policies. Without this global lens and an understanding that migration is a naturally occurring reality, we will continue to approach immigration as solely a domestic issue and ignore the factors outside of the U.S. that impact who comes here and why.

² "The Defund Hate Coalition responds to scarcity language in DHS memo, calls for significant cuts in funding to ICE and CBP," Defund Hate Coalition, Jan. 21, 2021, <https://defundhatecoalition.org/2021/01/21/the-defund-hate-coalition-responds-to-scarcity-language-in-dhs-memo-calls-for-significant-cuts-in-funding-to-ice-and-cbp/>.

³ "Justice-Free Zones: U.S. Immigration Detention Under the Trump Administration," the American Civil Liberties Union (ACLU), Human Rights Watch (HRW), and the National Immigrant Justice Center (NIJC), December 2020, <https://www.aclu.org/report/justice-free-zones-us-immigration-detention-under-trump-administration>.

⁴ "The State of Black Immigrants," Black Alliance for Just Immigration (BAJI) and NYU Immigrant Rights Clinic, <http://www.stateofblackimmigrants.com/assets/sobi-fullreport-jan22.pdf>.

⁵ "Deported to Danger," Human Rights Watch, Feb. 5, 2020, <https://www.hrw.org/report/2020/02/05/deported-danger/united-states-deportation-policies-expose-salvadorans-death-and>.

⁶ Richards, Sarah Elizabeth, "How Fear of Deportation Puts Stress on Families," The Atlantic, March 22, 2017, <https://www.theatlantic.com/family/archive/2017/03/deportation-stress/520008/>.

Additionally, in the face of the coronavirus global pandemic, we must acknowledge the vital role that immigrants have served as members of our essential workforce, helping to preserve our critical infrastructure so that food can get to our tables, healthcare can be administered to our ailing, and vaccines can be researched, manufactured, distributed and administered so we can fully recover.⁷

Finally, a 21st century immigration system must be grounded in values of racial, economic, and gender justice and inclusion. We should not perpetuate the dynamic of having status function as the gatekeeper to accessing basic necessities and rights that all human beings should have. Whether it's access to affordable health care, nutrition assistance for children, or financial aid for college, our basic human needs should not be put on hold based on our immigration status. A truly equitable and just society requires that immigrants be included when it comes to health care, housing, college affordability, family leave, and anti-poverty programs.

We have an opportunity and a mandate to act now.

A profile of immigrants in America today

To fully appreciate the urgent need to pass bold immigration reform legislation, it is essential to understand who immigrants in America are today. We don't need to look further than our own neighborhood, school, place of employment, worship, or dining to see the faces of immigrants in America, where over 44 million immigrants live and constitute 13.7% of the U.S. population.⁸ Of that 44 million, about 45% of us are naturalized citizens, 27% are lawful permanent residents (LPR), and 5% are nonimmigrants—or in the U.S. through a temporary immigration program such as on a work or student visa.⁹ The remaining 23%-- 3.2% of our nation's population-- are undocumented immigrants, most of whom have resided in the U.S. for over 10 years.¹⁰

The composition of this subcommittee's membership is an accurate reflection of where there are significant immigrant populations, such as California, with 24% of the nation's immigrants, Texas, with 11%, and Florida, with 10%.¹¹ But immigrants live across the country, and often live with family members that have different immigration statuses from one another - in "mixed status" families - such as undocumented, documented, and naturalized; over 4.1 million U.S. citizen children under the age of 18 live with at least one undocumented parent.¹²

The diverse richness of immigrants in America is undeniable, with immigrants from all over the world choosing to make America their home, where they raise their families, buy their homes and cars, go to school and work, pay their taxes, and contribute to their local, state, and federal economy. Immigrants from Mexico, China, India, the Philippines, and El Salvador represent the largest origin groups. Unlike in the past, when our neighbors from Mexico had the largest percentage of immigrants coming to America, in 2018, (the most recent demographic data available) immigrants coming to the U.S. from China and

⁷ "Immigrant Essential Workers are Crucial to America's COVID-19 Recovery," FWD.us, Dec. 16, 2020, <https://www.fwd.us/news/immigrant-essential-workers/>.

⁸ Budiman, Abby, and Tamir, Christine, et al, "Immigrants in America: Statistical portrait of the foreign-born population in the United States," Pew Research Center, August 20, 2020.

<https://www.pewresearch.org/hispanic/2020/08/20/facts-on-u-s-immigrants/>

⁹ Budiman, Abby, "Key findings about U.S. immigrants," Pew Research Center, August 20, 2020.

<https://www.pewresearch.org/fact-tank/2020/08/20/key-findings-about-u-s-immigrants/>

¹⁰ *Id.*

¹¹ *Id.*

¹² MPI, "A Profile of U.S. Children with Unauthorized Immigrant Parents,"

<https://www.migrationpolicy.org/research/profile-us-children-unauthorized-immigrant-parents>.

India were more common, followed by Mexico and the Philippines.¹³ If considering the immigrant population by region of birth, immigrants from Asia accounted for over a quarter (28%) of all immigrants in the U.S. in 2018, followed by Europe, Canada and North America (13%) (not including Mexico), the Caribbean (10%), Central America (8%), South America (7%), the Middle East and North Africa (4%) and sub-Saharan Africa (5%).¹⁴

Undeniably, as my fellow witnesses, Ms. Jennifer Hunt and Mr. John Lettieri, will attest, immigrants contribute significantly to the U.S. workforce and economy. As of 2018, about 30 million immigrants were estimated to be working in the U.S., which amounted to about 17% of the civilian labor force.¹⁵ Immigrants paid \$450 billion in federal, state, and local taxes, and spent over \$1 trillion purchasing goods and services, helping their local economies.¹⁶ Undocumented immigrants paid \$11.7 billion a year in state and local taxes¹⁷ - funds that support our public schools and hospitals, disaster response services, and core infrastructure.

The jobs that immigrants in America fill span the spectrum, from agricultural workers planting, harvesting, and distributing food to our supermarkets and delivering them to our tables, helping to rebuild communities after climate disasters, nannies caring for our babies and educators teaching them, artists and athletes, to the highly skilled workforce, such as those working in the Science, Technology, Engineering, and Math (STEM) fields, furthering U.S. innovation¹⁸ and global competitiveness.¹⁹

From over my 25 years working on immigration policy, I believe that now, more than ever before, Americans are finally seeing and understanding that those at the forefront of providing health and home care to our loved ones, ensuring that we have food and the ability to work, and access to vaccines that will keep us health, are immigrants, working alongside us to pull through the COVID-19 pandemic and on the road to holistic socio-, emotional-, and economic- recovery.²⁰ Approximately one-fifth of the essential workforce responding to the COVID pandemic—22.9 million people-- is comprised of immigrants.²¹ Among all essential workers, regardless of immigration status or nationality, 28 percent of physicians, 24 percent of dentists, and 38 percent of home health aides, are immigrants.²² An estimated 40% of medical scientists in pharmaceutical research and development and 40% of cancer researchers are immigrants.²³ Of the estimated 22.9 million immigrant essential workers, about five million of such workers are

¹³ *Id.*

¹⁴ *Id.*

¹⁵ New American Economy's "Map the Impact" tool, <https://www.newamericaneconomy.org/locations/national>.

¹⁶ *Id.*

¹⁷ Institute on Taxation and Economic Policy's report, "Undocumented Immigrants' State & Local Tax Contributions," <https://itep.org/undocumented-immigrants-state-local-tax-contributions-2017>.

¹⁸ Hunt, Jennifer, and Gauthier-Loiselle, Marjolaine, National Bureau of Economic Research, "How Much Does Immigration Boost Innovation?" September 2008, <https://www.nber.org/papers/w14312>.

¹⁹ Bush, Jeb and McLarty, Thomas, "U.S. Immigration Policy," Council on Foreign Relations, Aug. 2009, <https://www.cfr.org/report/us-immigration-policy>. See also Widener, Andrea, "Science in the US is built on immigrants. Will they keep coming?": March 4, 2019, <https://cen.acs.org/careers/diversity/Science-US-built-immigrants-keep/97/i9>.

²⁰ Center for Migration Studies (CMS), "US Foreign-Born Essential Workers by Status and State, and the Global Pandemic," <https://cmsny.org/publications/us-essential-workers/>.

²¹ *Id.*

²² Batalova, Jeanne, "Immigrant Health-Care Workers in the United States," Migration Policy Institute, May 14, 2020, <https://www.migrationpolicy.org/article/immigrant-health-care-workers-united-states-2018>

²³ "Immigrants in Healthcare: Keeping Americans Healthy Through Care and Innovation," George Mason University, Institute for Immigration Research, June 2016, https://www.immigrationresearch.org/system/files/health_care_report_FINAL_20160607.pdf.

undocumented, and almost one million are immigrant youth or so-called “Dreamers”.²⁴ It is estimated that 131,300 essential workers are TPS holders, who, on average, have lived in the United States for 22 years.²⁵ Yet, these essential workers who are helping us combat the pandemic-- at great risk to themselves and their families-- continue to live in immigration limbo, never knowing what tomorrow will bring.

A Roadmap to Citizenship and Expanded Legal Channels

Regardless of what side of the political aisle we sit on, I think we can all agree that communities across the country want their representatives to invest in policies that prioritize health and well-being of their communities. When the federal government continues providing an influx of funding to immigration enforcement agencies-- despite patterns of abuse, lack of accountability, and mismanagement of funds-- instead of implementing a more just and modern immigration system, we are putting our health and the well-being of our communities at risk.²⁶

Instead of spending billions of dollars on detention and deportation, we should be passing policies of inclusion that place the 11 million undocumented immigrants who are part of our families and communities on a pathway to citizenship, and to ensuring reasonable and straight-forward access to the legal immigration process. Millions of aspiring citizens have lived and worked in this country for decades. Polling nationwide shows that more than two-thirds of American voters support immigration reform, including a path to legal status, permanent residency and eventually citizenship for the estimated 11 million undocumented persons living in the country.²⁷

We also need to expand more legal channels for people to be able to immigrate to the U.S. lawfully. This includes expanding our family-based immigration system, the diversity visa program and refugee and asylum programs, as well as employment-based avenues for those seeking to immigrate to the U.S. for work. Family unity and reunification is crucial to promoting the health and well-being, integration and long-term stability of families and communities, as is ensuring a robust workforce that can address the needs of our country and economy. The combination of an outdated family and employment based immigration system and the chilling effect of policies under the Trump administration such as the public charge “wealth test” resulted in family-based green cards declining to their lowest point in the past five years,²⁸ leaving nearly 4 million people stuck in a backlog and facing unconscionably long wait times to reunite with their family members. Similarly, we must rebuild a decimated refugee resettlement program that went from an annual cap of 110,000 in FY17 to an abysmally low 15,000 in FY21.

Congress must pass inclusive legislation that builds a fair and humane immigration system, creating pathways to U.S. citizenship for DACA recipients and others who have grown up here, TPS grantees, essential workers, and the millions of undocumented immigrants who live, work, and are an integral part

²⁴ “Immigrant Essential Workers are Crucial to America’s COVID-19 Recovery,” FWD.us, Dec. 16, 2020, <https://www.fwd.us/news/immigrant-essential-workers/>.

²⁵ Prchal Svajlenka, Nicole, and Jawetz, Tom, “A Demographic Profile of TPS Holders Providing Essential Services During the Coronavirus Crisis,” Center for American Progress, April 14, 2020, <https://www.americanprogress.org/issues/immigration/news/2020/04/14/483167/demographic-profile-tps-holders-providing-essential-services-coronavirus-crisis/>

²⁶ Cantú, Aaron, “How Democrats Abetted Trump’s Bloated Border Regime,” The New Republic, Jan. 7, 2020, <https://newrepublic.com/article/156116/democrats-abetted-trumps-bloated-border-regime>.

²⁷ Narea, Nicole, “Poll: Most Americans support a path to citizenship for undocumented immigrants,” Vox, Feb. 4, 2021, <https://www.vox.com/policy-and-politics/2021/2/4/22264074/poll-undocumented-immigrants-citizenship-stimulus-biden>.

²⁸ <https://www.uscis.gov/sites/default/files/document/reports/2020-USCIS-Statistical-Annual-Report.pdf>

of the U.S., and a more approachable legal immigration system for those caught in the existing complicated legal immigration web.

Ensuring Access to Health and Safety Net Programs

We believe that where you are born should not dictate whether or not you have access to a healthy life. The COVID-19 pandemic has made clear that the health of the nation as a whole depends on *everyone* being included in our nation's public health system and plans for economic recovery. Yet immigrants face extreme barriers to accessing the basic needs and health care programs their tax dollars pay for.²⁹ Green card holders authorized to live in the United States permanently face a waiting period of five years without access to crucial health care and economic supports. DACA recipients, TPS holders, and most other non-naturalized immigrants are entirely ineligible for most federal benefits programs. Five years is a lifetime if you get sick, especially for children. Reform must not just look at opportunities for a pathway to citizenship but also ensure an equal playing field in accessing support systems that should be available to everyone living and working in the United States.

Because of Congress' exclusionary policy decisions, immigrants are uninsured at substantially higher rates than the U.S.-born. Among lawfully present immigrants, 23% are uninsured, compared to nine percent of U.S. citizens. For undocumented immigrants, the uninsured rate rises to 45%.³⁰ U.S. citizen children of immigrant women face food insecurity and risk of poor health compared to their peers.³¹ In a recent report NILC conducted in partnership with the Food Research and Action Center, we found that nearly 80 percent of immigrants surveyed experienced food insecurity, and 80 percent of providers reported that immigrant families were afraid to access food and nutrition programs out of fear that such use would have negative immigration consequences.³² These differences in access to health and basic needs programs contribute to disparities in health outcomes, especially racial health disparities considering the high percentage of immigrants within communities of color.³³

It is crucial for us to remove immigration status barriers to health care, food and nutrition programs, housing, and refundable tax credits. Programs such as Women, Infants, and Children (WIC), Supplemental Nutrition Assistance Program (SNAP), and refundable tax credits have a proven track record of lifting families out of poverty and improving lifelong outcomes for children.³⁴ Inclusive policies should be a no-brainer, especially given that one in four children in the United States have at least one foreign-born parent.³⁵ Our future depends on our children, and we know that refundable credits improve

²⁹ Overview of Immigrant Eligibility for Federal Programs, National Immigration Law Center, updated January 21, 2021, https://www.nilc.org/wp-content/uploads/2015/11/tbl1_ovrvw-fed-pgms.pdf.

³⁰ "Health Coverage of Immigrants," Kaiser Family Foundation, March 18, 2020, <https://www.kff.org/racial-equity-and-health-policy/fact-sheet/health-coverage-of-immigrants/>.

³¹ Chilton, Mariana et al, "Food Insecurity and Risk of Poor Health Among US-Born Children of Immigrants," American Journal of Public Health 99:3, March 2009, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2661461/>

³² Ashbrook, Ashley and Jackie Vimo. "Food Over Fear: Overcoming Barriers to Connect Latinx Immigrant Families to Federal Nutrition and Food Programs," Food Research and Action Center and National Immigration Law Center. December, 2020. <https://www.nilc.org/issues/economic-support/food-over-fear-frac-nilc/>

³³ Budiman, Abby, "Key findings about U.S. immigrants," Pew Research Center, August 20, 2020, <http://www.pewresearch.org/fact-tank/2020/08/20/key-findings-about-u-s-immigrants/#:~:text=The%20U.S.%20foreign-born>.

³⁴ "By the Numbers: Data on Key Programs for the Well-Being of Women & Their Families." National Women's Law Center, December 9 2019. <https://nwlc.org/wp-content/uploads/2019/12/Bythenumbers2019-2.pdf>

³⁵ "Part of Us: A Data-Driven Look at Children of Immigrants." Urban Institute, March 14, 2019. <https://www.urban.org/features/part-us-data-driven-look-children-immigrants>

health, education, and employment outcomes for children.³⁶ Policies such as the Earned-Income Tax Credit and the Child Tax Credit have strong bipartisan support,³⁷ and we must work to remove barriers for immigrants so all of us can access these poverty-fighting tools.

The past year during the pandemic has proven what we and public health experts have been saying for a long time: our community health is dependent on every single person in our communities having access to care. But even when immigrants are eligible for health care and basic needs programs, immigrants face “chilling effects,” meaning they avoid programs out of fear of immigration reprisal or confusion. Immigrants have especially been chilled from accessing care and relief during the pandemic because of the Trump administration’s policies—especially the public charge “wealth test” rule.³⁸ Such policies have resulted in people who are eligible for those benefits—like Shadad Sarmad, a young adult child of Iraqi refugees who was working 12 hour days while pregnant—to decline applying for assistance out of fear of immigration consequences.³⁹ The Urban Institute found that, because of the public charge rule, nearly one in seven adults in immigrant families avoided assistance programs.⁴⁰ Over 250,000 children may have been disenrolled from assistance like the Children’s Health Insurance Program and the Special Supplemental Nutrition Program for WIC because of public charge concerns.⁴¹

This chilling effect has contributed to and exacerbated a chilling reality: that the COVID-19 pandemic has disproportionately impacted and killed immigrants and communities of color.⁴² Rates of hospitalization and death from COVID-19 are twice as high in Black communities and four times as high in Latino and Native communities.⁴³ In addition, Black and Latino communities experienced drastically higher rates of

³⁶ Matsui, Amy and Katherine Gallagher Robbins “The EITC and Child Tax Credit are Critical to the Economic Security of Women and Families,” National Women’s Law Center. April 2016.
<https://nwlc.org/wp-content/uploads/2016/04/The-EITC-and-Child-Tax-Credit-Are-Critical-to-the-Economic-Security-of-Women-and-Families-Apr-2016-New-Format.pdf>

³⁷ Committee for a Responsible Federal Budget, “EITC Attracts Bipartisan Praise and Proposals,” March 10, 2014,
<http://www.crfb.org/blogs/eitc-attracts-bipartisan-praise-and-proposals#:~:text=The%20Earned%20Income%20Tax%20Credit,its%20ability%20to%20encourage%20work.>

³⁸ See for example, Bedford, Tori, "Fear Of Deportation Prompts Undocumented Immigrants To Resist COVID-19 Vaccine," GBH, January 5, 2021,
<https://www.wgbh.org/news/local-news/2021/01/05/fear-of-deportation-prompts-undocumented-immigrants-to-resist-covid-19-vaccine> and Acevedo, Nicole and Cora Cervantes, "Fearing Trump-era rule, families are forgoing health, food assistance," NBC News, February 8, 2020,
<https://www.nbcnews.com/news/latino/fearing-trump-era-rule-families-are-forgoing-health-food-assistance-n1256733>

³⁹ Sarmad, Shadad and Noah Lanard, "Trump Made Me Choose Between My Husband’s Green Card and Food for My Baby," Mother Jones, October 29, 2020,
<https://www.motherjones.com/politics/2020/10/immigration-trump-miller-election-2020-public-charge/>

⁴⁰ Bernstein, Hamutal et al, "Immigrant Families Continued Avoiding the Safety Net during the COVID-19 Crisis," Urban Institute, February 2021,
<https://www.urban.org/sites/default/files/publication/103565/immigrant-families-continued-avoiding-the-safety-net-during-the-covid-19-crisis.pdf>

⁴¹ Baraofsky, Jeremy, et al, "Spreading Fear: The Announcement Of The Public Charge Rule Reduced Enrollment In Child Safety-Net Programs," Health Affairs 39:10, October 2020,
<https://www.healthaffairs.org/doi/10.1377/hlthaff.2020.00763>

⁴² National Center for Immunization and Respiratory Diseases (NCIRD), Division of Viral Diseases. “COVID-19 Hospitalization and Death by Race/Ethnicity,” November 30, 2020.
<https://www.cdc.gov/coronavirus/2019-ncov/covid-data/investigations-discovery/hospitalization-death-by-race-ethnicity.html>

⁴³ National Center for Immunization and Respiratory Diseases (NCIRD), Division of Viral Diseases. “COVID-19 Hospitalization and Death by Race/Ethnicity,” November 30, 2020.
<https://www.cdc.gov/coronavirus/2019-ncov/covid-data/investigations-discovery/hospitalization-death-by-race-ethnicity.html>

food insecurity as a result of the economic crisis provoked by the pandemic, with rates of food insecurity for Black and Latino communities hovering at around 30% in 2020, about 10% higher than white Americans.

As a matter of sound public health policy, it is crucial for everyone to have access to economic relief so they can shelter in place and care for their family members. Without economic relief, workers will be forced to choose between sheltering in place and feeding and housing their families. However, immigrant communities have been almost entirely excluded from federal pandemic relief programs because so-called “unqualified” immigrants are ineligible for programs like Pandemic Unemployment Insurance (UI) and the Supplemental Food and Nutrition Program (SNAP), which were funded by the CARES Act and H.R. 133.⁴⁴ Moreover, immigrants without Social Security Numbers were excluded from the Economic Impact Payment stimulus checks under both the CARES Act and H.R. 133, despite the fact that they work and pay taxes like any other American.

This exclusion of immigrant families from COVID-19 relief has both public health and economic consequences. Immigrants are essential workers on the frontlines of fighting the pandemic, with 74% of undocumented workers employed in jobs defined as “essential” by DHS.⁴⁵ But while immigrants are risking their lives to keep the country moving forward, they have been denied access to relief, including stimulus checks. Excluding immigrant taxpayers from COVID relief has resulted in a loss of \$10 billion in potential economic output to the U.S. economy, according to a recent report by researchers at UCLA.⁴⁶

It is especially concerning that, because of the barriers they face, immigrants may struggle to access a vaccine, despite promises that they will be free to everyone regardless of immigration status.⁴⁷ While Congress can take steps now, such as preventing vaccine providers from charging uninsured patients for a vaccine and ending copays on all types of health insurance, ultimately we must take steps so that everyone in the U.S., regardless of immigration status, can get the care they need, when they need it, without concern for cost.

We also know that addressing the fear of deportations and instead creating a pathway to citizenship will make our country healthier and stronger. Children suffer lifelong trauma and associated health consequences when their parents are deported.⁴⁸ One report of COVID contact tracing efforts in San

⁴⁴ Broder, Tanya, Avidah Moussavian, and Jonathan Blazer. “Overview of Immigrant Eligibility for Federal Programs,” National Immigration Law Center. December 2015.
<https://www.nilc.org/issues/economic-support/overview-immeligfedprograms/#:~:text=The%20%E2%80%9Cqualified%E2%80%9D%20immigrant%20category%20includes,of%20at%20least%20one%20year>

⁴⁵ Department of Homeland Security, Cybersecurity and Infrastructure Security Agency, Guidance on the Essential Critical Infrastructure Workforce, Version 4.0 - CISA's Guidance on Essential Critical Infrastructure Workers, <https://www.cisa.gov/publication/guidance-essential-critical-infrastructure-workforce>; Donald Kerwin et al., *US Foreign-Born Essential Workers by Status and State, and the Global Pandemic*, CMS Report, May 2020, <https://cmsny.org/publications/us-essential-workers/>.

⁴⁶ Hinojosa-Ojeda, Raúl, and Dominguez-Villegas, Rodrigo, “Undocumented During COVID-19: Essential for the Economy but Excluded from Relief,” Aug 10th, 2020, UCLA, <https://latino.ucla.edu/research/undocumented-during-covid-19-essential-for-the-economy-but-excluded-from-relief/>

⁴⁷ Department of Homeland Security, “DHS Statement on Equal Access to COVID-19 Vaccines and Vaccine Distribution,” Feb. 1, 2021, <https://www.dhs.gov/news/2021/02/01/dhs-statement-equal-access-covid-19-vaccines-and-vaccine-distribution-sites>

⁴⁸ Farhang, Lili; Heller, Jonathan; Hu, Alice; and Satinsky, Sara, “Family Unity, Family Health: How Family Focused Immigration Reform Will Mean Better Health for Children and Families,” June 3, 2013, <https://humanimpact.org/wp-content/uploads/2017/09/Family-Unity-Family-Health-2013.pdf>

Diego found that fear of immigration enforcement spurred Latino's refusal to participate.⁴⁹ Latino high school students report depression, anxiety and symptoms of post-traumatic stress disorder out of fear that they or a family member will be deported.⁵⁰ Immigration status and healthy lives are closely intertwined and we must not proceed with granting access to status without providing the tools for immigrants and their families to overcome the web of disparities that currently exist because of our public policies.

In response to the Trump Administration's public charge rule, NILC co-founded the Protecting Immigrant Families campaign with the Center for Law and Social Policy aimed at defending the health and wellbeing of immigrants. We are proud that the campaign now has over 500 member organizations across 40 states, and its leadership led to a historic number of public comments (over 260,000) being submitted against the public charge rule, including many from members of this committee. While we celebrated President Biden's executive order to review the public charge rule, the members of the campaign remain energized to ensure that no further restrictions on immigrant health are enacted. There is no way to exclude immigrants from health care and other programs that make families and communities healthier and stronger without harming the nation as a whole. Congress *must* work towards inclusive health and basic needs programs that include all of us. Our nation's health and future depends on it.

Strong Worker Protections Improve Our Economy and Workplace Safety for All

Many immigrants have lived in the U.S. for decades, contributing to the fabric of our society in countless ways as our neighbors, coworkers, and family members. They are also a key part of the U.S. workforce, help create new businesses, and make America stronger with their labor. Major U.S. industries such as agriculture, hospitality, construction, food services, domestic services, and technology depend on and thrive with immigrant workers from around the world.⁵¹

This fact has come into much sharper relief with the onset of the COVID-19 pandemic. Immigrants have contributed a great deal to the nation's efforts to combat COVID-19, with almost 70% of the immigrant workforce concentrated in essential industries like healthcare, food processing, and home care.⁵² 1 in 4 doctors and 1 in 6 nurses in the U.S. are immigrants.⁵³ They have helped keep the country healthy, safe, and cared for before, now during, and likely after this public health crisis and they deserve to be treated with dignity and respect.

Yet workers in low-paid industries are disproportionately affected by violations of labor protection laws, with immigrant and migrant workers who have precarious immigration status experiencing higher rates of these violations.⁵⁴ One national study found, for example, that undocumented workers experienced

⁴⁹ "Perceptions of Contact Tracing Among San Diego Latinos", Chicano Federation, September 2020, <https://www.chicanofederation.org/research-studies>

⁵⁰ Capps, Randy et al, "Immigration Enforcement and the Mental Health of Latino High School Students," Migration Policy Institute, September 2020, <https://www.migrationpolicy.org/research/immigration-enforcement-mental-health-latino-students>

⁵¹ *Immigrant Workers in the U.S. Labor Force*, Brookings Institution and New American Economy, March 15, 2012, http://research.newamericaneconomy.org/wp-content/uploads/sites/2/2018/03/Immigrant_Workers_Brookings.pdf

⁵² Donald Kerwin et al., *US Foreign-Born Essential Workers by Status and State, and the Global Pandemic*, CMS Report, May 2020, <https://cmsny.org/publications/us-essential-workers/>.

⁵³ Jeanne Batalova, *Immigrant Health-Care Workers in the United States*, Migration Policy Institute, May 14, 2020, <https://www.migrationpolicy.org/article/immigrant-health-care-workers-united-states-2018>

⁵⁴ Moyce, S. & Schenker, M., 2018. *Migrant Workers and Their Occupational Health and Safety*, <https://www.annualreviews.org/doi/full/10.1146/annurev-publhealth-040617-013714>; Southern Poverty Law Center, *Close to Slavery: Guestworker Programs in the United States*, https://www.splcenter.org/sites/default/files/d6_legacy_files/downloads/publication/SPLC-Close-to-Slavery-2013.pdf; Centro de los Derechos del Migrante, *Ripe for Reform: Abuses of Agricultural Workers in the H-2A Visa Program*, <https://cdmigrante.org/wp-content/uploads/2020/04/Ripe-for-Reform.pdf>.

minimum wage violations at nearly twice the rate of their U.S.-born counterparts in the same jobs.⁵⁵ Immigrants also face persistent wage inequalities – another study found that median hourly wages for foreign-born workers are about \$8 less than U.S.-born workers.⁵⁶

But when workers want to speak up about such labor violations, they fear retaliation from their employers and risk drawing the attention of immigration enforcement authorities to themselves. Workers who face firing, blacklisting, or deportation are more hesitant than others to take the risk of advocating for their workplace rights.⁵⁷ One very recent study has demonstrated that workers who are unwilling to complain about safety violations on the job due to immigration enforcement concerns actually face greater job hazards and higher workplace injury rates.⁵⁸

This is due, in part, to the fact that our system of labor and employment law enforcement is driven by worker complaints and relies on workers to come forward when they experience unpaid wages or unsafe, abusive, or discriminatory working conditions. Without the cooperation of witnesses, including testimony and physical evidence that only workers can supply, labor agencies are severely hampered in their ability to meaningfully enforce labor standards, even in industries with high rates of labor law violations.

There is a longstanding problem in the U.S. of employers threatening to call, or actually calling, immigration authorities on undocumented workers when they raise labor concerns. These employers were emboldened during the last Administration, with multiple egregious examples highlighted in national news media of Immigration and Customs Enforcement (ICE) colluding with employers to suppress the voices of immigrant workers.⁵⁹ ICE has further reinforced this problem by giving statements to the media that arresting workers based on tips from their employers is *not* a violation of an interagency agreement it maintains with the Department of Labor.⁶⁰

Employers -- not immigrants -- are responsible for wages being driven down due when they hire undocumented workers at lower wages than is legal. In doing so, they drive down wages for everyone else. When an employer exploits the precarious immigration status of immigrant and migrant workers, it creates a pervasive culture of fear and intimidation in the workplace that chills efforts of all workers -- U.S.-born, foreign-born, authorized and unauthorized--to enforce their rights and better their working

⁵⁵ Bernhardt, A., Milkman, R., Theodore, N., Heckathorn, D., Auer, M., DeFilippis, J., Gonzalez, A., Narro, V., Perelshteyn, J., Polson, D., & Spiller, M. (2009). *Broken Laws, Unprotected Workers: Violations of Employment and Labor Laws in America's Cities*, <https://s27147.pcdn.co/wp-content/uploads/2015/03/BrokenLawsReport2009.pdf>;

⁵⁶ *State of Immigrants in LA County*, USC Dornsife Center for the Study of Immigrant Integration, January 2020, available at https://dornsife.usc.edu/assets/sites/731/docs/SOILA_full_report_v19.pdf.

⁵⁷ Kati L. Griffith & Shannon Gleeson, *The Precarity of Temporality: How Law Inhibits Immigrant Worker Claims*, 39 COMP. LAB. L. & POL'Y J. 111, 119-20 (2017); Shannon Gleeson, *Labor Rights for All? The Role of Undocumented Immigrant Status for Worker Claims Making*, 35 LAW & SOC. INQUIRY 561, 569 (2010).

⁵⁸ Amanda Grittner and Matthew Johnson, *When Labor Enforcement and Immigration Enforcement Collide: Deterring Worker Complaints Worsens Workplace Safety*, January 2, 2021, available at <https://drive.google.com/file/d/1VUv-XPrsvJCPP0o27Yqqs26XhVtZjtrg/view>

⁵⁹ See, e.g., Shannon Dooling, *Lawsuit Alleges Employer Retaliated Against Undocumented Worker By Triggering ICE Arrest* (WBUR, Mar. 1, 2019) <https://www.wbur.org/news/2019/02/28/retaliation-lawsuit-undocumented-worker-bpd-ice>; Monica Campbell, *For undocumented workers, demanding better work conditions could mean deportation* (The World, Aug. 26, 2019) <https://www.pri.org/stories/2019-08-26/undocumented-workers-demanding-better-work-conditions-could-mean-deportation>; Andrew Khouri, *More workers say their bosses are threatening to have them deported* (Los Angeles Times, Jan. 2, 2018) available at <https://www.latimes.com/business/la-fi-immigration-retaliation-20180102-story.html>; Kartikay Mehrotra, Peter Waldman, and Jonathan Levin, *In Trump's America, Bosses Are Accused of Weaponizing the ICE Crackdown*, (Bloomberg News, Dec. 18, 2018) <https://www.bloomberg.com/news/features/2018-12-18/in-trump-s-america-bosses-are-accused-of-weaponizing-the-ice-crackdown>

⁶⁰ Beth Fertig, *Undocumented Restaurant Worker Is Arrested by ICE During Deposition Against His Employer* (WYNC, Aug. 16, 2019) <https://www.wnyc.org/story/undocumented-restaurant-worker-arrested-ice-during-deposition-against-his-employer/>.

conditions.⁶¹ If workers don't cooperate with labor enforcement agencies, those agencies can't hold employers accountable, and labor standards erode across our labor market.⁶² This reality undermines the ability of all workers to act collectively to win just treatment and fair wages on the job.

The new moment we are in provides an opportunity to shift this paradigm and focus on strengthening labor protections for *all* working people and fixing our immigration system. The government should ensure all workers are protected from exploitation by employers who break the law, not wasting billions on unnecessary deportations. The prior administration had the wrong priorities - spending billions on mass deportations and an ineffective border wall. In 2018 alone, the federal government's spending on immigration enforcement was 11 times greater than spending to enforce labor standards – all while rolling back key protections for American workers like pay fairness and workplace safety.⁶³

The right way to use immigration policy to boost wages is by expanding rights and ensuring that all working people—regardless of immigration status—have access to the full protection of labor and employment laws. All jobs should be good jobs, and good jobs need worker power – which, for immigrants, means ensuring that they can speak up and organize on the job without the risk of deportation. Immigration enforcement must complement, rather than conflict with, a strong, well-resourced and effective system of labor standards enforcement. Our policies must remove barriers to union organizing by holding employers accountable for abuses, implementing a fairer work authorization mechanism with functioning safeguards, and preventing the threat of deportation from being used as a weapon to keep workers from asserting their rights on the job.

Workers are the center of our economy. There is no strong economy without workers, and a strong economy must be inclusive of all workers. The rules of today's economy are rigged against working families, and our unjust immigration system is one of the many forces making it harder for working families to get ahead. Immigration reform is an essential part of the larger structural change we need to create an economy that respects and protects all working people, and favors democracy in the workplace and the community. We remain committed to immigration reforms that create a pathway to citizenship and halt the race to the bottom in wages and standards by employers who game the system. We can and must build a different sort of immigration system—one that promotes shared prosperity and shared values of dignity, fairness, opportunity, voice, and justice.

Addressing Root Causes: An Urgent Need to Transform U.S. Policy on Migration

For decades, the U.S. has served as a global leader in the resettlement of refugees. Refugee resettlement has historically been a bipartisan issue and is a “critical pillar of our national security and foreign policy.”⁶⁴ However, in carrying out his anti-immigrant agenda, President Trump slashed refugee admissions to the lowest numbers since the 1980 Refugee Act took effect - resettling only 11,814 refugees

⁶¹ See e.g., Donald M. Kerwin with Kristen McCabe, *Labor Standards Enforcement and Low-Wage Immigrants: Creating an Effective Enforcement System*, Migration Policy Institute (2011), <https://www.migrationpolicy.org/research/labor-standards-enforcement-immigration>.

⁶² *Viracon, Inc.*, 256 NLRB 245 (1981)(employer threats of deportation if employees elected union representation were unlawful coercion); *Nortech Waste*, 336 NLRB 554 (2001)(employer review of its employees' immigration status, purportedly to ensure compliance with federal immigration laws, was a smokescreen to retaliate for and to undermine a union election victory); *Labriola Baking Co.*, 361 NLRB No. 41 at *2 (Sept. 8, 2014)(threats touching on employees' immigration status warrant careful scrutiny because they are among the most likely to instill fear among employees).

⁶³ Daniel Costa, *Immigration enforcement is funded at a much higher rate than labor standards enforcement—and the gap is widening*, Economic Policy Institute, June 2019, <https://www.epi.org/blog/immigration-enforcement-is-funded-at-a-much-higher-rate-than-labor-standards-enforcement-and-the-gap-is-widening/>.

⁶⁴ Senate Letter to Pompeo, Azar, and McAleenan, Aug. 5, 2019, <https://www.lankford.senate.gov/imo/media/doc/Lankford,%20Coons%20lead%20Letter%20on%20Concerns%20to%20Eliminate%20Refugee%20Cap.pdf>.

in Fiscal Year (FY) 2020.⁶⁵ In addition to dramatically reducing the number of refugees admitted to the U.S. to historic lows, the Trump administration banned refugees from Muslim majority countries and introduced sweeping policies to dismantle the U.S. asylum system. These cruel policies were designed specifically to deter asylum seekers from seeking refuge at our southern border, violating U.S. law and international treaties. In carrying out these policies, the U.S. ignored its legal obligations and is directly responsible for fueling the dire humanitarian situation we now see at the Southern Border.

Under the leadership of President Biden, the U.S. has taken steps towards ending the illegal asylum policies implemented under that past administration that violate our obligations under international law. The new administration has also rescinded discriminatory bans and taken actions that demonstrate this country's renewed commitment to once again becoming a leader in refugee resettlement. These actions will help to promote stability and facilitate international collaboration to address the global refugee crisis.⁶⁶ In addition to immediately establishing robust case management processing at our borders, the U.S. must address root causes of migration from the Northern Triangle countries of Central America—El Salvador, Guatemala, and Honduras. Many of these migrants are subjected to violence (including endemic levels of sexual and gender-based violence and femicide), social instability, government corruption and impunity, poverty, and climate change.⁶⁷ Programs should be rolled out to alleviate poverty, combat violence, strengthen government and civil society institutions, and address climate change. In addition to expanding pathways to protection in the U.S., the U.S. should work with neighboring countries such as Mexico, Belize, Costa Rica, and Panama to ensure expanded access to protection. It is important that Congress support the Biden Administration in repairing and improving these programs not just because it is the right thing to do, but because it is what the law requires.

President Biden charted his long-term regional vision for how to manage migration from Central America that combines legal pathways and restored and expanded initiatives to reduce the root causes of migration. The White House fact sheet for the U.S. Citizenship Act of 2021 creates a \$4 billion four-year interagency plan to address the underlying root causes of migration.⁶⁸ This plan increases assistance to El Salvador, Guatemala, and Honduras conditioned on their ability to reduce systemic corruption, violence, and poverty - all drivers of migration. The proposal also creates new systems for Central Americans to initiate the process — from within their countries — of seeking protection and resettlement to the United States or other partner countries.⁶⁹ It's imperative that members of Congress work with the new administration

⁶⁵ "U.S. Annual Refugee Resettlement Ceilings and Number of Refugees Admitted, 1980-Present," Migration Policy Institute, <https://www.migrationpolicy.org/programs/data-hub/charts/us-annual-refugee-resettlement-ceilings-and-number-refugees-admitted-united>.

⁶⁶ We are currently facing the largest refugee crisis in history due to war, political instability, and climate change. The UN High Commissioner for Refugees (UNHCR) estimates that more than 80 million people have been forcibly displaced worldwide. See UNHCR Population Statistics Database, accessed February 2021, <https://www.unhcr.org/refugee-statistics/>.

⁶⁷ "Forced Return to Danger," Policy Brief from the Washington Office on Latin America (WOLA), Center for Gender & Refugee Studies (CGRS), Alianza Americas, Latin America Working Group (LAWG), Kids in Need of Defense (KIND), Women's Refugee Commission (WRC), and American Federation of Labor - Congress of Industrial Organizations (AFL-CIO), Dec. 5, 2019, <https://www.wola.org/wp-content/uploads/2019/12/Forced-Return-to-Danger-STC-Civil-Society-Memo-12.4.19.pdf>.

⁶⁸ "Fact Sheet: President Biden Sends Immigration Bill to Congress as Part of His Commitment to Modernize our Immigration System," White House, Jan. 20, 2021, <https://www.whitehouse.gov/briefing-room/statements-releases/2021/01/20/fact-sheet-president-biden-sends-immigration-bill-to-congress-as-part-of-his-commitment-to-modernize-our-immigration-system/>.

⁶⁹ "Fact Sheet: President Biden Sends Immigration Bill to Congress as Part of His Commitment to Modernize our Immigration System," White House, Jan. 20, 2021,

to provide the funding necessary to enact a long-term, multi-pronged effort that meaningfully addresses the root causes of migration and establish the U.S. as a global leader of human rights.

Multiple Pathways to Swift Reform

The urgency of the moment before us is clear. With each passing day, the uncertainty for millions of immigrants causes unnecessary suffering and costs all of us. There is no silver bullet or any singular legislative path to bring us closer to our vision of an immigrant inclusive society, and so we urge Members to pursue multiple swift passage of multiple bills that advance our collective agenda.

On his first day in office, President Biden issued a memo that laid out his plan for the U.S. Citizenship and Immigration Act⁷⁰ - a bill that would, among other things, create new pathways to citizenship for millions of undocumented immigrants who live, work, and are an essential part of our society, include provisions of H.R. 2214, the NO BAN Act, which would prevent future discriminatory bans, increase protections for asylum seekers and crime survivors, remove barriers to family-based immigration, including the three and 10-year bars, protect immigrant workers from the fear of retaliation through the POWER Act, and fund Central American countries to address root causes of migration. We are supportive of the White House approach of finally breaking the harmful mold of pairing punitive enforcement with legalization that has defined past immigration reform efforts for decades.

To that end, we call on leadership and members of this subcommittee to support the swift enactment of legalization bills such as:

- an *improved* version of H.R. 6, **the Dream and Promise Act of 2019**, which passed the House in the last Congress and would legalize those with DACA and other immigrants who grew up in the United States, as well as those granted TPS and Deferred Enforced Departure (DED) - specifically a version without the criminal bars that are both far more restrictive than what exists under current law and tone deaf to the racialized consequences of our criminal legal system;
- an *improved* version of H.R. 5038, the **Farm Workforce Modernization Act of 2019**, which passed the House in the last Congress and would legalize certain agriculture workers - specifically a version that does not deny access to health care and includes robust protections for workers;
- **an inclusive legalization bill for essential workers** as part of our economic recovery and to recognize the importance of protecting those working to protect and care for us and rebuild the economy.

Beyond legalization, there are a number of bills Congressional leadership can prioritize to ensure meaningful, people-centered reforms to bring us closer to being the more immigrant-inclusive country we strive to be. Just a few among many examples of such bills include:

- H.R. 2214, the NO BAN Act, which would prevent discriminatory bans such as the Muslim and African bans from being adopted by future administrations;
- H.R. 4701, the HEAL for Immigrant Women and Families Act, that would open up access to comprehensive health care regardless of immigration status;
- H.R. 5225, the POWER Act, which provides critical labor protections for immigrant workers and vital safeguards against retaliation by employers; and

<https://www.whitehouse.gov/briefing-room/statements-releases/2021/01/20/fact-sheet-president-biden-sends-immigration-bill-to-congress-as-part-of-his-commitment-to-modernize-our-immigration-system/>.

⁷⁰ *Id.*

- H.R. 2415, the Dignity for Detained Immigrants Act, which would end mandatory detention that denies people bond, ensure a presumption of liberty over incarceration and end the use of private prisons and county jails for civil immigration detention.

Finally, all these legislative vehicles should be paired with a drastic reduction in the budgets of Immigration and Customs Enforcement and Customs and Border Protection and a reallocation of those funds to robust staffing and enforcement of federal agencies and programs that truly promote community safety for all residents of our communities.

Conclusion

This is a time for moral imagination and leadership from all of us as we come together as a nation to safeguard and strengthen our democracy, heal from historic generational racial inequalities and injustices, and recover from this global pandemic that has reminded us how interdependent we are. We are rebuilding this country we all call home.

We need Democrats and Republicans to come together to swiftly approve a series of bills that will serve as the building blocks for a solid foundation for future generations, and recognize that immigrants are essential to who we are as a country.

I must remind the committee that immigrants, many of whom have been making extraordinary sacrifices for our collective safety during the worst pandemic in 100 years, have been contributing to our communities for decades. Today's immigrants are simply seeking the same opportunity that generations of immigrants had before them: the chance to be part of something greater than themselves in order to build a better future for their loved ones and for us all.

Immigrants are essential. All of us here today, owe it to them to act boldly and make good on the promise of America. The time is now.