

April 14, 2022

The Honorable Chris Murphy
Chairman
Senate Appropriations Subcommittee on
Homeland Security
S-128, The Capitol
Washington, DC 20510

The Honorable Shelley Moore Capito
Ranking Member
Senate Appropriations Subcommittee on
Homeland Security
S-128, The Capitol
Washington, DC 20510

Dear Chairman Murphy and Ranking Member Capito:

On behalf of UnidosUS, I write to urge you to advance a Homeland Security FY2023 appropriations package that safeguards our immigrant and frontline workforce and their families, and that helps build a modern immigration system where aspiring Americans can contribute their full potential.

UnidosUS, previously known as the National Council of La Raza (NCLR), is the nation's largest Hispanic civil rights and advocacy organization which has built a stronger country by creating opportunities for Latinos for more than 50 years. Through its unique combination of expert research, advocacy, programs, and an Affiliate Network of nearly 300 community-based organizations across the U.S. and Puerto Rico, UnidosUS simultaneously challenges the social, economic, and political barriers at the national and local levels.

Immigrants are integral members of our communities and essential to a robust economic recovery. As has been **documented**, one major obstacle to a healthy recovery continues to be a major labor shortage that is preventing businesses from hiring the workers that they need, contributing to supply chain issues, which in turn contributes to inflation. That is why it is essential to stabilize our workforce, including by providing deportation relief to undocumented immigrants and certainty to members of the American families they belong to. During the depths of the pandemic, undocumented immigrants were critical in keeping our nation afloat. An estimated **5.2 million** undocumented immigrants worked as essential workers—including 400,000 agricultural workers; 400,000 cleaning staff; 300,000 packers, stockers, and shippers of essential goods; and 100,000 home health and personal aides. As our nation recovers, we will continue to need these workers to keep these vital industries afloat.

Our country is also in dire need of a modernized immigration system that allows immigrants to reunite with family members and that integrates new immigrants into our social fabric. Although there are nearly **four million** people caught in the family-based immigration backlogs, in FY2021, only about 65,000 out of the 226,000 family-preference green cards were issued.

This outdated immigration system not only affects families, but businesses who need workers to fill open positions that have contributed to our labor shortage. And as we work to modernize our immigration system, we should also ensure that new immigrants and those who have been here for many years, alike, have the ability to integrate fully in our society and help move our country forward.

To advance our economic security, protect vulnerable immigrant communities, and modernize our immigration system to meet the needs of today, UnidosUS urges you to:

- **Provide \$100 million for the Citizenship and Integration Grant Program.** This funding would be a civic, economic, and social investment that would benefit eligible lawful permanent residents (LPRs), their families and communities, and our nation. Facilitating the naturalization of LPRs would spur economic benefits, including higher rates of income, access to better-paying jobs, and increased homeownership rates. This would strengthen local housing markets and our tax base. It would also provide civic benefits by allowing new citizens to vote, serve on a jury, and run for political office.
- **Provide \$765 million to address immigration application backlogs.** USCIS has lengthy backlogs and wait times that keep applicants in limbo for immigration-related applications from work permits to naturalization. At the end of Fiscal Year 2021, USCIS had more than eight million pending applications. USCIS needs robust funding to address these backlogs and improve our immigration system. We urge Congress to meet President Biden's request of \$765 million to address the backlog of applications for work authorization, naturalization, adjustment of status, asylum caseloads, and other immigration benefit.
- **Adjust immigration enforcement priorities.** While the Biden administration has made several **active efforts to roll back** previous anti-immigrant policies, there remain barriers to cultivating a more balanced enforcement strategy, including a chilling effect that has both dissolved the trust and **health of immigrant communities** toward government, regardless of the administration. Last year, a federal judge **blocked the effect of a January memo** issued by Secretary Mayorkas meant to narrow enforcement to immigrants who pose a national security, border security, or public safety. In the judge's decision was the declaration that the president does not have the discretion to choose not to detain certain immigrants. While we dispute this holding, Congress should make clear its expectation that immigration enforcement funding and reporting requirement should support the operationalization of the revised enforcement criteria set forth by Secretary Mayorkas's guidance. Sensible enforcement policies should have a clear connection to funding as a matter of public accountability.
- **Increase the limit on cancellation of removal for nonpermanent residents.** Congress should raise the arbitrary 4,000 cap on so-called non-LPR cancellation eligibility to: (a) address the ongoing non-LPR cancellation backlog; (b) eliminate the impending bottleneck in the program, which will likely see increased participation as the

undocumented population ages; and (c) provide an avenue for family unity to undocumented members of mixed-status families. Similar to other proposed measures to modernize our legal immigration system, including recapturing unused visas (which was made part of the House-passed DHS appropriations bill) and expediting employment visa processing, this would streamline avenues for family unity.

- **Continue accountability efforts by requiring removal and detention data.** We applaud Congress for including report language that requires DHS to submit certain removal and detention reporting in the FY2022 spending bill. It is our expectation that congressional leaders will hold DHS to its commitment to produce these reports and do so for public consumption. We urge Congress to do mandate similar requirements this year, specifically by adopting the following report language in appropriations legislation:

Removal and Detention Reporting.—*The department shall continue to submit data on the removal of parents of U.S.-born children semiannually, as in prior years, and shall also report semiannually on removals of members of the armed services who have either been discharged or separated from service other than for dishonorable or bad conduct. Additionally, ICE is directed to provide a semi-annual report to the Committee detailing the number of individuals, by field office, who are detained by ICE for removal from the United States but are subsequently determined to be U.S. citizens, along with the average and median lengths of stay in detention for such individuals. The report should also describe ICE’s process for adjudicating claims of U.S. citizenship by individuals it arrests for removal from the United States; major impediments to more quickly resolving such claims; and ICE’s efforts to mitigate those impediments. The first report is due within 90 days of the date of enactment of this act. The committee notes this report was first required in the explanatory statement accompanying the Department of Homeland Security Appropriations Act, 2019, (Public Law 116–6), and ICE has failed to comply with that requirement. The Committee urges ICE to expedite the delivery of that report.*

Reporting on Criminality and Enforcement Priorities.—*ICE is directed to continue monthly reporting regarding criminality, as described in House Report 116–9. Further, ICE shall provide monthly reports on detention and removal actions by category delineated in the anticipated final guidance that will replace the current “Interim Guidance: Civil Immigration Enforcement and Removal Priorities,” dated February 18, 2021. Both data sets shall differentiate individuals detained or removed as a result of interior enforcement efforts versus those from CBP border security operations.*

In February, UnidosUS sent a [letter](#) to President Biden urging him to propose a FY2023 budget that reduces racial disparity and advances equity by supporting key immigration, economic, health, education, and civil rights funding priorities. While the budget included positive proposals and funding requests, it ultimately fell short of what is needed to advance meaningful equity for Latinos. As leaders of the Senate Appropriations Subcommittee with jurisdiction over immigration, I urge you to build on the president’s budget by advancing a DHS Subcommittee

FY2023 appropriations bill that ensures a more humane, economically empowering, and modernized immigration system.

Sincerely,

A handwritten signature in black ink, appearing to read 'Eric Rodriguez', with a stylized, cursive script.

Eric Rodriguez
Senior Vice President
Policy and Advocacy
UnidosUS