



Transforming Immigration Policy

Background

The Trump administration has launched an unprecedented number of attacks on immigrants, and his administration has pushed policies that separate families and detain children. This is completely abhorrent and immoral, and we have to fight this administration's hate. We can not empower division. We need to build bridges, not walls.

Since 1965 with the passage of the Immigration and Nationality Act, immigration laws have favored family reunification and allowing skilled immigrants into the country, whereas in the past there were country quotas. These numerical quotas of the early 20th century favored immigrants from northern and western European countries, but the Immigration and Nationality Act expanded immigration from Asian and Latin American countries¹.

In the mid-1980s, the Immigration Reform and Control Act granted amnesty to immigrants--largely from Latin America. This enabled our country to benefit culturally and economically, and it added to our robust traditions. Immigrants help us grow in every way as a country.

While some strides toward compassionate immigration policy were made under previous presidents, President Clinton signed the Illegal Immigration Reform and Immigration Responsibility Act (IIRIRA). This law spawned the groundwork for the massive deportation numbers we saw under Presidents George W. Bush, Obama, and now Trump. The IIRIRA expanded the criteria for deportations and thus constrained pathways to legal immigration². Under this policy, anyone apprehended within 100 miles of the border could be held in detention, which makes it much harder for them to obtain legal representation.

¹ Cohn, D'Vera. (September 30, 2015). How U.S. immigration laws and rules have changed through history. *Pew Research Center*. Accessed from <https://www.pewresearch.org/fact-tank/2015/09/30/how-u-s-immigration-laws-and-rules-have-changed-through-history/>.

² Lind, Dara. (April 28, 2016). The disastrous, forgotten 1996 law that created today's immigration problem. *Vox*. Accessed from <https://www.vox.com/2016/4/28/11515132/iirira-clinton-immigration>.

It's time we learn from history and push for transformative immigration policy, and end policies that use fear and divisiveness to suppress and deny immigrants' rights. It is a moral imperative to support people that want a better life in the U.S.

Frequently used immigration terminology:

- Conditional Permanent Resident (CPR): receives Green Card valid for 2 years, and a conditional permanent resident must file a petition to remove the condition during the 90 days before the card expires. This can not be renewed. If the conditions are not removed, you will lose your permanent resident status³.
- Lawful Permanent Resident (LPR) or Green Card: have the right to live and work in the United States, can not vote in any elections⁴.
- EB1 visa, also known as Einstein visa: grants permanent residency to LPRs who demonstrate *extraordinary* abilities in their fields such as the arts and sciences, business, or athletics. Mainly reserved for researchers, academics, international business executives⁵.
- EB2 visa: grants permanent residency to foreign nationals with advanced degrees or exceptional abilities in their fields⁶.
- EB-3 visa: grants permanent residency to foreign nationals, conditional on full-time employment from an American employer. Available to skilled workers, unskilled workers, and other professionals⁷.
- Family Reunification: Current family-based immigration policy which allow someone in the U.S. to sponsor an immigration visa their immediate family members (spouse, unmarried child under age 21, orphan adopted abroad by U.S. citizen, orphan to be adopted in the U.S. by a U.S. citizen, parent of a U.S. citizen at least 21 years old). This policy does not apply to extended family such as grandparents, aunts, uncles, cousins, or in-laws⁸.

Secure and Advance Immigrants' Rights

Immigrants built this country. However, the Trump administration routinely demeans and extends cruel policies to immigrants, especially those at our southern border. President Trump's

³ USCIS. (2019). Conditional permanent residence. Accessed from

<https://www.uscis.gov/green-card/after-green-card-granted/conditional-permanent-residence>.

⁴ Catholic Legal Immigration Network, Inc. (2016). What does it mean to be a lawful permanent resident? Accessed from <https://cliniclegal.org/sites/default/files/lpr.pdf>.

⁵ Path2USA. (2019). EB1 Green Card - employment based 1st preference immigrant visa. *Path2usa*. Accessed from <https://www.path2usa.com/eb1-green-card>.

⁶ No author. (2018). US visas. *OnlineVisas*. Accessed from <https://onlinevisas.com/visas/us-visas/>.

⁷ Bray, Ilona. (2019). EB-3 visa processing time and backlog. *AllLaw*. Accessed from <https://www.alllaw.com/articles/nolo/us-immigration/eb-3-visa-processing-time-backlog.html>.

⁸ Bureau of Consular Affairs. (2019). Family-based immigrant visas. *U.S. Department of State*. Accessed from <https://travel.state.gov/content/travel/en/us-visas/immigrate/family-immigration/family-based-immigrant-visas.html>.

rhetoric ignites hate in our community. Constant bombardment of the public discourse with rhetoric like “invasion,” “infestation,” and “s--hole countries” promotes a culture of fear and division that has people refusing to answer their front doors in fear of ICE raids or forgoing health care access because of their immigration status.

After the El Paso shooting in August 2019, many immigrants avoided seeking medical care out of fear from retribution due to their immigration status⁹. Similarly, this relates to domestic violence survivors as well. Due to the hateful rhetoric and fear encouraged by the Trump administration, they are less likely to contact the court system. Of advocates surveyed in June 2019 regarding immigrant survivors, “76.25 percent said they had noticed an increase in ‘concerns about contacting police’ among domestic violence victims. Over half reported working with survivors who ultimately dropped charges out of fear”¹⁰.

An analysis released by the Washington Post found that counties that hosted a rally for then-candidate Trump in 2016 saw a 226 percent increase in hate crimes than counties that did not hold a Trump rally¹¹.

To be 100% clear: I will vigorously fight racist rhetoric and racist acts, ensure that all immigrants are treated with respect and dignity, and promote empathy for those seeking asylum and a better life. We need a unifier--not someone who will allow and enable divisiveness to continue in our community.

Protecting DACA Recipients, Re-authorizing DAPA, and Updating the DREAM Act

DACA recipients were brought to this country as minors by their parents. DACA, Deferred Action for Childhood Arrivals, allowed for temporary work authorizations and deferred deportations for undocumented minors. In IL03, we have one of the highest concentrations of DACA recipients in the state. By deporting DACA recipients, in effect removing them from the economy, the GDP in IL03 alone will take a loss of approximately \$237,300,000¹².

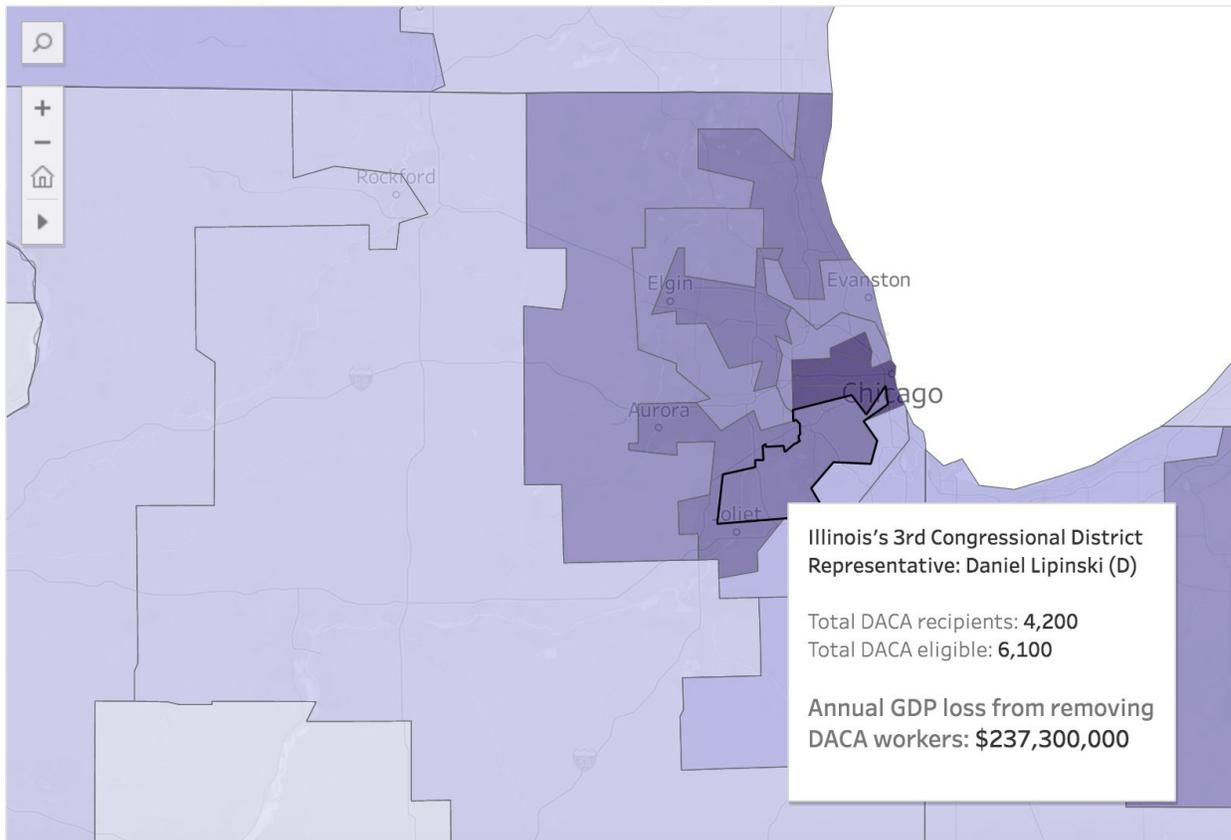
⁹ Darby, Luke. (August 4, 2019). More El Paso victims might be avoiding hospitals because of their immigration status. *GQ*. Accessed from <https://www.gq.com/story/el-paso-undocumented-hospital>.

¹⁰ Dorf-Kamienny, Sophie. (June 25, 2019). How Trump’s anti-immigration policies are hurting domestic violence survivors. *Ms*. Accessed from <https://msmagazine.com/2019/06/25/how-trumps-anti-immigration-policies-are-hurting-domestic-violence-survivors/>.

¹¹ Feinberg, Ayal, Regina Branton, and Valerie Martinez-Ebers. (March 22, 2019). Analysis | Counties that hosted a 2016 Trump rally saw a 226 percent increase in hate crimes. Accessed from <https://www.washingtonpost.com/politics/2019/03/22/trumps-rhetoric-does-inspire-more-hate-crimes/>.

¹² Center for the Study of Immigrant Integration (CSII). (October 11, 2017). Interactive map: Deferred Action for Childhood Arrivals (DACA) populations and their contributions by U.S. congressional district. *University of Southern California Dornsife*. Accessed from <https://dornsife.usc.edu/csii/daca-map/>.

Estimated Number of DACA Recipients by U.S. Congressional District (115th Congress), 3rd Quarter of Fiscal Year 2017
USC Center for the Study of Immigrant Integration



This policy, enacted through executive order in 2012, saw increases in high school graduation rates, increased college attendance rates, and a decrease in teen pregnancy among those eligible¹³. Many universities in IL03 now provide supplemental resources to DACA recipients so a college education is more accessible and affordable.

President Obama also tried to implement Deferred Action for Parents of Americans (DAPA), which I propose be reinstated through legislation. DAPA in its 2010 form would authorize temporary three-year work permits to immigrants with American citizen children or children that are lawful permanent residents. Because it was blocked by the courts, it was prevented from going into effect. President Trump rescinded DAPA in June 2017. Trump's decision to rescind DAPA is cruel and further cements his commitment to separating families.

¹³ Kuka, Elira, Na'ama Shenhav, Kevin Shih. (February 2018). Do human capital decisions respond to the returns to education? Evidence from DACA. *National Bureau of Economic Research*. Accessed from <https://www.nber.org/papers/w24315.pdf>.

We should not continue the Trump administration's policies which leave these individuals living in fear of deportation and without adequate resources to succeed. Often, the United States is the only country they've known, and it is immoral to send them to an unfamiliar country they've never called home.

Similarly, we must update the DREAM Act, and we must call on the Senate to pass [H.R.6](#). This allows those non-violent, tax-paying residents of the U.S. brought here, schooled here, and have lived their lives as Americans to become citizens. People come to this country because they want a better life. Parts of H.R.6 are listed below, and by passing this bill in the Senate we can achieve the following¹⁴:

- Extend CPR status to 10 years so applicants can have more time to fulfill requirements to have conditions on permanent resident status removed
- Expand stays of removal, which prevents deportation of minors who are not yet eligible for relief but may become eligible in the future
- Permit people with CPR to obtain LPR status without satisfying the employment or educational tracks if their deportation would cause hardship to themselves or their immediate families
- Include apprenticeship programs and career and technical training as qualifying education to obtain CPR and LPR status, respectively
- Allow immigrants in deportation proceedings, as well as those in detention centers, to apply for relief under the Immigration and Nationality Act

Still, parts of H.R.6 can be improved. While we must extend amnesty to people that continue to live their lives in the U.S., we should also simplify the immigration process. Due to legal proceedings and institutional racism (which has been built on centuries of repression), immigrants from Europe can quickly pass through the immigration process while immigrants from Latin American countries can be forced through a decade--or longer--of legal proceedings, court battles, deportations, and extensive delays in the visa process. These delays prolong the immigration process and prevent people that live in the country from becoming naturalized citizens that can fully participate electorally and politically.

Implementing a Path to Citizenship That is Unambiguous and Expedient

Our current pathway to citizenship varies greatly from case to case. Those with money can simply invest in the U.S. and be rewarded with a green card¹⁵, a crucial step in the immigration process. Others with the prospects for good employment in the U.S. can be sponsored by an

¹⁴ No author. (June 7, 2019). Summary of Dream and Promise Act of 2019 (H.R.6). *National Immigration Law Center*. Accessed from <https://www.nilc.org/issues/immigration-reform-and-executive-actions/summary-of-dream-and-promise-act-of-2019/>.

¹⁵ U.S. Citizenship and Immigration Services. (2019). EB-5 Immigrant Investor Program. *United States Citizenship and Immigration Services*. Accessed from <https://www.uscis.gov/eb-5>.

employer and have a greater chance of receiving a green card¹⁶. This process also largely varies by country due to country quotas, and is heavily biased against immigrants from Latin American countries.

Since IIRIRA was enacted, the wait time to receive a green card has nearly doubled. These wait times are linked to country quotas, primarily hurting immigrants and their families in four countries: India, China, the Philippines, and Mexico. The average wait time for immigrants in those four countries to receive a green card can exceed 20 years. Under current projections and maintaining the status quo, the wait time to receive a green card could reach up to 38 years by 2038¹⁷.

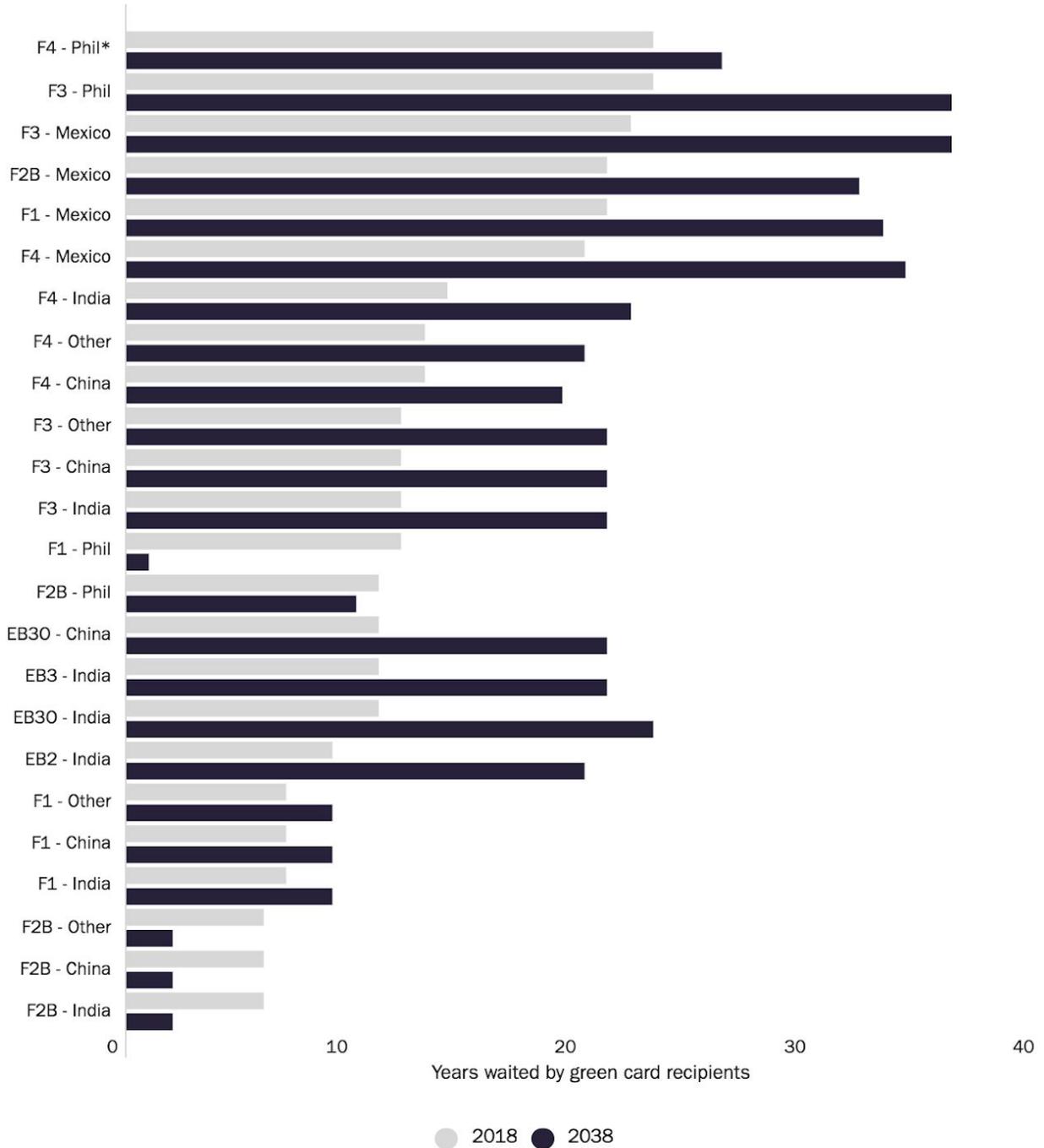
To reduce these wait times, I propose ending country quotas. Similarly, we must put a cap on how long individuals are subject to waiting for a green card. There is no way to justify making immigrants wait over 20 years for permanent resident status--we must treat everyone with compassion and welcome them to this country. Repealing these archaic laws would eliminate lengthy delays and remove preference for immigrants from one country over another. Transforming the green card and immigration process is far fairer, and it would allow individuals to live in the U.S. without living in fear of deportation.

¹⁶ USCIS. (2019). Green Card for Employment-Based Immigrants. *United States Citizenship and Immigration Services*. Accessed from <https://www.uscis.gov/green-card/employment-based>.

¹⁷ Bier, David. (June 18, 2019). Immigration wait times from quotas have doubled: Green card backlogs are long, growing, and inequitable. *CATO Institute*. Accessed from <https://www.cato.org/publications/policy-analysis/immigration-wait-times-quotas-have-doubled-green-card-backlogs-are-long>.

Figure 9

Average years waited to apply for a green card for all preference categories by country, 2018 and projected in 2038



Sources: Author’s calculations based on linear trend from: U.S. Department of State, “Visa Bulletin”; U.S. Department of State, “Annual Report of the Visa Office.” 2018.
 *Phil = Philippines.

Our immigration system has not always shown preference to those who have financial resources. During the waves of migration in the 19th and early 20th centuries, the U.S.

government granted asylum and refuge to the poorest immigrants fleeing famine, war, and political instability. With current humanitarian crises in Syria, Mexico, and many other countries around the world, we are facing a true emergency and we should provide a better life to those who want to come to our country.

There are many reasons to support transformative immigration policy. Because it is a humanitarian crisis, there are a number of moral reasons to advocate for immigrants' rights. But there is also an economic component. Economists--both Republicans and Democrats--agree that immigrants contribute to GDP and the economy of the entire region¹⁸:

- Immigration brings entrepreneurs who start new businesses that hire American workers.
- Immigration brings young workers who help offset the large-scale retirement of baby boomers.
- Immigration brings diverse skill sets that keep our workforce flexible, help companies grow, and increase the productivity of American workers.
- Immigrants are far more likely to work in innovative, job-creating fields such as science, technology, engineering, and math that create life-improving products and drive economic growth.

Still, our current immigration policy leaves people from Latin American countries at a stark disadvantage. Even outside of Latin American countries, the Trump administration continues deporting people who have been here for over thirty years, and this practice is simply cruel--it does not deter immigration¹⁹. Deporting people who have lived here peacefully and built a life for their own is immoral and will hurt communities across the country.

We must make the immigration process easier for all. I propose providing libraries and post offices with informational kiosks about pathways to citizenship to help clarify and streamline the process. We should not leave immigrants to fend for themselves in an unfamiliar, complex, and complicated system filled with loopholes and exemptions. By expanding access to the visa process through public spaces, immigrants can begin the naturalization process quickly and with help from their communities.

Close Detention Camps

The detention camps at our southern border must be closed--plain and simple. We have all read and heard about the state of squalor, cruelty, and disregard that immigrants and asylum seekers

¹⁸ DeLong, Brad. (August 3, 2017). Open letter from 1,470 economists on immigration. *Washington Center for Equitable Growth*. Accessed from <https://equitablegrowth.org/open-letter-from-1470-economists-including-me-on-immigration/>.

¹⁹ Yoon-Ji Kang, Esther. (August 22, 2019). Mount Prospect Woman Deported After 20-Year Quest For U.S. Citizenship. Accessed from <https://www.wbez.org/shows/wbez-news/mount-prospect-woman-deported-after-20year-quest-for-us-citizenship/7e42e412-3330-47e5-8b41-b78589ab521d>.

face. To make matters worse, taxpayers fund some private detention camps to the tune of \$775 per person per night²⁰. Many 5-star hotels in Chicago do not even charge this much.

However, at least twenty-four people held in camps have died under President Trump's administration²¹. Just recently, the Trump administration proposed a new regulation to allow for the indefinite detention of families at the border²². This regulation, if implemented, will cause more people to die and suffer. Meanwhile, Congressman Dan Lipinski voted to "commend the men and women of the U.S. Border Patrol for continuing to carry out their duties in a professional manner" after visiting the southern border, with no comments mentioning of the needs of immigrants²³.

Even more funding is getting slashed from these detention camps, and it is creating a public health crisis. With no access to flu vaccines and a new policy that encourages deportations for people with serious medical conditions, more people are going to die in custody of the U.S. government²⁴. These are all people that come to the United States seeking a better life, and our country is failing them. The Trump administration's blatant disregard for human dignity and respect is astounding, and I will fight tooth and nail so these practices are put to an end.

As your congresswoman, I will actively object to any legislation that enables these detention camps and supports the horrifying practices of ICE.

Partnering with Border Countries and Latin American Countries

Beyond addressing the exacerbated crisis we face here, we must address the root causes of migration from Central America to the United States. In addition to addressing our foreign policies that have fueled instability in the region, I propose to convene government agencies

²⁰ Ainsley, Julia. (June 20, 2018). Trump admin's 'tent cities' cost more than keeping migrant kids with parents. *NBC News*. Accessed from https://www.nbcnews.com/storyline/immigration-border-crisis/trump-admin-s-tent-cities-cost-more-keeping-migrant-kids-n884871?utm_source=newsletter&utm_medium=email&utm_campaign=newsletter_axiosam&stream=top.

²¹ Rappleye, Hannah and Lisa Riordan Seville. (June 9, 2019). 24 immigrants have died in ICE custody during the Trump administration. *NBC News*. Accessed from <https://www.nbcnews.com/politics/immigration/24-immigrants-have-died-ice-custody-during-trump-administration-n1015291>.

²² Kim, Catherine. (August 21, 2019). A new Trump rule could hold migrant families indefinitely in detention. *Vox*. Accessed from <https://www.vox.com/policy-and-politics/2019/8/21/20826785/trump-migrant-families-detention-flores>.

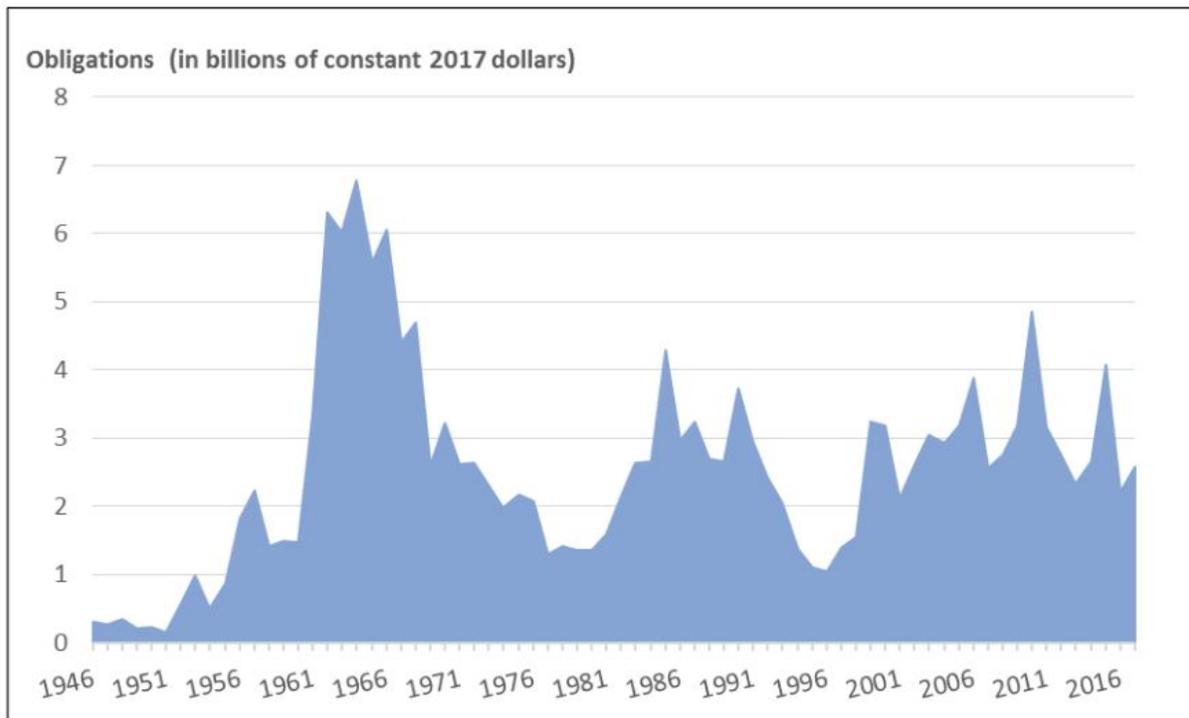
²³ Lipinski, Dan. (August 18, 2019). Rep. Dan Lipinski: Dems and GOP should work together to end immigration crisis and support Border Patrol. *Fox News*. Accessed from <https://www.foxnews.com/opinion/dan-lipinski>.

²⁴ Dooling, Shannon. (August 27, 2019). Trump administration ends protection for migrants' medical care. *NPR*. Accessed from <https://www.npr.org/2019/08/27/754634022/trump-administration-ends-protection-for-migrants-medical-care>.

with Latin American countries so our funding is appropriately used to increase cooperation between our countries.

The Trump administration has drastically reduced funding to Latin American countries. In Mexico alone, the Trump administration reduced funding for fiscal year 2019 by 48%, compared to FY2018²⁵. This decision is irresponsible, considering 13% of all visas issued last year came from Mexico (more than any other country)²⁶. By allocating federal funding to support stability in these regions, the U.S. could see a decline in asylum seekers from Latin American countries.

Figure 2. U.S. Assistance to Latin America and the Caribbean: FY1946-FY2017



Source: CRS presentation of data from U.S. Agency for International Development (USAID), *Foreign Aid Explorer: The Official Record of U.S. Foreign Aid*, December 19, 2018, at <https://explorer.usaid.gov/data.html>.

Notes: Includes aid obligations from all U.S. government agencies. Data for FY2018 are not yet available.

By reducing funding to these countries, the Trump administration could significantly add to the destabilization of the region. Due to foreign investment in Latin American countries between over the last decade, the percentage of people living in poverty fell from 45% in 2002 to 30% in

²⁵ Meyer, Peter J. and Edward Y. Garcia. (March 1, 2019). U.S. foreign assistance to Latin America and the Caribbean: FY2019 appropriations. *Congressional Research Service*. Accessed from <https://fas.org/sqp/crs/row/R45547.pdf>.

²⁶ Bureau of Consular Affairs. (2019). Report of the visa office, 2018. *U.S. Department of State*. Accessed from <https://travel.state.gov/content/dam/visas/Statistics/AnnualReports/FY2018AnnualReport/FY18AnnualReport%20-%20TableIII.pdf>.

2017²⁷. As part of our role in global politics, we should uplift other countries and push for democratic values abroad. Instead of imposing our government structure on others, however, we can continue to bolster programs that advance social well-being and quality of life in areas that are in need of assistance.

²⁷ Meyer, Peter J. and Edward Y. Garcia. (March 1, 2019). U.S. foreign assistance to Latin America and the Caribbean: FY2019 appropriations. *Congressional Research Service*. Accessed from <https://fas.org/sqp/crs/row/R45547.pdf>.

Table 2. U.S. Foreign Assistance to Latin America and the Caribbean by Country or Regional Program: FY2014-FY2019 Request

(appropriations in thousands of current U.S. dollars)

	FY2014	FY2015	FY2016	FY2017	FY2018 (estimate)	FY2019 (request)	% Change FY2018- FY2019
Argentina	589	576	579	624	2,900	600	-79%
Bahamas	172	200	207	173	100	200	+100%
Belize	1,234	1,058	1,243	1,241	1,250	200	-84%
Bolivia	0	0	0	0	0	0	—
Brazil	13,858	11,586	12,858	11,690	11,425	575	-95%
Chile	1,082	1,032	670	689	400	500	+25%
Colombia	330,601	307,776	299,434	386,269	391,253	265,400	-32%
Costa Rica	1,731	1,673	1,819	5,718	5,725	400	-93%
Cuba	20,000	20,000	20,000	20,000	20,000	10,000	-50%
Dominican Republic	23,248	22,350	21,615	13,736	20,209	5,045	-75%
Ecuador	2,000	0	2,000	1,789	1,789	1,500	-16%
El Salvador	21,631	46,549	67,900	72,759	57,735	45,700	-21%
Guatemala	65,278	113,099	131,226	140,446	120,069	69,409	-42%
Guyana	6,904	4,692	243	277	200	200	0%
Haiti	300,796	242,922	190,744	184,426	184,341	170,455	-8%
Honduras	41,847	71,191	98,250	95,260	79,800	65,750	-18%
Jamaica	6,670	5,573	5,065	10,597	1,600	500	-69%
Mexico	206,768	165,168	160,156	138,566	152,660	78,910	-48%
Nicaragua	8,400	12,054	10,000	9,679	10,000	0	-100%
Panama	2,986	4,077	3,346	3,271	3,225	1,200	-63%
Paraguay	7,528	7,980	8,620	6,150	4,400	1,900	-57%
Peru	82,649	84,079	74,898	64,473	73,734	47,400	-36%
Suriname	212	199	215	269	200	100	-50%
Trinidad and Tobago	179	308	325	343	300	150	-50%
Uruguay	725	550	499	498	400	300	-25%
Venezuela	4,298	4,256	6,500	7,000	15,000	9,000	-40%
Barbados and Eastern Caribbean	16,734	24,692	26,425	26,629	24,195	9,639	-60%
USAID Caribbean Development	0	4,000	4,000	3,000	4,000	0	-100%

	FY2014	FY2015	FY2016	FY2017	FY2018 (estimate)	FY2019 (request)	% Change FY2018- FY2019
USAID Central America Regional	33,492	50,762	39,761	38,316	19,930	5,419	-73%
USAID South America Regional	16,500	12,000	12,000	14,000	18,065	0	-100%
USAID Latin America and Caribbean Regional	29,050	22,500	28,360	26,700	51,600	30,050	-42%
State Western Hemisphere Regional	230,449	341,938	478,668	425,471	414,795	289,810	-30%
[CARSI]	[161,500]	[270,000]	[348,500]	[329,225]	[319,225]	[252,800]	-21%
[CBSI]	[63,500]	[58,500]	[57,721]	[57,700]	[57,700]	[36,200]	-37%
Total	1,477,611	1,584,840	1,707,626	1,710,059	1,691,300	1,110,312	-34%

Sources: U.S. Department of State, *Congressional Budget Justifications for Foreign Operations, FY2016-FY2019*, at <http://www.state.gov/f/releases/iab/index.htm>; U.S. Department of State, "FY 2018 653(a) Allocations – FINAL," 2018; and "Explanatory Statement Submitted by Mr. Frelinghuysen, Chairman of the House Committee on Appropriations, Regarding the House Amendment to Senate Amendment on H.R. 1625," *Congressional Record*, vol. 164, no. 50—book III (March 22, 2018), p. H2851.

Notes: CARSI = Central America Regional Security Initiative; CBSI = Caribbean Basin Security Initiative. CARSI and CBSI are funded through the State Western Hemisphere Regional program. USAID and State Department regional programs fund region-wide initiatives as well as activities that cross borders or take place in non-presence countries.

We are a country built by immigrants. Our immigration policy should allow people to come to our country, especially if they are seeking asylum. Through compassionate immigration policy, we can strive toward a country that embraces diversity instead of having an administration that attacks immigrants every day in an attempt to suppress their rights.

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Questions or comments about this policy? Please send us your ideas at info@marienewmanforcongress.com.