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Jayapal Leads Lawmakers in Urging Attorney General to Reverse Trump's Attacks on Immigrants

Call on DOJ to quickly undo harms of Trump Administration and “restore the foundational principles of justice, fairness, and transparency to the immigration system”

WASHINGTON — U.S. Representative Pramila Jayapal (WA-07) led 60 lawmakers today in calling on the Department of Justice (DOJ) to immediately implement a set of reforms that undo the Trump Administration’s cruel attacks on immigrants. Additionally, the

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lawmakers urged Attorney General Merrick Garland to move toward a system that ensures the fair and impartial administration of justice. To achieve this, the letter outlines specific steps around immigration court backlogs, regulatory and policy review, Executive Office for Immigration Review (EOIR) personnel, legal representation, criminal prosecutions, and the ongoing pandemic. The lawmakers also requested a briefing on these topics.

“In light of the ongoing and irreparable harm that is being inflicted upon immigrant communities, we urge you to implement reforms to the Executive Office for Immigration Review and other Department of Justice immigration policies,” **said the lawmakers.** “We stand ready to work with you to restore the foundational principles of justice, fairness, and transparency to the immigration system.”

While reiterating their commitment to working alongside the Biden Administration to restore fairness and transparency to the DOJ, the lawmakers urged Attorney General Garland to quickly implement necessary reforms related to the following six measures:

- **Immigration Court Backlog:** With the average wait time for a hearing before an immigration judge exceeding four years, the DOJ should undertake a leadership-driven review of the 1.3 million cases that comprise the current immigration court backlog, and identify cases that are appropriate for deferred adjudication. Additionally, the DOJ should consider deferring the significant number of cases that involve individuals with pending applications for relief with USCIS.
- **Regulatory and Policy Review:** The DOJ should reverse the Trump Administration’s harmful steps to rewrite asylum law and

restrict discretionary decision-making and judicial independence. Additionally, they should rescind policies prohibiting “dark courtrooms” and imposing case quotas on judges, and review and implement processing changes to ensure that cases are fully prepared, briefed, and considered before a decision is made. These are key steps as we work on the long-term structural reform that is needed.

- **EOIR Personnel:** As the Trump Administration politicized the immigration courts by prioritizing individuals with political connections and enforcement-heavy backgrounds, the denial rate of asylum cases in immigration court continued to climb, reaching a historic 72 percent in fiscal year (FY) 2020. The DOJ must review these and other appointments, as well as EOIR hiring policies in general, to ensure that all personnel decisions are made in a manner that is consistent with the law.
- **Legal Representation:** Although representation is essential to due process and dramatically increases court appearance rates and efficiency, at least 40 percent of non-detained individuals face these proceedings without counsel. The DOJ should expand legal representation and orientation programs for these vulnerable populations and others, and to request appropriate funding from Congress to accomplish this objective.
- **Criminal Prosecutions:** Vital to ensuring a fair and humane immigration enforcement system is a robust policy of prosecutorial discretion with respect to immigration-related federal offenses. The DOJ must review and rescind the 2017 policy prioritizing migration-related prosecutions as well as policies that target humanitarian workers, labor organizers, and family members under the Immigration and Nationality Act’s harboring and smuggling provisions.

- **COVID-19:** As the pandemic continues, the DOJ should ensure that the immigration courts and all institutions under its authority abide by Centers for Disease Control and Prevention guidelines and take special precautions to protect vulnerable populations.

Today's urgent call to action is endorsed by local, state, and national organizations including Alianza Nacional de Campesinas, American Immigration Lawyers Association (AILA), Asian Americans Advancing Justice | AAJC, Asian Pacific Institute on Gender-Based Violence, ASISTA, Asylum Seeker Advocacy Project (ASAP), Bend the Arc: Jewish Action, Bridges Faith Initiative, Capital Area Immigrants' Rights (CAIR), Center for Gender & Refugee Studies, Church World Service, Coalition for Humane Immigrant Rights (CHIRLA), Faith in Public Life, Freedom Network USA, Hispanic Federation, Human Rights Initiative of North Texas, Immigration Equality, Immigration Hub, Immigration Justice Clinic, Benjamin N. Cardozo School of Law, Make the Road New York, National Immigrant Justice Center, National Immigration Law Center, National Immigration Project, National Network for Arab American Communities, National Network for Immigrant & Refugee Rights, National Partnership for New Americans (NPNA), NETWORK Lobby for Catholic Social Justice, OneAmerica, RAICES, South Asian Americans Leading Together, SPLC Action Fund, The Advocates for Human Rights, United Stateless, We Are Home Campaign, and Wind of the Spirit Immigrant Resource Center.

The letter is signed by U.S. Representatives: Jerrold Nadler, Alma S. Adams, PhD, Karen Bass, Joyce Beatty, Jamaal Bowman, Ed.D., Julia Brownley, Tony Cárdenas, Andre Carson, Joaquin Castro, Judy Chu, Gerald E. Connolly, Jason Crow, Danny K. Davis, Mark DeSaulnier, Adriano Espaillat, Ruben Gallego, Jesús G. "Chuy" García, Sylvia R. Garcia, Jimmy Gomez, Al Green, Raul M. Grijalva, Jahana Hayes, Sheila Jackson Lee, Hakeem Jeffries, Henry C. "Hank" Johnson, Jr., Mondaire Jones, Marcy Kaptur, Rick Larsen, Barbara Lee, Ted W.

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Lieu, Alan Lowenthal, Carolyn B. Maloney, James P. McGovern, Gregory W. Meeks, Grace Meng, Grace F. Napolitano, Marie Newman, Eleanor Holmes Norton, Alexandria Ocasio-Cortez, Ilhan Omar, Frank Pallone, Jr., Jimmy Panetta, Mark Pocan, Ayanna Pressley, David E. Price, Jamie Raskin, Lucille Roybal-Allard, Linda T. Sánchez, Jan Schakowsky, Adam Smith, Darren Soto, Mark Takano, Dina Titus, Norma Torres, Ritchie Torres, Juan Vargas, Nydia M. Velázquez, Bonnie Watson Coleman, and Frederica S. Wilson.

The text of the letter is [available here](#).

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SEATTLE OFFICE

1904 3rd Ave.,
Suite 510

Seattle, WA 98101

Phone: 206-674-
0040

Seattle Fax: 206-623-0256



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