



**“I was a stranger and you welcomed me”:  
An Immigration Policy for a New Era**

Immigration is central to the American story, and we see that story written in communities large and small across America. My hometown of South Bend is a city with a history of diverse immigrant communities, from the French fur trappers who came here in the 1800s, to the German and Polish immigrants who labored in the Studebaker factories, to those who have recently joined us from Mexico, Honduras, Myanmar, and Cameroon and opened business and helped transform our city into what it is today. The immigrant tradition of our community even includes my own father, who came to America from Malta for education opportunities and then became an American citizen.

Millions have come to America to seek opportunity and contribute their chapter in this great tradition. Others are pushed to come by circumstances beyond their control. We are a nation built on dreams of freedom and democracy—and also created through dispossession, enslavement, conquest, and colonialism. Whatever drives people to move across borders—opportunity, conflict, climate change, economic insecurity—we must welcome the stranger and respect the dignity of every person. We must recognize the great contributions of immigrants and create an immigration system that meets the needs of our nation now and in the years ahead.

We are called by many different ethical and religious traditions to treat each person with compassion, not cruelty. We get to choose what kind of country we live in—that is the foundation of American democracy. We can continue to cause pain and suffering, and to hurt our economy in the process. Or we can choose to protect and protest on behalf of our community members, whether it be neighbors protecting neighbors in Nashville<sup>1</sup> or students protesting the detention of a classmate in Arizona.<sup>2</sup>

Our policies should acknowledge that immigrants are not outsiders. They are already members of our communities. Immigrants are labor organizers and comedians. They are business owners and teachers. They are caregivers and health care providers. They serve in our military. They are activists and students. They are every race, class, religion, gender, and sexual orientation. They are our parents, spouses, neighbors, and friends.

On Day One of my administration, we will reverse this administration’s cruel and counterproductive immigration actions that take infants out of their mothers’ arms, argue against children having toothpaste or soap, deport veterans, break up families, and sweep up workers in raids while leaving exploitative employers unpunished.<sup>3</sup> But we will do more than simply end these outrages. Our immigration system has

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<sup>1</sup> Farzan, Antonia Noori. [“We Stuck Together like Neighbors Are Supposed to Do”: A Community Thwarts a Father’s ICE Arrest.”](#) The Washington Post. WP Company. July 23, 2019.

<sup>2</sup> Snow, Anita. [“Students Protest as High School Senior Faces Deportation.”](#) AP NEWS. Associated Press. May 6, 2019.

<sup>3</sup> Pierce, Sarah. [“Immigration-Related Policy Changes in the First Two Years of the Trump Administration.”](#) Migration Policy Institute. May 2019.

been in dire need of reform for decades. Right away, we will get to work on the significant changes our communities so desperately need.

Our immigration policy must reflect freedom, opportunity, and equality. We must support immigrants' aspiration for citizenship and reduce barriers to naturalization and full participation in civic life. We must reunite and strengthen families—just as we work to strengthen the families of all Americans. Our immigration system must meet evolving labor market demands and help us remain competitive in a global economy while protecting all workers. Our nation must be a beacon of hope for immigrants and refugees while addressing threats like war, civil unrest, and climate change, which will force more displacement in coming years. As a country, we will build a better system that serves all of us.

My plan has four components:

- I. Promote belonging and democracy.** A vibrant democracy is one in which we all belong. But too many of our neighbors can't fully participate. The number of permanent residents eligible to naturalize has grown to 9 million. We will reduce barriers to naturalization and actively encourage citizenship. At the same time, 11 million undocumented people, including Dreamers, live among us—two thirds have been here more than a decade<sup>4</sup>—but still have no chance to become citizens. We must and will create a path to citizenship for them.
- II. Modernize our immigration system to reflect our economic needs and our values.** We will build in flexibility to adapt to economic and labor trends, and extend the benefits of economic growth and needed skills to the places that need them most. We will prioritize family unity by reducing the green card backlog and eliminating bars to reentry so families can be together. We will take a humane approach to immigration enforcement, one that more effectively meets our public safety needs, uses detention sparingly, and provides due process and accountability.
- III. Protect the border and the people who arrive there.** We will update our ports of entry and use modern technology to maintain and strengthen our border, while making sure that the U.S. government guarantees safety for all, including by protecting due process rights and improving the asylum process so that every asylum seeker has a meaningful opportunity to present their case and is treated humanely throughout the process.
- IV. Engage with the global community.** We will lead the international community and address the root causes of why people and families are forced to leave their homes: wars, persecution, natural disasters, climate disruption, and economic decline. This work will include robust engagement with regional partners in Central America. We will welcome refugees to our shores and unleash innovation and new partnerships that extend humanitarian protection for those who need it.

<b>Promote Belonging and Democracy</b>
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<sup>4</sup> Krogstad, Jens Manuel, Jeffrey S. Passel, and D'Vera Cohn. "[5 Facts about Illegal Immigration in the U.S.](#)" Pew Research Center. June 12, 2019.

We must create an immigration system that reflects the will of the American people. Americans overwhelmingly support a pathway to citizenship for undocumented people.<sup>5</sup> Most Americans welcome refugees,<sup>6</sup> and they abhor family separation.<sup>7</sup> Yet Congress has failed to act. Since the last comprehensive reform, decades ago, the population of undocumented immigrants has stabilized at nearly 11 million people. They have lived in our country for, on average, 15 years, and have been prevented from full participation in our democracy and formal economy.<sup>8</sup> On top of that, nearly nine million permanent residents are eligible to become citizens, but have not taken that step.<sup>9</sup>

That's why Pete is proposing a plan that will foster belonging for all Americans when we welcome our residents as fellow citizens while increasing the nation's competitiveness. Our democracy is stronger when people living here have a voice in our society. It's also good for our economy: naturalized citizens earn more and contribute more in taxes once they become citizens.<sup>10</sup> To facilitate this, Pete will:

- **Create a path to citizenship for the approximately 11 million undocumented people living in the United States who call this country home.** Undocumented people are our neighbors who raise families and pay taxes; share our workplaces and schools; pray in churches, synagogues, and mosques; and are Americans in every way except one—they are not citizens and have no pathway to citizenship. **In his first 100 days, Pete will push for legislation that provides a mechanism to gain legal status and ultimately citizenship**, including for people with temporary protections—Deferred Action for Childhood Arrivals (DACA), Temporary Protected Status (TPS), Deferred Enforced Departure (DED), and withholding of removal. While working on a necessary legislative fix, **Pete will restore and extend temporary protections** rescinded or threatened by the current administration.
- **Promote citizenship for eligible permanent residents.** The burden and cost to become a citizen is too high. Pete will make it easier for permanent residents to become citizens:
  - **Keep naturalization affordable.** The Trump administration is proposing to hike the naturalization application fee by 83% to \$1,170<sup>11</sup>—that's more than an average family pays for rent each month in 43 states.<sup>12</sup> Pete's administration will keep naturalization affordable and ensure that fee waivers are available to those unable to pay. As we do for those who serve in the military, Pete will not require a fee from [national service](#) participants.

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<sup>5</sup> “[Public's Priorities for U.S. Asylum Policy: More Judges for Cases, Safe Conditions for Migrants](#),” Pew Research Center. August 12, 2019.

<sup>6</sup> Hartig, Hannah. “[GOP Views of Accepting Refugees to US Turn More Negative as Admissions Plummet](#),” Pew Research Center. May 24, 2018.

<sup>7</sup> Parker, J. Jioni, and Molly Igoe. “[How Americans Feel About DREAM, the Wall, and Family Separation](#),” PRRI. June 4, 2019.

<sup>8</sup> Jawetz, Tom. “[Restoring the Rule of Law Through a Fair, Humane, and Workable Immigration System](#),” Center for American Progress. July 22, 2019.

<sup>9</sup> Blizzard, Brittany, and Jeanne Batalova. “[Naturalization Trends in the United States](#),” Migration Policy Institute. July 11, 2019.

<sup>10</sup> Sumption, Madeleine, and Sarah Flamm. “[The Economic Value of Citizenship for Immigrants in the United States](#),” Migration Policy Institute. September 2012.

<sup>11</sup> “[U.S. Citizenship and Immigration Services Fee Schedule and Changes to Certain Other Immigration Benefit Request Requirements](#),” Federal Register. November 14, 2019.

<sup>12</sup> Gal, Shayanne, and Frank Olito. “[Here's What the Average American Family of Four Spends on Rent in Every State](#),” Business Insider. June 11, 2019.

- **Ensure naturalization is accessible to all eligible residents.** Pete will simplify the naturalization application and expand access to waivers for certain requirements for immigrants with physical and mental disabilities.
- **Support citizenship education and naturalization preparation services, and expand English as a Second Language (ESL) learning.** Pete will expand the mandate of the National Conference on Citizenship<sup>13</sup> by creating a foundation that can solicit donors to support educational programs. Pete will expand English as a Second Language learning through adult education, community colleges, libraries, and community- and faith-based organizations. The foundation will also foster efforts to create revolving and small dollar loan programs to cover naturalization expenses, building on the successful experiences of local organizations and credit unions from communities as varied as Davenport, Iowa and San Francisco, California.<sup>14</sup>
- **Invest in naturalization and integration.** We all have a role to play in welcoming and integrating new Americans. Pete supports public and private efforts at the individual, local, state, and federal level that promote our national credo, *E Pluribus Unum*, out of many, one.
  - **Create a National Office of New Americans** to promote and support immigrant and refugee integration and inclusion.<sup>15</sup> This office will be in the Executive Office of the President and will coordinate integration efforts across federal, state, and local governments.
  - **Encourage state and local government and private sector support for citizenship**<sup>16</sup> by offering visible and affordable naturalization information and assistance where immigrants live and work. Such engagement demystifies the naturalization process and delivers valuable information and legal services throughout the naturalization process. .
  - **Create competitive Integration Success Grants** to fund partnerships between states, municipalities, and community-based organizations. These partnerships will collaborate with host communities to create comprehensive plans to address civic, linguistic, social, and economic integration for immigrants and refugees.
  - **Provide [national service](#) opportunities for people who want to help immigrants prepare for naturalization**, which includes learning about U.S. history, our form of government, and the duties and privileges of citizenship.
- **Support civic engagement efforts for new American citizens.** We need to actively promote and remove barriers to the democratic participation of naturalized Americans so our government represents all of us.

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<sup>13</sup> [“The National Conference on Citizenship.”](#) National Conference on Citizenship.

<sup>14</sup> [“Reducing Barriers to Naturalization: Citizenship Loans.”](#) The New Americans Campaign.

<sup>15</sup> [“Reps. Meng, Jayapal and García, Joined by Immigration Advocacy Organizations, Unveil Sweeping Legislation to Strengthen Support for Immigrants and Refugees”](#) Congresswoman Grace Meng. October 30, 2019.

<sup>16</sup> [“Homepage.”](#) The New Americans Campaign.

- **Promote voter registration at naturalization ceremonies and provide opportunities to pre-register when applying to naturalize.**
- **Expand Section 203 of the Voting Rights Act** to cover additional languages. Pete will also increase state resources for election administration so more jurisdictions can provide non-English ballots and voting instructions.

### Modernize Our Immigration System

Years of comprehensive immigration reform attempts have come to represent a broken promise. Each failure has resulted in more of the same, ineffective enforcement-focused approaches that target, detain, and deport too many people. Pete’s reforms will boost our economy, protect our communities—both for individuals with documentation and those without—and promote shared American values.

### Design an immigration system for a prosperous America

The United States has a growth problem. In 2018, births hit a three-decade low.<sup>17</sup> Our population is rapidly aging,<sup>18</sup> and between now and 2027 we will face a shortfall of eight million workers.<sup>19</sup> Absent increases in immigration, GDP growth will decrease by 1.4 percent a year over the next decade.<sup>20</sup> And it’s not only a rising population that increases GDP; diversity itself is a driver of economic growth.<sup>21</sup>

Our undocumented population has grown because of an outdated immigration system and ill-conceived border enforcement policies. The gap between visa supply and demand is so large that we are, in effect, manufacturing and perpetuating the crisis. The arbitrary and outdated system of per-country visa caps has meant long wait times to reunite family members, and in many cases no reunification, and has led to undocumented migration. The chronic lack of temporary work permits and insufficient employment-based green cards means that people come to the U.S. to fill vacancies without documents. Greater enforcement has prompted migrants to undertake risky journeys, with sometimes fatal consequences, increased the profits of people-smugglers and transnational criminal organizations, and induced migrants who sought only temporary U.S. work to stay.

Through practical and long overdue reforms, we can provide common sense legal immigration opportunities that will reduce unauthorized migration. To do this, Pete will:

- **Modernize our employment-based visa system.** We have not meaningfully updated our visa caps in over 30 years. Rather than reset our visa allotments one time based on current data, which

<sup>17</sup> Stack, Liam. “[U.S. Birthrate Drops 4th Year in a Row, Possibly Echoing the Great Recession](#),” The New York Times. May 17, 2019.

<sup>18</sup> “[Older People Projected to Outnumber Children](#),” The United States Census Bureau. September 6, 2019.

<sup>19</sup> Batalova, Jeanne, and Michael Fix. “[Credentials for the Future: Mapping the Potential for Immigrant-Origin Adults in the United States](#),” Migration Policy Institute. March 2019; Giffi, Craig, Paul Wellener, Ben Dollar, Heather Ashton Manolian, Luke Monck, and Chad Moutray. “[2018 Deloitte Skills Gap and Future of Work in Manufacturing Study](#),” Deloitte.

<sup>20</sup> Kimberly Clausing, *Open: The Progressive Case for Free Trade, Immigration, and Global Capital* (Cambridge MA: Harvard Univ. Press, 2019), pp. 178-215.

<sup>21</sup> Ottaviano, Gianmarco I.P., and Giovanni Peri. “[The Economic Value of Cultural Diversity: Evidence from US Cities](#),” *Journal of Economic Geography* 6, no. 1 (January 2006): 9–44.

will quickly become outdated as our economy continues to change, **Pete will create a flexible review system where the allotment for employment-based visas will be set every other year based on our economy's needs.**<sup>22</sup> This process will make our immigration system more adaptable, evidence-based, and competitive. It will be informed by labor market needs, engagement with immigrant and other stakeholders, and analysis of domestic and global trends.

- **Protect undocumented workers from retaliation when reporting labor violations.** Employers should not be able to retaliate against workers asking for an enforced minimum wage, union rights, or other protections under labor and employment laws. Making those protections clear and providing full remedies—including back wages—protects undocumented workers as well as *all* workers' work conditions and pay. Pete also supports legislation that provides visas for victims of labor and employment law violations who are helpful in prosecuting those violations—just as we do for survivors of domestic violence, violent crimes, and trafficking.<sup>23</sup>
- **Ensure visa portability.** Workers who come to this country should not have to continue working for an abusive employer simply because their visa is tied to that employer. Pete will propose reforms to temporary work visas so that workers can move to another employer in their industry and keep their visa. Pete also supports legislation that would provide greater transparency for temporary work visa programs.<sup>24</sup>
- **Provide opportunities for people who want to build our economy where they are needed most.** Pete will create a local [Community Renewal \(CR\) visa](#) targeted toward counties that have lost prime-working-age population over the last 10 years, and smaller cities that are struggling to keep pace economically with larger cities.<sup>25</sup> Eligible communities will apply to join the program, and they can request immigrants with experience in different fields such as agriculture, manufacturing, or health care. CR visa applicants will specify one or more preferred destinations before being matched with a community, and will be eligible for a green card on an expedited three year basis if they remain in that community or within five years if they move.
- **Bring more immigrant doctors to areas that face severe shortages of health professionals.** Pete will expand the [Conrad 30 visa waiver program](#) and restore the H-1C visa to address the shortage of nurses. Rural areas are particularly underserved and can benefit from immigrant doctors and nurses.<sup>26</sup>

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<sup>22</sup> The concept of a standing commission on labor markets and immigration was first advanced in 2006 by a Migration Policy Institute-convened task force. See: Papademetriou, Demetrios G., Doris Meissner, Marc R. Rosenblum, and Madeleine Sumption. "[Harnessing the Advantages of Immigration for a 21st-Century Economy](#)." Migration Policy Institute. May 13, 2009.

<sup>23</sup> Chu, Judy. "[Rep. Chu and Sen. Menendez Introduce Bicameral POWER Act to Protect Immigrant Workers](#)." U.S. House of Representatives. May 22, 2018.

<sup>24</sup> Frankel, Lois. "[Visa Transparency Anti-Trafficking Act of 2018](#)." U.S. House of Representatives. January 11, 2018.

<sup>25</sup> The plan draws inspiration from the Economic Innovation Group's Heartland Visa proposal: Ozimek, Adam, Kenan Fikri, and John Lettieri. "[From Managing Decline to Building the Future](#)." Economic Innovation Group. April 2019.

<sup>26</sup> Mathema, Silva. "[Immigrant Doctors Can Help Lower Physician Shortages in Rural America](#)." Center for American Progress. July 29, 2019.



- **Support the Agricultural Worker Program Act**, which protects farmworker rights such as labor, pesticide protection, and food safety laws.<sup>27</sup> Pete also supports the [Domestic Workers' Bill of Rights](#).
- **Honor the commitment of immigrants who serve in the [Armed Forces](#)**. As a veteran, Pete rejects this administration's shameful posture toward immigrants in the military. He will revamp and reinstate the Military Accessions Vital to National Interest (MAVNI) program, which was created to teach critical skills that will enhance military readiness. He will protect immigrant service members from deportation, provide expedited and no-cost naturalization services to eligible Armed Forces members, and protect military families from removal.
- **Reduce barriers to health care, education, employment, and business opportunities.**
  - Eliminate the five-year waiting period for green card holders gaining access to public health insurance and food assistance programs.
  - Allow all immigrants to access health coverage on the marketplaces.
  - [Expand access to Pell grants](#) for students with DACA.
  - Encourage states to reduce barriers for immigrants accessing certain public services, occupational licenses, business and economic development support, and driving privileges.<sup>28</sup>
  - Withdraw regulations that restrict or deter access to public programs and benefits, including the Department of Homeland Security (DHS) final public charge regulation<sup>29</sup> and the Department of Housing and Urban Development (HUD) proposed immigration status verification regulation.<sup>30</sup>
  - Increase technical assistance, credit, and loans to immigrant entrepreneurs and immigrant-owned businesses through the Small Business Administration and Department of Commerce. Immigrants create businesses and jobs in our economy at a higher rate than the general population. Despite being only 14% of the population they founded more than 25% of new businesses in high-growth sectors and 28% of critical Main Street businesses—restaurants, grocery stores, and retail shops that revitalize communities and keep them dynamic.<sup>31</sup>

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<sup>27</sup> Lofgren, Zoe. "[Agricultural Worker Program Act of 2019](#)." U.S. House of Representatives. January 17, 2019.

<sup>28</sup> Bousquet, Steve. "[Let Undocumented Immigrants Drive Legally, and Stop Pretending They Don't Exist](#)." South Florida Sun-Sentinel. September 23, 2019.

<sup>29</sup> Department of Homeland Security. "[Inadmissibility on Public Charge Grounds](#)." Federal Register. August 14, 2019; Miller, Leila. "[Trump Administration's 'Public Charge' Rule Has Chilling Effect on Benefits for Immigrants' Children](#)." Los Angeles Times. September 3, 2019.

<sup>30</sup> Office of the Secretary, HUD. "[Housing and Community Development Act of 1980: Verification of Eligible Status](#)." Federal Register. May 10, 2019.

<sup>31</sup> Wallace, Dan. "[Immigration and the Small Business Workforce](#)." New American Economy. May 22, 2019.

- **Support students' transitions.** Pete's administration will welcome the transition of students who have studied in American colleges and universities to work visas by minimizing barriers to transitioning status for people with job opportunities here so their skills can be put to good use.<sup>32</sup>

### Support families and family values

Our nation has a long tradition of family-based immigration, but too many families have faced separation and strain due to flawed policies and laws. Pete's immigration agenda will welcome family members and minimize the pain of separation from loved ones. Pete will:

- **Accelerate reunification of families.** Pete will reduce the backlog of family-based visas and increase the number of visas issued for family reunification each year. He also will fight for reforms to re-classify spouses and children of permanent residents as immediate relatives, eliminate discriminatory annual per-country caps, end down-grading of family preferences (through aging out or getting married), and recognize same-sex partners from countries lacking marriage equality.
- **Support legislation authorizing H-4 visa holders to work.** This will prevent people from being forced to choose between not working and remaining in the U.S. with their spouse, or leaving so that they can financially contribute to their households.
- **End the three- and ten-year bars to re-entering the United States.** Many immigrants qualify for green cards based on a family relationship. However, they must leave the U.S. to apply, even though leaving would trigger a ban that could make them ineligible for that green card for up to 10 years.<sup>33</sup> Families should not be forced to endure extended separation. While promoting a legislative fix to end these bars, Pete will work to expand who can qualify for waivers.
- **End mandatory visa ineligibility for false claims of U.S. citizenship.** Many noncitizens unwittingly sign documents claiming U.S. citizenship when they register for a driver's license or seek employment. Doing so—even unintentionally—means one may never regularize their status through a family member. This disproportionate punishment should be moderated so that waivers are available and adjudicators have the discretion to forgive false claims to citizenship.
- **Extend deferred action protection to Special Immigrant Juveniles** while their applications are pending. Pete will ensure that applicants for Special Immigrant Juvenile Visas—minors who have been abused, abandoned, or neglected by their parents—are protected from removal and allowed work authorization while their cases are pending, just as we do for other vulnerable populations.
- **Fight human trafficking and other crimes against immigrants.** Immigrants are uniquely vulnerable to forms of harm including human trafficking, labor violations, and domestic violence. When immigrants fear interacting with law enforcement agencies, they are prevented from reporting crime and communities suffer. Many migrants, often children, are coerced by criminal

<sup>32</sup> Jingnan, Huo. "U.S. Degree? Check. U.S. Work Visa? Still A Challenge." NPR. July 10, 2018.

<sup>33</sup> "The Three- and Ten-Year Bars." American Immigration Council. October 28, 2016.



groups and employers into involuntarily providing labor or services, including commercial sex. To combat crimes targeting immigrants, Pete will:

- **Abolish arbitrary annual caps on crime victim U visas.** Pete will reduce visa processing times, standardize certification processes at the state level and allow for secondary evidence, and prioritize provisional approvals and deferred action. Survivors shouldn't have to wait for months or years to get visas, and no one who demonstrates visa eligibility should be deported while awaiting permanent residency.
- **Instruct DHS and DOJ to prioritize efforts to break up human and drug trafficking networks** and increase investigations and prosecutions, which have fallen behind. Pete's administration will target employers who use trafficked workers and strengthen enforcement of rules prohibiting any products made with forced labor.
- **Expand public education** to raise awareness of human trafficking and reduce demand for trafficked persons.

<b>Create an enforcement process that guarantees justice and safety for all</b>
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Our immigration enforcement system is not working. Current enforcement practices not only terrorize communities but also make all of us less safe by pulling resources away from genuine public safety concerns. The net result is harmful to communities and corrodes what should be the mission and focus of enforcement officers.

Pete will push for legislative reforms that strengthen inclusion in our communities and make our enforcement efforts more targeted and effective. While working with Congress on these reforms, his administration will review our enforcement practices to ensure that the chaos and harm unleashed under the current administration never happens again. He will also reinstate common-sense enforcement priorities to assure law-abiding people who pose no public safety risk that they have nothing to fear from our government. Pete will:

- **Reinstate enforcement priorities.** Through executive order, Pete will prioritize enforcement efforts on people who have committed serious crimes, people just arriving who have no asylum or other humanitarian claims, and people who circumvent our laws for profit, including employers who exploit immigrant labor and human traffickers who endanger lives. Pete will offer deferred action for people who have lived in the U.S. for many years, vulnerable populations, and others with strong ties to the community.
- **Maintain separation between federal immigration enforcement and state and local governments.** Pete will end the section 287(g) agreements and threats to withhold federal funding to so-called sanctuary cities, which will help establish trust between police and their communities. Pete will also reinstate and reinforce prohibitions against immigration enforcement near sensitive locations such as schools, health facilities, places of worship, and courts.

- **Update the list of removable offenses.** The list is extensive, outdated, overly harsh, and inconsistent with criminal justice reforms. Many of the offenses identified as priorities are drug crimes or misdemeanors. Mirroring disproportionate racist enforcement in our criminal justice system, Black immigrants are disproportionately detained and deported on criminal grounds.<sup>34</sup> If someone is a genuine public safety threat, they certainly will receive due process and face removal, but the current list does not serve this interest and should be changed. Its changes should apply retroactively so that offenses that previously made someone removable would not continue to have that effect.
- **Create a [federal matching fund](#) to establish and support immigration specialists within public defender offices.** Minor misdemeanor offenses can trigger deportation because of the infraction's definition in the state's criminal code. Without a strong understanding of complex immigration laws, a public defender can inadvertently put an immigrant client in danger of deportation when a different approach would have avoided adverse immigration consequences.<sup>35</sup>
- **End multi-million dollar private, for-profit prison contracts for detaining immigrants and reduce immigration detention dramatically.** The U.S. has the largest immigrant detention system in the world.<sup>36</sup> Immigration detention is not meant to be punitive; rather, it is meant to hold immigrants who present a danger or a flight risk in removal proceedings.<sup>37</sup> Yet we detain far more immigrants than necessary for this purpose, and it is driven in large part by the prison industrial complex. Profit motive should have no role in incarceration of any kind, including mass incarceration of immigrants.<sup>38</sup> ICE pays several hundred dollars per person per day in detention, and alternative programs cost an average of \$4.42 a day.<sup>39</sup> Community-based alternatives such as family case management programs are shown to be over 99% effective in terms of getting people to their court hearings, and they are also much less expensive and more humane.<sup>40</sup> To dramatically reduce immigration detention, Pete will:
  - **Reinstate and expand the Family Case Management Program and ensure that it is operated by non-profit organizations.**<sup>41</sup> This is a more humane and cost-effective way to ensure families fully participate in their immigration court proceedings.
  - **Increase funding for community-based alternatives to detention, including faith-based programs.**<sup>42</sup>
  - **Create a [default expectation](#) that immigrants will be released on their own recognizance or in an alternatives to detention program where there is no significant threat to public safety,** especially those for whom detention poses a particular risk of

<sup>34</sup> Ibrahim, Shamira. "[Ousman Darboe Could Be Deported Any Day. His Story Is a Common One for Black Immigrants](#)." Vox. September 30, 2019.

<sup>35</sup> [Padilla v. Kentucky](#), 130 S. Ct. 1473 (2010)

<sup>36</sup> Kassie, Emily. "[How the U.S. Built the World's Largest Immigration Detention Center in the World](#)." The Guardian. September 24, 2019.

<sup>37</sup> "[The Expansion and Troubling Use of ICE Detention](#)." U.S. House of Representatives. September 26, 2019.

<sup>38</sup> Misra, Tanvi. "[Emails Show How Private Firms Profit from ICE Detention Centers](#)." Roll Call. September 26, 2019.

<sup>39</sup> Kassie, Emily. "[How the U.S. Built the World's Largest Immigration Detention Center in the World](#)." The Guardian. September 24, 2019.

<sup>40</sup> "[Family Case Management Program](#)." Women's Refugee Commission.

<sup>41</sup> Ibid.

<sup>42</sup> "[The Expansion and Troubling Use of ICE Detention](#)." U.S. House of Representatives.

harm, including children, pregnant women, LGBTQ+ people, and asylum seekers. Pete will also end the [automatic transfer of children](#) in HHS custody to ICE detention centers on their eighteenth birthdays.

- For those who remain in immigration detention, Pete will **strengthen standards for treatment of individuals in custody and emphasize the importance of family unity.** He will also conduct both regular and unannounced audits and fines and de-licensing for facilities that fail audits to ensure compliance. Pete will ensure periodic bond redetermination hearings for the few who remain detained and eliminate the use of solitary confinement in immigration detention.
- **Support the right to counsel for people in deportation proceedings.** When a person in immigration proceedings has representation, they are far more likely to show up to their court hearings, understand how to navigate a complicated process, and make informed decisions.<sup>43</sup> Legal representation also increases the efficiency of the courts and helps ensure that proceedings are fundamentally fair and in keeping with American principles of due process and the rule of law. Pete will urge Congress to allocate funds and work with legal service providers and state and local governments to create a system that makes counsel available, building off of the success of programs like the New York Immigrant Family Unity Project.<sup>44</sup> He will also involve the private sector in delivering more pro bono legal services.
- **Make our immigration court system independent.** Immigration courts, like all courts, should not be political. Yet immigration courts are currently under the control of the Attorney General, which has meant greater politicization, to the detriment of immigrants' rights and lives.<sup>45</sup> Pete will create and fully fund an independent immigration court system under Article I. This system will guarantee immigration judges full procedural power and ensure that all immigrants receive due process and timely resolution in their cases.
- **Create a process to review unlawful deportations.** It is not enough to reset our policies without addressing the grave harm created by this administration. People who never should have been deported—parents separated from their children at the border and military veterans and their families in particular—must not be forgotten. Pete's administration will implement a process to review the current administration's deportation decisions. Pete will also review the current administration's immigration policies and implement appropriate changes, including greater oversight, transparency, and ways to hold bad actors accountable.<sup>46</sup>
- **Ensure that civil rights are protected.** Pete will undertake a number of reforms to ensure that the DHS's Office of Civil Rights and Civil Liberties (CRCL) is meaningfully empowered.<sup>47</sup> He will instruct CRCL to create a civil rights assessment tool for new regulations and policies and recommend specific solutions to DHS in individual cases alleging civil rights violations. Pete will

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<sup>43</sup> "[Immigrants and Families Appear in Court](#)," American Immigration Council. July 30, 2019.

<sup>44</sup> "[The New York Immigrant Family Unity Project](#)," Vera Institute of Justice. 2019.

<sup>45</sup> Preston, Julia. "[Is It Time to Remove Immigration Courts from Presidential Control?](#)" The Marshall Project. August 28, 2019.

<sup>46</sup> Thompson, A.C. "[Border Patrol Has a Long History of Agent Misconduct. Why Hasn't It Been Addressed?](#)" PS Mag. June 24, 2019.

<sup>47</sup> Shuchart, Scott. "[Building Meaningful Civil Rights and Liberties Oversight at the U.S. Department of Homeland Security](#)," Center for American Progress. April 2, 2019.

also authorize CRCL to subpoena third-party agencies who partner with DHS and are alleged to have violated individuals' civil rights and civil liberties.

- **Take some forms of immigration relief out of the courts.** The backlog of cases pending before immigration courts has reached an all-time high, exceeding one million.<sup>48</sup> Certain forms of relief are currently only available in immigration court, which contributes to this backlog unnecessarily. Pete will allow U.S. Citizenship and Immigration Services (USCIS) to adjudicate certain types of cases overwhelming the system, including cancellation of removal requests and “readjustments,” which correct technical errors. Pete will also encourage Immigration and Customs Enforcement (ICE) to agree to relief from deportation in currently-pending cases via written motion, rather than a hearing before an immigration judge.
- **Allow for reopening and termination of unexecuted removal orders.** Some individuals with removal orders continue to live and work in the United States under regular government supervision for years and establish strong ties to their communities. Others have lived without knowledge that they were ordered removed because no action was taken against them. If these immigrants have no criminal convictions and pose no security threat after five years, and would qualify for immigration relief but for the removal order, DHS should allow them to reopen their removal orders and seek lawful status. This will allow ICE to focus its resources on individuals who are actually a threat, while removing the threat of deportation from others.

### Protect Our Border and the People Who Arrive at Our Door

Current border policies have not improved Americans' security or economic well-being, nor fulfilled our country's legal obligations to asylum seekers. Instead, new policies such as metering and “Remain in Mexico” have forced tens of thousands of asylum seekers to stay in Mexico, with virtually no access to legal services and heightened safety and health threats.<sup>49</sup> These policies have also harmed the rights of people in immigration proceedings,<sup>50</sup> decimating any semblance of due process and forcing countless bona fide asylum seekers to abandon their claims for protection. In the last few months, over 340 public reports of rape, assault, and kidnappings committed against asylum seekers have occurred in Mexico, and many more cases have never been documented.<sup>51</sup> Women, children, and LGBTQ+ individuals are particularly at risk.<sup>52</sup>

Pete's plan for the border ensures that we protect asylum seekers' rights from the moment they reach our borders. It also modernizes ports of entry and overall border management processes to efficiently and effectively handle today's trade and border dynamics. Pete will:

<sup>48</sup> Alvarez, Priscilla. “[Immigration Court Backlog Exceeds 1 Million Cases, Data Group Says](#).” CNN. September 18, 2019.

<sup>49</sup> “[Orders from Above: Massive Human Rights Abuses Under Trump Administration Return to Mexico Policy](#).” Human Rights First. October, 2019.

<sup>50</sup> Leopold, David. “[Bearing Witness at the Southern Border](#).” Medium. September, 24, 2019.

<sup>51</sup> “[Orders from Above: Massive Human Rights Abuses Under Trump Administration Return to Mexico Policy](#).” Human Rights First. October, 2019.

<sup>52</sup> Leanos, Reynaldo. “[LGBTQ Migrants Face Unique Dangers When U.S. Rejects And Returns Them To Mexico](#).” Texas Public Radio. September 9, 2019.

- **Immediately end the inhumane practice of family separation and help families who have been impacted.** The U.S. Commission on Civil Rights found that the “impact of separating immigrant families and indefinite detention is widespread, long-term, and perhaps irreversible physical, mental and emotional childhood trauma.”<sup>53</sup> Pete will immediately end this practice and support codifying solutions, like the Keep Families Together Act, into law.<sup>54</sup> Pete will order DHS to work towards settlement of litigation brought on behalf of affected families and provide mental health services for these families.<sup>55</sup>
- **End harmful and counterproductive border policies,** including “Remain in Mexico,” metering, and the third country transit ban, and ensure that asylum screening is undertaken by trained Asylum Officers, never CBP officers.
- **Shift responsibility for processing centers to the Department of Health and Human Services (HHS) to ensure proper care of asylum seekers.** When asylum seekers arrive at the border, they may spend days or even weeks in Customs and Border Protection (CBP) processing centers. Many centers are overcrowded, lack basic hygiene features, and are not designed for long-term detention or families. To ensure that all families and children receive appropriate care from the moment they enter the United States, Pete will send asylum seekers and other migrants to newly created HHS-run facilities.

These HHS-run facilities will be staffed by personnel trained in health, trauma-informed and age-appropriate care, and emergency aid. They will be equipped for overnight accommodations and prioritize the safety of migrants and asylum seekers. Outside agencies and watchdog groups will make regular and unscheduled inspections of these facilities. People will not be subject to comprehensive screening until they have had time to recover from their journeys and have accessed “Know Your Rights” information and counsel. Those without a lawful basis for staying in the United States will be processed and then removed. But people who establish a “credible fear” of persecution will be able to seek asylum. These reforms will allow CBP agents to return their focus to border management and enforcement tasks.<sup>56</sup>

- **Change the way asylum seekers’ cases are heard at the border.** Currently people claiming asylum and other humanitarian protections face a screening interview and then are placed in the queue for a full asylum hearing in an adversarial courtroom setting years later. Pete will greatly improve this process by allowing asylum officers to conduct full asylum interviews and adjudication, consistent with their role in the affirmative asylum process.<sup>57</sup> Each asylum seeker will be entitled to a lawyer, and the federal government will work with legal service providers to create a system to substantiate this guarantee. To expedite these interviews and adjudications, the USCIS Asylum Corps will streamline certain types of cases. Asylum seekers who are not granted asylum following an interview will have the option of seeking review before an immigration

<sup>53</sup> “[Trauma at the Border: The Human Cost of Inhumane Immigration Policies](#),” U.S. Commission on Civil Rights. October 24, 2019.

<sup>54</sup> Feinstein, Diane. “[Keep Families Together Act](#),” Congress.gov. June 7, 2018.

<sup>55</sup> Chatterjee, Rhitu. “[Lengthy Detention Of Migrant Children May Create Lasting Trauma, Say Researchers](#),” NPR. August 23, 2019.

<sup>56</sup> Fernandez, Manny. Miriam Jordan, Zolan Kanno-Youngs, and Caitlin Dickerson. “[‘People Actively Hate Us’: Inside the Border Patrol’s Morale Crisis](#),” New York Times. September 15, 2019.

<sup>57</sup> Meissner, Doris. Faye Hipsman and T. Alexander Aleinikoff. “[The U.S. Asylum System in Crisis](#),” Migration Policy Institute. September, 2018.

judge. This will be conducted as expeditiously as possible while still protecting the due process rights of the asylum seeker.

- **Expand the Emergency Refugee and Migration Assistance (ERMA).** This will enable federal agencies and states to respond to humanitarian challenges at our borders in the same way that we enable the State Department to respond to overseas refugee crises.<sup>58</sup>
- **Restore long-standing asylum protection to women and children who have fled domestic violence and families and children escaping from deadly gangs.** Recent protests have drawn attention to the ongoing global scourge of violence against women and the complicity of government actors in that violence.<sup>59</sup> Pete will restore long-standing asylum jurisprudence that recognizes gender-based and gang violence.
- **Invest in smart border technology.** The proposed border wall is astronomically expensive and ineffective, and would do immense destruction to wildlife and communities in the region. Pete will stop the construction of a border wall and invest in technological solutions that are safe, cost-effective, less intrusive, and responsive to the actual challenges faced by securing our border.<sup>60</sup> Some estimates show that technologically-driven border solutions may cost between \$1 to 2 billion, compared with \$60 billion projected for a physical barrier.<sup>61</sup>
- **Update border processing facilities and criteria for inspections.** As a recent internal report found, CBP inspection policies are outdated and don't reflect new technology or threats. For example, officers have no guidance on how to handle the drug fentanyl.<sup>62</sup> Pete will ensure that CBP has up-to-date guidance that responds to active threats, as well as sufficient staff and specialists.<sup>63</sup>

### Engage with the Global Community

The Trump administration's policies have distanced America from the world, undermined our State Department, harmed immigrants and visa applicants, and damaged our global credibility. Solving global challenges requires strong leadership and relationships. Pete will lead with a focus on our values and innovative solutions to migration and forced displacement.

### Restore our openness to the world

<sup>58</sup> "[Emergency Refugee and Migration Assistance](#)." InterAction.

<sup>59</sup> Miranda, Carolina. "[How the Vira Protest 'A Rapist in Your Path' Became a Defiant Anthem for 2019](#)." Los Angeles Times. December 10, 2019.

<sup>60</sup> "[A Smart Wall](#)." Future Majority. October 29, 2019.

<sup>61</sup> Ibid.

<sup>62</sup> "[CBP Should Update Policies and Enhance Analysis of Inspections](#)." U.S. GAO. August 6, 2019.

<sup>63</sup> Miroff, Nick. "[U.S. Customs Agency is So Short Staffed, it's Sending Officers from Airports to the Mexican Border](#)." Washington Post. January 19, 2018.



- **End the Muslim Ban on Day One.** Pete will immediately end this ban, which should be anathema to our values as Americans.
- **Urge Congress to Pass the National Origin-Based Anti-discrimination for Nonimmigrants Act (NO BAN Act).** Pete will work with Congress to pass the NO BAN Act, which imposes limitations on the underlying law used by the Trump administration to enact the Muslim Ban and Asylum Ban.<sup>64</sup> The bill prohibits religious discrimination in various immigration-related decisions.
- **Protect our Afghan and Iraqi Partners by Reforming the Special Immigrant Visa Process.** As Pete knows, our soldiers in Iraq and Afghanistan often rely on locals and translators to accomplish our mission. These Iraqis and Afghans risked their lives in the service of the United States and we, as a nation, opted to repay that commitment by setting aside special immigrant visas each year for them to escape potential harm. However, the long, difficult, and stringent vetting measures and security checks have unnecessarily delayed these visas, with often deadly repercussions. Pete will honor our nation's commitments by resolving these cases and ensuring these visa applicants are safe.
- **Protect the Diversity Visa program.** The Diversity Visa program gives people from low-admission countries that lack a pathway to immigration through existing channels an opportunity to immigrate legally. Despite its success, the Trump Administration has submitted proposals to end the program.<sup>65</sup>

**Respond comprehensively and humanely to conditions in Latin America**

- **Fully restore and increase aid to Central America.** The Trump administration suspended nearly \$450 million in aid to El Salvador, Honduras, and Guatemala in retaliation for failing to stop migrants from leaving for the United States.<sup>66</sup> This short-sighted response has only exacerbated the dire conditions that lead to people fleeing in the first place. Providing aid is not just a humanitarian impulse; studies have shown that increased foreign aid decreases emigration.<sup>67</sup> Pete will reinstate aid to specifically address gender-based violence, human trafficking, and the crisis in the region's coffee industry. He will also support efforts to mitigate the effects of climate change, which is significantly increasing the number of migrants from the region.<sup>68</sup> Pete's administration will restore funding to additional programs proven effective in improving the rule of law, functioning judicial systems, education, regional safety and economic stability, and combat corruption.

<sup>64</sup> Chu, Judy. "[No Ban Act](#)." U.S. House of Representatives. April 10, 2019.

<sup>65</sup> Sacchetti, Maria. "[Here's What You Need to Know About the Diversity Visa Lottery Program](#)." Washington Post. November 1, 2017.

<sup>66</sup> Escarce, Alissa. "[In Guatemala, A Bad Year For Corn — And For U.S. Aid](#)." NPR. September 30, 2019.

<sup>67</sup> Jonas Gamso and Farhod Yuldashev, "[Targeted Foreign Aid and International Migration: Is Development-Promotion an Effective Immigration Policy?](#)" International Studies Quarterly 62 (4) (2018): 809–820; Seiff, Kevin. "[U.S. Officials Said Aid to El Salvador Helped Slow Migration. Now Trump is Canceling it](#)." The Washington Post. April 1, 2019.

<sup>68</sup> Donovan, Louise. Christina Asquith. "[El Salvador Kills Women as the U.S. Shrugs](#)." Foreign Policy. March 7, 2019; Blitzer, Jonathan. "[How Climate Change is Fueling the U.S. Border Crisis](#)." The New Yorker. April 3, 2019.

- **End any “asylum cooperation agreements”** with countries that lack the capacity to manage, process, and keep people safe. This includes El Salvador, Honduras, and Guatemala, from where many refugees are fleeing in the first place.<sup>69</sup> The current administration has created a rule that sends asylum seekers to countries plagued by instability and violence with the aim of limiting legal immigration rather than keeping people safe.<sup>70</sup> While multinational cooperation is essential to responding to global challenges, these agreements fail to protect vulnerable people and are another example of this administration’s cruelty.
- **Work with regional partners to address the Venezuelan refugee and migrant crisis.** This work will include providing bilateral assistance to countries such as Colombia and Peru that have received millions of Venezuelan refugees, as well as providing Temporary Protected Status (TPS) for Venezuelan nationals in the United States.
- **Restore and expand the Central American Minors (CAM) Program** which offers a safe and legal pathway for Central American minors seeking humanitarian protection in the United States.

**Undertake global leadership to protect and resettle refugees**

- **Commit to resettle refugees and allow communities to sponsor refugees and asylum seekers.** Accepting refugees is not just part of our values; it also serves our interests at home and abroad. As military leaders have made clear, if we close the door to refugees, we compromise our military objectives and undermine efforts to stabilize regions in conflict.<sup>71</sup> Pete pledges to welcome at least 125,000 refugees in his first year in office and supports the GRACE Act, which sets an annual floor of 95,000 refugee arrivals (the historical average) instead of a ceiling.<sup>72</sup> Pete also supports mechanisms to increase the number of stakeholders invested in resettlement, such as Canada’s private sponsorship model, which allows local nonprofits, houses of worship, and others to augment—but not replace—the capacity of resettlement agencies and welcome refugees and asylum seekers. Pete is also committed to ensuring that LGBTQ+ refugees are placed in communities that are welcoming and respectful of their needs.
- **Create a Global Refugee Resettlement Fund.**<sup>73</sup> Refugees bring in far more revenue from taxes, business permits, and other fees than they consume in public benefits, but a high up-front cost prevents countries from undertaking refugee resettlement.<sup>74</sup> Pete will work with other countries and private finance and impact capital to create a fund to incentivize governments to create resettlement slots. It will be replenished by allocating a small share of what refugees will contribute in taxes once resettled in destination countries, making the fund self-sustaining. One report found that “the net fiscal impact of refugees was positive over the 10-year period, at \$63

<sup>69</sup> Margulies, Peter. “[New Homeland Security Asylum Rule Allows Removal to Central American Countries That Have Signed Agreements With the U.S.](#)” Lawfare. November 21, 2019.

<sup>70</sup> Narea, Nicole. “[Trump’s Agreements in Central America are Dismantling the Asylum System as We Know It.](#)” Vox. November 20, 2019.

<sup>71</sup> Natter, Robert. Mark Hertling. “[Cutting Refugee Admissions Will Have Severe Consequences for the U.S. Military.](#)” Washington Post. September 8, 2019.

<sup>72</sup> Lofgren, Zoe. “[GRACE Act.](#)” U.S. House of Representatives. April 9, 2019.

<sup>73</sup> “[Resettlement Revolving Fund.](#)” Airbel Impact Lab. 2019.

<sup>74</sup> “[Rejected Report Shows Revenue Brought In by Refugees.](#)” New York Times. September 19, 2017.

billion.”<sup>75</sup> The fund will incentivize countries to open additional resettlement slots by shouldering the upfront costs of resettlement and reducing the financial risk for them to bring in refugees.

- **Advance refugee protection through robust support of UNHCR and governments that are hosting significant numbers of refugees.** Pete will re-commit the United States to the Global Compact on Migration and the Global Compact on Refugees and deliver bilateral budgetary support to the United Nations and other countries hosting refugees.
- **Address the reality of climate displacement by working with other nations to manage and create a unified response to climate-caused migration.** Pete will focus on minimizing displacement by addressing the root causes of climate change and enabling communities to build resilience to extreme weather that is an outcome of climate change.
- **Lead against persecution and discrimination of [LGBTQ+ people](#).** Pete will advocate strongly for LGBTQ+ rights worldwide, particularly in contributing to the movement to remove homophobic and transphobic laws that prevent people from living safe and open lives in their countries, so that people will not be forced to flee their native countries. Pete will document persecution and discrimination against LGBTQ+ individuals and organizations in countries around the world. U.S. embassies and consulates should be safe and welcoming spaces for local LGBTQ+ individuals and organizations. Our ambassadors and U.S. representatives at the United Nations and other international organizations should provide leadership in speaking out and supporting policies that reflect our American values of diversity and inclusion of all people.

#### Modernize our processes at home and abroad

We need modernized immigration processes that are affordable, easy to navigate, and can deliver decisions in a timely fashion. Pete’s administration will be committed to improving visa application and entry processes without compromising our security for the 15 million individuals applying for immigrant and non-immigrant visas from our embassies and consulates abroad, or the nearly 9 million applicants and petitioners who file their forms with DHS domestically each year.

- **Re-establish visa and foreign visitor processing goals.** A foreign visitor’s first and often only interaction with the U.S. government is through their visa interview at a U.S. Embassy and Consulate. President Obama’s State Department enacted a series of processing reforms to ensure speedy processing of visa applications.<sup>76</sup> President Trump quietly rescinded these policies. Pete will reinstitute these goals and expand resources for the Consular Affairs Bureau to ensure the goals are met.
- **End the administrative processing backlogs.** This administration has surged visa denials and administrative processing delays that have harmed otherwise legitimate travelers and immigrants

<sup>75</sup> Ibid.

<sup>76</sup> “[Executive Order 13597: Establishing Visa and Foreign Visitor Processing Goals and the Task Force on Travel and Competitiveness](#).” Homeland Security Digital Library. January 19, 2012.

to the United States.<sup>77</sup> In addition, domestically, backlogs have grown for most immigration workstreams—extending the wait for citizenship up to two years in some cities—and threatening economic growth by hampering American businesses’ ability to hire needed workers.<sup>78</sup> Pete will ensure all the necessary staffing and resources are available to end such delays.

- **Modernize the application and review process.** Too many of our visa and immigration processes are unnecessarily costly and burdensome for applicants and reviewing officers alike. Pete will create a modern processing system that relies on technology and automation, where possible, and ensures accessibility and affordability. He will also move to waive in-person interviews for certain low-risk, qualified individuals, and use technology to improve security.
- **Elevate Consular Affairs to a separate Undersecretary level position.** With a budget of \$4.6 billion annually and being at the center of all policy and process involving immigration, Consular Affairs needs to have a greater voice in the State Department and will have a greater voice in the Buttigieg administration. Pete will work with Congress to make Consular its own Undersecretary position in State and ensure they work closely in advising both the Executive and Legislative branch on pertinent immigration issues.

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<sup>77</sup> Anderson, Stuart. “[New Data Reveal State Department Visa Denials Surged In 2018](#).” Forbes. March 1, 2019.

<sup>78</sup> “[Policy Changes and Processing Delays at U.S. Citizenship and Immigration Services](#).” U.S. House Committee on the Judiciary. July 16, 2019; Maurer, Roy. “[USCIS Processing Delays Impede Employers](#).” SHRM. August 12, 2019.