

DEFINING A PRELIMINARY **ADVOCACY** AGENDA: WHAT **LATIN AMERICAN IMMIGRANT COMMUNITIES** WILL ASK THE **BIDEN-HARRIS ADMINISTRATION** TO DO



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January 22, 2021 — The beginning of a new administration entails new relationships between the branches of government and includes setting priorities and a leadership style. The U.S. electorate favored Joseph Biden as their president with the expectation of change. Alianza Americas has clear expectations in terms of what the Biden-Harris administration can achieve, mindful of the existing challenges. As Latin American migrant communities in the U.S. we have contributions to make and we reiterate our willingness and interest to be part of the public debate on policies, legislation and practices that impact directly on our lives and those of our families.

This is our preliminary advocacy agenda:

1. To adopt a pro-migrant and pro-migration narrative.

Throughout the last 4 decades, political forces motivated by white supremacist and xenophobic prejudices have consistently promoted an anti-immigrant narrative, which presents the people of Mexico and other Latin American countries as a threat to the United States of America (USA). Unfortunately, this effort has managed to penetrate the leadership circles of the two dominant political parties, as well as the mindset of many organizations that are part of the pro-immigrant and pro-immigration reform field. We consider urgent for the Biden-Harris Administration to adopt a narrative genuinely attached to the truth regarding immigrants in general, and in particular the people of Mexico and other Latin American countries. Such a narrative must focus on the fact that these populations have been a vastly positive factor in the life of the USA. This new narrative based on truth and evidence is essential to create the appropriate environment for public opinion to support immigration policy reforms. Part of this new narrative must include a recognition of the restrictive, exclusive, and punitive immigration law of 1996 as a serious error that must be promptly corrected. The human cost infringed by this law is enormous. This legislation was made possible by the prevalence of the toxic, racist, and xenophobic narrative mentioned before.

2. To decisively use presidential authority to protect immigrants in vulnerable situations and to reorient the way in which current law is enforced, including asylum law and other forms of humanitarian protection.

Among other demands, we highlight the following:

- A. A new designation of Temporary Protection Status (TPS) for nationals of El Salvador, Guatemala, Honduras, and Nicaragua; due to the crisis generated by the combined effects of the Covid-19 pandemic and severe natural disasters that inflicted great damage to the economic and productive infrastructure of these countries. This measure will keep those who have already enjoyed immigration protection under

old TPS designations protected and would extend this protection to people who live in the US but lack immigration status.

- B. Maintain protections for DACA and TPS holders who have lived and worked in the U.S. for years, until a path towards permanent residence is approved by Congress.
- C. Immediate reversal of the various measures taken by the Trump administration on asylum. These measures include the Remain in Mexico program, the adoption of measures to restrict the number of asylum seekers who can enter daily through regular entry points, the closure of the border under Title 42 based on an order issued by the Center of Disease Control, and the (surely illegal) cooperation agreements on asylum matters with Guatemala, Honduras and El Salvador. Regarding this last point, it is important to emphasize that each of these countries are incapable of offering conditions of well-being and security to their own citizens, much less to people of other nationalities in search of international protection, etc.
- D. Issuance of new policies establishing priorities in the application of the law by US Immigration and Customs Enforcement (ICE), so that the immigrant population that lives in the country without immigration authorization can live without the fear of raids and detention, for the simple fact of living in the country without immigration authorization.
- E. Reaffirmation of US Citizenship and Immigration Service (USCIS) as an agency dedicated to serving immigrant populations and aspiring US citizens. This agency should reduce backlogs and should be tasked with finding ways to deliver its services in ways that are prompt, efficient and affordable.
- F. Immediately end the detention of minors, not only on the southern border of the country, but also in the rest of the country.
- G. Redefine and restrict the criteria under which individuals in removal proceedings, including those seeking asylum, are detained, and establish a maximum period of detention after which they must be released.
- H. Immediate suspension of all construction work related to the border wall ordered by President Trump. Besides the fact that it is a project based on many lies and wrong assumptions, it is wasteful of public resources. The building of a wall is having a negative impact in the life of many indigenous and other communities, as well as on the environmental balance of the impacted areas.
- I. Abolition of section 287 (g) agreements under that allow collaboration between local law enforcement and ICE. Local law enforcement must focus on truly serving and protecting ALL people under their respective jurisdictions. Therefore, attributing to them the role of also being immigration police is counterproductive.
- J. The immediate cancellation of government contracts with companies engaged in the construction and/or administration of immigration detention centers. The current practice of generating profits from the imprisonment of foreigners is immoral, has produced a systematic pattern of abuse, and must be stopped immediately.
- K. Increasing the annual quota of refugees admitted to the U.S. to at least 125,000 and rebuilding the resettlement system.

3. To provide unequivocal support for legislative proposals passed by the US Congress aimed at reforming US Immigration Policy.

While it is highly positive that President Biden sent to the US Congress an immigration policy reform bill grounded on the many ways in which immigrants contribute to the wellbeing of the nation, we acknowledge that it is Congress who passes changes in US law. Therefore, we encourage President Biden to be supportive of positive changes in US Immigration policy, be them in the form of gradual legislative changes, or in the form of a comprehensive reform bill. In light of the extremely negative impact inflicted upon immigrant communities by the 1996 Immigration Law, we call on the Biden Administration to actively support the abolishment of such a restrictive, exclusionary and punitive law. In the short term, we consider the following legislative changes as particularly urgent:

- A. Adjustment of status program for people who are beneficiaries of the DACA program, so they can apply for permanent resident status.
- B. Adjustment of status program for people protected through Temporary Protection Status designations and who have resided in the US for five years or more, so they can apply for permanent resident status.
- C. Adjustment of status program for people whose children are beneficiaries of the DACA program, so they can apply for permanent resident status.
- D. Adjustment of status program for people who have been employed in the country's agricultural and food processing industries for two years or more, so they can apply for permanent resident status.
- E. Adjustment of status program for people who have been employed as essential workers during the pandemic, so they can apply for permanent resident status.
- F. Adjustment of status program for people who graduated from college or are college students, and were unable to apply for DACA because they did not fulfill the requirement related to arrival date, so they can apply for permanent resident status.
- G. Increase the annual number of available family-based and employment-visas in order to assign such visas to the nationalities that need them the most, consequently ensuring a prompt and full resolution of visa petitions of this type.
- H. Ending the 3 and 10 year bars, as well as those that prohibit re-entry for life due to immigration violations, according to the 1996 law.
- I. Restoration of the relief mechanism against deportations known as Suspension of Deportation, eliminated by the 1996 law.
- J. The annual update of the immigration registry law, so that it is always 7 years behind the current year. For example, in the year 2021, that date should be January 1, 2014.
- K. Reorientation of all public resources going to immigration enforcement agencies within the Department of Homeland Security (DHS), and instead, focus the work of DHS on the urgent need to address the threats to national security represented by white supremacy extremism as the most significant domestic terrorist threat in the nation.

4. To support broad legislative reforms in the economic and social sphere that benefit low- and middle-income families, which would have a direct positive impact on immigrant populations residing in the United States.

Examples of reforms of this type are the following:

- A. Increase the federal minimum wage to at least \$15 per hour.
- B. Improvements to the health system aimed at guaranteeing universal access to health for all, through reforms to the Medicaid and/or Medicare program.
- C. Budgetary allocations to ensure universal access to Covid-19 testing, medical treatment for Covid-19 and the vaccine for essential workers, agricultural workers and food processing workers, regardless of their migratory status.
- D. Reforms to the labor law so that all mothers and fathers have access to paid work leave for reasons of maternity and paternity.
- E. Changes to the tax law so that people with individual income up to \$150,000 or couples with income up to \$300,000; pay lower tax rates. Individuals or couples with incomes higher than the above, should pay higher tiered tax rates, to develop an effectively progressive tax system, capable of supporting the well-being of society. In addition, corporate tax rates should be reformed to ensure that corporate entities pay their fair share towards societies' wellbeing. In both instances, there should be strict enforcement of these changes.
- F. Legislation for the reconstruction of road, electrical, hydraulic, wind, port, communications (especially internet access) and waste management infrastructure; among other key fields of well-being, aimed at

generating millions of well-paid jobs and developing a policy of mitigation and adaptation to climate change.

5. To reorient US foreign policy towards Mexico, Central America, the Caribbean and the rest of Latin America, centered on at least the following pillars:

- A. Economic and social prosperity that positively and tangibly changes the life for most people.
- B. Strengthening democracy and the rule of law under principles of transparency, accountability; and a frontal and demonstrable combat of corruption in all areas.
- C. The guarantee and protection of the human rights of all people, with emphasis on freedom of speech and association.
- D. Support for critical economic policy changes in the service of strengthening economic and social standards, as well as the generation of the necessary public resources to financially support a true shared prosperity agenda.

The goal of a new foreign policy should be to contribute decisively towards the transformation of Latin America into countries where well-being and prosperity reign; and from where fewer and fewer people are forced to seek their well-being in foreign lands.

All these changes, if they become embedded and promoted as the basis for a common forward-looking agenda between Congress and the Executive power, would translate into great benefits for immigrant communities, particularly from Latin America and the Caribbean.