



2021 IMMIGRATION ACTION PLAN

RESTORING HUMAN DIGNITY
RECOVERING THE ECONOMY
REINFORCING AMERICAN VALUES

AUGUST 2020

INTEGRAL TO AMERICA'S RECOVERY AND A FUTURE GROUNDED IN EQUITY AND UNITY, A NEW ADMINISTRATION HAS THE EXTRAORDINARY OPPORTUNITY TO TRANSFORM THE NATION'S IMMIGRATION SYSTEM.

By centering human dignity, family unity, community well-being and American prosperity, the 2021 Immigration Action Plan is designed to reinsert and rejuvenate core American values and power the economic recovery of our nation. The 2021 Immigration Action Plan is a set of concrete, actionable and fully articulated proposals addressing every stage of immigration policy and processing for the next administration.

TRANSFORMING THE U.S. IMMIGRATION SYSTEM TO REASSERT OUR VALUES AND GROW THE ECONOMY

The next administration can transform the U.S. immigration system into one that supports thriving families, communities and local economies while remaining a beacon to those seeking safety. It must take immediate action to roll back a long series of current administration policies. But that roll back is not enough – it must also undo three decades of an enforcement-only approach to immigration policy with devastating consequences. We must commit to re-envisioning the immigration system for the long term so that no family or child is ever subjected to the dehumanization of the past four years.

The current administration has usurped and weaponized our ineffective and broken immigration system to advance a xenophobic governing agenda, where policy is underpinned by intentional cruelty and racism. The COVID-19 pandemic has further exposed the disproportionate impact of public health and economic policies on communities of color and the shortsightedness and cruelty of the administration's immigration policies.

Nearly 1,000 policies attacking immigrants have been issued by the current administration since January 2017. This includes high-profile actions such as family separation and ending DACA, and lesser known policies such as detaining pregnant women and refusing to protect victims of domestic violence seeking asylum.

EXECUTIVE SUMMARY

Led by the Immigration Hub and America's Voice, more than 100 organizations have worked together over a period of 9 months to develop detailed policy prescriptives, instructions for implementation, and a clear vision of our expectations. The 2021 Immigration Action Plan is a preview of our collective efforts. It identifies 10 actions with specific steps to both reverse the racism and damage of the Trump years and discard the longstanding harsh criminalization and deportation policies that have defined many past administrations.

TEN ACTIONS TO TRANSFORM AND MODERNIZE AMERICA'S IMMIGRATION SYSTEM

- ACTION 1:** **Prioritize Equity and Harm Reduction in the Immigration System:** Provide protection to individuals with meaningful ties to the United States and pause deportations until a comprehensive review of the immigration enforcement system is completed.
- ACTION 2:** **End the Anti-Black and Discriminatory Targeting of Certain U.S. Citizens and Immigrants:** Ensure fairness by repealing the Muslim, African, refugee and asylum bans, wealth tests and discriminatory vetting practices.
- ACTION 3:** **Rebuild the U.S. Economy:** Support the legalization of immigrants in a future economic recovery package and protect the rights of all workers.
- ACTION 4:** **Commit to DHS Transformational Change:** Appoint cabinet and agency leaders who are representative of immigrant communities and committed to transformational change. Establish a White House Office of New Americans.
- ACTION 5:** **Decriminalize Immigration:** End all criminal prosecutions for migration-related offenses, end family separation, protect sensitive locations from enforcement actions and hold public officials accountable for abuses.
- ACTION 6:** **Protect Immigrant Children, Families and Communities:** Disentangle local law enforcement from federal immigration enforcement, end policies that jeopardize the safety of immigrant victims of crime and violence, restore and expand child-sensitive policies and procedures to facilitate fair immigration proceedings for children and ensure access to health care during and after the COVID-19 pandemic.
- ACTION 7:** **Phase Out Immigration Jails and Fund Community-Based Case Management Programs:** End family detention and contracts with private prisons and county jails, apply a presumption of release and invest in community-based case management programs.
- ACTION 8:** **Establish Thriving, Rights-Respecting Borders:** Halt border wall construction, protect due process and end racial profiling, and increase safe channels of entry for education, business, trade and travel.
- ACTION 9:** **Reimagine the Role of the Immigration Courts:** Create an independent immigration court system, ensure due process for those in removal proceedings and provide access to counsel.
- ACTION 10:** **Restore the Right to Seek and Receive Protection from Persecution, Torture, and Other Serious Human Rights Violations:** Restore and improve the U.S. asylum, refugee and other humanitarian programs.

232 ORGANIZATIONS ENDORSE THE 2021 IMMIGRATION ACTION PLAN

Adhikaar
Adrian Dominican Sisters
Advocating Opportunity (AO)
African Bureau for Immigration and Social Affairs (ABISA)
African Communities Together (ACT)
African Public Affairs Committee (AfriPAC)
ALDEA The People's Justice Center
Alianza Americas
Alianza Nacional de Campesinas
Alliance of Baptists
America's Voice (AV)
American Friends Service Committee (AFSC)
Americans for Immigrant Justice (AI Justice)
Amnesty International USA (AIUSA)
Asian American Legal Defense and Education Fund (AALDEF)
Asian Americans Advancing Justice | AAJC
Asian Pacific American Labor Alliance (APALA), AFL-CIO
Asian Pacific Institute on Gender-Based Violence (API-GBV)
Asian Pacific Islander Political Alliance (API PA)
ASISTA
Asylum Seeker Advocacy Project (ASAP)
AsylumWorks
Ayuda
Bellevue Program for Survivors of Torture (PSOT)
Bethany House of Hospitality, Chicago
Black Alliance for Just Immigration (BAJI)
Black Immigrant Collective
Bread for the World
Break the Cycle
Bridges Faith Initiative
California Immigrant Policy Center (CIPC)
Capital Area Immigrants' Rights Coalition (CAIR Coalition)
Care in Action
CASA
CASA in Action
Casa de Esperanza: National Latin@ Network for Healthy Families and Communities
Casa San Jose
Catholic Legal Immigration Network, Inc. (CLINIC)
Center for Disability Rights
Center for Gender & Refugee Studies (CGRS)
Center for Law and Social Policy (CLASP)
Center for Victims of Torture (CVT)
Center Global, a program of the DC Center for the LGBT Community
Central American Resource Center (CARECEN)
Central American Resource Center -- CARECEN SF
Centro de los Derechos del Migrante (CDM)
Centro de Recursos Centroamericanos (CRECEN)
Centro Legal de la Raza
Centro Maya Guatemalteco
Chicago Religious Leadership Network on Latin America (CRLN)
Children's Defense Fund (CDF)
Church World Service (CWS)
Cleveland Jobs with Justice
Coalition for Humane Immigrant Rights (CHIRLA)
Coalition on Human Needs (CHN)
Colectivo de Mujeres Transnacionales
Columban Center for Advocacy and Outreach
Community EsTr(El/La)
Compass Immigration Legal Services (CILS)
Congregation Action Network
Congregation of Bon Secours, USA
Congregation of Our Lady of Charity of the Good Shepherd, U.S. Provinces
Congregation of Sisters of St. Agnes
Congregation of the Sisters of St. Joseph
Congregation of St. Joseph Justice Team
Demand Progress
Detention Watch Network (DWN)
Disciples Refugee and Immigration Ministries (RIM)
Dominican Sisters of Houston
Dominican Sisters of Sparkill
Durango Unido en Chicago
Equality California
Esperanza Immigrant Rights Project, CCLA Inc.
Every. Last. One.
Faith in Public Life (FIPL)
Families Belong Together (FBT)
Farmworker Association of Florida (FWAF)
First Focus on Children
Florida Immigrant Coalition (FLIC)
Florida People's Advocacy Center (FL PAC)
For Good PGH
Franciscan Action Network (FAN)
Franciscan Sisters of the Sacred Heart
Freedom Network USA (FNUSA)
Friends of Miami-Dade Detainees (FOMDD)
Frontera de Cristo
Future Coalition
Futures Without Violence (FUTURES)
Grannies Respond / Abuelas Responden, Inc.
Grey Nuns of the Sacred Heart
Grupo de Apoyo e Integración Hispanoamericano
Haitian Bridge Alliance (HBA), also known as "The Bridge"
Handmaids of the Sacred Heart of Jesus
Harvard Immigration and Refugee Clinical Program (HIRC)
HEAL Trafficking
HIAS
HIAS Pennsylvania
Hispanic Federation (HF)
Hispanic Health Network
Human Rights First (HRF)
Human Rights Initiative of North Texas (HRI)
Immaculate Heart Community Commission on Immigration
Immigrant Defenders Law Center (ImmDef)
Immigrant Families Together Foundation
Immigrant Food
Immigrant Legal Resource Center (ILRC)
Immigrant Legal Services of the Central Coast (ILSCC)
Immigrants Rising, a fiscally sponsored project of Community Initiatives
Immigration and Refugee Committee Sisters of the Most Precious Blood
Immigration Equality Action Fund
Immigration Hub
Indivisible

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Innovation Law Lab
Institute of the Blessed Virgin Mary
Interfaith Council for Peace & Justice (ICPJ)
International Refugee Assistance Project (IRAP)
Japanese American Citizens League (JACL)
Justice for Migrant Women
Kids in Need of Defense (KIND)
La Raza Centro Legal (LRCL), San Francisco
La Union Del Pueblo Entero (LUPE)
Latin Advocacy Network (LATINAN)
Latin America Working Group (LAWG)
Latinx LGBTQI+ Initiative Inc. (LILA)
Lawyers for Good Government (L4GG)
Leadership Conference of Women Religious (LCWE)
Leadership Team of the Felician Sisters of North America
Libertas Center for Human Rights
Lutheran Immigration and Refugee Service (LIRS)
March On
Maryknoll Office for Global Concerns
Massachusetts Immigrant & Refugee Advocacy Coalition (MIRA)
Massachusetts TPS Committee
Mi Familia Vota
Michigan Immigrant Rights Center (MIRC)
Michigan United
Mision Guatemala Usa
MomsRising
Muslim Advocates
National Advocacy Center of the Sisters of the Good Shepherd
National Alliance to End Sexual Violence (NAESV)
National Asian Pacific American Women's Forum (NAPAWF)
National Association of Social Workers (NASW)
National Coalition Against Domestic Violence
National Association of Social Workers- NYC Chapter (NAWS-NYC)
National Council of Jewish Women
National Disability Rights Network (NDRN)
National Equality Action Team (NEAT)
National Immigrant Justice Center (NIJC)
National Immigration Project of the National Lawyers Guild (NIPNLG)
National Justice for Our Neighbors (NJFON)
National Korean American Service & Education Consortium (NAKASEC)
National Network for Immigrant and Refugee Rights (NNIRR)
National Partnership for New Americans (NPNA)
National Religious Campaign Against Torture (NRCAT)
National Resource Center on Domestic Violence (NRCDV)
Nebraska Appleseed
NETWORK Lobby for Catholic Social Justice (NETWORK)
New York Immigration Coalition (NYIC)
NILC Immigrant Justice Fund (NILC IJF)
North Carolina Justice Center (NC Justice Center)
Northern Illinois Justice for Our Neighbors
Office of Peace, Justice, and Ecological Integrity,
Sisters of Charity of Saint Elizabeth
Ohio Immigrant Alliance (OIA)
OneAmerica
Open Immigration Legal Services
Oxfam America
Partnerships for Trauma Recovery (PTR)
Pennsylvania Immigration and Citizenship Coalition (PICC)
People's Action
Planned Parenthood Federation of America (PPFA)
Poder Latinx
Presidents' Alliance on Higher Education and Immigration
Provincial Council Clerics of St. Viator
Public Counsel
Reform Immigration for Texas Alliance (RITA)
Refugee Council USA
Refugees International
Removal Defense Corps (RDC), Southwestern Law School
Resilience Force
RGV Equal Voice Network
Salvadoran Association of Los Angeles (ASOSAL)
Save the Children Action Network (SCAN)
School Sisters of Notre Dame-Atlantic-Midwest Province
School Sisters of Notre Dame - Central Pacific Province
Service Employees International Union (SEIU)
SERVICES, IMMIGRANT RIGHTS AND EDUCATION NETWORK (SIREN)
Silver Stat Equality-Nevada
Sisters and Brothers of Immigrants (SBI)
Sisters of Mercy of the Americas - Justice Team
Sisters of Charity of New York
Sisters of Saint Joseph of Chestnut Hill, Philadelphia, PA
Sisters of St AnneSisters of St. Francis Sylvania
Sisters of St. Joseph of OrangeSisters of St. Joseph TOSF
Sisters of St. Joseph, Brentwood NY
Sisters of the Humility of Mary
Sisters of the Living Word
Sisters of the Presentation, Dubuque, Iowa
Sojourners
South Carolina Appleseed Legal Justice Center
South Texas Human Rights Center
Southeast Asian Resource Action Center
Southern Border Communities Coalition (SBCC)
SPLC Action Fund
Tahiri Justice Center
Texas Civil Rights Project (TCRP)
The Children's Partnership
The Lifeboat Project, Inc.
The Rhizome Center for Migrants
Torture Abolition and Survivors Support Coalition International (TASSC)
Ujima, Inc.: The National Center on Violence Against Women in the Black Community
T'ruah: The Rabbinic Call for Human Rights
UnidosNow
UnidosUS
UNITED SIKHS
United Stateless
US Committee for Refugees and Immigrants (USCRI)
U.S. Federation of the Sisters of St. Joseph
USC International Human Rights Clinic (HRC)
Utah Health & Human Rights (UHHR)

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Virginia Coalition for Immigrant Rights (VACIR)
Voice for Refuge Action Fund
Voices For Freedom
Washington Office on Latin America (WOLA)
Welcoming Center for New Pennsylvanians
Wind of the Spirit Immigrant Resource Center (WOTS)
Witness at the Border
Women's Refugee Commission
Women Working Together USA
Young Center for Immigrant Children's Rights



1

PRIORITIZE EQUITY AND HARM REDUCTION IN THE IMMIGRATION SYSTEM

Family separations, kids in cages, and soaring levels of detention and deportation are the result of extremely harsh immigration law and policy applied discriminately and for the cruelest effect. When we lock up and deport hundreds of thousands of immigrants each year — a disproportionate punishment for the “crime” of reuniting with family or taking up the grueling work of agriculture, construction or house cleaning — we rip families apart and undermine communities and their economies. A reevaluation of what we classify — and how we punish — conduct resulting in deportation is required. In the meantime, immigration policy should reduce the harm suffered until the next president signs a solution-based legalization bill.



Implement a moratorium on deportations until a comprehensive review of all enforcement policies and procedures is completed, and until COVID-19 cases diminish and community transmission in countries of return indicate that it is possible to deport individuals without triggering a public health emergency. During this period, detained individuals should be released on public health grounds and permitted to safely “shelter in place” with family or friends, or if needed, placed into a community-supported case management program.

PRIORITIZE EQUITY AND HARM REDUCTION IN THE IMMIGRATION SYSTEM (CONTINUED)



Do not deport individuals with meaningful ties to the U.S., including spouses, parents and children of U.S. Citizens and lawful permanent residents, or individuals in need of protection pending enactment of a solutions-based legalization law.



Immediately reinstate and expand the DACA program by eliminating the upper and lower age caps and reconsidering the educational, continuous residence, and criminal bar requirements. Issue new rules authorizing the automatic extension of work authorization and travel permission.



Reinstate and expand parole-in-place (PIP) for military and other families so that they can legalize their status locally instead of being required to leave the U.S. and wait for years to return. Include any surviving spouse or unmarried child (regardless of age) of a U.S. citizen service member or of a noncitizen service member in this program if the service member dies.



Develop a parole process for individuals who have been harmed by the family separation policy, visa backlogs, deportation and other hardships.



2

END THE ANTI-BLACK AND DISCRIMINATORY TARGETING OF CERTAIN U.S. CITIZENS AND IMMIGRANTS

Current immigration policy replicates and reinforces patterns of racial, religious and economic inequity, and the result is a system that denies millions of people the ability to reunite with family members, resettle as refugees, or accept opportunities to learn and work here. A new framework for processing requests for entry by immigrants and refugees should be efficient and fair, and not subject individuals to discriminatory treatment based on their country of origin, race, religion, gender or economic situation. Systemic racism and disparities that disproportionately impact Black immigrants and families must be identified, redressed and dismantled.



Repeal all iterations of the Muslim, African, refugee, asylum and other travel bans that target immigrants based on their personal characteristics and are designed to separate families and inhibit American innovation.



For U.S. citizens and lawful permanent residents wishing to reunite with family members in the U.S., undo and replace the Trump administration's wealth, health, and age tests.



Reverse discriminatory State Department guidance that treats and views foreign-born children of binational LGBTQ couples as "born out of wedlock" and embed LGBTQ equality into our immigration system.



Undo Trump administration policies, including "extreme vetting," that have no basis in rational policy but instead serve as bureaucratic red tape to arbitrarily deny the applications and visas of certain immigrants, including international students and scholars.



Develop a program to allow individuals deported or excluded from the U.S. on illegal or discriminatory procedural or substantive grounds, or due to errors of fact or law, to return to process their applications and explore other forms of redress.





3

REBUILD THE U.S. ECONOMY

Immigrants bring strong opportunities for U.S. economic growth, they build businesses and the GDP, and make up a significant portion of the workforce in key industries, including agriculture, health care, domestic work, hospitality, construction, food services such as meat and poultry factories, and technology. COVID-19 has made this clearer than ever as significant numbers of essential workers are immigrants. Our outdated, cumbersome, and unduly restrictive U.S. immigration law and policies undermine economic growth and labor rights, while access to higher education and workforce training enhances the role immigrants can play.



Expand and diversify opportunities for workers to gain lawful status through the exercise of executive authority and robust use of statutory measures, including cancellation of removal, waivers, deferred action and parole-in-place.



Promote and protect freedom of association and the labor rights of all workers, including domestic and informal sector workers, and provide workers involved in labor disputes with protection from retaliation and deportation.



Facilitate the ability of immigrants to move from one employer to another by issuing work authorization that is not linked to a single employer immediately upon approval of an employment-based visa, and automatically extend the validity and expedite the processing of employment-related documents.



Issue new rules to ensure that asylum seekers and parolees have access to ongoing and automatic work authorization.



Create and facilitate opportunities for immigrants, refugees, and international students to contribute and build their occupational and professional skills, which is more important now than ever due to the impacts of COVID-19 and the recession.

4

COMMIT TO DHS TRANSFORMATIONAL CHANGE

Our immigration system relies on a criminalization model that reproduces racial, religious and economic inequities. Twenty years after its creation, DHS requires a rigorous review and remodeling so that it prioritizes thriving families, communities and local economies, and does not exile valuable members of our communities for administrative infractions or migration-related crimes.



Appoint leaders across DHS, the Department of Justice and the State Department who are committed to restructuring our immigration system and shifting away from harsh enforcement methods and a view of immigrants as threats instead of valuable members of our communities. Hire individuals into leadership, officer and field positions who are representative of immigrant communities, including African and Afro-Latino individuals.



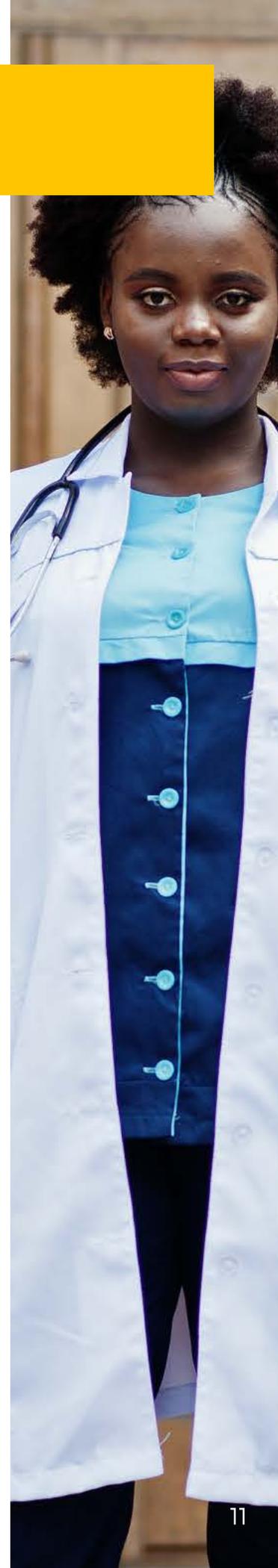
Establish a White House Office of New Americans to coordinate the complexity of immigration, citizenship, and integration strategy across multiple agencies, including the Departments of Homeland Security, Justice, State, Labor, Health and Human Services, Agriculture, Housing and Urban Development, the Social Security Administration, Education and the Treasury.



In partnership with immigrants' rights organizations, create a new DHS Office of Migrant Protection that is responsible for investigating complaints from immigrants, overseeing immigration enforcement activities, and holding officers and agents accountable for crimes and abuses of immigrants.



Establish joint government and community stakeholder oversight and accountability offices across DHS and its agencies.



5

DECRIMINALIZE IMMIGRATION



Our current immigration system and enforcement practices rely on a criminalization model that reproduces racial inequity while widening the divide between local police and the communities they are supposed to serve. The 2021 Immigration Action Plan emphasizes thriving and safe communities without the use of jails and prisons.



Immediately suspend all criminal prosecutions for migration-related offenses, and support repeal of the provisions of federal law that are used to prosecute immigrants for their manner of entry.



Protect immigrants from secondary punishment by declining to deport them for criminal conduct already sufficiently addressed through the criminal system and give full effect to state pardons and expungements.



Immediately end the punitive and terrorizing enforcement tactics long used by ICE and CBP to spread fear in communities. Prohibit ICE and CBP from posing as local police or pursuing enforcement actions at sensitive locations such as shelters, hospitals, schools and courts. Pursue accountability for violations of civil immigration law in a manner that is consistent with other areas of administrative law, and end the issuance of immigration detainers and arrests without judicial warrants.



Publish, implement and maintain policies that train law enforcement and other public officials to identify, prevent and respond appropriately to crimes and other acts of violence committed against immigrants by CBP or ICE officers or agents. Hold perpetrators accountable, and provide holistic and trauma-informed medical, legal and psychosocial assistance to victims.



6

PROTECT IMMIGRANT CHILDREN, FAMILIES AND THEIR COMMUNITIES

Community safety depends on everyone being treated as an equal stakeholder. It is severely undermined when parents are summarily arrested and removed from their children and whole communities are treated as second-class citizens. Strong and healthy communities enable their most vulnerable members to seek support and access justice without fear.



Require all government agencies to consider the ‘best interests of the child’ in every decision made about immigrant children, including unaccompanied and separated children. Do not detain children because it is never in their best interest. Support legislation requiring government officials to consider immigrant children’s best interests in all immigration decisions and policy-making.



End family separation and prevent it in the future. In the rare and extraordinary situation where it is consistent with the best interests of a child, it must be done to ensure the protection of the child and with clear processes to safeguard due process and the well-being of family members, to ensure the reunification of families, and with ample oversight and safeguards in place.



Restore and expand child-sensitive policies and procedures to facilitate fair immigration proceedings for children, including prioritizing the placement of unaccompanied children in family-based locations, providing legal representation at all times, funding independent Child Advocates for all children in Office of Refugee Resettlement custody or in removal proceedings, and adjudicating all children’s cases in non-adversarial proceedings.

PROTECT IMMIGRANT CHILDREN, FAMILIES AND THEIR COMMUNITIES (CONTINUED)



Prevent uniformed and clandestine DHS and agency officers and agents from exceeding their authority, intimidating and terrorizing both U.S. citizens and immigrants, and undermining constitutional rights, including the right to protest. Curtail federal and local government use of surveillance and databases that undermine the rights of U.S. citizens and immigrants.



Terminate all agreements and programs that turn local law enforcement against their communities and into agents of deportation, and stop penalizing communities that protect immigrants. Rescind memorandums of agreement with DHS on information sharing and coordination between agencies, and ensure that information collected about unaccompanied children is protected from use by immigration authorities in enforcement actions against the child or the child's sponsors.



Do not condition federal funding for local governments on cooperation with federal immigration enforcement.



End policies and practices that impede access to protections for, or jeopardize the safety of, victims of crime and violence. Bar the detention or removal of survivors with pending immigration applications, expedite processing of their applications for relief and work permits, and reverse policies that create barriers to protection under the Violence Against Women Act (VAWA) and Trafficking Victims Protection Act (TVPA).



Promote inclusive policies by states and localities that welcome and support immigrants and refugees, implement anti-racist measures, and strengthen access to health care, economic and food assistance, housing, education and workforce development without discrimination.





7

PHASE OUT IMMIGRATION DETENTION AND FUND COMMUNITY-BASED CASE MANAGEMENT PROGRAMS

Over decades, our nation's civil immigration system has become an arm of the penal incarceration system, largely driven by lobbying and profit motives of the prison industrial complex. Hundreds of thousands of immigrants each year, many seeking protection from persecution or torture, are detained in jails and prisons across the country that are notorious for deplorable, inhumane conditions. A new administration should end mass incarceration in our nation's civil immigration system.



Dramatically and immediately reduce the number of people in detention while establishing the process necessary to completely phase out incarceration in the civil immigration system.



Immediately end family detention and terminate all contracts with private prison companies and with state and local jail or jail-like facilities. Prohibit new contracts and the opening of new prison facilities of any kind.



During the transition to a non-carceral immigration system, apply a presumption of release when reviewing the files of detained immigrants or when doing an initial assessment of individuals who come into contact with the immigration system.



Funding that was used to incarcerate immigrants should be shifted toward non-carceral investments that enable communities to be safe and thrive, including community-based and community-driven case management programs for those that need them. These programs should be applied to communities most harmed by the mass incarceration and criminalization of immigrants.

8

ESTABLISH THRIVING, RIGHTS-RESPECTING BORDERS

Our border regions are places of encounter and opportunity. To create 21st century borders, the next administration must reject unaccountable, xenophobic, enforcement and militarization-only policies that undermine the potential and growth of border regions. All border policy should be grounded in rights-protection, data analysis and meaningful consultation with impacted communities, instead of expensive, harmful, and ineffective walls.



Immediately halt wall construction and begin addressing the deep harms arising from it by tearing down the most harmful sections and engaging in meaningful consultation with communities on both sides of the border, indigenous communities, and environmental justice advocates.



Implement human rights safeguards and standards during border apprehension and processing, facilitate the immediate access of attorneys and outside monitors to facilities and processes, and end expedited removal.



End unconstitutional searches, seizures and invasive surveillance in the border region, and eliminate interior checkpoints, roving patrols and federal immigration entanglement with local police. Bar use of force policies and practices that jeopardize the safety and well-being of border communities and migrants, and hold border authorities accountable for abuse and violence. Disengage National Guard and active-duty military from border enforcement.



Reject counterproductive prevention-through-deterrence strategies and increase channels for the entry of border residents, visitors, merchants, and immigrants by hiring qualified and accountable staff, building more lanes at ports of entry, more open hours, and more opportunities to approach and be processed by U.S. border officials so that no one is unlawfully deterred from seeking asylum or asking for protection at the border.



9

REIMAGINE THE ROLE OF THE IMMIGRATION COURTS

The U.S. immigration court system suffers from profound structural problems that have severely eroded its capacity to deliver just decisions in a timely manner and engender public confidence in its outcomes. The root cause of this dysfunction is a conflict of interest built into the system itself. The immigration courts are overseen by the Attorney General, who also supervises the U.S. Attorneys who prosecute immigration cases in the federal courts. This flawed structure has enabled the Trump administration to transform the immigration courts into an enforcement agency rather than a fair and neutral arbiter, converting immigration judges into prosecutors. While legislation is needed to make the immigration courts independent, in the meantime administrative action can improve due process and safeguards.



Support legislation to create an independent and functional immigration court system that is accessible both in terms of language and technology. Provide full interpretation for all interviews and proceedings, allow immigrants to access and submit filings online as options, and ensure that written instructions and forms are available in multiple languages.



Protect the due process of all immigrants, witnesses and others involved in removal proceedings and filings, and ensure that immigrants have the opportunity to present their claims, including by rescinding the regulations authorizing pre-termination of cases without hearings and reopening wrongful in absentia removal orders.



Reopen and fund the DOJ Office of Access to Justice so that every individual in removal proceedings has legal counsel even if they cannot afford it.



Develop a case-by-case deferred action program and extend work authorization and travel documents upon the filing of an application for deferred action.



Terminate removal proceedings and do not detain stateless individuals and others who cannot be returned to their countries of last residence.



10 RESTORE THE RIGHT TO SEEK AND RECEIVE PROTECTION FROM PERSECUTION, TORTURE AND OTHER SERIOUS HUMAN RIGHTS VIOLATIONS

For decades, the United States led the world in providing protection for people fleeing persecution, but over almost four years, the Trump administration has intentionally run our protection systems into the ground. The next administration should reverse the damage done to these programs and expand and improve on them consistent with U.S. and international law. These actions will also demonstrate a U.S. commitment to re-enter the international community.



Within the administration's first year in office, increase the Presidential Determination (PD) to 125,000 - with at least one percent of resettled refugees being Unaccompanied Refugee Minors (URMs). Work collaboratively with the resettlement community to rebuild the U.S. refugee program in innovative ways in order to resettle the maximum number of refugees possible in 2021 and lay the foundation for greatly expanded resettlement capacity in years to come.



Immediately upon taking office, take all necessary steps to ensure that no one who currently has Temporary Protected Status (TPS) loses their protection from deportation or their ability to work legally, issue new rules authorizing the automatic extension of work authorization and travel permission, and support permanent status through legislation for them and all who have lost TPS during the Trump administration. Designate new countries for TPS if they are unable to safely receive their nationals due to conflict, natural disasters or other circumstances that make it hazardous, including Cameroon, Guatemala, South Sudan and Venezuela.

RESTORE THE RIGHT TO SEEK AND RECEIVE PROTECTION FROM PERSECUTION, TORTURE AND OTHER SERIOUS HUMAN RIGHTS VIOLATIONS (CONTINUED)



Withdraw Attorney General and Board of Immigration Appeals decisions that impermissibly narrowed the refugee definition to deny protection to families, victims and survivors of sexual and gender-based violence (SGBV) and gang violence, and members of the LGBTQ community.



Facilitate access to the full protections established by the Trafficking Victims Protection Act (TVPA) by revising policies and practices designed to create obstacles for trafficked persons and unaccompanied minors. Properly screen unaccompanied minors for indications of trafficking, refer victims and survivors to appropriate services, and do not remove them before they are able to apply for immigration protections for which they are eligible.



Establish a Stateless Status Determination (SSD) procedure with a designated path to permanent status and protection for stateless people and those who cannot be returned to any country. Provide resources to fund, train and support immigration judges, law clerks and USCIS officers to recognize, screen and identify stateless individuals or those at a heightened risk of statelessness, as well as the SSD process.



Restart and expand the Central American Minors (CAM) program to allow children and their parents or legal guardians to reunite in the U.S. Request resources and funding to support application preparation, safe transport and housing for children awaiting permission to travel, and support legislative efforts to provide CAM recipients with the opportunity to become lawful permanent residents.



RESTORE THE RIGHT TO SEEK AND RECEIVE PROTECTION FROM PERSECUTION, TORTURE AND OTHER SERIOUS HUMAN RIGHTS VIOLATIONS (CONTINUED)



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, metering policies, and the Center for Disease Control’s Order authorizing the immediate expulsion of asylum seekers, trafficking victims, torture survivors and other immigrants without any assessment of their protection needs. Parole into the U.S. all asylum seekers with pending cases who are waiting in Mexico and release them to family, friends, or if needed, community-based programs that will be funded adequately while cases proceed in immigration court.



Support Congress’ efforts to authorize additional visas to reduce the backlog of Afghan Special Immigrant Visas (SIV) for individuals who were exposed to danger because of their support to the U.S. overseas. 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. Other groups facing danger for their support to the U.S. — including the U.S. mission in Syria — should also have access to protection through Special Immigrant Visas and priority resettlement.