

# 118th Congress Congressional Hispanic Caucus Border and Immigration Task Force Policy Priorities Proposal for Caucus Consideration

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1. **Protect Dreamers and DACA Recipients.** DACA-eligible individuals are vital contributors to our nation and deserve stability and a pathway to citizenship. The 5th Circuit Court of Appeals ruled that DACA is unlawful — impacting the lives of millions of people across the country and harming communities and the economy. Congress must immediately pass legislation such as Article I of the Dream and Promise Act to prevent nearly 700,000 young people from losing their jobs and being torn from their families. While the CHC continues to advocate for a permanent solution to relieve DACA and Dreamers, we also urge the Presidential administration to streamline and fast-track approval processes for DACA renewals and Advance Parole applications. We also urge the administration to establish new processes to inform DACA recipients of additional pathways for which they may be eligible and access those opportunities, including improved use of waivers and consular processing.
2. **Grant redesignations of Temporary Protected Status (TPS) for recently arrived immigrants and streamline TPS processes.** The Administration should continue to grant TPS redesignations to migrants fleeing dangerous national conditions. This would provide deserving, newly-arrived migrants and their families with stability and freedom from unjust deportations. Importantly, TPS redesignations also provide immediate, expedited work authorizations for migrants, allowing would-be asylum seekers to avoid mandatory work authorization waiting periods and work to support their families immediately. The Administration recently made important progress by redesignating South Sudanese, Venezuelan, and Cameroonian nationals for TPS. However, immigrant arrivals from other troubled nations like El Salvador, Honduras, Nicaragua, Nepal, Somalia, Nigeria, the Democratic Republic of Congo, Mali, and Mauritania also deserve strong consideration for TPS redesignations of the continuous residence date in the U.S. as well. We also suggest the administration waive filing fees for all designated non-profits, community-based organizations, and municipalities assisting TPS applicants on a case-by-case basis to reduce the administrative burden for these organizations and streamline the process.
3. **Advance protections for agricultural workers through the Farm Workforce Modernization Act of 2023.** Farm workers feed America and support one of the most critical sectors of the national economy. The *Farm Workforce Modernization Act*, H.R. 4319, creates a workforce solution for America's agriculture industry. The bill reforms the H-2A program to provide more flexibility for employers while ensuring critical protections for workers. It establishes a program for agricultural workers in the United States to choose to earn legal status through continued agricultural employment and contribution to the U.S. agricultural economy. It modifies the program to make it more responsive and user-friendly for employers and provides access to the program for industries with year-round labor needs.
4. **Provide a pathway to citizenship for undocumented individuals in the United States and its territories.** Millions of immigrants have lived in the United States for years, contributing to the economy while building families and homes in the U.S. They are vital to our workforce and communities and deserve the certainty of a permanent status. Congress must enact legislation that provides a long-overdue pathway to

citizenship for undocumented individuals. This must be a comprehensive solution that enhances the economic viability of the United States and its territories, such as the Northern Mariana Islands, Puerto Rico, U.S. Virgin Islands, Guam, American Samoa, etc. Doing so will allow U.S. territories to build on their recovery from the pandemic and recent natural disasters and continue investments in the local workforce.

5. **Create family reunification parole programs for additional countries to assist with I-130 backlogs.**

USCIS's current I-130 petition program allows family members of U.S. citizens located outside the U.S. to apply for green cards with assistance from their family in the U.S. However, those applicants cannot enter the U.S. until their green card applications are fully processed and approved. Due to significant processing backlogs, the average processing times for I-130 green cards currently take several years. To combat this, family reunification parole programs within USCIS allow family members with outstanding I-130 petitions to, on a case-by-case basis, receive immediate entry into the U.S. while their applications are processed, reuniting them with their families sooner. While these programs already exist for citizens of Cuba, Haiti, El Salvador, Guatemala, Honduras, Colombia, and Ecuador, USCIS should expand its efforts and create family reunification parole programs for additional countries with large I-130 backlogs—such as the Dominican Republic and the Philippines, amongst others—as well as to nations currently experiencing social and political turmoil—such as Peru and others.

6. **Facilitate access to work authorization for newly arrived immigrants.** Statutory and regulatory wait periods and delays in work authorization processing prevent many newly arrived immigrants from supporting their families, achieving financial stability, and contributing to the economy. These barriers also increase pressure on cities and states that welcome asylum seekers and other immigrants. Congress and the Administration should work to reduce wait periods for work authorizations, expand the use of parole, and fund work authorization processing to alleviate burdens on immigrants and communities. The Administration should also expand its efforts to promote work permit enrollment and broaden the eligibility for initial I-765 filing fee exemptions. The Administration should also grant work authorization to parole recipients when parole status is improved. This policy has been successfully used for the Ukrainian parole program and should be expanded to people from Cuba, Nicaragua, Venezuela, Haiti and all future parolees. For parolees who are already in the United States, the Administration should expand its efforts to promote work permit enrollment and broaden the eligibility for initial I-765 filing fee exemptions. We understand that USCIS also has the authority to coordinate a large-scale I-765 adjudication operation in New York City and other major cities for people paroled into the U.S. through CBP One, as it did on the military bases that received evacuated Afghans in 2021. USCIS should utilize this authority immediately in as many locations as possible.

7. **Provide \$10 billion for the Shelter and Services Program:** This funding would be used to fund the newly created Shelter and Services Program (SSP) for communities and non-governmental organizations (NGOs). Following a historic year of asylum seeker arrivals to the United States, allocating \$10 billion for this program is critical to ensuring that migrants, many of whom are families with children, receive necessary lifesaving resources in a timely manner. Through direct grant assistance, which is disbursed upfront, state agencies and NGOs can better plan to secure and maintain shelter space, provide orientation services, and arrange transportation instead of submitting reimbursement requests and waiting to be repaid. Additionally, the FEMA 45-day timeline for the use of SSP funds should also be extended to allow continued services to noncitizen migrants. The 45-day period is unworkable for most border and destination cities.

8. **Establish an Interagency Task Force.** Efforts to address migrants' housing, social, and administrative processing needs are siloed. We strongly encourage the Administration to convene an interagency task force consisting of USCIS, FEMA, and the Department of Housing and Urban Development (HUD) to identify ways to expedite work authorization, clear the asylum processing backlog, and transition migrants out of shelter into affordable housing to reduce the strain on municipalities.
9. **Support regional migration solutions in the Americas.** Humanitarian and development financing initiatives in coordination with the United Nations Refugee Agency, UNHCR, and the International Organization for Migration are needed for stabilization, regularization programs, migration pathways, and integration initiatives. This should include, but not be limited to, expanded access to refugee, labor, and family-reunification migration pathways through Safe Mobility Offices and deeper support for successful existing regional initiatives.
10. **Fund community-based case management programs that decrease immigrant detention.** Community-based alternatives to detention, such as case management programs funded through FEMA, are more cost effective and humane than detention. Case management programs have produced high compliance rates with court procedures, proving that with the proper assistance, individuals can navigate legal proceedings and comply with immigration obligations. These alternatives are crucial to reducing our reliance on a for-profit detention system that incentivizes prolonged detainment, inadequate services, and poor medical care for detained individuals.
11. **Provide funding to relieve the immigration court backlog:** More than 2 million cases are pending in our immigration courts, an amount that's tripled since the start of fiscal year 2017. According to CRS, it would take more than 300 additional immigration judges to begin addressing the backlog and an additional 700 immigration judges to clear it by Fiscal Year 2032. The resulting delays create uncertainty for those caught in the backlog and prevent vulnerable populations from accessing protections for which they qualify under the law. Congress must provide funding for several hundred immigration judges, court operations, and additional personnel, beginning with \$1.4 billion to support hiring 375 additional immigration judge teams, support the legal access program for two years, and fund the United States Digital Service partnership.
12. **Guarantee access to counsel for asylum seekers in federal custody and increase funding for legal representation and legal orientation programs for adults.** More than 60% of people defending against deportation in U.S. immigration courts do not have a lawyer. Legal counsel drastically increases the prospect of a person obtaining protection and ensures court efficiency. Legal orientation programming is a critical safety net, but funding is woefully inadequate to meet the need. Consider guaranteeing legal counsel to asylum seekers who are awaiting their Credible Fear Interviews (CFIs) or have been released from federal custody.
13. **Reduce backlogs for an efficient legal immigration system and remove barriers that hinder American innovation and family reunification.** Legal immigration enriches our country, both culturally and economically. The 3- and 10-year bars and numerical caps have created an inefficient system with decades-long backlogs. We must expand legal pathways for families, workers and diverse immigrants to come to the U.S. Congress should also raise the per-country caps for family and employment-based visas established in the Immigration Act of 1990, and the visa backlog should be capped at 10 years to provide those who have been waiting for a family-based or employment-based visa for 10 years or more with that visa.

14. **Advance immigration protections through the Democratic bill, H.R. 3194, the *U.S. Citizenship Act*.**  
The bill would make critical reforms to our immigration system by expanding pathways to citizenship for migrants, addressing the root causes of migration, managing the southern border, and updating the immigrant visa system. It would also expand USCIS' processing capacity to facilitate work permit authorizations and reduce visa backlogs.
15. **Update the INA registry cutoff date through H.R. 1511, the *Renewing Immigration Provisions of the Immigration Act of 1929*.** The status adjustment process in the Immigration and Nationality Act (INA), better known as the registry, was first enacted almost 94 years ago, on March 2, 1929. Registry permitted certain immigrants who had been continuously present in the United States since June 3, 1921, to apply for permanent residency. Since then, the cutoff date for eligibility for the registry has been modified several times. However, the registry date was last updated via the 1986 Immigration Reform and Control Act (IRCA) to January 1, 1972, marking 37 years since the last significant update to this important immigration provision which could legalize the status of millions of Americans-in-waiting. H.R. 1511 would update the registry date for the first time in 30+ years.
16. **Keep American families together.** Consider restoring judicial discretion by giving immigration judges and officers (within the Department of Homeland Security) the authority to waive, on a case-by-case basis, certain grounds of inadmissibility or deportability if the denial of immigration status or removal would result in hardship to a U.S. citizen spouse, parent, or child. In addition, safeguarding and keeping our military families together is a priority for Congress; we support legislation like the Protect Patriot Spouses Act and Protect Patriot Parents Act, which would protect the undocumented spouses or parents of military members by providing a path to legal residency, eliminating the threat of deportation, and upholding the unity of those who serve and sacrifice for our nation.
17. **Expand Minor Reunification.** Minors should be reunited with their families through a new external family reunification program for children and young adults under the age of 21 seeking to be reunited with a parent holding legal status in the United States. This would allow them to be paroled into the United States and united with their parent(s). They would be eligible to join their parent's status as a dependent.
18. **Establish a Humanitarian Visa for Pre-Screened Asylum Seekers.** Congress and the President should consider creating a new humanitarian visa offered to individuals who choose to get pre-screening for asylum in Latin America and have very credible cases based on overwhelming evidence presented. Individuals receiving humanitarian visas would be authorized to travel to the United States to have their asylum claims adjudicated.