



**American Immigration Lawyers Association
2020 Presidential Questionnaire**

1. How do you propose to improve America’s legal immigration system to ensure it meets the needs of American families, communities, and businesses?

I support an increase in legal immigration. Many communities depend on immigration for their economy and will thrive with increased immigration. One way I am proposing to meet the needs of American communities is through a new place-based Community Renewal Visa as described in the “Our Commitment to America’s Heartland” plan that I proposed to drive economic growth in rural communities. Additionally, we need to increase USCIS personnel and resources to address the backlog of visa applications. We also need to create a system that is more flexible to the changing needs of our businesses and communities. That is why I support creating a commission that will update our visa numbers every year in order to allow the flexibility we clearly need in our changing economy.

2. Do you support reforms to ensure USCIS upholds its service-oriented mission to adjudicate immigration benefits in a fair and timely fashion? (Yes/No)

Yes. It was disturbing when this administration changed the mission statement of USCIS so that it no longer referred to America’s promise as a nation of immigrants or to applicants as customers. Instead, the agency is focusing on enforcement in a way that is inappropriate and contrary to its mission.

So much of this comes from the tone set at the top. Despite what’s happening right now, USCIS was never meant to be an enforcement agency, and it shouldn’t be. Applicants for immigration benefits in this country pay fees, they study our history and civics, and they traverse a complex immigration system all in order to belong in, and fully contribute to, this country. The least we can do is hold them in the same high regard as they hold our country and promise to treat them fairly and respectfully.

3. How would you reform USCIS to uphold its mission to adjudicate immigration benefits in a fair and timely fashion?

I will do everything in my power to restore the proper sense of mission and priorities to this agency, including by increasing oversight and strengthening the role of the Ombudsman and the Office of Civil Rights and Civil Liberties. I will also increase the number of USCIS Immigration and Asylum Officers in order to speed up processes and address the case backlog. Finally, I will restore enforcement priorities for ICE and CBP so that would-be applicants are not deterred from applying for benefits to which they are entitled because of the threat of deportation or other arbitrary immigration enforcement tactics (including the new public charge regulation) that do not serve our public safety needs and instead terrorize immigrant communities.

4. How would you address the population of unauthorized immigrants in the United States, including Dreamers, DACA recipients, and TPS recipients?

We must create a pathway to citizenship for the approximately 11 million undocumented people living here, as well as institute temporary protections for Dreamers, parents of Dreamers, TPS and DED holders while we wait for legislation to pass. That we have not yet gotten this done shows us how broken our democracy is. That is why my first priority is to fix our democracy. After that, we can pass legislation that reflects the will of the American people, who widely support a pathway to citizenship for undocumented immigrants who are already part of communities.

5. Do you support enactment of a legalization plan that provides unauthorized immigrants lawful permanent resident status and the opportunity to apply for citizenship? (Yes/No)

See above.

6. Do you support the creation of an independent Article I immigration court system? (Yes/No)

Yes. We have witnessed the politicization of these courts under Trump's Attorneys General and seen how these appointees' decisions to insert their political agenda into the court system have devastated the lives of immigrants seeking lawful status. Accordingly, we will create an independent immigration court system under Article I. This will ensure that immigration judges are guaranteed full independent power and that all immigrants seeking lawful permanent residence in the United States will be entitled to the protections and due process under the Constitution.

7. How would you reform the immigration court system to ensure the fair and effective administration of justice?

In addition to making the immigration court system more independent by putting it under Article I, we can also change the degree to which we rely on the courts. Certain forms of relief for immigrants are only available in immigration court, which increases the backlog of cases for judges and continues the fear and uncertainty of immigrants and their families. We can allow USCIS to adjudicate technical fixes instead, such as cancellation of removal requests and readjustments, thereby freeing up the courts. In addition, encouraging ICE to agree to relief from deportation in currently-pending cases via written motion, rather than in a hearing before an immigration judge, can reduce court backlogs, and will be more efficient. Establishing a system where the parties are required to meet and confer in advance of an individual hearing with an immigration judge will lead to resolution—or at least a narrowing of issues—in a high percentage of cases in advance of full court hearings. This will dramatically reduce court backlogs, and reserve court time for matters where there are real disputes.

8. How would you improve immigration enforcement and ensure accountability over the agencies responsible for the enforcement of immigration law?

We need to re-establish enforcement priorities, so that ICE and CBP are not wasting valuable resources tearing apart families and communities for no discernible public safety benefit. We also need proper oversight of our enforcement agencies and an accounting for the wrongdoing perpetrated by the current Administration. We will conduct a thorough investigation into ICE and

CBP and hold anyone found to have violated the rights of immigrants or people advocating on behalf of immigrants to account. We will also determine whether certain responsibilities of the agencies ought to be transferred to different agencies.

9. Do you support the reduction of immigration detention, including reduction in U.S. taxpayer funding of immigration detention? (Yes/No)

Yes.

10. How would you ensure the fair, humane and efficient screening of migrants coming to the southern border of the United States?

We need to ensure that people who come to our border and are placed in government care are safe, first and foremost. The current system is not working, and it was never set up for the numbers of families and small children who are now crossing our border. We need to do something new. That's why I'm proposing that, upon first arrival at the border, asylum seekers and other migrants will be sent to Health and Human Services (HHS)-run facilities rather than CBP processing centers. This would apply both to individuals who present themselves at ports of entry and to those who are apprehended by Border Patrol. These facilities will be maintained by personnel trained in health, trauma-informed care, and emergency aid, will be equipped for overnight accommodations, and will prioritize safety of the migrants. Those without a lawful basis for staying in the United States will be processed and then removed, but people who establish that they possess a credible fear of persecution will have full opportunity to seek asylum. This will allow CBP to return their focus to border management and enforcement tasks, unencumbered by the kind of care-taking they are not trained to do.

Further, we must reinstate our commitment to human rights globally by tearing down the barriers this administration has created to prevent people from seeking asylum in the United States. Metering, MPP, and the so-called Safe Third Country agreements are all meant to discourage asylum seekers. We should be protecting people who come here seeking refuge, not turning them away.

11. How would you address the root causes of migration that is resulting in more people fleeing from violence and persecution in the Americas region?

The United States must work towards reducing the push factors leading to the mass migration of people from Honduras, El Salvador, and Guatemala. We should assist regional governments as they implement reforms and work to strengthen overall governance, including by supporting and emboldening civil society organizations dedicated to human rights, good governance, and democratic accountability. Through targeted investments, training, and allocation of resources, the U.S. should bolster and expand programs that build safety and opportunity in these countries. U.S. aid can be used to reduce violence and combat corruption, while strengthening human rights and the rule of law. This means increasing the capacity of community-based initiatives and other private-public partnerships that protect people, reduce violence and displacement, and provide economic opportunities. The aid should also support effective reintegration for people returning to their home countries—particularly children and families—to



reduce the risk that they will be targeted for violence, forced to flee, or otherwise be displaced again.

12. Do you support the right to legal counsel for people facing removal, including counsel paid-for by the government for those who cannot afford it? (Yes/No)

Yes.

13. How would you ensure people facing removal receive legal counsel and have meaningful access to their counsel?

We will urge Congress to pledge funds and to work with legal service providers and state and local governments to create a system to substantiate this guarantee, building off of the success of programs like the New York Immigrant Family Unity Project.