2024 Policy Platform

Immigration

AAPI experiences are heavily shaped by U.S. immigration policy. Over half of all Asian Americans, and one in six Pacific Islanders, are foreign-born. Their immigrant stories are diverse – not only in where they come from, but also how they arrived. The current immigration system in the U.S. is failing AAPI immigrants. From keeping backlogs of hundreds of thousands of cases, to engaging in discriminatory screening practices at the border, the architects of our current immigration system are not protecting and serving immigrants. Policymakers must take into account the AA and NHPI community's experiences when discussing immigration policy and programmatic solutions.

Citizenship for Undocumented Immigrants

- Support a pathway to citizenship for all undocumented immigrants and reject any efforts to tie such a pathway to expanded inadmissibility bars, such as consideration of juvenile adjudications in determining legal status or non-adjudication gang-affiliated standards.

Strengthen the Family-Based Immigration System

- Clear the family and employment-based backlogs including through the recapture of unused visas from past years to reduce backlogs and by allowing the rollover of unused visas in the future.
- Reclassify the spouses and minor children of Lawful Permanent Residents (LPRs) as "immediate relatives," a category not subject to annual numerical limits.

- Honor the contributions of Filipino World War II veterans by reducing their children's waiting times for family-based visas.
- Eliminate discrimination against LGBTQ families throughout U.S. immigration laws by allowing sponsorship of same-sex permanent partners for immigration to the U.S. and ensuring that same-sex refugee and asylee partners remain together.
- Limit executive authority to suspend or restrict immigration to the United States based on religious affiliation and prohibit religious discrimination in immigration cases.
- Administratively recapture unused visas from previous years and end the practice of counting derivatives towards visa caps.

Prevent Family Separation and Restore Immigrant Due Process

- Restore judicial discretion of immigration judges to stop deportations in the pursuit of humanitarian purposes to assure family unity, or when it is otherwise in the public interest.
- Reduce funding to the Department of Homeland Security (DHS) for detention and deportation.
- Preserve and increase protections for immigrant survivors of abuse and violence, such as eliminating the caps on U-visas and T-visas, reducing barriers related to law enforcement certification, and strengthening privacy protections.
- Eliminate the 3-, 5-, and 10-year, and permanent bars to admissibility.
- Oppose additions of criminal bars or new grounds of inadmissibility to the Immigration and Nationality Act (INA).
- Establish a right to reopen and terminate proceedings for individuals who were deported because of unlawful removal orders or because their conviction(s) was vacated.
- Create an opportunity for previously deported immigrants and refugees to return home to the United States.
- Remove the retroactivity of the Illegal Immigration Reform and Immigration Responsibility Act (IIRAIRA).
- Ensure all immigrants, regardless of legal status, are provided access to counsel if they are detained or in the deportation process.
- Establish a five-year statute of limitations for convictions that the Department of Homeland Security can utilize to deport an individual.
- Eliminate the 287(g) program.
- Mandate disaggregated data collection by participating states and localities to monitor potential indications of racial profiling and rescind delegated enforcement authority from those jurisdictions that fail to properly abide by the terms of enforcement programs.

End Mandatory Detention

- Pass legislation that would:
  - Require a full review of Immigration and Customs Enforcement (ICE) and Customs and Border Protection (CBP) detention facilities, to hold both agencies accountable for the litany of alleged civil rights violations and abuses occurring and remedy such actions.
  - Mandate noncustodial community-based alternatives to detention for vulnerable populations, including speakers of other languages who do not have interpreters available, and for other populations as needed.
  - Require ICE and CBP to eliminate the use of solitary confinement of transgender individuals and place such individuals in community supervised release.
  - Improve standards for DHS detention facilities; allow cause of action so individuals injured due to violations of detention standards can file a claim in district court; delineate procedures for detaining individuals; and eliminate the $1,500 bond minimum.
- Exercise oversight on Executive Office for Immigration Review (EOIR) immigration judges. Ensure that all newly hired immigration judges are highly qualified and trained to conduct fair, impartial hearings consistent with due process; and are drawn from a diverse pool of candidates that includes a balance of candidates with non-governmental, private bar experience, and government experience.

Reduce Barriers to Naturalization

- Support local, state, and federal policies that ensure English language classes and job training, and establish welcome centers for new immigrants that are accessible to Asian Americans and Pacific Islanders.
- Increase funding for USCIS' Citizenship and Assimilation Grant Program.
- Expedite security and background check delays plaguing Change of Status applications, and ensure that such checks do not disproportionately target individuals based on their national origin or religious affiliation.
- Appropriate funds to significantly decrease fees for naturalization below 2018 levels and expand fee waivers.
- Eliminate filing fees for Compacts of Free Association (COFA) citizens who need to replace their I-94 Arrival/Departure documents.

Restore and Strengthen U.S. Humanitarian Programs

- Increase the Presidential Determination for Fiscal Year 2025 and beyond; prioritize rebuilding and strengthening the United States Refugee Admissions Program (USRAP) infrastructure to be more efficient and meet annual admission goals; and expand complementary pathways such as the community and private sponsorship programs.
- Fully fund the Refugee and Entrant Assistance, Migration and Refugee Assistance, Emergency Refugee and Migration Assistance, and International Disaster Assistance accounts to rebuild U.S. leadership on international refugee assistance and domestic resettlement.
- Increase resources for asylum processing, and reform asylum processing to maximize the rights of those fleeing violence and persecution.
- Terminate punitive policies of deterrence that restrict the right to seek asylum at the border.
- Acknowledge the increasing number of AAPI migrants entering via the refugee and asylum process, and advocate for CBP to provide more linguistically accessible, culturally and religiously sensitive processing for all refugees and asylees.
- Provide individuals entering the U.S. as derivatives of their spouses' or parents' immigration applications or non-immigrant visas the ability to maintain status independently. Ensure protections if they are victimized by their spouse or parent.
- Clear the U and T visa backlogs, reduce application barriers, and strengthen confidentiality protections, as contemplated in H.R. 5145, the Working for Immigrant Safety and Empowerment (WISE) Act.
- Remove barriers to Special Immigrant Juvenile status by removing arbitrary visa caps.
- Expedite access to employment authorization for applicants for humanitarian immigration relief.

Ensuring Humane Border Policies

- Rescind all existing waivers that have been issued for border barrier construction, roads, procurement laws and associated actions.
- Shift funding away from detention and enforcement and toward community-based programs meant to welcome and help immigrants, including those seeking asylum at the border and in interior cities.
- Create a protections-first immigration framework, with an attendant focus on family and community ties, justice, and humanitarian interests.
- Limit the Executive Branch's authority to transfer funds between agencies for wall construction.

- Consult with border communities on enforcement of our borders.
- Work in partnership with non-governmental organization (NGOs) to receive people seeking asylum in a humane and orderly manner. Improve coordination with NGOs in the distribution of Shelter and Services Program (SSP) funds to ensure shelter networks have the resources they need to continue providing critical services to asylum-seekers.
- Protect and expand federal support for nonprofits that operate at the border and provide essential services to all migrants immediately after release by CBP.

Preserve the Visa Diversity Program

- Increase the number of visas available in the Diversity Visa Program.
- Allow diversity visa winners who were prohibited from entering the U.S. due to the last Administration's various bans to immigrate to the U.S.

Decriminalize Migration

- Decriminalize migration by eliminating INA § 275 and § 276 (8 USC § 1325 and § 1326) in their entirety.

Advance Citizenship for Intercountry Adoptees

- Support legislation, such as the Adoptee Citizenship Act, that would close the loophole in the Child Citizenship Act in 2000 and thus grant retroactive citizenship to all intercountry adoptees who were legally adopted as children by U.S. citizen parents.
- Support a prosecutorial discretion policy that addresses the cases of intercountry adoptees who did not acquire automatic citizenship upon adoption and have been deported or face removal proceedings.