

February 13, 2018

Dear Members of Congress:

We, the undersigned immigration, refugee, faith, education, youth, health, labor and civil liberties organizations write to express our commitment to securing permanent protections for Dreamers and call on Congress to pass the Dream Act without further delay. Securing permanent protections for all Dreamers, including but not limited to those eligible for protection under the Deferred Action for Childhood Arrivals (DACA) program, must be the guiding light for senators in the week ahead; the American people overwhelmingly support a path to citizenship, not a kick-the-can-down-the-road temporary solution. Importantly, protecting Dreamers cannot come at the cost of harming other immigrants or immigrant communities, nor can it entail militarizing the border, keeping families apart or undermining life-saving humanitarian protections.

President Trump ended DACA on September 5th, 2017. Since then over 19,000 immigrant youth who put their full faith in the U.S. government have lost the ability to work, study, and live without fear of deportation; hundreds of thousands more will lose protections in the months ahead. Despite President Trump's promise to support a "bill of love", he has rejected multiple bipartisan efforts at compromise. And now, through the White House's 'Legislative Framework' on immigration, he has instead doubled down on efforts to radically reshape America's immigration policies and, in doing so, the face of America to the world.

Let's be clear: The White House Framework would take the country backwards in an echo of restrictive policies not seen since the 1920's, while using the fate of Dreamers as bait. Congress must reject these nativist overtures. President Trump and Congressional Republicans created this moral crisis and it is up to them to work in good faith with Democrats to reach a narrow agreement that pairs a pathway to citizenship for Dreamers with smart and sensible border security measures.

Members of Congress must oppose efforts to hold Dreamers hostage in exchange for a nativist wish list. Anything that goes beyond the scope of the original agreement from last fall—namely, protecting Dreamers and making additional investments in reasonable border security—must be rejected.

Here are the issues which our organizations will not accept in any legislation:

Border Militarization: Trump's Wall and Deportation Force

Congress must oppose efforts to expand President Trump's mass deportation force and build his wall—a wasteful and unpopular policy that will only harm border communities—and must oppose ramping up enforcement actions against asylum seekers, unaccompanied children, and immigrant communities across the country.

The wall is crowding out sensible border security: In its budget request to Congress, according to the *New York Times*, the Trump administration already has been pushing to “pay for [the] Wall” by “cut[ting] proven border security measures.” And even Trump’s own DHS has concluded that “the southwest land border is more difficult to illegally cross today than ever before.”

What’s worse, DHS Deputy Secretary Elaine Duke admitted that her department will no longer “distinguish between border security and interior enforcement,” meaning that any money Congress appropriates to DHS for border security will be used as a trojan horse to increase interior enforcement and terrorize communities across the U.S. through increased detentions and deportation.

While the media has focused extensively on the wall, the Framework contains a litany of so-called “Border Security” provisions that drastically increase Trump’s deportation force and undermine protections for vulnerable families and children fleeing violence and persecution, including:

- The hiring of significant additional ICE or Border Patrol agents and officers, which is both unnecessary, and potentially dangerous, given the corruption, integrity, and excessive force issues that have plagued agencies like CBP.
- Block access to refugee protection in the United States, penalize asylum seekers, send children and other vulnerable asylum seekers back to danger, and severely damage the integrity of the U.S. immigration and asylum systems by violating U.S. treaty obligations and seeking authorization of rights-violating policies (and egregiously terming this the “closing of loopholes.”)
- Expanding expedited removal to include visa overstayers, which will deny due process to significant numbers of immigrants.

We do not believe that any of these provisions—including building the wall—can be considered reasonable border security. Funding wall construction would lead to the federal government seizing large tracts of private property through eminent domain and waiving dozens of protective laws, guaranteeing massive environmental damage and the disrespecting of Native American rights.

By contrast, reasonable border security must, at a minimum, include data-driven, independently-verified approaches to what works best and least intrusively for securing the border. Any increase in border-security resources must be accompanied by consultation with border communities; the smart use of technology (rather than more personnel or physical barriers); and accountability measures to assure fiscal responsibility and the rule of law, including adequate oversight of CBP through body-worn cameras, rescue beacons for migrants,

and significant increases to watchdog resources at the Offices of Professional Responsibility and Inspector General.

Attacking Family Unity

Preserving the ability of families to reunite has always been a cornerstone of U.S. immigration policy. And yet, the White House is proposing to radically reshape immigration law, by slashing entire categories of family-based migration. These policies would cut overall immigration at least one-third, and as much as 44 percent, and would needlessly penalize American families.

While the cuts are falsely billed as “protecting the nuclear family,” these changes would bar U.S. citizens from reuniting with their parents or their siblings, and would bar U.S. citizens and lawful permanent residents from reuniting with their adult children. To take just one of the more extreme proposals, stripping U.S. citizens of their ability to reunite with their parents would immediately reduce future immigration by 15 percent.

The steepness of cuts to family immigration in the White House framework and demanded by Sen. Tom Cotton’s (R-AR) RAISE Act, among other anti-immigrant legislation, would take the country back to the era of the 1920s, when the U.S. explicitly excluded immigrants on the basis of race and national origin. In fact, as economist Michael Clemens has found, the Framework would disproportionately exclude Black and Hispanic immigrants, as well as Muslim and Catholic immigrants.

Not only will the White House plan keep thousands of American families separated from loved ones, but it will isolate our nation from the global economy, from international entrepreneurs and businesspeople, and most importantly from an immigrant labor force that will be critical to the future growth of our economy. Congress must not make any cuts to family-based immigration.

Eliminating the Diversity Visa

The White House Framework would also end the Diversity Visa program, which grants 50,000 visas each year to immigrants from countries that otherwise send few immigrants to the U.S. The White House claims that the program is rife with fraud, and that “the qualifying criteria are very low,” both of which are fallacies. As David Bier of the Cato Institute has found, “family and diversity immigrants are far better educated than U.S.-born Americans.” The Migration Policy Institute has found that half of all Diversity Visa holders already have a college degree and one-quarter of diversity immigrants work in managerial and professional occupations.

Of course, every single Diversity Visa program beneficiary goes through extensive security checks before arriving (the same checks that any family- or employment-based immigrant goes through.) And contrary to the president’s misrepresentations, no one is given a green card

automatically and the United States—not any other country—selects which persons will be awarded immigrant visas through the program.

The largest number of Diversity Visas are given to African immigrants each year, and cutting this program would disproportionately affect these immigrants. In 2016, for example, nearly one-in-five African immigrants gaining a green card came through the Diversity Visa program. The task at hand is to protect Dreamers, and Congress must not do so by slashing the Diversity Visa program.

The American people expect Congress to lead in the face of this crisis. Polls consistently show that the vast majority of Americans support a path to citizenship for Dreamers. We will be watching how members of both parties vote, and expect them to focus on protecting Dreamers, not remaking the immigration system.

Signed,